

**EXECUTIVE COMMITTEE OF INTERNATIONAL FUND FOR SAVING THE ARAL
SEA**

Central Asia Water Efficiency Cooperation Regional Project (P515897)

Multi-Phase Programmatic Approach (MPA) – Phase 3

LABOUR MANAGEMENT PROCEDURES

September 18, 2026

ABBREVIATIONS AND ACRONYMS

BWO	:	Basin Water Organization
EC IFAS	:	Executive Committee of the International Fund to Save the Aral Sea
EHS	:	Environment, Health and Safety Guidelines
ESF	:	Environment and Social Framework <i>of the World Bank</i>
ESMP	:	Environment and Social Management Plan
ESS	:	Environment and Social Standard <i>in the ESF</i>
GBV	:	Gender Based Violence
GFP	:	Grievance Focal Point
GM	:	Grievance Mechanism
GRS	:	Grievance Redress Service
HIV/AIDS	:	Human Immunodeficiency Virus / Acquired Immunodeficiency Syndrome
IA	:	Implementing Agency
ICWC	:	Interstate Commission for Water Coordination
IFAS	:	International Fund for Saving the Aral Sea
LMP	:	Labor Management Procedures
M&E	:	Monitoring and Evaluation
OHS	:	Occupational Health and Safety
PPE	:	Personal Protective Equipment
PIU	:	Project Implementation Unit
PMU	:	Project Management Unit, <i>in RPMC</i>
POM	:	Project Operation Manual
RoK	:	Republic of Kazakhstan
RPMC	:	Regional Project Management Committee
SEA	:	Sexual Exploitation and/or Abuse
SESA	:	Strategic Environment and Social Assessment
SIC ICWC	:	the Scientific Information Center of ICWC
SH	:	Sexual Harassment
WBG	:	World Bank Group

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1. INTRODUCTION

1.1 Project rationale and project development goals

CAWEP-4 has been supporting regional engagement through a broad range of analytical work, regional policy dialogue and joint project preparation. CAWEP analytics and activities informing the preparation of this project, include (i) support to ICWC for regional water and energy modeling to evaluate tradeoffs and find win-win solutions for the operation of the reservoir cascades, evaluate benefits of new investments; (ii) improving forecasts to maximize water energy benefits, and stress-testing reservoir operations under climate change scenarios; (iii) capacity and training support to BWO's Amu Darya and Syr Darya to fulfill their important mandate of water accounting; (iv) strategic assessment of infrastructure and built storage in the region and priorities for new investments including dam safety and loss of storage to sedimentation; (v) assessment for water use efficiency and conservation in irrigation modernization for the region, informing the regional investment program for water conservation; (vi) efforts towards improved regional data management and sharing, digitalization and increased monitoring capabilities (in-situ and remote sensing); (vii) drought risk and resilience assessments to develop measures and investments to reduce vulnerability of national and regional energy-systems to water scarcity episodes; (viii) assessment of snow/glacier storage reduction monitoring and opportunities for integrated storage management including surface and groundwater for resilient water management; and as mentioned above (ix) support to IFAS organizations to strengthen their institutional functionality and capacity to implement their mandate.

This regional project builds on these activities and is designed to address the regional and sectoral challenges described above. It draws on the long history of engagement in the region and responds to a critical gap: the challenges outlined in the preceding sections cannot be resolved through national financing alone. The primary objective of the Water Efficiency and Conservation MPA regional project is to complement national projects by strengthening regional organizations mandated with the management and planning of water resources, toward improved water use efficiency, and to ensure that all World Bank-financed projects operating in this space — at national and regional levels — are technically connected, institutionally grounded in shared frameworks, and oriented toward more resilient and efficient management of Central Asia's shared water resources. Support for regional cooperation in the water sector will allow economies of scale from shared studies and pooled expertise, risk reduction from shocks through neutral convening and shared evidence, and access to skills, tools, and systems that individual countries may not be able to sustain on their own. This regional project will support (i) regional feasibility studies for transboundary water systems, (ii) regional information systems and digitalization, and (iii) strengthening of regional water management organizations, promote regional policy reforms and building human capacity, with a special emphasis on youth engagement and gender. This project contributes to enhancing resilience in Central Asia by investing in the key levers of resilience in regional water management: joint investment planning, data and information, regional organizations, human capacity, institutional and policy assessments, and cooperation.

The project's development goal is to enable climate-resilient investments and strengthen the capacity of regional institutions to manage water resources in Central Asia.

1.2 Project Components and planned investments

The regional project under Phase 3 aims to enable climate-resilient investments and strengthen the capacity of regional institutions in Central Asia to manage transboundary water resources and adapt to increasing climate risks. The Project aims to achieve this development objective by supporting regional investments in three main dimensions: (i) joint development of feasibility studies for climate-resilient transboundary projects, (ii) strengthening data availability and regional information management, and (iii) strengthening regional organizations and build human capacity through applied research, knowledge and professional exchanges in the region which will assist the MPA learning agenda. These dimensions are expected to increase the resilience of Central Asia countries in coping and adapting to climate variability and increasing demands for water resources, both of which are contributing to increased water scarcity in the region. Resilience in the management of shared regional water resources is expected to minimize impacts on agricultural outputs and hydropower production, and their direct impacts on jobs and the economy. The Project is aligned with the Water Efficiency and Conservation MPA Program pillars of (i) Infrastructure Investments and (ii) Financially Sustainable Service Delivery and serves as the regional cooperation and knowledge exchange platform of the MPA Program. The Project contributes to the World Bank's Water Strategy Implementation Plan (Scalable Solutions #5, 6, and 7) and builds on the existing institutional and legal frameworks for regional water management, as well as the history of water cooperation in Central Asia since the end of the Soviet Union. Addressing regional challenges that cannot be effectively addressed through national projects, this regional project is expected to benefit participating countries with improved regional water resources management, leading to a reduced collective vulnerability to water scarcity episodes and increased efficiency in water cooperation. Significant direct benefits and reduced costs are expected for the region's economic sectors linked to water and energy. The Project will finance four main components.

Component 1. Preparation of transboundary projects (US\$3 million): This component will support the development of pre-feasibility studies (PFS), initial technical documentation, preliminary environmental and social assessments, and other documents towards the preparation of win-win transboundary investment projects between two or more countries. The focus of these studies and assessments includes the modernization of irrigation and drainage systems, water conservation investments, storage facilities, joint management and coordinated operation of bi-national or multi-national water resources systems, and other related project areas to strengthen shared water systems for mutual benefits. Studies eligible for support under this component must be identified and agreed by at least two countries. The studies will ensure alignment of designed water infrastructure, or the entire network of

water monitoring systems, with the World Bank Resilient Water Infrastructure Design Brief¹ to boost climate resilience of the proposed infrastructure. The development of project documentation under this component will support the mobilization of financing for their subsequent implementation. Climate mitigation (through energy efficiency designs) and adaptation (through water conservation, storage considerations, and improved management and operations design) will be a central element for all activities in this component.

Component 2. Information support and digitalization for improved regional water management and climate resilience (US\$9.5 million): This component will support consultancies, purchase and installation of equipment, and technical assistance for digitalization to strengthen information systems of regional institutions such as ICWC, including the BWOs Amu Darya and Syr Darya. It will support the regional adoption of digital technologies including the installation of measuring equipment at key water management facilities, data management, and the development of information and analytical tools to support the BWO's ongoing tasks of water accounting and distribution in the Amu Darya and Syr Darya river basins. This component will promote long-term sustainability of water use efficiency for multiple economic sectors (including irrigation) through the management of water variability with improved and reliable information in Central Asia supported by robust approaches to data collection, management and dissemination. The introduction of digital innovation technologies and the integration of in-situ measurements and remote sensing applications will increase the coverage and effectiveness of data collection, production of water availability forecasts and climate outlooks, and the strengthening of information systems, facilitating data exchange and decision-making support to address challenges, improve water use efficiency, enable climate adaptation, and address water scarcity. This will enhance transparency and promote cooperation among countries. Activities under Component 2 can be grouped along three stages:

- Stage 1: Assessment and development of practical roadmap for the modernization of information systems of the Amu Darya and Syr Darya BWOs. This stage will include assessments of existing regional information systems and digitalization efforts, and the development of a practical roadmap to strengthen and modernize these systems. The roadmap will include steps to elaborate a conceptual design and technical specifications and terms of reference for the design, modernization, and implementation of regional information systems, as well as needed equipment to be purchased, and related trainings and capacity building for the Amu Darya and Syr Darya BWOs. It will also include the development of the necessary manuals and documentation for the implementation and use of such systems. The conceptual design of the system and overall implementation approach will be agreed by the countries participating in this activity. During this stage, the urgent needs for technical support of the BWOs Amu Darya and Syr Darya will be identified and addressed. This

¹ World Bank. 2020. Resilient Water Infrastructure Design Brief. Washington, DC: World Bank. Available at: <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/868981599035366969>

stage will include the procurement of equipment, which is necessary to improve the daily performance of existing information systems of the BWOs Amu Darya and Syr Darya. Work under this stage will start immediately after the project launch.

- Stage 2: Design and implementation of modernized information systems. Building on Stage 1 activities, this stage will support the modernization design and implementation of information systems, including the Amu Darya and Syr Darya river basins. The final design and implementation will be agreed by the participating countries and within existing institutional mandates. Work on each system will be divided into two parts:
 - Part 1: System design modernization and agreement. The design of modernized systems should ensure equal access to information within the framework of the joint management of the BWOs and be based on the agreement of the participating countries. During the design the system modernization, system owners, information sources, users and needed functionalities and applications will be identified.
 - Part 2: Information system modernization/development and implementation – this will include software development, installation and testing the system for the BWOs and user organizations, approval of the final system by the owners, and system launch. This part will be carried out in parallel with the procurement of the equipment necessary for system operation (Stage 3).
 - Stage 3 Procurement and installation of equipment for the information systems. This stage will support the procurement, delivery, and installation of energy efficient equipment (measuring instruments, server hardware, tele-transmission equipment, and other equipment) necessary for the operation of the modernized information systems, as well as for ensuring reliable data collection and transmission at key water management facilities.

Component 3. Institutional Strengthening and Capacity Building (US\$6 million): This component supports strengthened regional water governance, institutional capacity, and knowledge exchange to enable more effective, coordinated, and climate-resilient water resources management in Central Asia. It will finance the development and harmonization of regional legal and strategic instruments to promote regional cooperation and water use efficiency, alongside targeted technical assistance to build the operational capacity of IFAS and its affiliated regional branches and institutions to fulfill their mandate of providing key regional technical and convening services. The component will also foster regional knowledge exchange, applied research, and professional development through study tours, annual research and practice conferences, and a competitive regional grants program, promoting innovation, regional cooperation, and the integration of environmental, social, gender, and climate considerations in water sector planning and management. The Component will include three sub-components:

- Subcomponent 3.1: Improvement of the Legal Framework and Strategic Planning. This sub-component will support harmonization of regional legal and strategic instruments to further promote regional water cooperation and use efficiency with the

aim of promoting climate resilience. Only regional-level instruments which cannot be funded through national projects are eligible for support. The development of policies, regulations and associated methodologies and rules must be agreed by all participating countries. Priority will be given to the development or update of policies and regulations which support the implementation of activities under Components 1 and 2 and can be finalized and approved during the Project implementation. These may focus on improving water use efficiency (irrigation norms and standards), digitalization, the integration of environmental and social considerations into projects and decision-making processes, or other related topics.

- Subcomponent 3.2: Strengthening the technical, operation and human capacity of regional institutions. This sub-component will support technical assistance activities to strengthen the technical and operational capacity of regional institutions for water resources management within the IFAS structure. Institutions eligible for support include the Interstate Commission for Water Coordination (ICWC), the ICWC Secretariat, the Scientific Information Center of ICWC (SIC ICWC), and the IFAS Executive Committee branches in member countries, as well as the BWOs Amu Darya and Syr Darya. Strengthening regional institutions will improve water resources management and support implementation of their mandates, covering a wide range of potential topics including capacity for environment and social considerations as well as increased capacity to interpret probabilistic climate forecasts, communicate uncertainty ranges to relevant counterparts. Support will also be provided to implement regional institutional reforms and may include: (i) development of technical capacity of IFAS and its institutions, (ii) joint meetings of IFAS and its institutions to exchange experience and knowledge, (iii) trainings on potential newly agreed functional responsibilities of IFAS branches. Strengthening the capacity of regional institutions will enable the implementation of innovative approaches promoted within this project, and more effective and climate-resilient water resources management in Central Asia.
- Subcomponent 3.3: Knowledge exchange, professional and research development for water sector specialists in Central Asian countries will focus on capacity building and applied research exchanges in the region, supporting three main types of activities as follows:
 - Study tours to facilitate peer learning and experience sharing. Study tours will allow countries to exchange experiences, promote results of national MPA projects at the regional level, and incentivize innovation. This approach will facilitate the promotion of low-emission and climate resilient effective water management practices at the regional level. Approximately ten study tours are envisaged (twice a year), targeting representatives of countries and IFAS institutions. A balance will be found between regional tours (i.e. to exchange results and lessons learned from national projects) and tours beyond the region to study best practices in effective water resources management and transboundary basin organization efforts.
 - Applied research and professional practice conferences as scientific and professional cooperation mechanisms. Advancing applied research in the water

sector, as well as the practical implementation of its innovations, is key to improving water use efficiency and adapting to climate change in the region. Applied research and professional practice conferences will be held annually to exchange scientific and practical knowledge and experience, bringing together researchers, practitioners, and scientific centers to exchange knowledge and promote water use efficiency at the regional level. These Research and Practice Conferences will address practical issues related to the effectiveness of water resources management in Central Asia and allow exchange of best practices of national projects within the MPA. Conferences will be organized on a rotating basis, with one Central Asian country hosting each year. Following the conferences, research and practice proceedings will be published, covering various practices in water resource management, use, and protection.

- Implementation of a regional Grants Program for applied research. A regional grant program will be developed and implemented to conduct applied research on topics related to transboundary water resources management, water efficiency and conservation via a climate change lens, regional information exchange, long-term planning, and other areas. A grants manual with competition regulations and selection criteria will be developed during the first year and approved by the Steering Committee (SC), governing the selections process and the establishment of the evaluation committee representing all participating countries and EC IFAS. The main condition for grant awards will be joint research by higher education and scientific institutions (or scientists) from at least two participating countries, and grants may cover academic mobility and research exchanges among the countries. Opportunities to enhance capacity and scientific exchange on the promotion of environmental and social safeguards, gender balance agenda, and climate change issues will be included.

Component 4. Project Management (US\$1,5 million). This component will support the overall implementation, coordination, administration, and oversight of the Project. It will include the establishment and operation of a dedicated Project Management Unit (PMU), responsible for fiduciary management, monitoring and evaluation (M&E), reporting, communication, and ensuring compliance with World Bank policies and procedures. This component will also cover costs associated with audits, project supervision, and other program management activities necessary to ensure effective and efficient Project implementation.

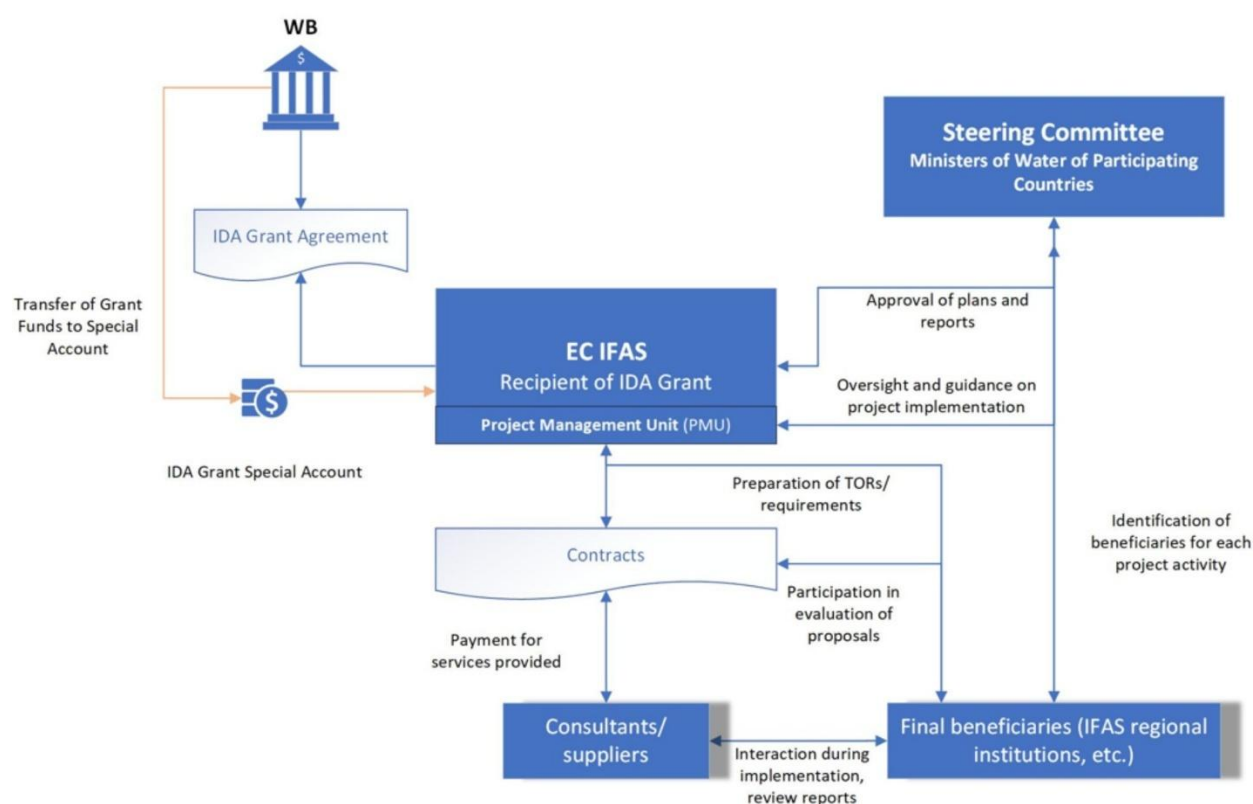
As the project represents an innovative and first-of-its-kind regional investment in the water sector in Central Asia, it will provide continuous and hands-on technical assistance to participating institutions throughout implementation. The project will focus on strengthening the capacity of the Executive Committee of IFAS (EC IFAS) in key implementation functions, including monitoring and evaluation (M&E), fiduciary management, procurement, and environmental and social (E&S) risk management, in line with World Bank policies and procedures. In parallel, targeted support will be provided to final project beneficiaries to enhance their capacity to plan, implement, and oversee project-financed activities, including the effective use of improved technical, digital, and analytical tools. This sustained capacity-

building approach is intended to mitigate implementation risks, support institutional learning, and ensure the effective and sustainable delivery of project outcomes.

1.3 Implementing Arrangements

Project implementation. Given its mandate to coordinate cooperation of Central Asian countries in order to use existing water resources more effectively, the Executive Committee of the International Fund for Saving the Aral Sea (EC IFAS) will serve as the Implementing Agency (IA) for the Project. EC IFAS is the executive body of IFAS, established by the five Central Asian countries. The Project Implementation Unit/Project Management Unit (PIU/PMU) established within EC IFAS will support implementation and coordination of the Project and will be responsible for ensuring implementation of the commitments set out in the Environmental and Social Commitment Plan (ESCP), this LMP, the Stakeholder Engagement Plan (SEP), and other applicable E&S instruments.

Implementation Arrangements for Central Asia Water Efficiency Cooperation Project



- **Regional Project Management Committee (RPMC)** comprising senior representatives from the national Ministries of Water of Central Asian countries and EC IFAS, will be established to oversee overall implementation of the Project. In particular, the RPMC will be responsible for (i) providing strategic decisions on work

program under the project, approval of annual plans, including final project beneficiaries, and reports; (ii) coordinating project activities with relevant national programs and initiatives of other development partners; and (iii) providing inputs and guidance to EC IFAS and Project Implementation Unit (PIU) for effective implementation of the Project;

- A PIU/PMU to be established within EC IFAS will support EC IFAS in implementing the Project, ensure compliance with World Bank environmental and social and fiduciary requirements, provide support to final project beneficiaries, coordinate monitoring and evaluation and reporting, and serve as secretariat of the RPMC, liaising regularly with participating countries. The PIU/PMU will include professional staff in procurement, financial management, M&E and E&S functions, supported by consultants and other specialists as needed. The PIU/PMU will coordinate with final project beneficiaries to ensure that ESS2 requirements are incorporated into the preparation and implementation of activities financed by the Project.
- To align Project activities with priorities and needs of participating countries and regional entities and ensure technical quality of the diverse spectrum of proposed activities, the annual plans approved by the RPMC will identify final project beneficiaries for each activity. These may include IFAS entities and organizations, relevant government entities from at least two countries, and other regional institutions. Final project beneficiaries will be responsible for technical aspects of their activities, including preparation of terms of reference and technical requirements and approval of results, while the PIU/PMU will retain responsibility for coordinating applicable E&S requirements and monitoring compliance. The POM will clearly identify interaction procedures between EC IFAS, the PIU/PMU and final beneficiaries.
- **Sustainability of Information Systems:** Managing information systems is included in the mandate of the BWOs Amudarya and Syrdarya. This task is currently supported by the Government's annual allocated budgets of the BWOs. However, current systems are outdated and require modernization, which may also require more technically trained staff and increased budgets of the BWOs for ensuring the long-term sustainability and use of the modernized systems.

IFAS founding documents envisage that each participating country presides in IFAS for a period of three years, with the Head of State of the presiding country serving as IFAS Chairman and EC IFAS located in the country chairing the organization. The next rotation of the IFAS Chairmanship is scheduled from Kazakhstan to Uzbekistan in January 2027. Prior to any transfer of the Implementing Agency, the Bank will review the capacity of the incoming entity to ensure readiness for Project implementation, including its capacity to implement applicable environmental and social commitments. All obligations will be transferred only following successful completion of the Bank's review. Detailed procedures for the transition period will be reflected in the POM.

1.4 Purpose and Scope of the Labor Management Procedure

This Project has applied the World Bank's Environmental and Social Framework (ESF) to identify and address environmental and social risks and impacts. Environmental and Social Standard 2 (ESS2) on Labor and Working Conditions requires the Borrower/Implementing Agency to develop Labor Management Procedures (LMP). The LMP has been developed to protect the health, safety, rights and wellbeing of Project workers engaged during implementation; promote fair treatment, non-discrimination and equal opportunity; prevent child and forced labor; and provide accessible means for workers to raise workplace concerns, taking into consideration applicable national requirements and ESS2.

The scope of this LMP covers all Project activities that require or may involve the hiring or engagement of a workforce. It applies to all categories of Project workers covered by ESS2, including direct workers, contracted workers and, as relevant, primary supply workers. It addresses recruitment and employment, terms and conditions, worker-management relationships, occupational health and safety (OHS), non-discrimination and equal opportunity, prevention of child and forced labor, prevention and response to SEA/SH, and worker grievance mechanisms. The LMP also establishes requirements for workers engaged by contractors, subcontractors and other third parties.

1.5 Objective of the LMP

The overall objective of this LMP is to establish clear labor management procedures for all Project workers, including direct workers and contracted workers and, where relevant, primary supply workers, in line with applicable national legislation and the World Bank's ESS2 requirements.

The LMP presents the activities that lead to labor and working conditions related risks and impacts, the main labor and working conditions requirements, and the identified risks and impacts and gaps in requirements. It captures the procedures to be implemented to address the gaps and manage the risks and impacts including the resources necessary to address these. The LMP is a living document, which is initiated early in project preparation and is reviewed and updated throughout the development and implementation of the project.

This LMP applies to all Project workers whether full-time, part-time, temporary, seasonal or migrant workers. The LMP is applicable, as per ESS2, to the Project in the following manner:

- People employed or engaged directly by the EC IFAS/PIU/PMU to work specifically in relation to the Project;
- People employed or engaged by third parties, including consultants, contractors and subcontractors, to perform work related to the Project;

- People employed or engaged by primary suppliers, to the extent that ESS2 requirements applicable to primary supply workers are triggered; and

2. OVERVIEW OF THE LABOR USE IN THE PROJECT

ESS2 on Labor and Working Conditions recognizes the importance of employment creation and income generation in the pursuit of poverty reduction and inclusive economic growth. In addition to the applicable national labor legislations, ESS2 guides and enables implementing agencies to ensure sound worker-management relationships and enhance the development benefits of the project by treating workers in the project fairly and providing safe and healthy working conditions.

2.1 Type of Workers

ESS2 categorizes project workers into direct workers, contracted workers, primary supply workers and community workers. No community workers are anticipated under the Project. The LMP applies to all Project workers as defined by ESS2. Government civil servants working in connection with the Project will remain subject to their existing public-sector employment arrangements, except where they are legally transferred to the Project.

- **Direct workers**

A direct worker is a worker with whom the Borrower has a directly contracted employment relationship and specific control over the work, working conditions, and treatment of the project worker. The worker is employed or engaged by the Borrower, paid directly by the Borrower, and subject to the Borrower's day-to-day instruction and control. Examples of direct workers may include persons employed or engaged by the Borrower's project implementation unit to carry out design and supervision, monitoring and evaluation or community engagement in relation to the project.

- **Contracted workers**

A contracted worker is a worker employed or engaged by a third party to perform work or provide services related to the Project, where the third party exercises control over the work, working conditions and treatment of the worker. Contracted workers may include consultants, technical specialists, design and engineering firms, service providers, equipment installation personnel, and other workers engaged for Project activities. Where contractors or subcontractors are used, the PIU/PMU will require them to comply with this LMP, applicable national labor legislation and relevant ESS2 requirements.

- a) Design and Engineering Consulting Firms

Design and engineering consulting firms will be engaged to prepare preliminary studies, and other technical documentation for subprojects. As part of their responsibilities, they will conduct environmental and social screening and prepare site-specific environmental and social management instruments (e.g., ESMPs) in accordance with the Project's framework documents and World Bank requirements.

- **Primary supply worker**

A primary supply worker is a worker employed or engaged by a primary supplier, providing goods and materials to the project, over whom a primary supplier exercises control for the work, working conditions, and treatment of the person.

Procurement of goods, equipment, spare parts, machinery and other materials will generally be undertaken through competitive procurement procedures in accordance with World Bank procurement requirements. Given the anticipated nature and scale of procurement, primary supply labor risks are expected to be low. Nevertheless, the PIU/PMU will screen primary suppliers where relevant for significant risks of child labor, forced labor and serious safety issues and will include appropriate contractual provisions and monitoring measures where such risks are identified.

This LMP focuses on persons directly employed or engaged by EC IFAS/PIU/PMU and on contracted workers and other Project workers whose activities are financed by or connected to the Project. The PIU/PMU will ensure that final project beneficiaries and third parties apply the relevant requirements of this LMP.

2.2 Number of Project Workers

Project PIU/PMU has core personnel such as the Director, Project Coordinator, Senior Technical Specialist, Project Specialist, Digitalization Specialist, Senior Legal Specialist, Financial Management Specialist, Environmental and Social Consultant, and Procurement Consultant. This represents the indicative core direct workforce and should not be interpreted as the total number of Project workers, which will vary according to the activities, consultants, contractors, equipment installation and other services financed during implementation.

Employees and short-term consultants will be hired by competition. The recruitment will be carried out in accordance with World Bank (WB) standards and procedures for hiring of local consultants. The Project will finance the activities of PIU staff and short-term consultants, including the operational costs of the Project. With the no-objection of the World Bank, and in order to ensure the successful implementation of the Project, PIU may hire a consulting company to carry out some of the functions of the PIU or technical consultants on components (if necessary). All employees and consultants of the PIU will report to the PIU project manager. The structure of PIU reporting will be developed by PIU project manager within an agreement with the PIU and the WB. The reporting requirements for each PIU staff and consultant will be defined in their individual terms of reference. All decisions on the operational management of PIU, including reporting, procurement of operating expenses, organizational and personnel issues will be formalized by internal orders of PIU. The Project Operational Manual (POM), currently in draft and to be finalized, lays out the detailed operational procedures for project implementation, including the institutional, disbursement, procurement and financial management arrangements.

The PIU will interact with structural divisions of National Institutions and agencies involved in irrigation and water resources activities, as well as regional institutions and agencies. The head of the PIU will be responsible for the implementation of the Project.

Table 1 below gives an overview of the direct workers.

Table 1. Summary of Direct Workers

Number of Direct Workers and characteristics. Staff position	Total number of staff	Characteristics of workers
Director of the PIU	1	National
Project Coordinator	1	National
Senior Technical Specialist	1	National
Project Specialist	1	National
Digitalization Specialist	1	National
Senior Legal Specialist	1	National
Financial Management Specialist	1	National
Environmental and Social Consultant	1	National
Procurement Consultant	1	National
Total	9	

2.3 Timing of Labor requirements

The core direct workers at the PIU/PMU will generally be required full time, subject to applicable national legislation and the terms of their contracts, throughout the Project duration. Other experts and consultants will be hired on an as-needed basis. Contracted workers, including workers engaged by consultants, contractors, subcontractors and equipment/service providers, will be engaged as required for specific activities. The timing and location of such workers will be confirmed as activities are prepared and will be reflected in relevant procurement documents, terms of reference and activity-specific E&S instruments where applicable.

3. ASSESSMENT OF KEY POTENTIAL LABOUR RISKS

Given the predominantly technical assistance, institutional strengthening, information-system modernization and preparatory nature of the Project, labor risks are expected to be generally low to moderate and manageable through the measures set out in this LMP. Although large-scale civil works are not anticipated under CAWEC, some activities may involve field visits, work at existing water-management facilities, equipment delivery and installation, travel, meetings and other site-based or operational activities. These may give rise to OHS, traffic and travel safety, contractor management, working conditions, discrimination, SEA/SH, child and forced labor risks that will be assessed and managed proportionately.

The Project's labor risks are assessed as generally Low, with risks associated with OHS, contractor and subcontractor management, working conditions, discrimination, child and forced labor, and SEA/SH requiring ongoing monitoring. Labor influx is expected to be limited given the nature of the Project; however, this assumption will be reviewed as implementation activities are defined. Contractors will be required through contracts to comply with this LMP, applicable national labor requirements and relevant ESS2 provisions, including codes of conduct and measures for prevention of SEA/SH, forced labor and child labor. The PIU/PMU will monitor compliance and require corrective action where needed.

All workers will have access to the project specific Grievance Mechanism (GM) with a dedicated window for workers' complaints.

From the anticipated project activities, potential labor risks have been identified which must be monitored closely by the PIU and project contractors during project implementation to avoid any escalation. These are summarized in Table 2 below.

Table 2 Summary of potential labor risks and proposed project mitigation measures

#	Potential Labor Risk	Mitigation Measures
1	Occupational risks and hazards (incidents and accidents)	Low to moderate depending on activity. Although large-scale civil works are not anticipated, equipment delivery/installation, field visits, work at existing water-management facilities, travel and site-based activities may involve OHS risks. • Provide induction and regular OHS training. • Ensure appropriate PPE and safe work procedures where applicable. • Apply traffic and travel safety measures. • Contractors/subcontractors will comply with applicable OHS requirements and contractual E&S provisions. • Report and manage incidents in accordance with Project procedures and applicable national requirements. • Conduct proportionate supervision, inspections and spot checks.
2	Sexual exploitation and abuse/sexual harassment (SEA/SH)	SEA/SH risks are expected to be low but cannot be assumed to be absent, particularly during field activities, travel, meetings and interactions with workers and stakeholders. • Include SEA/SH prevention and response requirements and a Code of Conduct in relevant contracts. • Provide worker awareness/training on prohibited conduct, reporting channels and confidentiality. • Maintain a safe, confidential and accessible worker GM and appropriate

- referral pathways. • Prohibit retaliation and protect personal information. • Apply survivor-centred procedures to SEA/SH complaints.
- The SEA/SH criteria for business practices will be provided to project participants and the project will include Codes of Conduct for project workers and bidding documents.
 - Project Affected Parties are informed of SEA/SH risks during the stakeholder consultations.
 - Establishing effective GM on SEA/SH-related complaints.
- 3 Communicable diseases and health risks associated with travel, field activities or worker interaction
- Provide proportionate information and preventive measures for workers undertaking field activities or travel; ensure appropriate welfare and first-aid arrangements where relevant; follow applicable public-health requirements.
 - Provide regular training to staff on prevention measures
- 5 Labor influx
- Labor influx is expected to be limited. This assumption will be reviewed as activity locations and contractor arrangements are defined. Where material influx occurs, proportionate measures will be incorporated into contractor requirements and activity-specific instruments.
- 6 Child labor
- No child labor will be permitted in work prohibited under ESS2 or national law. Age will be verified before engagement and records maintained. No person under 18 will undertake hazardous or harmful work. Contractors will be required to prevent child labor in their workforce and supply chains where relevant. Maintain labor registry of all contracted workers with age information
 - Restrict workers from buying merchandise from children
 - Strengthen pre-employment screening systems to prevent hiring of children (Verification of the age shall be undertaken prior to the engagement of

- | | | |
|---|---|--|
| | | labor and be documented based on the worker's ID or other relevant legal documents) |
| | | <ul style="list-style-type: none"> • Routine monitoring of project sites to confirm no underage is hired and involved in the work on the project site |
| 7 | Non-compliance with labor laws and ESS 2 | <ul style="list-style-type: none"> • Include clear labor and E&S clauses in contracts; require compliance with applicable national law, this LMP and ESS2; maintain employment and OHS records; conduct proportionate monitoring and audits/spot checks; track corrective actions and report material non-compliance. |
| 8 | Poor conditions of service | <ul style="list-style-type: none"> • Provide workers with clear information on terms and conditions of employment, including wages, working hours, rest, leave, benefits, termination and disciplinary procedures. Prohibit recruitment fees charged to workers. Ensure non-discrimination and equal opportunity. • Ensure non-discrimination of workers |
| 9 | Discrimination, harassment and exclusion of Women and other vulnerable groups | <ul style="list-style-type: none"> • Apply non-discrimination and equal opportunity principles throughout recruitment and employment. Provide accessible worker GM channels, including confidential channels for sensitive complaints. Monitor working conditions and prohibit retaliation. • Develop deliberate mechanisms to monitor participation of vulnerable groups in all activities • Provide systems to ensure equal opportunity for all regardless of gender, ethnic and social status. |

4. BRIEF OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS

4.1 Applicable National Legislation

As this operation is implemented by a regional institution and activities may be undertaken in several sovereign states, the labor legislation applicable in the jurisdiction where the relevant work is performed shall apply. The LMP shall be implemented in a manner that meets both applicable national requirements and the World Bank ESS2 requirements; where there is a gap, the more

protective requirement will apply to the extent required by the ESF and applicable legal arrangements. The applicable legislation of the participating states is summarized in Annexure 1.

4.2 The World Bank Environment and Social Stands: ESS2 Labor and Working Conditions

The projects financed by the World Bank need to comply with the World Bank's Environmental and Social Framework (ESF), effective from October 2018, comprising, inter alia, the Environmental and Social Standards (ESS)²

In particular Environmental and Social Standard 2 ("ESS2") addresses labor and working conditions. This standard recognizes the importance of employment creation and income generation in the pursuit of reducing poverty and inclusive economic growth. By treating workers fairly and ensuring safe and healthy working conditions, borrowers can promote sound worker-management relations and enhance the development benefits of a project. Key objectives of the ESS 2 are to:

- Promote safety and health at work
- Promote the fair treatment, non-discrimination, and equal opportunity of project workers
- Protect project workers, including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with this ESS) and migrant workers, contracted workers, community workers, and primary supply workers, as appropriate
- Prevent the use of all forms of forced and child labor
- Support the principles of freedom of association and collective bargaining of project workers; in a manner consistent with national law; and
- Provide project workers with accessible means to raise workplace concerns.

ESS2 applies to project workers including full-time, part-time, temporary, seasonal, and migrant workers. Where government civil servants are working in connection with the project, whether full-time or part-time, they will remain subject to the terms and conditions of their existing public sector employment agreement or arrangement, unless there has been an effective legal transfer of their employment or engagement to the project.

PIU/PMU will develop and implement labor management procedures applicable to the Project. These procedures will set out how Project workers will be managed in accordance with applicable national law and ESS2. They will address different categories of Project workers, including direct and contracted workers and, where relevant, primary supply workers. Project workers will receive clear and understandable information on their terms and conditions of employment, including rights related to hours of work, wages, overtime, compensation and benefits, as well as applicable ESS2 requirements. Information will be provided at the beginning of the working relationship whenever material changes occur.

² <https://www.worldbank.org/en/projects-operations/environmental-and-social-framework/brief/environmental-and-social-standards> . The ESF specifies the mandatory requirements in the form of 10 ESSs that borrowers must apply based on the specificity of each project.

4.3 Key Gaps between National Legislation and World Bank ESS2

This LMP is intended to comply with applicable national law and World Bank ESS2 requirements. Where national requirements and ESS2 differ, the Project will apply the more stringent requirements under the ESF and applicable legal arrangements. The PIU/PMU will periodically review the legal framework and update this LMP as necessary.

5. RESPONSIBLE STAFF

The employment of project workers will be based on the principle of equal opportunity and fair treatment, and there will be no discrimination with respect to any aspects of the employment relationship, such as recruitment and hiring, compensation (including wages and benefits), working conditions and terms of employment, access to training, job assignment, promotion, termination of employment or retirement, or disciplinary practices.

EC IFAS, through the PIU/PMU, will have overall responsibility for implementing this LMP. The PIU/PMU E&S and M&E staff will coordinate implementation, monitor compliance, maintain labor records, support worker training, oversee contractor and subcontractor compliance, ensure the worker GM is operational, and report material labor and OHS issues. Final project beneficiaries will implement relevant LMP requirements for activities under their responsibility. Contractors, consultants and subcontractors will comply with applicable national law, this LMP and their contractual E&S obligations, maintain required records, train workers and report incidents and grievances.

PIU's Monitoring and Evaluation specialist, supported by the Environment and Social Specialists, will be responsible for the following within their responsibility area:

- implementing these labor-management procedures;
- ensuring that contractors comply with this labor-management procedure;
- monitoring to verify that contractors are meeting labor and OHS obligations toward contracted and subcontracted workers as required by applicable national legislation and ESS2;
- monitoring contractors and subcontractors' implementation of labor-management procedures;
- monitoring compliance with occupational health and safety standards at all workplaces in line with the national occupational health and safety legislation;
- monitoring and implementing training on LMP and OHS for project workers;
- ensuring that the grievance mechanism for project workers is established and implemented and that workers are informed of its purpose and how to use it;
- have a system for regular monitoring and reporting on labor and occupational safety and health performance; and
- monitoring implementation of the worker code of conduct. the content and template of the code of conduct are given in Attachment 1.

The Contractors (Consultants) will be responsible for the following:

- to obey requirements of the applicable national legislation and this labor-management procedure;
- maintain records of recruitment and employment process of contracted workers;
- communicate clearly job description and employment conditions to contracted workers;
- have a system for regular review and reporting on labor, occupational safety, and health performance.

When contractor(s) is known, this labor-management procedure can be updated to include additional details about companies, hired workforce, etc., as necessary.

6. POLICIES AND PROCEDURES

As specified in the ESS2 and applicable National legislations, employment of project workers will be based on the principles of non-discrimination and equal opportunity. There will be no discrimination with respect to any aspects of the employment relationship, including recruitment, compensation, working conditions and terms of employment, access to training, promotion or termination of employment. The following measures will be followed by contractors and monitored by the PIU to ensure fair treatment of all employees:

- recruitment procedures will be transparent, public and non-discriminatory, and open with respect to ethnicity, faith/religion, disability, sexuality and gender;
- clear job descriptions will be provided in advance of recruitment and will explain the skills required for each post;
- all workers will have written contracts describing terms and conditions of work and will have the contents explained to them. Workers will sign the employment contract;
- the contracted workers will not be required to pay any hiring fees. If any hiring fees are to be incurred, these will be paid by the Employer (in this case, the “Employer” would be the contractor);
- depending on the origin of the employer and employee, employment terms and conditions will be communicated in a language that is understandable to both parties;
- in addition to written documentation, an oral explanation of conditions and terms of employment will be provided to workers who may have difficulty understanding the documentation;
- Normal working time should not exceed 40 hours per week. With a five-day working week, the duration of daily work is determined by the internal work regulations approved by the employer after prior consultation with the representatives of the workers, in compliance with the established working week duration.

Monitoring

Monitoring of the above-mentioned measures will be conducted directly by the relevant PIU employees.

7. AGE OF EMPLOYMENT

The Project will not employ or engage children in work that is prohibited under ESS2 or applicable national law. No person under 18 years of age will be engaged in hazardous or harmful work,

including work that is likely to jeopardize health, safety or morals. The PIU/PMU and contractors will verify age before engagement through appropriate documentation and maintain records. Where national law permits employment of persons below 18 for non-hazardous work, such engagement will only be permitted if it is consistent with ESS2, applicable national law and the Project's risk assessment.

Contractors will be required to verify and identify the age of all workers. This will require workers to provide official documentation, which could include a birth certificate, national identification card, passport, or medical or school record. If a minor under the minimum labor eligible age is discovered working on the project, measures will be taken to immediately terminate the employment or engagement of the minor in a responsible manner, taking into account the best interest of the minor.

8. TERMS AND CONDITIONS

Terms and conditions of direct workers are determined by their individual contracts. Terms and conditions should include provisions set out in the "HR Regulations" approved by the EC IFAS, and applicable contractors.

9. GRIEVANCE MECHANISM

9.1 Description of Grievance Mechanism

A grievance mechanism is a procedure that provides a clear and transparent framework for addressing grievances related to the recruitment process and in the workplace. This typically takes the form of an internal procedure for complaints, followed by consideration and management response and feedback.

A grievance mechanism (GM) will be provided for all direct workers, and contracted workers to raise workplace concerns. Such workers will be informed of the grievance mechanism at the time of recruitment and the measures put in place to protect them against any reprisal for its use. The GRM is designed to resolve labor-related issues at the earliest possible stage, including at the workplace level, to mitigate escalation to higher levels unless necessary.

The project will use GM for the project workers, which is being established for the project in compliance with the objectives of ESS2. The GM with a step-by-step procedure for the Project workers consistent with the ESS2 will be described in the Project Operations Manual (POM). Essentially, it will be at different levels. This GM is not the same as the grievance mechanism to be established for project affected stakeholders under the Stakeholder Engagement Plan. The Project workers' grievance mechanism will not prevent workers from using judicial procedure.

Grievance procedures should be tailored to meet the needs of the project, culture and workforce composition.

GM will be accessible to all employees through various means (written, telephone, email, fax, social media, etc.). A grievance logbook will be maintained in the PIU office to record grievances raised and the agreed remedial actions.

9.2 Direct workers' GM structure

To mitigate the risks related to direct workers a GM for Direct Workers will be established. Where a grievance cannot be resolved at the contractor level, it shall be escalated to the PMU/PIU further consideration under the supervision of the Project Coordinator.

First - PIU level. Director of the PIU, Project Coordinator are the first level for complaints related to violation of labor legislation in accordance with the Code of Conduct and Ethics in PIU, which is an integral part of the employee's employment contract, depending on the nature of the issue raised, will be responsible for the timely receipt, consideration of complaints, including problems related to violation of the employee's employment contract. If the issue cannot be resolved at the first level within 7 working days, then it will be escalated to the next level.

Second – RPMC level. The PIU is the second level for handling complaints. For direct workers, there is a situation in which there is no response from the HR department, or if the answer is not satisfactory, then plaintiffs and feedback providers have the opportunity to contact the PIU director directly to continue on this issue. The complaints should be considered and feedback provided within the next 7 working days.

Complaint review periods are determined by the legislation of the Republic of Kazakhstan, in particular the Administrative Procedure Code of the Republic of Kazakhstan (APC RK), and are up to 20 business days from the date of complaint registration. If additional investigation or verification is necessary, the authorized body may extend this period by no more than 10 business days.

9.3 Contracted worker's GM structure

Responsibility for the implementation of the Worker GRM lies with:

- social specialists of the PIU;
- designated staff of contractor organizations.

At each site, a focal point shall be appointed to receive and process grievances.

First - Contractor's level. Contractors should develop their own GM and resolve the grievances of contracted workers. Grievance Focal Point (GFP) assigned by the Contractor will file the grievances and appeals of contracted workers and will be responsible to facilitate addressing the grievances. If the issue cannot be resolved at contractor's level within 7 working days, then it will be escalated to the PIU local level.

Second - PIU level. Social specialist of PIU local level will serve as GFP to file the grievances and appeals of the project workers. He/She will be responsible for coordinating with relevant

departments/organizations and persons to facilitate addressing these grievances. If the issue cannot be resolved at the PIU level within 7 working days, then it will be escalated to the next level.

If there is a situation in which there is no response from the PIU, or if the response is not satisfactory then complainants and feedback providers have the option to contact the Focal Person indirectly to follow up on the issue.

9.4 Handling sensitive grievances

The Project shall ensure that workers are protected from any form of retaliation related to the submission of grievances. Such measures include maintaining confidentiality and allowing anonymous submissions.

Grievances related to SEA/SH are handled in accordance with specific protocols:

- strict confidentiality;
- survivor-centered approach;
- ensuring the safety of the complainant;
- restricted access to information.

Such grievances are referred only to authorized personnel and are not subject to general disclosure.

SEA/SH-related complaints will be handled through confidential, survivor-centred procedures. The worker GM will provide safe and accessible channels, protect confidentiality and personal data, prohibit retaliation, and provide information on available referral and support services. The Project will not require survivors to disclose details to the employer or GM beyond what is necessary to access support and process the complaint. Investigation and disciplinary action, where appropriate, will be undertaken through competent and appropriately authorized mechanisms, with due process and confidentiality.

Gender sensitivity will be sought in the employment of social specialist;

- Social specialists will be informed about SEA/SH issues;

In addition to the socio-cultural characteristics and non-violent communication ways in the training of workers, SEA/SH will also be on the agenda. Worker training will include the following information on SEA/SH:

- Definition of violence against women in national and international documents;
- Types of violence (physical, sexual, economic, emotional);
- Legal sanctions;

The grievance mechanism will be accessible and ensure the confidentiality of personal information.

Information activities will be carried out to inform women about the mechanism. The following types of information are presented in these studies:

- Women's rights;
- Self-protection in cases of violence and sexual abuse;
- Emergency phone numbers;
- Contact information of the institutions and organizations they can apply to;

- Grievance mechanism and privacy policy;

The confidentiality principle of the grievance mechanism will be repeated in all information materials.

Where contractors or subcontractors are engaged for site-based activities, the contractor will prepare and implement labor and OHS procedures consistent with this LMP and applicable national law, including appropriate SEA/SH measures and a workers' Code of Conduct. These procedures will be reviewed by the PIU/PMU before mobilization where required. Contractors will ensure that the relevant requirements are followed by subcontractors and will report incidents, grievances and material non-compliance to the PIU/PMU. The PIU/PMU will monitor implementation through document review, inspections, spot checks and other proportionate supervision measures.

9.5 Monitoring and reporting on grievances

The PIU, through the Environment, Social and M&E Specialists, will be responsible for:

- Analyzing the qualitative data on the number, substance, and status of complaints and uploading them into the project databases established by PIU;
- Monitoring outstanding issues and proposing measures to resolve them;
- Preparing reports on GM as a part of the project progress reports being shared with the WB.

Biannual reports to be submitted to the WB shall include a section related to GM which provides updated information on the following:

- Status of GM implementation (procedures, training, public awareness campaigns, budgeting, etc.);
- Qualitative data on the number of received grievances (applications, suggestions, complaints, requests, positive feedback), highlighting a number of resolved grievances;
- Quantitative data on the type of grievances and responses, issues provided, and grievances that remain unresolved;
- Level of satisfaction by the measures (response) taken;
- Any correction measures taken.

9.6 Contact details for submitting grievances to EC IFAS

Senior Legal Specialist –
Qairat Kulmagambetov

Tel: +7 7172 248098 (internal
number 731)

e-mail: kulmagambetov@ecifas.kz

9.7 World Bank Grievance Redress System

Communities and individuals who believe that they are adversely affected by a project supported by the World Bank may submit complaints to existing project-level grievance mechanisms or the Bank's Grievance Redress Service (GRS). The GRS ensures that complaints received are promptly reviewed in order to address project-related concerns. Project affected communities and individuals may submit their complaint to the Bank's independent Accountability Mechanism (AM). The AM houses the Inspection Panel, which determines whether harm occurred, or could occur, as a result of Bank non-compliance with its policies and procedures, and the Dispute Resolution Service, which provides communities and borrowers with the opportunity to address complaints through dispute resolution. Complaints may be submitted to the AM at any time after concerns have been brought directly to the attention of Bank Management and after Management has been given an opportunity to respond. For information on how to submit complaints to the Bank's Grievance Redress Service (GRS), visit <http://www.worldbank.org/GRS>. For information on how to submit complaints to the Bank's Accountability Mechanism, visit <https://accountability.worldbank.org>.

A complaint may be submitted in Kazakh, Tajik, Turkmen, Uzbek, English or Russian, although additional processing time will be needed for complaints that are not in English. A complaint can be submitted to the Bank GRS through the following channels:

- By email: grievances@worldbank.org
- By fax: +1.202.614.7313
- By mail: The World Bank, Grievance Redress Service, MSN MC10-1018, 1818 H Street Northwest, Washington, DC 20433, USA
- Through the World Bank Regional Office in Tashkent, Uzbekistan: Trilliant Business Center, Shahrisabz Street 2, Yunusabad District, Tashkent, 100000, Uzbekistan, tashkent@worldbank.org, Tel. +998 71 120-2400.

The complaint must clearly state the adverse impact(s) allegedly caused or likely to be caused by the Bank-supported project. This should be supported by available documentation and correspondence to the extent possible. The complainant may also indicate the desired outcome of the complaint. Finally, the complaint should identify the complainant(s) or assigned representative/s and provide contact details. Complaints submitted via the GRS are promptly reviewed to allow quick attention to project-related concerns.

In addition, project-affected communities and individuals may submit complaints to the World Bank's independent Inspection Panel, which will then determine whether harm occurred, or could occur, as a result of the World Bank's non-compliance with its policies and procedures. Complaints may be submitted to the Inspection Panel at any time after concerns have been brought directly to the World Bank's attention, and after Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank Inspection Panel, please visit www.inspectionpanel.org

10. CONTRACTOR MANAGEMENT

Any contracts will include provisions related to labor and occupational health and safety as provided in the World Bank Environmental and Social Framework, Standard Procurement Documents and applicable National legislation.

The PIU will use the Bank's 2017 Standard Procurement Documents for solicitations and contracts, and these include labor and occupational, health and safety requirements, environment and social standards, and will make reference to this LMP. The PIU shall ensure that the contractors are legitimate and reliable entities, and that any written labor procedures the contractors have in place are in compliance with this Procedure. As part of the selection process the PIU may review the following information:

- Information in public records, for example, corporate registers and public documents relating to violations of applicable labor law, including reports from labor inspectorates and other enforcement bodies;
- Business licenses, registrations, permits, and approvals;
- Documents relating to a labor management system, including OHS issues, for example, labor management procedures;

While during the implementation of the Contracts the following shall be reviewed:

- Identification of labor management, safety, and health personnel, their qualifications, and certifications;
- Workers' certifications/permits/training to perform required work;
- Records of safety and health violations, and responses;
- Accident and fatality records and notifications to authorities;
- Records of legally required worker benefits and proof of workers' enrollment in the related programs;
- Worker payroll records, including hours worked and pay received;
- Copies of previous contracts with contractors and suppliers, showing the inclusion of provisions and terms reflecting ESS2.

PIU will manage and monitor the performance of contractors in relation to contracted workers, focusing on compliance by contractors with their contractual agreements (obligations, representations, and warranties), labor management procedures, and compliance with applicable environment and social standards requirements. This may include periodic audits, inspections, and/or spot checks of project locations and work sites as well as of labor management records and reports compiled by any contractors.

Labor management records and reports that may be reviewed would include: representative samples of employment contracts or arrangements between third parties and contracted workers, records relating to grievances received and their resolution, reports relating to safety inspections, including fatalities and incidents, and implementation of corrective actions, records relating to incidents of non-compliance with national law, and records of training provided for contracted workers to explain occupational health and safety risks and preventive measures.

ANNEXURE 1: APPLICABLE NATIONAL LEGISLATION

A. REPUBLIC OF KAZAKHSTAN

Labor Code of the Republic of Kazakhstan (dated November 23, 2015 with the last updated become valid on January 1, 2024) is the fundamental legislative act aimed at regulating all labor issues arising in the Republic of Kazakhstan (RoK). This Code governs employment relationships and other relations, directly related, directed to protection of the rights and freedoms of the parties of employment relationships, establishment of the minimum guarantees of the rights and freedoms in the sphere of work. Article 6 of the Code prohibits discrimination and guarantees that all citizens have equal rights to work; discrimination in labor relations is prohibited. Any differences, non-admission or preference, denial of employment, regardless of nationality, race, gender, language, religion, political beliefs, social status, education, property, leading to a violation of equality of opportunities in the field of labor, are prohibited. Contractor shall refer to official sources of RoK legislation to track up-to-date versions of Republic of Kazakhstan Laws and Regulations. <https://adilet.zan.kz/> 41 Under the current framework on labor and working condition the analysis indicates that inconsistencies were observed on minimum age of employment and GBV. The project will require that all project workers must be above 18 years old, and additional measures on prevention of GBV are to be implemented as part of the LMP as well as ESMP.

Occupational health and safety are governed by the Republic of Kazakhstan Labor Code. Section 17 of the Law as well as WBG EHSs narrates the roles and responsibilities of employers and employees related to occupational health and labor safety.

Applicable to the Project, the Law requires employers to:

- Be responsible for ensuring safe working conditions and safety of work at every workplace
- Apply the means to protect workers individually and collectively (including protective clothing and equipment)
- Provide appropriate work and rest regimes
- Training workers in their jobs and safe methods of work
- Provide instructions on labor protection
- Test and verify the knowledge of workers in working safely
- Provide certifications of workplaces at least every five years
- Investigate accidents
- Provide sanitation and medical services
- Providing social insurance for accidents and diseases.
- Provide appropriate training, PPE and medical surveillance for workers
- Implement measures to prevent accidents, such as traffic management plans, signage and barriers
- Community health and safety: Engage with local communities to assess and address potential health and safety concerns related to road construction activities
- Implement measures to minimize disruptions to local communities, such as controlling construction noise and traffic, and ensuring access to emergency services

- Ensure proper disposal of hazardous materials and construction waste in accordance with RoK legislation.

Employees, on the other hand, are required to pass initial and periodic tests medical examinations, pass training and periodic checks of their knowledge of their jobs and safety requirements, and to carry out medical and health measures that are prescribed by medical institution if paid by employer. Employers with over 50 employees must establish an OHS Department. This requirement is to be met by the Contractor and by sub- contractors if they employ over 50 people. The law gives workers the right to refuse to undertake work that violates labor protection requirements. In addition, workers engaged in hazardous working conditions are entitled to free medical and preventative care, additional paid leave and other benefits and compensation. In case of disability or death, employers must provide compensation in multiples of average annual earnings as well as other amounts required by law.

In terms of contractors and sub-contractors the OHS management plan is compiled and contains all relevant information to ensure the management of health and safety of employees, the public and the impact on the environment. Avoid, eliminate and control workplace hazards; As well as provide employees with safety information, supervision and training appropriate to the hazards they are likely to encounter; continuously improve the standard of occupational safety and health for all employees.

- Policy procedures and management practices: Rules and regulations of RoK and International standards, Safety standards, ESF ESS2 requirements and WBG EHSGs;
- Organization: Management, Suppliers, Supervisors, Employees, Committees;
- Services/Facilities: Safety equipment, PPE, First Aid, Rehabilitation;
- Management: Planning, Reporting, Audit/Review, Risk Management;
- Awareness: Induction, Training, Promotion, Meetings;
- Legislation: Labor Code of the Republic of Kazakhstan, Code of Rules: СП РК 3.03-101-2013;
- RoK Industrial safety rules- Order of the Minister of Investment and Development of the Republic of Kazakhstan dated 30 December 2014 No. 352. Registered with the Ministry of Justice of the Republic of Kazakhstan on 13 February 2015 No. 10247;
- Fire safety, Civil Defense- The Law of the Republic of Kazakhstan dated 11 April 2014 No. 188-V. Order of the Ministry of Public Health of Republic of Kazakhstan dd July 26, 2022 # KP ДСМ-67).
- The Law of the Republic of Kazakhstan dated 21 July, 2007 No. 302.

Any accident on the workstation must be reported immediately as per legislation requirements.

B. REPUBLIC OF TAJIKISTAN

2.1 Key Labor Rights and Working Conditions

Relevant provisions of the Labor Code of the Republic of Tajikistan (No. 1329, dated 23 July 2016, as amended) applicable to the Project include:

- Prohibition of discrimination in employment: Article 7 — prohibits any form of discrimination in labor relations and guarantees equal labor rights and opportunities for all workers.
- Prohibition of forced labor: Article 8 — prohibits all forms of forced or compulsory labor.
- Basic rights and obligations of workers: Article 18 — establishes the rights of workers to safe working conditions, fair remuneration, rest, and access to grievance mechanisms, including the right to refuse work that poses an immediate threat to life or health.
- Basic rights and obligations of employers: Article 19 — establishes employer obligations to ensure safe working conditions, provide PPE, conduct training, and respect workers' rights.
- Mandatory written employment contract: Articles 24 and 26 — require all employment relationships to be formalized through a written labor contract and define its essential terms.
- Normal duration of working time: Article 67 — establishes the normal duration of working time at no more than 40 hours per week.
- Duration of daily working time: Article 74 — establishes the daily duration of working time and forms the basis for work scheduling.
- Overtime work: Articles 79 and 80 — define overtime work, require employer authorization and accurate recording, establish limits, and provide for increased remuneration or additional rest time as compensation.
- Wages and remuneration: Articles 139 and 140 — establish the right to fair remuneration and employer guarantees on wages; Article 143 — establishes the minimum wage; Article 158 — establishes deadlines for the timely and full payment of wages.
- Annual paid leave: Articles 91 and 93 — guarantee the right to annual paid leave and establish its minimum duration in calendar days.
- Prohibition of women's employment in hazardous conditions: Article 216 — establishes restrictions on the engagement of women in heavy, hazardous, harmful, and underground working conditions in accordance with national legislation aimed at protecting their health and safety.
- Material liability of workers: Article 188 — establishes the worker's material liability for direct actual damage caused to the employer through their fault.
- Material liability of employer: Article 187 — establishes the employer's liability to compensate workers for damage to their life and health incurred in connection with employment.
- Social insurance: Articles 359 and 360 — establish the forms of mandatory state social insurance and the types of benefits provided to workers.
- Labor dispute resolution: Article 203 — regulates the procedure for consideration of individual labor disputes through the conciliation commission; Articles 198–206 (Chapter 14) — establish the general framework for individual and collective labor dispute resolution.

2.2 Additional Relevant Legislation

In addition to the Labor Code, the following laws are applicable to the Project:

- Criminal Code of the Republic of Tajikistan (No. 574, dated 21 May 1998, as amended) — establishes criminal liability for offenses related to violence, coercion, and violations of personal integrity, including sexual violence and abuse.
- Law of the Republic of Tajikistan "On the Prevention of Domestic Violence" (No. 954, dated 19 March 2013, as amended) — establishes the legal framework for the prevention of domestic violence, defines its forms (physical, psychological, sexual, and economic), sets out the responsibilities of state authorities in addressing domestic violence, and provides for protective measures including protective orders and referral of victims to support services. This Law applies to the Project in the context of SEA/SH prevention and response obligations, particularly where project workers interact with households and communities.
- Law of the Republic of Tajikistan "On Equality and Elimination of All Forms of Discrimination" (No. 1890, dated 19 July 2022) — establishes the general legal framework for equality and non-discrimination across all areas of public life, including employment. Article 6 recognizes and prohibits sexual harassment as a form of discrimination and harassment, and provides for protection and restoration of rights through complaints and judicial remedies in accordance with the law.

2.3 Occupational Health and Safety and Incident Management

National legislation requires employers to ensure occupational health and safety through the following measures, in accordance with the Labor Code of the Republic of Tajikistan (No. 1329, dated 23 July 2016, as amended) and other applicable regulatory acts:

- Provision of safe workplaces and working conditions — Article 19 of the Labor Code establishes the employer's obligation to ensure safe working conditions that meet established sanitary and technical standards;
- Development and implementation of preventive and protective measures — Article 19 of the Labor Code requires employers to implement preventive measures to reduce occupational risks;
- Mandatory training, induction, and periodic instruction — Article 19 of the Labor Code requires employers to conduct mandatory training and instruction of workers on occupational safety procedures;
- Provision of PPE free of charge — Article 19 of the Labor Code requires employers to provide workers with necessary personal protective equipment at no cost and ensure its proper use;
- Investigation, recording, and reporting of occupational accidents — employers are required to record, investigate, and document all occupational accidents and incidents in accordance with Section V of the Labor Code (Articles 327–360 — State Management of Occupational Safety and Health) and applicable Government Resolutions on investigation and recording of occupational accidents;
- Workers' right to safe working conditions — Article 18 of the Labor Code establishes the worker's right to conditions meeting occupational safety and hygiene requirements, including the right to refuse unsafe work.

In addition, the following regulatory acts are applicable:

- Law of the Republic of Tajikistan "On Environmental Protection" (No. 760, dated 2 August 2011, as amended) — establishes requirements for the prevention of negative impacts on the environment and human health during construction activities;
- Government Resolution of the Republic of Tajikistan on Occupational Safety Rules in Construction — establishes specific safety requirements for construction works, including excavation, lifting, electrical works, and works at height.

C. TURKMENISTAN

The Labor Code of Turkmenistan (adopted on April 18, 2009; in force with regular amendments and additions) is the primary legislative act aimed at regulating all labor issues arising in Turkmenistan (TM). This Code governs the establishment of social and legal conditions for the full realization of citizens' constitutional right to work, the legal regulation of labor and related relations, the strengthening of the labor market, and the development of social partnership between the state, employers, and labor unions. The Labor Code also regulates all basic labor relations: the procedure for concluding and terminating contracts, working hours, leave, wages, discipline, and dispute resolution.

Article 7 of the Labor Code declares complete freedom from discrimination in the workplace: not a single citizen may be restricted in their labor rights or granted any unjustified advantages; discrimination is strictly prohibited regardless of gender, race, nationality, language, origin, property status, official position, place of residence, religious affiliation, beliefs, or membership in public associations. A victim has the right to file a complaint with a court (city or etrap (district)) or with the State Labor Inspectorate. In such cases, the burden of proof regarding the legality of the employer's actions (refusal to hire or dismissal) often falls on the employer. However, exceptions or preferences that are justified by the specific nature of a particular type of work (for example, restrictions on heavy labor for women) or by the state's special concern for individuals in need of enhanced social protection (youth, persons with disabilities) are not considered discriminatory.

The contractor must consult official sources of Turkmenistan's legislation to keep track of the current versions of Turkmenistan's laws and regulations. <https://mejlis.gov.tm>, <https://minjust.gov.tm>, <https://tds.gov.tm>.

According to *Article 30 of the Labor Code of Turkmenistan*, the legal age for entering into an employment contract is 16; however, the law provides for exceptions that allow minors to begin working earlier: from age 14—students may be hired to perform light work during their free time outside of school hours with the written consent of one parent (or legal representative/guardian); from age 15—subject to agreement with the organization's trade union committee.

For individuals aged 14 to 16, reduced working hours of no more than 24 hours per week are established; for those aged 16 to 18, no more than 36 hours per week, while maintaining full pay. It is prohibited to employ minors for night work, overtime, heavy labor, or work on weekends.

Turkmenistan's legislation declares zero tolerance for any form of forced or child labor. Prohibitions on these acts are enshrined in the Constitution, and penalties for violations are clearly

outlined in the Labor, Administrative, and Criminal Codes, as well as in the Law “On Guarantees of the Right of Youth to Work.”

Turkmenistan has ratified key conventions of the International Labor Organization (ILO)—Convention No. 29 on Forced Labor, Convention No. 105 on the Abolition of Forced Labor, Convention No. 138 on the Minimum Age for Admission to Employment, and Convention No. 182 on the Worst Forms of Child Labor.

Occupational health and safety issues are governed by the Labor Code of Turkmenistan and the Law “On Occupational Health and Safety,” which was adopted in October 1993 (<https://faolex.fao.org/docs/pdf/tuk207608.pdf>). These documents establish the legal framework for ensuring the safety and health of employees in the course of their work.

According to **the Labor Code of Turkmenistan** (*Section XI, Labor Protection, Article 171*), labor protection is defined as a system for ensuring the safety of the life and health of employees during their work activities, including legal, socio-economic, organizational, technical, sanitary, hygienic, medical, preventive, rehabilitation, and other measures, means, and methods aimed at ensuring safe working conditions. Working conditions are understood as the totality of factors in the production environment and work process that affect the life, health, and performance of the employee.

According to *the Law on Labor Protection (Article 5, Basic Principles of State Policy on Labor Protection)*, the following basic principles of state policy on labor protection are established:

- prioritizing the life and health of employees over the results of the enterprise's production activities, the responsibility of enterprises for creating safe and healthy working conditions;
- comprehensive solutions to occupational safety issues based on state and targeted programs on these issues;
- social protection of workers, full compensation for damage caused to workers by injury, occupational disease, or other damage to health related to the performance of their work duties;
- establishing unified occupational safety standards for all enterprises;
- using economic methods of occupational safety management, pursuing a policy of preferential taxation, and state participation in financing occupational safety measures;
- implementing public education, professional training, and advanced training of employees in occupational safety issues;
- licensing potentially hazardous industries, certification of products (works, services) for industrial purposes;
- establishing state statistical reporting on working conditions, industrial accidents, and occupational diseases;

- ensuring coordination of the government agencies', institutions', organizations', and citizen associations' activities addressing various issues of occupational health, hygiene, and safety;
- supporting the activities of public organizations in the field of occupational safety;
- international cooperation in addressing occupational safety issues, leveraging global experience in organizing work to improve working conditions and enhance occupational safety.

According to *Article 9. Guarantees of an Employee's Right to Occupational Safety During Work* the Administration (Employer) is obligated to implement modern occupational safety measures, ensure working conditions that meet safety and hygiene requirements, and prevent workplace injuries and occupational diseases.

In the event of an employee's right to occupational safety violation, the Main State Inspectorate for Standardization, Metrology, Subsurface Resources Protection, and Safe Conduct of Work in the National Economy of Turkmenistan, with the participation of trade unions or bodies representing the workforce, shall issue a finding of a gross violation of the employment contract.

Article 15. The administration's (employer's) obligations regarding occupational safety and health include the following employer responsibilities:

- ensure safe and healthy working conditions for employees;
- provide employees with benefits and compensation for harm caused to their health in the course of work;
- take immediate action in the event of emergencies, workplace accidents, and occupational diseases, including providing first aid to victims;
- investigate all accidents, occupational diseases, and incidents in accordance with the procedures established by law; issue a certified copy of the accident report to the victim no later than three days after the investigation; and maintain records and conduct analyses of such incidents;
- be held responsible for violations of occupational safety norms, standards, and rules;
- provide employees with personal protective equipment free of charge in cases provided for by law;
- pay for medical examinations of employees as required by law;
- periodically conduct workplace assessments, provide employees with the necessary instructions, and conduct occupational safety briefings and appropriate training;

- take all scientifically sound and practically feasible measures to alleviate employees' physical and mental fatigue during work;
- grant unimpeded access to representatives of state occupational safety authorities and public oversight bodies to employees' workplaces for the purpose of conducting inspections and investigations;
- prohibit employees from performing operations identified as inherently hazardous;
- notify the relevant authorities of workplace accidents and incidents.

Article 16. An Employee's Rights and Obligations Regarding Occupational Safety and Health grants the employee **the following rights**:

- to a workplace that is protected, within permissible limits, from exposure to harmful or hazardous occupational factors that may cause a work-related injury, occupational disease, or reduced work capacity;
- to be provided with personal protective equipment at the expense of the administration (employer);
- to refuse to perform work under conditions that pose a real danger to their life and health;
- to file a complaint and/or appeal during an investigation or inspection, as well as in the event of a violation of occupational safety and health requirements in the workplace due to the fault of the administration (employer);
- to be trained in safe work methods and techniques at the employer's expense;
- to a vocational retraining at the employer's expense in the event of the employer's closure or the elimination of a job due to a violation of occupational safety and health laws and/or the technical inability to ensure healthy and safe working conditions;
- to be informed regarding the state of working conditions, the measures taken by the administration (employer) to protect against harmful or hazardous occupational factors, and the employer's liability for noncompliance with occupational safety laws and regulations;
- to be informed regarding the assessment of their health based on the results of preliminary (upon hiring) and periodic (during employment) medical examinations;
- to be informed and/or given the opportunity to participate in the consideration of issues regarding working conditions at their workplace at all levels of management, as well as during inspections and investigations of workplace accidents and incidents;

- to have working conditions at their workplace inspected by the relevant services of state occupational safety authorities or public oversight bodies.

Employees are required to:

- comply with occupational safety rules, instructions, regulations, and orders; immediately notify administration (the employer) of any situation that poses a threat to human life or health;
- immediately report any accident or injury that occurs during or in connection with work.

According to *Article 23. Development and Compliance with Occupational Safety Requirements*, the State Inspectorate of Turkmenistan establishes the requirements necessary to ensure occupational safety at enterprises based on scientifically sound standards, rules, and regulations, while the employer ensures compliance with occupational safety regulations, fulfills its obligations under the collective bargaining agreement, and develops occupational safety instructions.

D. REPUBLIC OF UZBEKISTAN

Uzbekistan National Labor Legislation

Labor related legislation in Uzbekistan consists of the Constitution of the Republic of Uzbekistan, Labor Code, and other legal and regulatory instruments and international treaties supported by the Republic of Uzbekistan. Uzbekistan has ratified all of the eight fundamental international labor related conventions:

C029 - Forced Labor Convention, 1930 (No. 29); 13 Jul 1992;

C087 - Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87); 12 Dec 2016;

C098 - Right to Organize and Collective Bargaining Convention, 1949 (No. 98); 13 Jul 1992;

C100 - Equal Remuneration Convention, 1951 (No. 100); 13 Jul 1992;

C105 - Abolition of Forced Labor Convention, 1957 (No. 105); 15 Dec 1997;

C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111); 13 Jul 1992;

C138 - Minimum Age Convention, 1973 (No. 138); Minimum age specified: 15 years; 06 Mar 2009;

C182 - Worst Forms of Child Labor Convention, 1999 (No. 182).

Uzbekistan pursues a purposive policy of creating a legal framework for the protection of human rights and freedoms in accordance with international standards. Having joined the world community, the Republic has constitutionally sealed the priority of universally accepted norms of international law. As a fully-fledged member of the United Nations Organization, Uzbekistan accedes to international human rights acts thus assuming an obligation to comply with them and apply them in its state and legal practice. The universal significance of international human rights

acts means that its provisions should be embodied in national legislation. The Main Law of the Republic of Uzbekistan includes all the provisions of the Universal Declaration of Human Rights.

The Constitution of the Republic of Uzbekistan (adopted on December 8, 1992) includes a chapter on the Economic and Social Rights of the citizens. According to it, everyone is entitled to:

- “Have the right to work, free choice of work, fair conditions of labor, and protection against unemployment in the procedure specified by law. Any forced labor shall be prohibited except for punishment under the sentence of a court or some other instances stipulated by law” (Chapter IX, Article 37);
- The right to rest is included in Article 38: “Citizens, working on hire, shall be entitled to a paid rest. The number of working hours and paid labor leave shall be specified by law”;
- Social security in old age in the event of disease, disability, loss of a breadwinner, and in other cases stipulated under the law (Article 39);
- Have the right to skilled medical care (Article 40); and
- Equal rights of men and women are guaranteed by the law (Article 46).
- “Have the right, both individually and collectively, to submit applications and proposals, and to lodge complaints with competent state bodies, institutions, or public representatives. Applications, proposals, and complaints shall be considered in the procedure and within the time limit specified by law” (Chapter VIII, Article 35).

The Labor Code of the Republic of Uzbekistan introduced on April 1, 1996, treats labor legislation with due account of the interests of the employees, employers, and the state and fair and safe labor conditions, and the protection of the labor rights and health of the workers. This Code governs employment relationships and other relations, directly related, directed to the protection of the rights and freedoms of the parties of employment relationships, establishment of the minimum guarantees of the rights and freedoms in the sphere of work. Article 6 of the Labor Code prohibits discrimination and guarantees that all citizens have equal rights to work; discrimination in labor relations is prohibited. Any differences, non-admission or preference, denial of employment, regardless of nationality, race, gender, language, religion, political beliefs, social status, education, or property, leading to a violation of equality of opportunities in the field of labor, are prohibited. A person who considers that he has been subjected to discrimination at work may apply to the court for the elimination of discrimination and compensation for material and moral damage caused to him.

According to Labor Code, labor-management relations should be formalized in a fixed-term or temporary employment contract. The maximum length of a single fixed-term contract is 5 years (with the exception of a few specific positions).

The Ministry of Employment and Labor Relations of the Republic of Uzbekistan is the main state institution responsible for labor, employment, and social protection policymaking. The ministry is tasked with the development and regulation of the labor market and ensuring employment of the population, regulation of labor relations and labor protection, provision of social services for the population, and medical-social rehabilitation of persons with disabilities.

The supervision and monitoring of compliance with Labor Code requirements and protection of labor rights of citizens is implemented by the State Labor Inspection under the Ministry of Employment and Labor Relations, and its territorial subordinate structures according to the Statement on the State Labor Inspection, Attachment #3, Resolution of the Cabinet of Ministers

#1066 of 31.12.2018 “On measures to improve the performance of the Ministry of Employment and Labor of Relations of Uzbekistan”.

Age of employment. Article 7 of the Labor Code states that Forced labor, i.e., forced to perform work under the threat of any punishment (including as a means of labor discipline) is prohibited. The right to work is permitted for persons aged 16 and older. The law allows the hiring of students from secondary schools, secondary special, and professional educational institutions as an internship to perform light work that does not harm their health and moral development, and does not interfere with the learning process, in their free time, provided that they are over the age of 15 with the written consent by a parent or legal guardian (Article 77). No one under the age of 15 is allowed to work under the Labor Code.

Young people aged between 15 and 18 years old have the right to work based on the local legislation and have the same rights as adult workers with some benefits due to their age (Labor Code, Article 240). People under the age of 18 can be employed only after medical examination and further until reaching the age of eighteen are subject to the mandatory annual medical examination. People under the age of 18 can be employed only for works that have no risk to their health, safety, and morals, they are not allowed to lift and move heavy objects (Labor Code Article 241).

Employees aged 15-16 are allowed to work no more than 24 hours a week, and employees aged 16-18 are allowed to work no more than 36 hours a week. Students can be employed only when they are free of study, and their working time may not exceed half of the maximum working time set for the respective age groups, i.e., students aged 15-16 can work only 12 hours a week and students aged 16-18 allowed to work no more than 17.5 hours a week (Article 242).

Articles 49 and 51 of the Administrative Code of Uzbekistan impose fines for violation of the above-mentioned regulations on forced and child labor. The amended law on 23.08.2019 significantly increases fines for using administrative measures to attract employees to forced labor, which has been practiced previously in the country involving public workers, mostly teachers, health workers, and students. The new law imposes fines ranging from 10 to 30 times the minimum wage for using such practices. If the same offense is committed repeatedly, responsible persons will face fines from 30 to 100 times the minimum wage, according to the ministry.

Wages and deductions. Contracts and collective agreements establish the form and amount of compensation for work performed. It is forbidden to pay in kind, except in cases established by the Government of the Republic of Uzbekistan (Labor Code Article 153). The Government establishes a minimum wage (Article 155). From May 2022, the minimum wage payment for a full-time position, cannot be less than 920.000 UZS.³ In areas with adverse climatic and living conditions, district coefficients and allowances for wages are established. There is no established minimum wage for seasonal and daily workers (minimum payment for hours of work).

Employers are obligated to pay workers at least once per half-month (Article 161). Compensations for the payment delays can be included in the collective agreement. Employers also must pay for work-related damage to health or property and families are compensated in case of death. Deductions are allowed mainly for taxes and other obligatory payments set by the Government of

³ 1 Decree of the President of the Republic of Uzbekistan, #PD-138 dated 20.05.2022 (or \$81.122 <https://cbu.uz/oz/>).

Uzbekistan, as well as for specific reasons, but may not exceed 50 percent of the amount owed to the employee, and payment after deductions may not be less than the minimum rate determined by the government (Article 164).

Women. Nighttime work, overtime work, work on weekends and business trips for pregnant women and women with children under the age of 14 (with disabled children up to 16 years old), are allowed only with their consent. Herewith, recruitment of pregnant women and women with children under 3 years of age for night works is allowed only if there is a medical certificate confirming that such work does not threaten the health of the mother and child (Article 228).

Pursuant to the Presidential Decree PD #4235 dated March 7, 2019

<http://lex.uz/ru/docs/4230938> , men have received the same package of rights related to the childcare since 1 May 2019, only one of the parents (male or female) can decide to take maternity leave. Additionally, the President ordered to revoke the prohibitions on the use of female workers. As a corollary, the list of the professions that excluded the females' presence has gained a recommendatory nature (amendment to Article 225).

Working hours. The standard workweek is 40 hours, with less allowed for those under 18 and for women who have children up to 3 years old. The number of hours per day, and days per week, is established in the contract/agreement between the employer and employee. Employers must provide time off each workday for "rest and food", and also paid time off in case time is needed to cool off, to warm up, or to breastfeed children. Details of time off are established in contracts/agreements.

Leave. In addition to national holidays, employees have to receive at least 15 working days of paid leave per year, with workers under 18 years of age receiving at least 30 calendar days and disabled employees receiving 30 calendar days (Article 134-135). In addition, those who work in unhealthy and unfavorable working conditions receive an additional seven days and those who work in unfavorable climate conditions receive an additional eight days. Leave without pay may also be taken by certain groups of people and may also be covered in contracts. At the termination of employment, employees are paid for unused leave, or they may use the leave as their last days of employment.

Women are provided maternity leave for up to 70 calendar days and then are provided 56 days leave after giving birth, in case of complications or giving birth to 2 or more children up to 70 days, with benefits paid from the state social insurance (Article 233). Maternity leave is calculated in total and is paid in a lump sum, regardless of the actual number of days off before giving birth. After giving birth, a mother may take additional leave until the child is six months old, again paid for by social insurance. She may take unpaid leave until the child is three years of age. Her position is guaranteed upon her return from all these types of leave.

Overtime work. Overtime compensation, as specified in employment contracts or agreed to with an employee's trade union, can be implemented in the form of additional pay or leave. The law states that overtime compensation should not be less than 200 percent of the employee's average monthly salary rate (broken down by hours worked). Additional leave time should not be less than the length of actual overtime work (Article 157).

Layoffs and Firing. The Labor Code and subordinate labor legislation differentiate between layoffs and firing. Employees can terminate their employment by filing a two-week prior written notice or applying for leave without pay. Layoff or temporary leaves without pay can be initiated by an employer due to the worsening of the economic situation as below. For firing (severance),

the employer should personally give two months' advance notice in the case of corporate liquidation or optimization, two weeks' advance notice in the case of an employee's incompetence, and three days' advance notice in the case of an employee's malpractice or unacceptable violations. In case of severance caused by corporate liquidation or optimization, an employee should receive compensation, which should not be less than two average monthly salaries paid during their employment plus payment for unused leave (if another form of compensation was not agreed to in the employment contract).

Labor disputes. The general court system, where civil and criminal cases are tried, is responsible for resolving labor-related disputes. This can be done on a regional or city level. Formally, workers can file their complaints through the Prosecutor General's Office. The Ministry of Employment and Labor Relations should provide legal support to employees in their labor disputes.

Disputes may be adjudicated by commissions that are created "on a par with employer and agencies representing the interests of employee" (that is, with equal representation of employee/employees and employer), if such commissions are provided for in labor agreements/contracts (Article 262). Commissions must consider issues within 10 days. If the employer, employee, or their representatives disagree with decisions by a commission, or if the commission does not consider applications within 10 days, any of the parties may appeal to the courts, but that must be within 10 days of the decision (or no decision).

Enforcement of Labor Code is implemented by the State Labor Inspection under the Ministry of Employment and Labor Relations, and its territorial subordinate structures according to the Statement on the State Labor Inspection, Attachment #3, Resolution of the Cabinet of Ministers #1066 of 31.12.2018 "On measures to improve the performance of the Ministry of Employment and Labor of Relations of Uzbekistan".

ATTACHEMENT1: Content and template of Code of Conduct

1.1 MINIMUM REQUIREMENTS FOR THE CODE OF CONDUCT

A minimum requirement for the Code of Conduct should be set out, taking into consideration the issues, impacts, and mitigation measures identified in:

- project reports e.g. SESA/ESMP
- consent/permit conditions
- required standards including World Bank Group EHS Guidelines
- applicable national legal and/or regulatory requirements and standards (where these represent higher standards than the WBG EHS Guidelines)
- relevant standards e.g. Workers' Accommodation: Process and Standards relevant sector standards e.g. workers accommodation
- grievance redress mechanisms.

The types of issues identified could include risks associated with: labor influx, the spread of communicable diseases, sexual harassment, gender-based violence, illicit behavior and crime, and maintaining a safe environment etc.

The minimum Code of Conduct requirement may be based on the following:

CODE OF CONDUCT REQUIREMENTS

A satisfactory code of conduct will contain obligations on all project staff (including sub-contractors and day workers) that are suitable to address the following issues, as a minimum. Additional obligations may be added to respond to particular concerns of the region, the location and the project sector or to specific project requirements. The issues to be addressed include:

- Compliance with applicable laws, rules, and regulations of the jurisdiction
- Compliance with applicable health and safety requirements (including wearing prescribed personal protective equipment, preventing avoidable accidents and a duty to report conditions or practices that pose a safety hazard or threaten the environment)
- The use of illegal substances
- Non-Discrimination (for example on the basis of family status, ethnicity, race, gender, religion, language, marital status, sexual orientation, birth, age, disability, or political conviction)
- Interactions with community members (for example to convey an attitude of respect and non-discrimination)
- Sexual harassment (for example to prohibit use of language or behavior, in particular towards women or children, that is inappropriate, harassing, abusive, sexually provocative, exploitive, demeaning or culturally inappropriate)
- Violence or exploitation (for example the prohibition of the exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior)

- Protection of children (including prohibitions against abuse, defilement, or otherwise unacceptable behavior with children, limiting interactions with children, and ensuring their safety in project areas)
- Sanitation requirements (for example, to ensure workers use specified sanitary facilities provided by their employer and not open areas)
- Avoidance of conflicts of interest (such that benefits, contracts, or employment, or any sort of preferential treatment or favors, are not provided to any person with whom there is a financial, family, or personal connection)
- Respecting reasonable work instructions (including regarding environmental and social norms)
- Protection and proper use of property (for example, to prohibit theft, carelessness or waste)
- Duty to report violations of this Code
- Respect of property of others, infrastructure, and services provided
- Non retaliation against workers who report violations of the Code, if that report is made in good faith.

The Code of Conduct should be written in appropriate and plain language and signed by each worker to indicate that they have:

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

1.2 TEMPLATE OF CODE OF CONDUCT TO BE ADHERED BY CONTRACTORS

CODE OF CONDUCT FOR CONTRACTOR'S PERSONNEL (ES) FORM

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

Note:

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

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

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

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

REQUIRED CONDUCT

Contractor’s Personnel shall:

- carry out his/her duties competently and diligently;
- comply with this Code of Conduct and all applicable laws, regulations and other requirements, including requirements to protect the health, safety and well-being of other Contractor’s Personnel and any other person;
- maintain a safe working environment including by:
 - ensuring that workplaces, machinery, equipment and processes under each person’s control are safe and without risk to health;
 - wearing required personal protective equipment;
 - using appropriate measures relating to chemical, physical and biological substances and agents; and
 - following applicable emergency operating procedures;
 - ensuring that camp places equipment, services, infrastructure and processes under each person’s control are safe and without risk to health or others;
- report work situations that he/she believes are not safe or healthy and remove himself/herself from a work situation which he/she reasonably believes presents an imminent and serious danger to his/her life or health;
- treat other people with respect, and not discriminate against specific groups such as women, people with disabilities, migrant workers or children;
- not engage in Sexual Harassment, which means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature with other Contractor’s or Employer’s Personnel;
- not engage in Sexual Exploitation, which means any actual or attempted abuse of position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another;
- not engage in Sexual Abuse, which means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions;
- not engage in any form of sexual activity with individuals under the age of 18, except in case of the personnel’s pre-existing marriage;

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

RAISING CONCERNS

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

- i. Contact [*enter name of the Contractor's Social Expert with relevant experience in handling sexual exploitation, sexual abuse and sexual harassment cases, or if such person is not required under the Contract, another individual designated by the Contractor to handle these matters*] in writing at this address [*physical address*] or by telephone at [*telephone number*] or in person at [*physical address*]; or
- ii. Call [*insert telephone number*] to reach the Contractor's hotline (if any) and leave a message.

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

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

CONSEQUENCES OF VIOLATING THE CODE OF CONDUCT

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

FOR CONTRACTOR'S PERSONNEL:

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

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

Signature: _____

Date: (day month year): _____

Countersignature of authorized representative of the Contractor:

Signature: _____

Date: (day month year): _____

Annexure A: Behaviors constituting Sexual Exploitation and Abuse (SEA) and behaviors and behaviors constituting Sexual Harassment (SH)

ANNEXURE A: TO THE CODE OF CONDUCT FORM: BEHAVIORS CONSTITUTING SEXUAL EXPLOITATION AND ABUSE (SEA) AND BEHAVIORS CONSTITUTING SEXUAL HARASSMENT (SH)

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

(1) Examples of sexual exploitation and abuse include, but are not limited to:

- A Contractor's Personnel tells a member of the community that he/she can get them jobs related to the work site (e.g. cooking and cleaning) in exchange for sex.
- A Contractor's Personnel that is connecting electricity input to households says that he can connect women headed households to the grid in exchange for sex.
- A Contractor's Personnel rapes, or otherwise sexually assaults a member of the community.
- A Contractor's Personnel denies a person access to the Site unless he/she performs a sexual favor.
- A Contractor's Personnel tells a person applying for employment under the Contract that he/she will only hire him/her if he/she has sex with him/her.
-

(2) Examples of sexual harassment in a work context

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

ATTACHEMENT 2: Grievance Mechanism - Reporting Form

WORKER GRIEVANCE FORM

Project Name: Central Asia Water Efficiency Cooperation Regional Project

1. Complainant Information (optional for anonymous complaints)

Full Name: _____

Position/Employer (PIU/Contractor/Subcontractor/etc.): _____

Contact Information (phone/email): _____

☐ I wish to remain anonymous

2. Description of the Complaint:

Date of Incident: _____

Location of Incident: _____

Please describe your complaint in detail (what happened, when, where, who was involved):

3. Type of Complaint (please tick as applicable)

☐ Working conditions (hours, leave, etc.)

☐ Wages and payments

☐ Occupational Health and Safety (OHS)

☐ Discrimination or unfair treatment

☐ Sexual Exploitation and Abuse / Sexual Harassment (SEA/SH) – *maintain confidentiality of victim*

☐ Lack of personal protective equipment (PPE)

☐ Contractual issues

☐ Other (please specify): _____

4. Preferred Method of Communication

- ☐ Phone
 - ☐ Email
 - ☐ In person
 - ☐ No feedback required
-

5. Signature (if not anonymous)

Signature: _____

Date: _____

6. For Official Use Only

Complaint ID: _____

Date Received: _____

Received by: _____

Action Taken:

Date of Response: _____

Status:

- ☐ Resolved
- ☐ In progress
- ☐ Referred to higher level