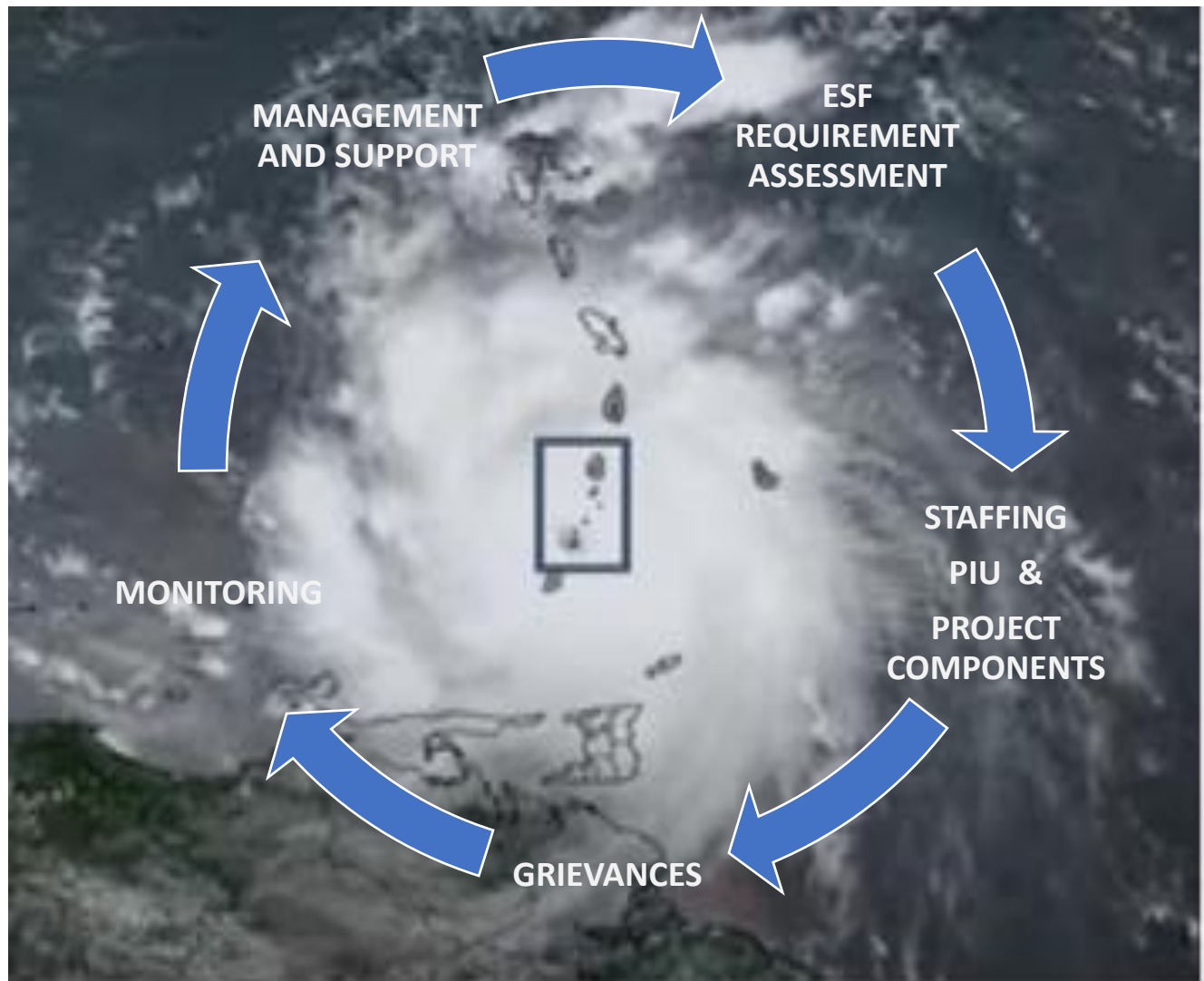


Government of Saint Vincent and the Grenadines  
**Beryl Emergency Resilient Recovery (BERRy) Project**



## **LABOR MANAGEMENT PROCEDURES**

February 2025

Economic Planning Division  
Ministry of Finance, Economic Planning, and Information Technology  
Government of Saint Vincent and Grenadines

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## ABBREVIATIONS AND ACRONYMS

BRAGSA	Roads, Buildings and General Services Authority
CBOS	Community-based Organizations
CDEMA	Caribbean Disaster Emergency Management Agency
CDPG	Caribbean Development Partners Group
CO	Communication Officer
CWSA	Central Water and Sewerage Authority
EP&R	Emergency Preparedness and Response
ESF	Environment and Social Framework
ESMF	Environment and Social Management Framework
ESMP	Environment and Social Management Plan
ESS	Environment and Social Standards
GBV	Gender Based Violence
GOSVG	Government of Saint Vincent and the Grenadines
GRC	Grievance Redress Committee
GRM	Grievance Redress Mechanism
ILO	International Labor Organization
Jr	Junior
LITE	Labor-Intensive Temporary Employment
LMP	Labor Management Procedures
MOA	Ministry of Agriculture
M&E	Monitoring and Evaluation
NGOs	Non-Government Organizations
OHS	Occupational Health and Safety
PC	Project Coordinator
PDO	Project Development Objective
PO	Project Officer
PSIPMU	Public Sector Investment Program Management Unit
SEA	Sexual Exploitation and Abuse
SET	Social and Environment Team
SH	Sexual Harassment
SR	Senior
SSS	Social Safeguards Specialist
SVG	Saint Vincent and Grenadines
VEEP	Volcanic Eruption Emergency Project
WB	World Bank
WHO	World Health Organization
WHS	Workplace Health and Safety

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## Executive Summary

The Labor Management Procedures (LMP) has been developed to manage risks and to ensure the health and safety of the project workers during the implementation of the Beryl Emergency Resilience Recovery (BERRy) Project (P507316) in Saint Vincent and the Grenadines (SVG). The LMP has set out the approaches and measures to meet both the national standards as well as the objectives of the World Bank's Environmental and Social Framework, more specifically, the objectives of Environmental and Social Standard 2: Labor and Working Conditions (ESS2), Environmental and Social Standard 2: Assessment and Management of Environmental and Social Risks and Impacts (ESS1) and Environmental and Social Standard 4: Community Health and Safety (ESS4).

Based on the project's Environmental and Social Assessment, risks as it relates to labour working conditions and occupational health and safety are expected to be substantial. The LMP is divided into twelve sections. It provides an overview of Labor used in the BERRy project immediate recovery and rehabilitation programs as well as the projected human resources need for the implementation of the project. The potential labor risks and occupational health and safety (OHS) issues are examined in view of the national legislation and ESS2 requirements. The labor policies and procedures are introduced, including terms and conditions and types of project workers/labors likely to be used in the BERRy Project: (i) Direct/Government, (ii) Contracted (or-sub contracted) project workers, and (iii) Community workers. The LMP has measures to deal with issues such as child and forced labour, labour influx, gender-based violence, and human trafficking. The Project will adhere to national legislation and ESS2. The National Legislation would be followed but instances where gaps have been identified, the LMP has recommended measures/actions for implementation to meet the requirements of ESS2. Measures for awareness raising and grievance redress have been adopted to ensure that the standards set in the LMP are followed and complied with.

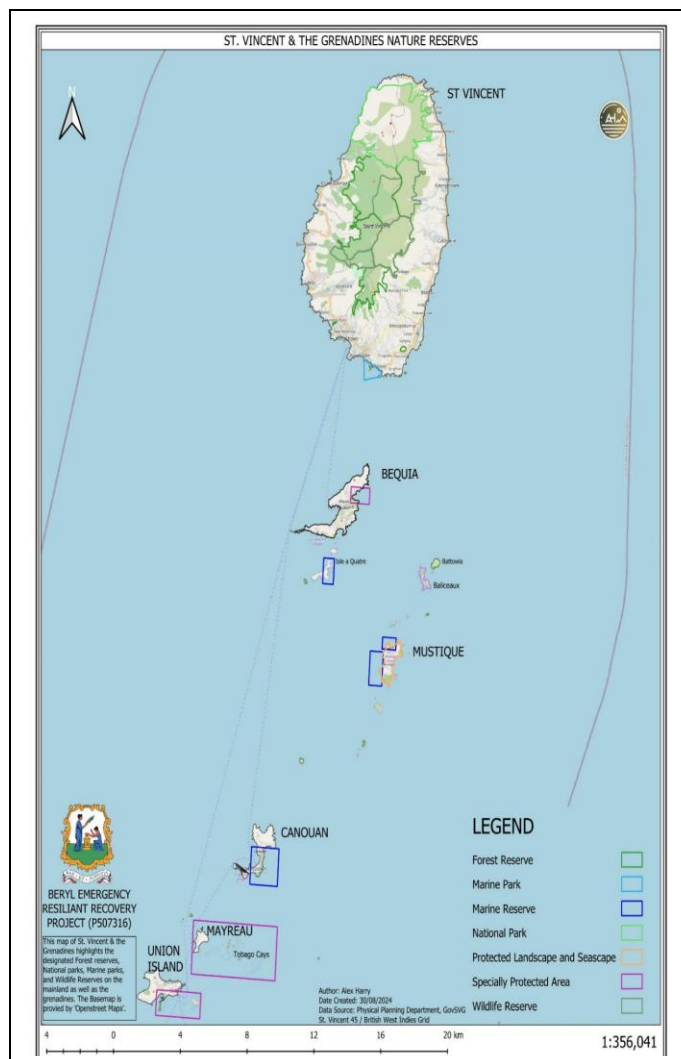
Additionally, the risks of COVID-19 and other communicable diseases have been considered. Should the COVID-19 or any other communicable disease be declared a national epidemic, the project will ensure all necessary measures are put in place and all national, regional and internal guidance will be implemented and establish protocols and communication strategies where workers can regularly receive updates, including virtual sessions with contractors, workers and other stakeholders. The LMP will be updated as required during the implementation of the Project.

## 1 BACKGROUND AND PROJECT DESCRIPTION

### 1.1 Background and Context

Saint Vincent and the Grenadines (hereafter SVG) is a small island country in the Caribbean. The country consists of 32 islands covering a total of 389 sq km, with a population of approximately 110,784 persons. Saint Vincent is the northernmost and largest island, with a commercial and political center, where nearly 90 percent of the country's population resides. As an island country, SVG is highly vulnerable to various kinds of geophysical and natural hazards such as earthquakes, volcanic eruptions, and climate-change-induced impacts such as hurricanes, floods, drought, and landslides. While the entire island is vulnerable (sensitive) to hurricanes and volcanic eruptions, some areas are more prone to flooding and storm surges. Saint Vincent and the Grenadines is located within the Eastern Caribbean hurricane track; several hurricanes and tropical storms have impacted or approached the island with severe winds and heavy rains.

The Grenadines are highly susceptible to droughts (mainly due to the absence of rivers) and depend almost entirely on rainwater harvesting for potable water supply.<sup>1</sup> The low-lying coastal areas are prone to the destructive impact of rising waves driven by hurricanes and tropical waves. These climate change impacts have created vulnerabilities in agricultural production, health, and critical infrastructure for basic services including water, communications, and transport.



On July 1, 2024, the eye of the category 4 storm, Hurricane Beryl passed between the islands of Saint Vincent and Grenada with maximum sustained winds of 150 mph, devastating the islands of the southern Grenadines of Saint Vincent. Beryl intensified rapidly to become the first category 4 storm for the month of June on record. This was fueled by the near-record warm sea surface temperatures in the region. The eye of the storm passed over Carriacou island, Grenada and through the Southern Grenadines devastating the inhabited islands of Canouan, Mayreau and Union Island. This was the most intense section of a hurricane and in addition to being the zone

<sup>1</sup> World Bank Climate Change Knowledge Portal. St. Vincent and the Grenadines. Accessed June 2021.



of the highest sustained winds, is the area where hurricanes frequently produce tornados which may result in wind speeds of over 200 mph. The northern Grenadines (Bequia, Mustique) as well as mainland also experienced winds more than 130 mph. This was the strongest hurricane on record to have impacted Saint Vincent and the Grenadines (records dating back to 1875). On June 30, 2024 at 6:30 pm AST, Prime Minister Ralph Gonsalves issued a formal declaration of disaster. This declaration invokes emergency powers in accordance with Saint Vincent's National Emergency and Disaster Management Act.

Damage to the Southern Grenadines is catastrophic with over 90% of buildings heavily damaged or destroyed. More than 2,000 residential and non-residential buildings were damaged (824) or destroyed (1,259)<sup>2</sup>, directly affecting approximately 4,050 persons or 3.7 percent of the national population<sup>3</sup>. Damage to electric power infrastructure is extensive as most of the transmission and distribution infrastructure were destroyed. As a result, these islands are without publicly supplied power and water resources are extremely limited. The Southern Grenadines depend largely on rainwater harvesting and public cisterns. Public infrastructure suffered major damage. Hospitals, schools and transportation facilities including airport and seaport infrastructure were damaged. The airport operations buildings on Union Island and Canoaun were severely damaged as well. Due to the lack of power and water, many island residents evacuated to mainland Saint Vincent. Mainland Saint Vincent and the Northern Grenadines (Bequia, Mustique) were spared the devastating effects of the storm eye wall but were nonetheless exposed to storm surge and winds in excess of 130 mph. Major damage has been reported to include houses, public buildings (schools, fisheries centers, clinics and so on), electric infrastructure, sea defense infrastructure, the Bequia airport, public utilities, and telecommunications were significantly damaged.

Early response measures taken by the GoSVG include attending the Caribbean Disaster Emergency Management Agency (CDEMA)-led Caribbean Development Partners Group (CDPG) meeting on June 30, 2024 prior to Beryl's landfall, and coordinating preparation efforts with over 166 partners from local, regional, and international agencies. Following Beryl's impact, NEMO activated emergency shelters nationwide and started delivering relief essentials through a network of local actors, private sectors, and organizations including those led by women and youth. Over 1000 persons were evacuated from Union Island within 48 hours through ferry services provided by the GoSVG.

The Government of Saint Vincent & the Grenadines declared a disaster and invoked emergency powers. The early responses following the hurricane included activating emergency shelters nationwide, providing and distributing relief essentials, and evacuating more than 1000 persons from Union Island alone. GoSVG have also been implementing recovery measures throughout affected areas, clearing debris and undertaking localised repairs, providing homes and schooling

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<sup>2</sup> Hurricane Beryl 2024, Global Rapid Post-Disaster Damage Estimation (GRADE) Report, July 2024, World Bank.

<sup>3</sup> *ibid* 2012 Population and Housing Census.

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for displaced persons, and establishing a framework for rebuilding, for which the World Bank has been approached to provide financing of a project to “building back better” the public buildings and critical infrastructure.

## 1.2 Project Descriptions

The Project to be financed by the World Bank, The Project Development Objective (PDO) is to (i) provide short-term income and restore economic activity, and (ii) Build Back Better critical infrastructure and services impacted by Hurricane Beryl.

The PDO will be achieved through three components, which respond to the initial findings of the Global Rapid Post-Disaster Damage Estimation (GRADE) and support of the Government’s overall recovery program. These components are: (Component 1) Early recovery income support and enhancement of income generating activities; This comprises of three (3) subcomponents: temporary grants and support service program; support services for beneficiary households' resilient recovery; Small Business support grants and services and the labour-intensive temporary employment (LITE) program.

Component 2: Resilient Construction, reconstruction and restoration of infrastructure and services, this too comprises three subcomponents; immediate response and repair of damaged infrastructure and disrupted services; support to the medium term reconstruction of severely damaged infrastructure and restoration of services and financial assistance and temporary accommodations and transportation.

The third component (Component 3) Project Management; will support the administrative management of the project by the public sector investment program management unit (PSIPMU). This component will finance the essential positions and operating costs for the dedicated Project team. The essential positions including (a) a project coordinator, engineers (senior and junior), Financial Management (FM) specialists (senior and junior), Procurement Specialists (senior and junior), Environmental Specialists (senior and junior), Social Specialists (senior and junior), and two project officers. Providing training and workshops<sup>4</sup> and the necessary goods and equipment for project implementation are part of the operating costs for the Project team.

The BERRy project was approved on 11 October, 2024 and became effective on 19<sup>th</sup> November, 2024.

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<sup>4</sup> Workshops will include technical discussions and capacity-building activities including around the use of climate and disaster risk information and the prioritization of reconstruction and rehabilitation activities to strengthen climate and disaster resilience.

## 2 OBJECTIVES OF LMP

### 2.1 Objectives

This Labor Management Procedures (LMP) is developed by the PSIPMU as a requirement of the World Bank Environmental and Social Framework (ESF) in support of the BERRY project. The purpose of the LMP is to facilitate planning and implementation of the use of labour under project by identifying the main labour requirements and the associated risks. It helps to determine the resources necessary to address potential labour risk and other issues. This is done to ensure consistency with the requirements of the world Bank's ESF.

The LMP seeks to ensure that measures are in place to manage and mitigate risks associated with employment under the project, particularly in the restoration and/or reconstruction of critical infrastructure projects. The LMP identifies the main labor risks and requirements under the project and establishes the parameters to ensure that these are undertaken and managed in accordance with the requirements of the Environmental and Social Standard2 (ESS2) – *Labor and Working Conditions and Occupational Health and Safety*. This labor management procedures contains measures to address risks that may arise from the interaction between project workers and local communities. Also included are measures to raise awareness of such risks; communicate expectations regarding appropriate conduct, together with disciplinary measures; and the adoption of a code of conduct.

The objectives of ESS2 and LMP are to:

- (i) Promote safety and health at work
- (ii) Establish fair treatment, non-discrimination and equal opportunity for project workers
- (iii) Protect project workers, including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with ESS2) and in-migrant workers, contracted workers, community workers and primary supply workers, as appropriate
- (iv) Prevent the use of all forms of forced Labor and child labor;
- (v) support the principles of freedom of association and collective bargaining of project workers in a manner consistent with national law
- (vi) Provide project workers with accessible means to raise workplace concerns.

As per initial assessments and the outlook for various subprojects under this project for infrastructure reconstruction and development, the risks as it relates to Labor and working conditions and occupational health and safety are expected to be minimal. When risks are identified, those will be addressed and managed by the procedures set out in this LMP. The GoSVG is strongly committed to evaluating risks and impacts throughout the life of the project and managing the adverse impacts. The LMP is applicable to all project workers in all components/subprojects funded by the project. The Project will be managed by PSIPMU in coordination with relevant agencies and organizations involved in the recovery and reconstruction activities.

## 2.2 Methodology

The LMP has been prepared based on all available information and in consultation with relevant agencies/departments and other stakeholders. Since LMP is a "live" document, it will be updated to meet any changes in project scope/risks or labour requirements. For specific contracts, particularly large construction contract involving potential in-migrant workers, the project/PSIPMU may include specific procedures in the contract as part of contractors' legal obligations. This will be assessed as part of the initial screening of the environmental and social risks to be carried out by PSIPMU. The implementation experiences of the first batch of infrastructure subprojects will be reviewed, and the LMP will be accordingly updated , as relevant, to be consistent with the ESS2 requirements.

### 3 LABOR USE ON THE PROJECT: AN OVERVIEW

The LMP applies to all project workers<sup>5</sup>, whether full-time, part-time or temporary. This section describes the project's labour requirement. Several categories of workers are anticipated to be involved at different stages of the work. It is expected that a mixture of both permanent and temporary workers including unskilled, semi-skilled and skilled workers would be engaged under the project. The number of workers will vary throughout the execution of the project based on skill requirements.

1. Direct Workers: People employed or engaged directly by the BERRy project such as staff specifically recruited to work under the PSIPMU
2. Contracted Workers: contracted worker is a worker employed or engaged by a third party to perform work or provide services related to the core functions of the project, where the third-party exercises control over the work, working conditions, and treatment of the project worker. The definition of core functions<sup>6</sup> in such circumstances, the employment relationship is between the third party and the project worker, even if the project worker is working on an ongoing basis on project activities
3. Primary Supply Workers: 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<sup>7</sup> exercises control for the work, working conditions, and treatment of the person. Footnote 5 of ESS2 sets out the definition of a primary supplier. As part of the definition, there is a requirement that the goods or materials be provided directly to the project for its core functions on an ongoing basis. This means that second, third, and further levels of the supply chain (sometimes referred to as Tier 2 and Tier 3 suppliers) are not covered by ESS2.
4. Community workers: people employed or engaged in providing community labour. The project will not engage any community workers that meet the ESS2 definition of community workers

#### 3.1 Types of Projects

Generally, two components are expected to employ or engage the bulk of the potential project workers: Contracted Workers will implement all components of the project, (i) the Labor intensive temporary employment (LITE) program, and (ii) restoration and 'building back better' of critical public infrastructure services. The LITE program will build on the existing experience of the Building, Roads, and General Services Authority (BRAGSA) in implementing the Road-Clean

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<sup>5</sup> Project Worker refers to people employed or engaged directly by the Borrower (including the project proponent and the project implementing agencies) to work specifically in relation to the project (direct workers)

<sup>6</sup> Core functions' of a project constitute those production and/or service processes essential for a specific project activity without which the project cannot continue.

<sup>7</sup> primary suppliers' are those suppliers who, on an ongoing basis, provide directly to the project goods or materials essential for the core functions of the project.

UP Program, which is a cash-for-work seasonal program aimed at public infrastructure maintenance and creation of short-term employment benefitting unemployed working-aged people. The restoration and 'building back better' will focus on three main areas: (a) support for reconstruction planning with climate change consideration;<sup>8</sup> (b) restoration and reconstruction of critical infrastructural services;

### 3.2 Characteristics of the Project Workers

Project workers will be majority local with some international expatriates on site for project execution and management. Based on the proposed component. At this stage, it is difficult to pre-determine the number, the exact mix and gender composition of project workers to be employed by various subprojects or components. However, given the nature of components such as LITE and restoration and/or reconstruction of local infrastructures, it is possible to anticipate the characteristics of the project workers and their work patterns. Table 1 provides an approximate list of possible labour requirement for project implementation

There would be limited full time 'direct workers' employed by the project; the likely scenario is that part-time, temporary, local, seasonal, and some migrant workers<sup>9</sup> will be involved in the project activities. For instance, the LITE program will likely target youths over 18 years of age from poor/vulnerable households, including households that are female headed. It is possible that beneficiaries will be organized in working crews to execute labor-intensive work. Therefore, various types of workers will be hired by the project. A brief summary of the potential types as per ESS2 is presented.<sup>10</sup>

- (i) *Direct workers:* There will be limited number of direct workers such as local and/or internationally recruited consultants for technical advice and project management to be hired by the GOSVG. The recruitment will be done in a manner consistent with the requirements of ESS2.
- (ii) *Contracted workers:* The project will also employ contracted workers – i.e., "people employed or engaged through third parties to perform work related core functions of the project." For instance, workers from a construction company hired to undertake civilworks. Such contracted workers may also be hired through established local organizations – for example, feeder road rehabilitation or clean-up of volcanic debris by groups of women as work crews. The project may employ such contracted laborers in keeping with ESS2 guidelines, including terms of contracts and remedies for non-compliance.  
Additionally, the project will apply participatory approaches to planning and implementing small-scale projects – for instance, clean-up of the community from the

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<sup>8</sup> In SVG, agriculture and infrastructure assets face periodic climate vulnerabilities such as flooding, drought, heavy rainfall, tropical storms/hurricanes, sea-level rise, and landslides.

<sup>9</sup> Migrant workers are workers who have migrated from one country to another or from one part of the country to another for purposes of employment

<sup>10</sup> See WB *Environment and Social Framework*, ESS2

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debris of hurricane Beryl and other climate-related disasters such as floods, high winds. In the case of the use of workers from the community, attention will be paid to (a) risk of use of child labor or forced labor; (b) OHS and working conditions within the community; (c) terms and conditions on which workers will be engaged, including amount and method of payment (if applicable); (d) times of work; (e) roles and responsibilities for monitoring \workers, and (f) training for all categories of workers. It is anticipated that only limited number of persons (perhaps between 20 and 50) may be employed or engaged in providing Labor<sup>11</sup> for small civil works through NGOs/CBOs. In such context, requirements include a labor management procedure, occupational health and safety working conditions, and avoiding child, forced Labor and trafficking. It is expected that given the small scope of civil works and high community involvement, such risks will be low.<sup>12</sup>

- (iii) *Primary supply workers*: Based on the requirements of individual component, primary supply workers<sup>13</sup> will be recruited by the supplier as appropriate. It will be ensured (and monitored periodically by the (PSIPMU) that no children and/or forced Labor are recruited and supplied as workers.

In BERRY implementation, government workers will be assigned or posted as PSIPMU employee on project jobs. They are highly skilled or trained government officials or civil servants and will work on their assigned jobs on behalf on the GoSVG. In such cases, whether full-time or part-time, the government officers 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. Transferred workers will be subject to all requirements of ESS2. ESS2 will not apply to government officials who work on the project, except for the provisions of paragraphs 17 to 20 (Protecting the Work Force) and paragraphs 24 to 30 (Occupational Health and Safety). The relevant standards of ESS2 applicable to government officials are in Annex 2.

To mitigate gender gaps in labor recruitment, the project will aim to promote inclusion and participation of gender in project activities at the local and national levels. The PSIPMU will seek to design activities in various components/subproject with a 'gender lens' to promote strategies and approaches to strengthen the role and participation of women in the BERRY Project. Table 3-1 provides an estimates of the types of workers and labour use within the project.

Table 3-1: Overview of Labor Use on the Project\*

Activity	Description	Labour requirement	No: of workers	Timing of worker engagement					Type of worker
				YR1	YR2	YR3	YR4	YR5	

<sup>11</sup> According to ESS2, work is on a voluntary basis when it is done with free and informed consent of a worker, without coercion or threat by an act of the authorities or by an employer's practice, where such consent may be revoked freely. See *Annex 1: Guidelines for Engaging Voluntary Labor*.

<sup>12</sup> The LITE program may consider use of community workers - labor is provided by the community as a contribution to the project, or where projects are designed and conducted for the purpose of fostering community-driven development, providing a social safety net, for example For example, public works as safety nets programs.

<sup>13</sup> 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.

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Activity	Description	Labour requirement	No: of workers	Timing of worker engagement					Type of worker
<b>Component 3</b>									
<b>Project management</b>	Project Implementation Unit	Project Coordinator	1	X	X	X	X	X	DW
		Project Officer	3	X	X	X	X	x	DW
		Project Officer/Information Technology	1	X	X	X	X	X	DW
		Procurement and contract Management Specialist	1	X	X	X	X	X	DW
		Procurement assistant	1	X	X	X	X	X	DW
		Legal Professional contract management <b>Recommended</b>		X	X	X	X	X	
		Procurement Clerk <b>Recommended</b>	2						DW
		Financial Management Specialist	1	X	X	X	X	X	
		Accounting Clerk	2	X	X	X	X	X	DW
		Environment Specialist (Sr)	1	X	X	X			CW
		Social Safeguard Specialist (Sr)	1	X	X	X			CW
		Environment Specialist (Jr)	1	X	X	X	X	X	DW
		Social Specialist (Jr)	1	X	X	X	X	X	DW
		Monitoring and Evaluation Specialist	1	X	X	X	X	X	
	Part time (deliverables)	Communication Specialist	1						
		Project Engineer	1						
<b>Component 1</b>									
<b>Income support</b>		Administrator for networking and coordination	2	X	x	x	x	x	DW
		Income support clerical workers	8	x	x				DW
	Duration of distribution	Grievance Officer Income support <b>Recommended</b>	4	X	X				DW
		Life skills facilitators	10	x	x				CW
Small business		Business skills instructor							
		Financial literacy Instructor							
		Business coach							
		Business monitor							
	Part time (deliverables)	Grievance Officer LITE <b>Recommended</b>	4	X	X	X			DW
	LITE PRGO	Road cleaners	5000	x	x				CW
	debris management	Jobbers	1000	x	x	x			CW
		Truck Drivers							CW
		Clerical workers							CW



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Activity	Description	Labour requirement	No: of workers	Timing of worker engagement					Type of worker
<b>Component 2</b>		Junior Engineer	3		1				CW
		Civil Technicians	3		1	X	X	X	CW
			3						
<b>Fisheries centres</b>		- Design and Supervision Consultancy				x			CW
		Construction Company	2						CW
		Labourers							CW
<b>Permanent concrete Bridges</b>				x					CW
	Noel Overland bridges	Design and supervision consultancy		x					CW
		Construction		x					CW
<b>Removal of Bailey bridges</b>						x			CW
								X	
<b>CWSA</b>	Desalination	Skilled mechanics; pump fitters; electricians; computer programmers							
		Training programme							
		Maintenance manual							
<b>VINLEC</b>	Solar								
<b>Ministry of Tourism</b>	Accommodation	Administrator	2						
		Grievance officers (1 year)	2						
		<b>Recommended</b>							
<b>Ministry of Agriculture</b>	Fisheries centres								

\*The full list of workers will be only available during project work; the table will be updated accordingly.

### 3.3 Timing of Labor Requirements

The key staff of the PSIPMU will be engaged, some on full time and others on part-time, from project inception to completion of the project. Other types of workers (e.g., direct, contracted, community/volunteer etc.) will be engaged as per needs and requirements of various subprojects/components. Contracted workers will be eligible to work for a contract period fixed by the PSIPMU. Their contracts will be renewed, if required, based on satisfactory services. In sum, timing of labor requirements would be based on labor needs for any specific component. Table 3-1 displays some of the timing for labour requirement in the components subprojects.

## 4 ASSESSMENT OF POTENTIAL LABOR RISKS

### 4.1 Potential Labor Risks: A Brief Overview

The labour risks associated with the projects are assessed to be related to the potentially hazardous work environment, the associated risk of accidents and labor influx. The following (Table 4-1) briefly summarizes some of the potential risks from project inception phase to operational phase.

Table 4-1 Types of Labor and Potential Risk

Type of risks	Description	Suggested risk category	Mitigation
Child and Forced Labor:	The risk of the use of child labor or forced Labor is unlikely; this will be monitored through the implementation of the project.. There is also general awareness against use of child or forced Labor in the country.	Low	The national legal document will be used with legally recognized documents such birth certificate and National Identification cards. International documents such as Passports All workers
Influx of Migrant Labor	While construction and 'building back better' projects will create new job opportunities, the project area may experience some influx of Labor to benefit from project construction. Any migrant workers to be employed will have the same rights and benefits and treated fairly. Other associated risks with in-migrant laborers related to the interaction between project workers and local communities, such as communicable diseases and gender-based violence, are to be managed through contractual requirements, code of conduct and training program.	Low	All workers will sign the code of conduct annex 5  Anti-discrimination training and orientation
Gender-based violence	The construction workers will likely be predominantly younger males, and females, in some cases. Those who are away from home on the construction job are typically separated from their family and act outside their normal sphere of social control. This can lead to inappropriate and criminal behavior, such as sexual harassment of women and girls, exploitative sexual relations, and illicit sexual relations with minors from the local community. A large influx of male Labor may also lead to an increase in exploitative sexual relationships and human trafficking	Low to medium	All workers will sign the code of conduct annex 5 Must undergo the SEA/SH Induction session

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Type of risks	Description	Suggested risk category	Mitigation
	whereby women and girls are forced into sex workers.		
Trafficking of Person	Trafficking in persons may also be an issue. Trafficking is defined as recruitment, transportation, transfer, harboring or receipt of persons by means of the threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power, or of a position of vulnerability, or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purposes of exploitation. The women and children may particularly be vulnerable to the practices of trafficking. However, incidence of trafficking is reported low.	Low	All non-national must show they have legal entry Permission to work All payments will be made directly to workers or in a financial institution account with the name of the worker.

PSIPMU has existing corporate requirements and practices applicable for the training for the contractors and maintenance of the safety records which are inspected on a regular basis at the project/construction site. In view of the COVID-19 pandemic, WB's interim note on "COVID-19 Considerations in Construction/Civil Works Projects" will be followed to ensure occupational health and safety of the workers. The project will adopt a community health safety plan (CHS) in view of the project activities, and community exposure to risks and impacts. It will be included in the ESMF/ESMP and addresses the health, safety, and security risks and impacts on project-affected communities and the corresponding responsibility of GoSVG to avoid or minimize such risks and impacts. Table 4-2 describes measures in the LMP to reduce and minimize risks related to project construction.

Table 4-2 provides a brief description of the activities under the key components of the project and their associated labor-related risks. The probability of the use of child labor for forced Labor is minimal. The GoSVG has labor laws in place that prohibit child employment under the age of 14 years.<sup>14</sup> Many project activities require technical staff with skills that require experience and education, which will not be possible for children or those below the age of 18 to possess. The project, in accordance with labor laws in the country, will maintain a register of all persons under the age of 18, but over the age of 14, employed with date of birth and year. The various components of the project will be executed with locally available Labor; use of migrant or seasonal workers is not anticipated and will be kept to a minimum, if required.

<sup>14</sup> See Employment of Women, Young Persons and Children Act, 1935 (updated 1990). A child is defined as a person under 14 years of age, which prohibits the employment of children in industrial undertakings and ships and prohibits night work for children and women.

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Table 4-2: Key Labor Risks and Mitigation Measures

Project Components/ Subprojects	Identified key labor risks	Proposed mitigation measures
<b>Component 1:</b> Early Recovery Income Support - Card Distribution 1.1 Small Business grants and support services program;	Exhaustion Occupational burnout among workers Untenable overtime Psychological distress Monitoring throughout the islands	Ensure the accurate capturing of the demographic information of beneficiaries Clarify information with beneficiary Secure beneficiary information Increase flexibility of work hours for card distribution staff Provide incentives such as free days or hours Employ officers for the different islands
1.2 LITE/Labor Intensive Temporary Employment	1. Possible exclusion of deserving households/ vulnerable households from grants and support 2. Discrimination to recruitment 3. Harassment at work place in LITE projects 4. Risk of contraction COVID-19 in the workplace 5. Struck by moving vehicles or objects 6. Heat exhaustion 7. Exposure to hazardous material or substances 8.	1. Regular monitoring and supervision by PSIMPU 2. Anti-discrimination training and orientation 3. Selection criteria rubric 4. Implementation of Code of conduct at workplaces 5. Preparation, awareness of and Implementation of OHS measures to reduce the transmission of COVID_19, as guided by the WB, international good practices and national guidelines
<b>Component 2:</b> Restoration and 'Building Back Better' of critical services and strengthening Emergency preparedness and responses 2.1 Support to reconstruction planning with climate change consideration 2.2 Restoration and reconstruction of critical infrastructure 2.3 Strengthening EP&R Systems and Capacity	1. Possible accidents on-site during restoration and/or emergencies 2. General lack of understanding of occupational health and safety requirements 3. Exclusion of women and other groups (such as IPs) from employment 4. Discrimination and harassment in the workplace 5. Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) 6. Use of child or forced Labor in construction sites 7. General lack of understanding on compounding disaster events and impact of a changing climate 8. Risk of the contraction of COVID-19 during restoration activities	1. Implementation of ESMF/ ESMPs and C-ESMP measures for OHS 2. Gender-based assessment of employment and action by PSIPMU 3. Training and orientation on Code of conduct. 4. Develop and Implement SEA/SH Prevention and Response Action Plan 5. Implement climate mitigation measures by involving community level workers and CBOs 6. General awareness against use of child/ forced Labor and trafficking in person. 7. Implementation of OHS measures to reduce the transmission of COVID_19 as guided by the WB, international good practices and national guidelines

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Project Components/ Subprojects	Identified key labor risks	Proposed mitigation measures
<b>Component 3:</b> Project Management	1. General understanding of project coordination, financial and procurements issues 2. Attention to gender equity and inclusion 3. Monitoring and evaluation	1. Training and orientation of PSIPMU staff on project management, monitoring and evaluation 2. Ensure eligible women apply for project jobs and there is gender balance in recruitment. 3. Training and orientation to WB ESF and national labour regulations

## 4.2 Communicable disease /COVID-19 Considerations

There is a risk of project workers contracting COVID-19 since the risk of the pandemic is not completely over. Thus, the project will be guided by national laws and regulations, and international good practices.. The Project will also be guided by good international industry practices (GIIP) that include various conventions/guidelines by the International Labor Organization (ILO), and World Health Organization (WHO) Emergency Response Framework and COVID-19, 2020 Guidelines.

The Project will also adhere to international guidelines related to Covid-19. These include:

- ILO Occupational Safety and Health Convention, 1981 (No. 155)
- ILO Occupational Health Services Convention, 1985 (No. 161)
- WHO International Health Regulations, 2005
- WHO Emergency Response Framework, 2017
- WHO Guidance on COVID-19, 2020

The project will also ensure that adherence is made to the WHO's specific guidelines on COVID-19 (see <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/advice-for-public>, along with the World Bank's guidance provided through "ESF/SAFEGUARDS INTERIM NOTE: COVID-19 CONSIDERATIONS IN CONSTRUCTION/CIVIL WORKS PROJECTS (April 1, 2020) 5 ", [https://biwta.portal.gov.bd/sites/default/files/files/biwta.portal.gov.bd/page/f3ca1ff6\\_95b0\\_4606\\_849f\\_2c0844e455bc/2020-10-01-11-04-ad9ef55c947057f54b4f4f76f5be54ff.pdf](https://biwta.portal.gov.bd/sites/default/files/files/biwta.portal.gov.bd/page/f3ca1ff6_95b0_4606_849f_2c0844e455bc/2020-10-01-11-04-ad9ef55c947057f54b4f4f76f5be54ff.pdf)

especially as it relates to the application of such guidance to project workers, contractors and subcontractors. The note recommends assessing the current situation of the project, understanding the obligations of contractors under existing contracts, requiring contractors to put in place appropriate organizational structures and developing plans and procedures to address different aspects of COVID-19.

Additionally, in this project, the Project Coordinator will ensure that project workers are (a) sensitized and educated on hygiene and other OHS preventive measures; (b) provided with adequate Personal Protective Equipment (PPE) required to safely carry out their duties; and (c) establish communication strategies where workers can regularly receive COVID-19 related

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updates, including having virtual sessions with contractors, workers and other stakeholders. A protocol will be developed in the event project workers contract COVID-19 as per the Guidance Note (see Annex 3).

## 5 REVIEW OF LABOR LEGISLATIONS: TERMS AND CONDITIONS

### 5.1 Scope and Purpose

Given the scope of the project involving post-Disaster Needs Assessment and rebuilding, no major labor-related risks are expected. However, the ESS and LMP provisions will apply where appropriate to fill up gaps between GoSVG laws and World Bank standards. The project will engage all types of workers and national/expatriate consultants as per the labor provisions outlined in LMP and ESMP. Mitigation measures will be established by incorporating standardized clauses in the contract documents so that the contractors are aware of the project's E&S obligations.

The OHS standards will be maintained with regards to workers safety, health, and welfare of people at work. The PSIPMU will ensure compliance with clauses. These clauses will include non-tolerance of GBV and sexual harassment and exploitation and abuse (SEA), and discrimination. Project workers will be employed on the basis of equal opportunity and there will be no discrimination as it relates to compensation, working conditions and terms of employment. All project workers will be given and receive training on the Code of Conduct as well as any OHS measures required under ESS2. These measures will be applied and enforced on all activities of the project, and the contractors and subcontractors through contractual agreements as appropriate.

### 5.2 SVG Labor Legislations

The standards for the labour and working conditions are defined in the Government of Saint Vincent and the Grenadines Department of Labour legislation. The project workers will be paid as agreed in contract ( monthly /deliverables etc) procedures. In case of any gaps between the national legislation and ESS2, the ESS2 will apply. Any deductions from payment of wages will be made as allowed by national laws or Labor management procedures and project workers will be informed of the conditions under which such deductions will be made. Project workers will be provided with adequate periods of rest per week, annual holiday, sick, maternity and family leave, as required by national laws and labor management procedures. Table 5-1 briefly presents the key characteristics of national labor legislations with regards to workers' rights, terms and conditions.

Table 5-1: SVG Labor Legislations: Terms and Conditions

Legislations	Descriptions and relevance
<i>The Wages Councils Act (WCA), 1953</i>	The WCA 1953 provides for the establishment of wages councils and wages regulations in SVG. It addresses minimum wages, hours of work, overtime wages, vacation, sick leave, maternity leave, and health and safety issues.
<i>The Trade Unions Act (TUA), 1950</i>	The TUA 1950 provides for the establishment and regulation of trade unions in the country and addresses matters such as registration, rules, use of funds, and accounts.

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Legislations	Descriptions and relevance
<i>The Trade Disputes - Arbitration and Inquiry Act (TDAIA), 1940</i>	The TDAIA 1940 provides for the establishment of an arbitration tribunal and a board of inquiry in connection with trade disputes and to make provision for the settlement of such disputes, and for the purpose of enquiring into economic and industrial conditions in St. Vincent and the Grenadines.
<i>The Protection of Employment Act (PEA), 2003</i>	The Protection of Employment Act provides for the maintenance and promotion of good employment relationships between employers and employees. It also addresses matters of severance and settlement of disputes.
<i>Essential Services Act, 1965</i>	This Acts provides for the maintenance of essential services and the regulation of the employment of workers therein.
<i>The Equal Pay Act (EPA), 1994</i>	The EPA 1994 provides for the removal and prevention of discrimination, based on the sex of the employee, in the rates of remuneration for males and females in paid employment, and for all other incidental matters.
Employment of Foreign Nationals and Commonwealth Citizens Act, 1973	This Act regulates the employment of foreign nationals and Commonwealth citizens in St. Vincent and the Grenadines
<i>The Employment of Women, Young Persons and Children Act, 1935</i>	This Act regulates the employment of women, young persons and children in industrial undertakings and on ships in accordance with ILO Conventions; Minimum Age (Industry) Convention (Revised) 1937; Night Work of Young Persons (Industry) Convention 1919; and the Night Work (Women) Convention 1994.
<i>The Employers and Servants Act (ESA), 1937</i>	The ESA 1937 requires wages to be paid by the employer to the worker only in money and the payment of wages is to be made at intervals not exceeding fourteen days.
<i>Public Health Act (PHA), 1977</i>	The PHA 1977 regulates the environmental health issues, including monitoring of communicable diseases, in SVG and provides remedies and treatment.
<i>Public Health (Amendment) Act, 2020</i>	This Act revises and strengthens the powers of health officers with regard to communicable diseases and remedies to be enacted in the case of non-compliance.
Wages regulations (Industrial Workers) order (No: 33 of 2008)	Sets out the minimum wage to be paid to a security worker and specifies the hours of work, overtime, vacation leave, sick leave and maternity leave in the Schedule to the Order. Repeals the Wages Regulation (Industrial Workers) Order, 2003 (No. 15 of 2003).
Wages Regulation (workers in Offices of Professional order, 2008 (No:34 of 2008)	Sets out the minimum wage to be paid to a worker in the office of a professional (doctors, lawyers, accountants, architects, contractors, engineers, tax consultants, data entry firms, shipping agencies, custom brokers, insurance companies, secretarial services etc.) and specifies the hours of work, overtime, vacation leave, sick leave and maternity leave in the Schedule to the Order. Repeals the Wages Regulation (Workers in Office of Professionals) Order, 2003 (No. 17 of 2003).
Accidents and Occupational Diseases (Notification) Act, 1952	This Act places a legal obligation on the employer to inform the Labour Commissioner in writing on the prescribed form, any accident involving any worker that arises out of and in the course of employment and which causes loss of life or serious bodily injury or disables a worker. The employer is also obligated to inform the Labour Commissioner on any occupational disease which he reasonable believes or suspects to have occurred among workers employed by him.



### 5.3 Gap Analysis and Measures

The SVG labor legislations largely covers the key areas in terms of minimum wages, hours of work, overtime wages, vacation, sick leave, maternity leave, health and safety issues. The existing legislations also address issues related to discrimination, arbitration and settlement of disputes. Areas that are not clearly covered such as those related to child and forced Labor, and trafficking in persons are addressed in the ESMF and labor management procedures outlined in this document. The LMP covers direct, contracted, community, and primary supply workers, and government worker/civil servants (for relevant standards of ESS2 applicable to government officials, see Annex 2).

### 5.4 Review of OHS LEGISLATIONS AND PRACTICES

#### OHS Labor Legislations: An Overview

In this section (Table 5-2) are the key aspects of national policies and labour legislation with regards to occupational health and safety (OHS). The Factories Act of 1955 does include OHS considerations but it is very brief. Error! Reference source not found. Table 5-2 presents key aspects of national policies and labor legislations with regards to OHS.

Table 5-2: SVG Legislations related to OHS

Legislation	Brief description and relevance
<i>Environmental Health Services Act, 1991 (No. 14 of 1991)</i>	The Act provides for the regulation of activities that may affect public health and the environment.
<i>Factories Act, 1955 (Cap. 335)</i>	Addresses health, safety, welfare, and special protective measures.
<i>Accidents and Occupational Diseases (Notification) Act, 1952</i>	This Act outlines the legal obligation on the employer to inform the Labor Commissioner in writing on the prescribed form, any accident involving any worker that arises out of and in the course of employment and which causes loss of life or serious bodily injury or disables a worker. It includes other rights and entitlements of workers that include (i) trade union rights; (ii) file grievances against an employer for violation of right; (iii) discrimination against racial, gender-based, ethnic/social origins, political opinion and nationality; and (iv) right to maternity leave and other family emergencies.
<i>Public Health Act, 1977</i>	This Act regulates the environmental health issues, including monitoring of communicable diseases, in SVG and provides remedies for same.
<i>Public Health (Amendment) Act, 2020</i>	The PHA 2020 amended Act is a revised version of 1977 Act and strengthens the powers of health officers with regards to communicable diseases and remedies, including issues of non-compliance.

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The OHS measures of the project will be designed based on a combination of national legislation and the guidelines provided in the Environmental and Social Framework of the project (whichever is more strict will prevail), and will be implemented to address:

- Identification of potential hazards to project workers, particularly those that may be life threatening.
- Provision of preventive and protective measures, including modification, substitution, or elimination of hazardous conditions or substances.
- Training of project workers and maintenance of training records.
- Documentation and reporting of occupational accidents, diseases and incidents.
- Emergency prevention and preparedness and response arrangements to emergency situations;
- Remedies for adverse impacts such as occupational injuries, deaths, disability, and disease; and
- Ensure that relevant ESS requirements are included in the bidding documents and contracts requiring the contractor/supplier/ consultant responsible to the borrower for managing these risks and delivering on the E&S outcomes.

#### 5.5 Gap Analysis and Measures

Despite the presence of labor laws and rights of the workers, these are not comprehensive enough within the context of development projects and international practices. For example, it is not mandatory for development interventions to be assessed and reviewed in terms of labor and working conditions, including OHS during construction. Therefore, ESS2 requirements will prevail if gaps are identified. The present LMP based on ESS2 covers management of worker relations including workers specific GRM, terms and conditions of employment, non-discriminations and equal opportunity, protection of work force, and prohibition. In sum, the OHS measures will follow the requirements of the ESF and the WB ESH Guidelines and would be reflected in the ESMF and ESMP with regard to documentation and reporting of occupational accidents, diseases, incidents; emergency prevention, preparedness and response, and remedies adverse impacts such as occupational injuries, deaths, disability, and diseases.

#### 5.6 Policy, Measures and Procedures

The obligations of the BERRY project under the OHS policy include the following:

- Compliance with all national and international OHS legislations that are required by the GoSVG .
- Compliance with ESF of the World Bank
- Prevention of injuries and ill health of all project workers
- Protection of workers safety

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- Establishment of safety systems, processes and performance
- Continuous review and improvements of the safety systems
- Management and mitigations of adverse environmental and social impacts
- Prevention of use of faulty equipment or substandard equipment.

The project will commit to safety considerations in the conduct of all of its activities and that of contractors and sub-contractors.

- The project will provide systems, processes, procedures, the necessary safety equipment and gears, and training for all project employees so that all activities are conducted in a safe environment.
- Employees will be responsible, subject to their roles, for the maintenance of a safe environment including the assessment of risks and actions to mitigate minimize and manage risks to the safety of the work environment.
- The project will develop an OHS policy and implement systems, processes, supporting policies, and services that are national and international in compliance with national and international legal requirements including industry standards and best practices in relation to safety.
- Employees at all levels have the authority to stop any activity they consider to be a danger to themselves or other workers, the public or the environment. There will be no retaliation to project workers for stop-work whistle blowing.
- The Environment Specialist and Social Specialist of the project is responsible for the implementation and monitoring of the safety management systems of the project. The ESS will develop sub-policies, guidelines, procedures, instructions and training and awareness materials to support this policy.
- Occupational Health and Safety: Contractors must engage a minimum of one safety representative. Smaller contracts may permit for the safety representative to carry out other assignments as well. The safety representative ensures the day-to-day compliance with specified safety measures and records of any incidents. Minor incidents are reported to Clerk of works on a monthly basis, serious incidents are reported immediately. Minor incidents are reflected in the quarterly reports to the World Bank, major issues are flagged to the World Bank immediately within 5 days. Work related accidents are required to be reported within 48 hours to the World Bank.
- Labour and Working Conditions. Contractors will keep records in accordance with specifications set out in this LMP. PSIPMU may at any time require records to ensure that labour conditions are met. The Project Management Unit will review records against actuals at a minimum on a monthly basis and can require immediate remedial actions if warranted. A summary of issues and remedial actions will be included in quarterly reports to the World Bank.
- Worker Grievances. BERRy LMP GRM is currently in place will remain for all Direct workers and Contracted workers. The Social Specialist will work with the Contractors to present a worker grievance redress mechanism which responds to the requirements in this LMP.

The PSIPMU will review records on a monthly basis. Where worker concerns are not resolved, PSIPMU will keep abreast of and intervene if necessary to come to a resolution. This action must be reflected in quarterly reports to the World Bank.

- Additional Training. Contractors are required to, at all times, have a qualified designated officer on board. If training is required, this will be the contractor's responsibility. The safety officer will provide instructions to contractor staff. PSIPMU will procure for training to address risks associated with labour influx and will provide a schedule for trainings required. The contractor will be obligated to make staff available for this training, as well as any additional mandatory trainings required by PSIPMU, as specified by the contract

### 5.7 Dissemination and Awareness

The LMP, Code of Conduct and OHS policy will be disseminated to all project workers and at various offices and labour camps at the project site, as well as, via the project and GOSVG website. The project will ensure that all project workers and contractors are treated fairly without any discrimination based on gender or ethnic origins. The project will further ensure that employees/workers hired are part of the project. PSIPMU will use the Code of Conduct (**see Annex 5**) as training materials in the orientation and training program for project staff/workers *prior* to the start of project work. The Code of Conduct will be made available to project workers, staff and management as part of dissemination and awareness building with regard workers' rights and responsibilities.

### 5.8 Communicable Disease / COVID-19 Considerations

The project will ensure the following:

- OHS training will include training for project workers on hygiene and other preventative measures.
- A communication strategy for regular updates on communicable disease/ COVID-19 related issues and status of any workers that may be affected by the illness.
- Virtual sessions, including with project communities, will be conducted where viable.
- Where virtual sessions are not viable and sessions must be held in person, the project will ensure that proper communicable disease/COVID-19 protocols will be adhered (refer to the Bank's guidance note as well as WHO's guidance).
- Project workers will be provided with the adequate PPE required to safely carry out their duties.
- A protocol will be developed in the event any project worker contracts communicable disease/ COVID-19.

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## 6 STAFF RESPONSIBLE FOR LMP IMPLEMENTATION

Overall, the PSIPMU will be responsible for the LMP implementation. At the project implementation level, the roles and responsibilities lay with the Project Coordinator and Social safeguard Specialist. Table 6-1 lists the roles and responsibilities.

Table 6-1: Roles and Responsibilities in LMP Implementation

Role/Position	Scope and Responsibilities
DIRECTOR OF Economic Planning Deputy Director of Economic Planning	<ol style="list-style-type: none"> <li>1. has the overall responsibility to oversee all aspects of the implementation of the LMP, in particular to ensure contractor compliance</li> <li>2. head of the Grievance Redress committee</li> </ol>
Project Coordinator	<ol style="list-style-type: none"> <li>3. Engage and manage of all project workers, contractors, and subcontractors</li> <li>4. Ensure occupational health and safety (OHS) is implemented</li> <li>5. Dissemination of Project Information</li> <li>6. Overall responsibility for oversight of development and execution of the project</li> <li>7. Ensure that relevant elements of Occupational Health and Safety (OSH) that fall under ESS2 are implemented</li> </ol>
Procurement Specialist, Project Coordinator	<ol style="list-style-type: none"> <li>1. Engagement and management of contractors/subcontractors, including coordination and reporting arrangements between contractors</li> </ol>
Social Safeguard	<ol style="list-style-type: none"> <li>1. Create awareness and train contractors and their related staff on the provisions and requirements under the LMP</li> <li>2. Lead the update (as needed), manage and implement the LMP, including the Grievance Mechanism (GM) for workers</li> <li>3. Update the LMP as needed</li> <li>4. Maintain a data base - Log, document and assist in resolution of Labour grievance for <u>BERRY Direct Workers</u></li> <li>5. Notify contractors on the GBV/SEA risk management procedures</li> <li>6. Provide pathways for support to workers</li> <li>7. Publicize the GRM for workers and monitor its implementation</li> <li>8. Ensure that relevant measures related to the code of conduct, impacts on livelihoods, citizen engagement, and social inclusion are adhered to.</li> <li>9. Ensure that all direct workers sign are sensitized and adheres to the code of conduct ( keep record of signed code of conduct for all Direct workers</li> <li>10. Pay attention to gender issues, including any GBV and responses</li> <li>11. Report any incidents or accidents to the Project Coordinator</li> <li>12. Monitor the implementation of the LMP.</li> <li>13. Promote fair treatment, non-discrimination, and equal opportunity for project workers</li> </ol>
Environmental/OHS Specialist	<ol style="list-style-type: none"> <li>1. Overall oversight of Occupational Health and Safety</li> <li>2. Sensitization workshop on occupational health and safety</li> <li>3. Support and coordinate with the Social Specialist</li> <li>4. Updating the LMP as necessary</li> <li>5. Publicize the GM for workers and other stakeholders</li> <li>6. Monitoring the implementation of the LMP.</li> <li>7. Training of workers, including raising awareness and training of workers in</li> </ol>

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Role/Position	Scope and Responsibilities
	<p>mitigating the spread of COVID-19</p> <p>8. Reporting any incidents/accidents to the Project Manager.</p> <p>9. Ensure that relevant elements of Occupational Health and Safety (OSH) that fall under ESS2 are implemented.</p> <p>10. Occupational Health and Safety (OHS)- Project staff</p>

## 7 AGE OF EMPLOYMENT AND VERIFICATION PROCESSES

The project will be guided by the Saint Vincent and the Grenadines Employment of Women, Young persons, and Children Act, 1938

Part II, Article 8 of the Employment of Women, Young Persons, and Children Act, 1938:

- (a) Prohibition of employment of a child — (1) Subject to subsection (2), a child shall not be employed. (2) Nothing in subsection (1) applies— (a) to work done by any child in accordance with the provisions of Part I; (b) to the service rendered by any child to his parent or guardian in light agricultural or horticultural work on the family land or garden outside of school hours; (c) to the participation of a child, without fee or reward, in an entertainment the net proceeds of which are devoted to any charitable or educational purpose or to any purpose other than the private profit of the promoters.
- (b) SCHEDULE II, ARTICLE 2 Children under the age of fourteen (14) years shall not be employed or work in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed: Provided that, except in the case of employment which, by their nature or the circumstances in which they are carried on, are dangerous to the life, health or morals of the persons employed therein, national laws or regulations may permit such children to be employed in undertakings in which only members of the employer's family are employed

Saint Vincent and the Grenadines is signatory or ratified the following list of international relations:

- Convention on the Rights of the Child (CRC): “Signed on the 20<sup>th</sup> September 1993 and ratified on the 26<sup>th</sup> October 1993”
- Convention on the Rights of persons with Disabilities: ratified on 29<sup>th</sup> October, 2010
- Minimum Age Convention, 1973 (No.138) 25<sup>th</sup> July 2006
- Forced Labour Convention, 1930 (No. 29) 21<sup>st</sup> October, 1998
- Worst Forms of Child Labour Convention, 1999 (No. 182) 4<sup>th</sup> December, 2001
- UN CRC Optional Protocol on Armed Conflict ratified 29<sup>th</sup> March 2011
- UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography ratified 15<sup>th</sup> September, 2005
- International Convention on the Protection of Rights of all Migrant workers and members of their families 29<sup>th</sup> October, 2010
- Discrimination (Employment and Occupation) convention, 1958 ; 9<sup>th</sup> November 2001
- International Convention on the Elimination of All forms of Racial Discrimination 9<sup>th</sup> November, 1981

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- Convention on the elimination of All forms of Discrimination against woman ratified – 4<sup>th</sup> August, 1981
- Employees over the minimum age of 14 and under the age of 18, cannot be employed with the project.

The following process will be followed to verify the age of project workers:

- All project employees will be asked to produce identification documents (ID) that are acceptable in local laws, employment and human resources practices as “proof of age”. These forms of ID will be birth certificates, national drivers’ licenses and national registration cards; national or international passport. In the absence of one of those forms of IDs the project will apply and document an age verification process.
  - The age verification process will consist of alternative methods including copies of academic certificates, testimony/affidavits from officials of the schools attended, a medical examination, statements from family members and parish/village officials/local authorities.
  - In addition, all documents will be cross-referenced and subjected to a verification process to ensure the validity of the documents.
  - In instances where the documents are thought to be falsified the project will conduct the same process to ensure their authenticity.
  - In all of the processes the attendant care will be provided to ensure that the applicant or employee’s data are protected and their right to privacy is guaranteed.
  - All copies of the IDs and documents pertaining to the applicant's age and other supporting materials will be kept in files with the human resources personnel. Audits and controls of the process will be a requirement of the contractors and included in the contracts, in keeping with the Saint Vincent and the Grenadines Employment Act.

In the event that underage workers are found working on the project the following actions will be undertaken:

- Termination of the contract and services agreement immediately as per the Labour Act of Saint Vincent and the Grenadines
  - Schedule a meeting with the child and seek to determine the reasons for seeking employment



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- Refer the child to other support services including social services and the Ministry of Education
- Leverage the services of Non-government and Community Based Organizations to assist the child
- Consider employing another adult member of the family if the child's family is determined to be vulnerable or in dire circumstances

The Saint Vincent and the Grenadines Employment Act will be used as a guide in the conduct of the assessment of risks associated with persons below the age of 18. The procedure for assessing the risks will be as follows:

- All persons will be asked to provide a medical certificate with the results of a medical examination.
- An assessment will be done of the tasks assigned, to ensure that persons below the age of 18 are not subjected to hazards and risks
- There will be clear policy guidelines regarding supervision of young persons to prevent exploitation and sexual harassment
- Young persons will be provided with educational and awareness information on the policies of the workplace including sexual harassment policies and labour related grievances and the grievance redress mechanism of the project.

## 8 TERMS AND CONDITIONS

The project will be guided by the *Protection of Employment Act, 2003*. The Act requires the employers to give its employees a copy of the written appointment letter indicating requisite particulars of employment, to be signed by both parties. In the BERRy Project, the contractors will be required to provide all its workers and employees with written appointment letter/contract of employment in terms of particulars of employment. Among others, the Act addresses the promotion of employment rights, severance pay and dispute resolution.

The Act provides specific guidance with regard to (a) protection against dismissal; (b) termination in case of fixed term employment; and (c) terms of employment.

- a. *Protection against dismissal without good cause* (Clause 5.1/5.2): every person shall be protected against any unfair termination of his/her employment without good cause; the employment of a worker shall not be terminated for reasons related to his/her conduct or performance before she/he is provided an opportunity to defend himself against the allegations.
- b. *Termination after fixed term of employment* (Clause 6.1/6.2): the services of an employee who has been specifically employed for a fixed period may, notwithstanding anything contained in this Act, be terminated on the expiration of the term so stipulated.
- c. *Terms of employment in writing* (Clause 8/1): Save in the case of daily paid and weekly paid workers, an employer shall inform an employee in writing of the terms and conditions in writing of employment and such terms and conditions shall include: (i) date of employment; (ii) name and address of the employer and the employee; (iii) the rate of pay, the overtime rate if any and the pay period; (iv) the probationary period if any; and (v) the hours of work including time off and rest period, if any.

The contractors will also be required to comply with the most current regulation in terms of the wages. The Contractor (s) will be required to certify in writing that the wages, hour and conditions of work or persons to be employed by him/her on the contract are not less favourable than those contained in the most current wages regulation issued by the GoSVG.

The project will be guided by the *Protection of Employment Act, 2003*. This Act provides for the maintenance and promotion of good employment relationships between employers and employees. Among other elements, it addresses promotion of employment rights, severance pay and disputes.

### ▪ **Contracts**

- The project, and sub-contractor, subcontractor, and assignees of contracts shall pay rates of wages and observe hours and conditions of employment which are not less favourable than those established in the country.

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- Contractors and sub-contractors shall be certified according to the Government Requirements for governmental contractors including that contractors are certify that the wages and conditions of employment of all those employed by the contractor in the trade or industry in which the contractor is seeking to contract with the Government are fair and reasonable.
- In keeping with the Employment Act, the contractor shall keep proper wage records and time sheets for all those employed in relation to the execution of the contract, and the contractor shall produce the wage records and timesheets for the inspection of any person authorised by the project or the Labour authorities of Saint Vincent and the Grenadines.

Example of record to be maintained by the contractor, also see annex 11 for particulars for each employee

Table 8-1 Terms and Condition of Employment

Project workers /Actions	Age <sup>15</sup>	Gender	Force Labour <sup>16</sup>	Payment period <sup>17</sup>	Hours of work	Overtime	Rest period	leave <sup>18</sup>	Termination <sup>19</sup>
<b>Direct Workers</b>									
<b>Contracted workers</b>									
<b>Primary supply workers</b>									
<b>Community workers</b>									
<b>Government Workers</b>									

- Contractors are required by law, to post conditions of work in conspicuous places informing workers of their rights and conditions of work.
- The contractor shall ensure sufficient insurance so as to pay compensation to workers under the Workmen’s Compensation Act, Chapter 343. 9.
- A subcontractor shall be bound to conform to the conditions of the main contract and the main contractor shall be responsible for the observance of all contract conditions.
- Contractors and subcontractors shall recognise the right of their workers to be members of the trade unions.

<sup>15</sup> All workers must have completed the age of 18 before contractual arrangements

<sup>16</sup> All workers must sign a declaration of freedom of choice to work on project

<sup>17</sup> Weekly/fortnightly /monthly/task completion

<sup>18</sup> Vacation/sick or maternity

<sup>19</sup> Date and reason for termination

- **Minimum Wage**

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

- **Hours of Work**

The maximum number of ordinary hours of work for employees shall be 40 hours per week with the ordinary working days being Mondays to Saturdays.

Project employees are prohibited from working more than 10 hours per day inclusive of one hour for lunch and rest periods. No person under the age of eighteen years shall be employed or allowed to work between the hours of 9.00 p.m. to 6.00 a.m. Other provisions related to hours of work will be guided by the Employment Act on this matter.

- **Meal Break**

All employees working for 8 hours continuously are entitled to 1 hour paid lunch break.

- **Protection against dismissal without good cause:**

- (1) Subject to the following provisions, every person shall be protected against the unfair termination of his/her employment without good cause.
- (2) The employment of a worker shall not be terminated for reasons related to his/her conduct or performance before he/she is provided an opportunity to defend himself/herself against the allegations made except in cases where the employer cannot reasonably be expected to provide such opportunity.

- **Termination after fixed term of employment:**

1. The services of an employee who has been specifically employed for a fixed period may, notwithstanding anything contained in this Act, be terminated on the expiration of the term so stipulated.
2. For the purposes of this section, the effective date of termination of the services of an employee in relation to an employee who has been specifically employed for a fixed

period and where that period expires without being renewed under the same contract, shall be the date on which the term expired.

▪ **Terms of employment in writing:**

Save in the case of daily paid and weekly paid workers, an employer shall inform an employee in writing of the terms and conditions in writing of employment and such terms and conditions shall include:

- a) the date of commencement of employment;
- b) the name and address of the employer and the employee;
- c) the rate of pay, the overtime rate if any and the pay period;
- d) the probationary period if any;
- e) the hours of work including time off and rest period, if any.

## 9 GRIEVANCE MECHANISM

### 9.1 Objectives of GM

A Grievance Mechanism (GM) using the World Bank ESS10 protocols has already been established. The GRM will enable the Project Authorities to address grievances against the Project.

A grievance refers to an issue, concern, problem or claim, whether actual or perceived, that affects the physical, social and economic conditions of project workers. The GRM in the LMP also makes clear procedures for handling of SEA/SH grievances. Where appropriate, consideration will be given to allowing concerns to be raised anonymously and/or to a person other than an immediate supervisor.

The grievance mechanism will provide all direct workers and contracted workers (and, where relevant, their organizations) with channels to raise workplace concerns. Such workers, including community workers, will be informed of the grievance mechanism at the time of recruitment and the measures put in place to protect them against reprisal for its use. Contracted workers on subcomponents ( for example on a construction site) , grievances will be submitted to the Supervising contractor Clerk on works on the site. The Clerk of works will contact the Social Specialist within one day. Base on the subcomponent sites measures will be put in place to make the grievance mechanism easily accessible to all such project workers.

### 9.2 Responsibility for Grievance Redresses

The Social Specialist assigned to the project will be designated as the key officers in charge of receiving the grievance, the grievances resolution is handled by the Grievance Response Team.

#### **LABOUR Grievance Response Team**

Deputy Director of Planning

Project Coordinator

Social Safeguard

They will be tasked with the following:

Lead	Responsibility	Action
Deputy Director of Planning	Final decision	Provide guidance to the Social safeguard and Coordinator regarding the possible resolutions and ensure that the affected person is satisfied with the resolution.

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Lead	Responsibility	Action
Project Coordinator	to Create awareness about the GRM amongst project workers	Workers orientation session Assist in the resolution of all grievances by coordinating with the concerned parties
Social Safeguard	Focal Point on Grievance issues Create awareness about the GRM amongst project workers	<ul style="list-style-type: none"> <li>Record and assess</li> <li>Facilitate Awareness activities/ workshops</li> <li>Receive and examine grievances;</li> <li>Maintain a database /information of grievances and their resolution</li> <li>Monitor the project activities of contractors and consultants on the resolution of grievances;</li> <li>Prepare monthly/quarterly progress reports on grievances received.</li> </ul>

### 9.3 Grievance process, Outcomes, Records and reporting

**Receive grievance:** All complaints should be received by the Social Safeguard officer; During Project staff orientation for each project worker the Social Safeguard Officer will inform the staff of various avenues through which the mechanism can be accessed.

**Modes of receiving grievances:** Complaints can be made anonymously, in person, writing, verbally over the phone, by fax, emails or any other media. Contact information to submit email grievances are in Table 9-1. Additional specific uptake channels for the receipt of grievances will be part of the updated GM ( see annex 7) .

Table 9-1: Contact information for submitting grievance

Title	Telephone	Email address	Physical location
Interim Project Coordinator	457-1746	<a href="mailto:nfergus@svgcpd.com">nfergus@svgcpd.com</a>	Administrative Building, Kingstown
Social Safeguard Specialist	457-1746	<a href="mailto:dralph@svgcpd.com">dralph@svgcpd.com</a>	Administrative Building, Kingstown
Deputy Director of Planning	457-1746	<a href="mailto:medwards-john@svgcpd.com">medwards-john@svgcpd.com</a>	Administrative Building, Kingstown

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**Sample Notification:** Figure 9-1 provides a sample notification to the public on how to submit grievances. This sample notification can be placed at strategic points at each facility.

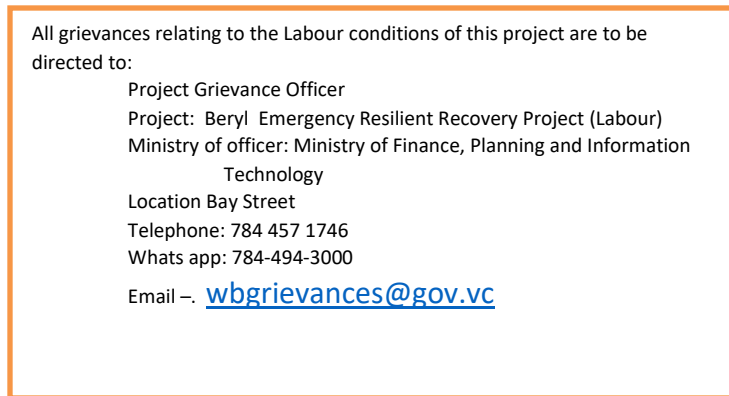


Figure 9-1: Sample of GRC Notification

**Specific Grievance Committee** will be formed to deliberate on cases and to resolve grievances at the project/subproject levels. The aggrieved parties will have the right to appeal, providing additional other information and that in all moments, workers can use other avenues like the courts.

**LABOUR Grievance Redress Committee** comprise the following:

1. Social Safeguards Specialist
2. Project Coordinator
3. Deputy Director of Planning
4. Director of Economic Planning
5. Representative from the Attorney General Office (SEA/SH)

**Acknowledge grievance:** All grievances will be acknowledged by telephone or in writing by the PC or SGFP using the Grievance Acknowledgment Form (GAF) (see Annex 8) within 48 hours of receipt and the complainant informed of the approximate timeline for addressing the complaint, if it can't be addressed immediately. The PC will work with the safeguard team to ensure the speedy resolution of the grievance. If the complaint cannot be resolved at this level it is taken to the next level.

**Register/Log:** After receiving and recording the grievance on the GAF, it will be registered in the Labour Grievance Register (Annex 9)



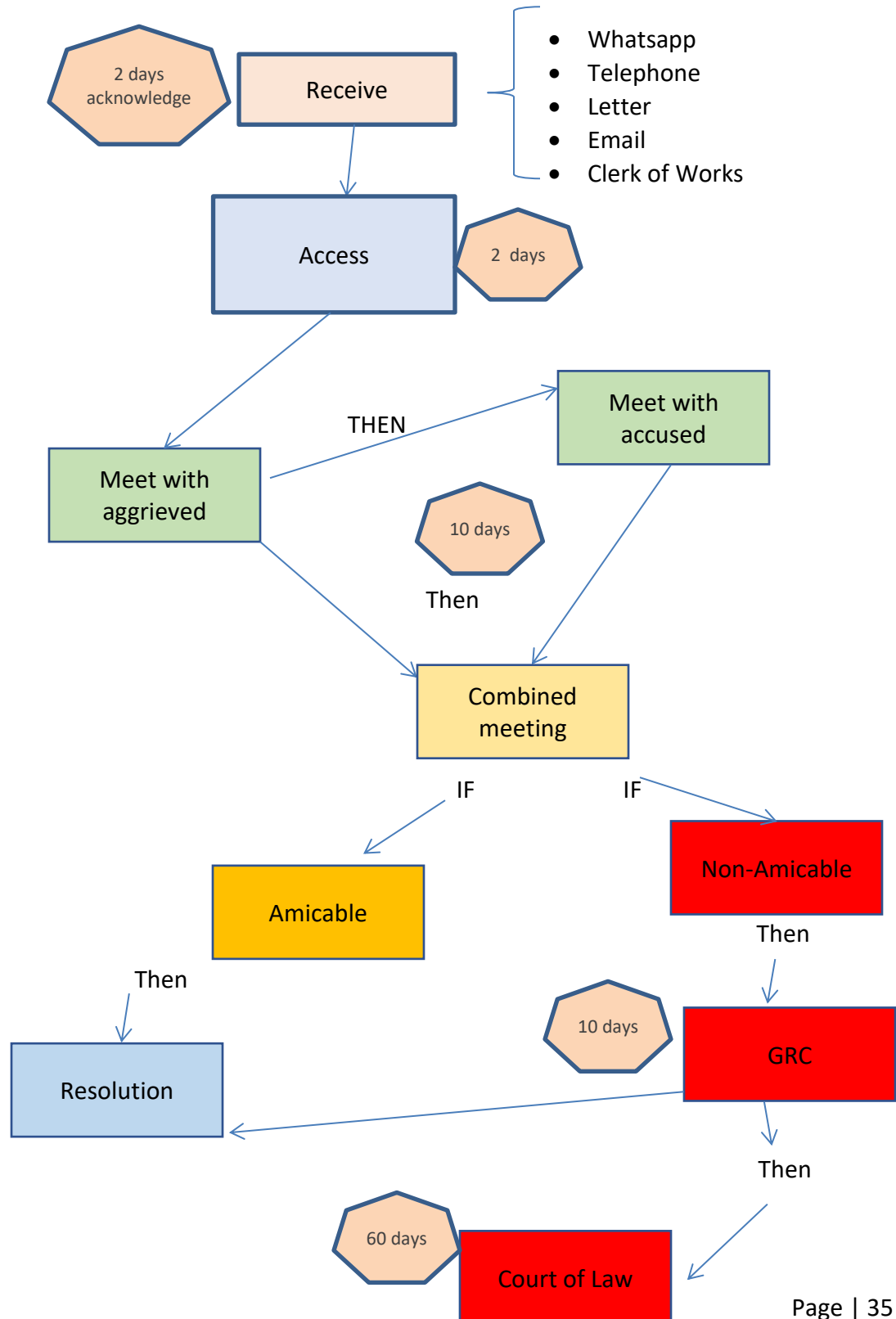
**Screening:** The Project Coordinator /Social Safeguards Specialist Point reviews the complaint. The Social Safeguards Specialist will conduct an investigation to determine whether there are grounds for hearing to be held hereby liaising with both the aggrieved parties to come to a mutually acceptable resolution. The aggrieved will be given a specific timeline for the resolution of the claim. Meetings with grievant/complainant will be held, if necessary, in an attempt to resolve the matter. All meetings should be recorded.

**Processing:** The Social Safeguards Specialist will investigate the complaint. This investigation will include, but is not limited to,

- (a) meetings with the grievant/complainant, site visits, meetings/interviews with project staff and collection of relevant documentation and other forms of evidence. For meetings, the deliberations and decision will be recorded.
- (b) The Social Safeguard Specialist will notify the employee of the allegations and time of hearing in writing or a format that the employee can understand, the employee must sign in receipt
- (c) The employee is given reasonable time to prepare for the hearing and to be represented by a fellow employee or a union representative;
- (d) The employee must be given an opportunity to respond to the allegations, questioning is allowed if necessary
- (e) If an employee fails to attend the hearing the employer may proceed in the absence of the employee
- (f) The hearing must be held and concluded within a reasonable time and is to be chaired by an impartial representative

If an employee is dismissed, the reasons for dismissal must be given and the right to refer the dispute concerning the fairness of the dismissal. Therefore, it is incumbent upon the employer to ensure that they have a disciplinary procedure and Code and standards which the employees are aware of. As it regards employees under the different components, each contractor will be required to produce this procedure to ensure that employees are not treated unfairly.

### Processing of Labour Grievance



### Classification of Grievance:

**In any working environment it is essential** Table 9-2 provides a guidance to classification and ranking of grievances for resolution.

Table 9-2: Classification of Grievance

Grievance Class	Description	Responsibility
Level 1	When an answer can be provided immediately and/or the PC or Social Specialist is already working on a resolution e.g. Latest of worker Late report submitting Excessive noise at desk	Social Safeguard Specialist & Project Coordinator
Level 2	One off event Relatively minor but repetitive problems related to operations e.g. faulty equipment worker damaged property late payment of salary compensation for travel expenses misconduct of workers	
Level 3	<ul style="list-style-type: none"> <li>Complaint is repeated. (misconduct of workers)</li> <li>Employment opportunity do not meet expectation of local communities</li> <li>Any complaint that indicates breach of law or applicable policy/regulation</li> <li>High-profile grievances that if not resolved promptly may represent significant risks to the work environment or community.</li> </ul>	Grievance Redress Committee  <b>LABOUR Grievance Redress Committee</b>  Social Safeguard Project Coordinator Deputy Director of Planning Director of Economic Planning
Level 4	<ul style="list-style-type: none"> <li>GBV</li> </ul>	Legal Affairs Department Representative from the Attorney General Office (SEA/SH)

**Resolution:** The resolution at the first tier should normally be completed within 5 working days of receipt

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of grievance and notified to the concerned party. The meetings held to review and discuss any complaint must be properly recorded.<sup>20</sup> If the grievance is not being resolved within this period, it can be referred to the next level of the Grievance System. However, once it is determined that progress is being made towards a resolution, the grievance will be retained at this first level. The complainant will be informed of this decision and an estimated time for the resolution of the matter will be given either verbally or in writing. If the issue cannot be resolved within 25 working days, it will be transferred to the next level. Once a resolution has been agreed and accepted, the complainant's acceptance will be obtained on the Disclosure Form (see Annex 10). If the proposed resolution is not accepted the grievance will be escalated to level 2. The time frame for grievances resolution is in Table 9-3. All types of grievances will be resolved within 30 days.

Table 9-3: GRM Timeframe

Step	Process	Timeframe
1	Receive grievance & log	Within 1 day
2	Acknowledge grievance	Within 2 days
3	Screen	Within 2 days
4.	Investigate	Within 10-15 days
5	Resolution	Within 25 days
6	GRC	30 days
7	Close grievance	

**Monitoring and Reporting:** The Social Safeguard Specialist will prepare Quarterly Reports on the Grievance Redress issues of the project periodic review by Grievance Redress Committee. The Grievance Committee will review the nature of grievances that have been represented and if grievances are repeated, recommend suitable changes.

#### 9.4 Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH)

The specific nature of sexual exploitation and abuse and of sexual harassment (SEA/SH) requires tailored measures for the reporting and safe and ethical handling of such allegations. A survivor-centered approach aims to ensure that anyone who has been the target of SEA/SH is treated with dignity and that the person's rights, privacy, needs and wishes are respected and prioritized in any and all interactions.

The Social Specialist in the PSIPMU will be responsible for dealing with any SEA/SH issues, should they arise. A list of SEA/SH service providers will be kept available by the project (included as Annex 11). The GM should assist SEA/SH survivors by referring them to Services Provider(s) for support immediately after receiving a complaint directly from a survivor.

To address SEA/SH, the project will follow the guidance provided on the World Bank Technical Note "Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) in Investment Project

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<sup>20</sup> See Annex 8: GRC Meeting Record Form.

Financing Involving Civil Works". This GM will follow the official WB definitions described on the Technical Note as shown below:

**Sexual Abuse (SEA)** is an actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions

**Sexual Exploitation (SE)** refers to any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

**Sexual harassment (SH)**

Sexual Harassment (SH) is any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment.

**Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) service provider**

An organization offering specific services for SEA/SH survivors, such as health services, psychosocial support, shelter, legal aid, safety/security services, etc.

**Survivor-centered approach**

The survivor-centered approach is based on a set of principles and skills designed to guide professionals—regardless of their role—in their engagement with survivors (predominantly women and girls but also men and boys) who have experienced sexual or other forms of violence. The survivor-centered approach aims to create a supportive environment in which the survivor's interests are respected and prioritized, and in which the survivor is treated with dignity and respect. The approach helps to promote the survivor's recovery and ability to identify and express needs and wishes, as well as to reinforce the survivor's capacity to make decisions about possible interventions.

SEA/SH grievances can be received through any of the available channels and will be considered level 3 grievances investigated and addressed by the GRC. A list of SEA/SH service providers will be kept available by the Project. Additionally, if an incident occurs, it will be reported as appropriate, keeping the anonymity and confidentiality of the complainant and applying the survivor-centered approach<sup>21</sup>. Any cases of

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<sup>21</sup> The survivor-centered approach is based on a set of principles and skills designed to guide professionals—regardless of their role—in their engagement with survivors (predominantly women and girls but also men and boys) who have experienced sexual or other forms of violence. The survivor centered approach aims to create a supportive

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SEA/SH brought through the GM will be documented but remain closed/sealed to maintain the confidentiality of the survivor. The WB will be notified as soon as the Project Manager and the E&S specialist learn about the complaint.

If a SEA/SH related incident occurs, it will be reported through the GM, as appropriate and keeping the survivor information confidential. Specifically, the following steps will be taken once an incident occurs:

**ACTION 1: COMPLAINT INTAKE AND REFERRAL**

If the survivor gives consent, the PIU safeguards specialist fills in a complaints form excluding any information that can identify the survivor:

- The nature of the allegation (what the complainant says in her/his own words without direct questioning)
- If the alleged perpetrator was/is, to the survivor's best knowledge, associated with the project (yes/no)
- The survivor's age and/or sex (if disclosed); and,
- If the survivor was referred to services

If the survivor does not want to provide written consent, her consent can be verbally received. If needed or desired by the survivor, the PIU Safeguards Specialist refers her/him to relevant SEA/SH service providers, identified in the mapping of SEA/SH service providers and according to preestablished and confidential referral procedures. The survivor's consent must be documented even if it is received verbally. The service providers will be able to direct survivors to other service providers in case the survivor wishes to access other services. The PIU safeguards specialist will keep the survivor informed about any actions taken by the perpetrator's employer. If the survivor has been referred to the relevant SEA/SH service providers, received adequate assistance, and no longer requires support; and if appropriate actions have been taken against the perpetrator or if the survivor does not wish to submit an official grievance with the employer, the PIU Safeguards Specialist can close the case.

**ACTION 2: INCIDENT REPORTING**

The PSIPMU Social Specialist needs to report the anonymized SEA/SH incident as soon as it becomes known, to the Project Coordinator, who will, in turn, inform the World Bank Task Team Leader (TTL) or directly to the TTL.

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environment in which the survivor's interests are respected and prioritized, and in which the survivor is treated with dignity and respect. The approach helps to promote the survivor's recovery and ability to identify and express needs and wishes, as well as to reinforce the survivor's capacity to make decisions about possible interventions.

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Complaint Forms and other detailed information should be filed in a safe location by the PSIPMU Safeguards Specialist. Neither the PIU safeguards specialist nor the Project Coordinator should seek additional information from the survivor.

SEA/SH incident reporting is not subject to survivors' consent but the PIU Safeguards Specialist needs to provide ongoing feedback to the survivor at several points in time: (1) when the grievance is received; (2) when the case is reported to PSIPMU and WB; (3) when the verification commences or when a determination is made that there is an insufficient basis to proceed; and (4) when the verification concludes or when any outcomes are achieved or disciplinary action taken.

As long as the SEA/SH remains open, the PSIPMU Safeguards Specialist and/or Project Coordinator should update the World Bank TTL on the measures taken to close the incident.

### **ACTION 3: GRIEVANCE VERIFICATION AND INVESTIGATION**

Each SEA/SH incident should be verified to determine if it was related to the WB financed project. The PIU safeguards specialist should form a SEA/SH verification committee comprised by her/him, one member of the PIU, one member of a local service provider and a representative of the Contractor (if relevant). The PIU Safeguards Specialist should notify the SEA/SH Committee of the incident within 24 hours of its creation. The SEA/SH verification committee will consider the SEA/SH allegation to determine the likelihood that the grievance is related to the project.

If after the committee review, SEA/SH allegation is confirmed and it is determined that it is linked to a project<sup>22</sup>, the verification committee discusses appropriate actions to be recommended to the appropriate party—i.e., the employer of the perpetrator, which could be the PSIPMU or a contractor. The PSIPMU will ask contractors to take appropriate action. The committee reports the incident to the perpetrator's employers to implement the remedy/disciplinary action in accordance with local labor legislation, the employment contract of the perpetrator, and their codes of conduct as per the standard procurement documents.

For SEA/SH incidents where the survivor did not consent to an investigation, the appropriate steps should be taken to ensure the survivor is referred to/made aware of available services and that the project

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<sup>22</sup> Project actors are: (a) people employed or engaged directly by the Borrower (including the project proponent and the project implementing agencies) to work specifically in relation to the project (direct workers); (b) people employed or engaged through third parties (Project staff, subcontractors, brokers, agents or intermediaries) to perform work related to core functions of the project, regardless of location (contracted workers); (c) people employed or engaged by the Borrower's primary suppliers (primary supply workers); and (d) people employed or engaged in providing community labor such as voluntary services or participation in project activities and processes (community workers).

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mitigation measures are reviewed to determine if they remain adequate and appropriate or if they require strengthening.

If the survivor is interested in seeking redress and wishes to submit an official complaint with the employer, or with entities in SVG legal system, the PSIPMU Safeguards Specialist should provide linkages to the relevant institutions. Ensuring due legal process is up to the police and the courts, not the SEA/SH verification committee. Unlike other types of issues, the PSIPMU Safeguards Specialist does not conduct investigations, make any announcements, or judge the veracity of an allegation.

Any cases of SEA/SH brought through the GRM will be documented but remain closed/sealed to maintain the confidentiality of the survivor. Here, the GRM will primarily serve to:

- Refer complainants to the SEA/SH Services Provider; and
- Record the resolution of the complaint

The GM will also immediately notify both the Implementing Agency and the World Bank of any SEA/SH complaints **WITH THE CONSENT OF THE SURVIVOR.**



## 10 LMP AND CONTRACT MANAGEMENT

The Project Coordinator will be guided by the LMP for contract management with regard to labour procedures. Further, the Project Coordinator will also be responsible for ensuring that all consultants or individuals hired for the project are implementing project activities according to their agreed upon Terms of Reference, which form part of the their contract documents. A copy of the workers' GM and Code of Conduct will be made available to all workers hired as part of the project. Finally, any dispute or grievances will be resolved on a timely basis in accordance with the procedures laid out in the GM.

The Government of Saint Vincent and the Grenadines in keeping with World Bank requirement for the implementation of the LMP under the BERRY project requires that the Project to keep records and report on terms and conditions related to labour management. The contractors must provide workers with evidence of all payment made, inclusive of NIS benefits and/or Pension contributions if applicable;

The application for the requirement will be proportionate to the activities and the size of the contract, in a manner acceptable to the Government of Saint Vincent and the Grenadines and the World Bank .

- a. Labour conditions: records of workers engaged under the Project, including contracts, registry of induction of workers including subcontractor, hours worked, remuneration and deductions (including overtime), collective bargaining agreements;
- b. Safety: recordable incidents and corresponding Root Cause Analysis (lost time incidents, medical treatment cases), first aid cases, high potential near misses, and remedial and preventive activities required (for example, revised job safety analysis, new or different equipment, skills training, and so forth)
- c. Workers: number of workers, indication of origin (expatriate, local, nonlocal nationals), gender, age with evidence that no child labour is involved, and skill level (unskilled, skilled, supervisory, professional, management).
- d. Training/ induction: dates, number of trainees, and topics, inclusive of toolbox meetings
- e. Details of any security risks: details of risks the contractor may be exposed to while performing its work—the threats may come from third parties external to the project.
- f. Worker grievances: details including occurrence date, grievance, and date submitted; actions taken and dates; resolution (if any) and date; and follow-up yet to be taken—grievances listed should include those received since the preceding report and those that were unresolved at the time of that report.

The Project's oversight of contractors is set out in this LMP. The following procedures are recommended for BERRY contractor management:

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1. Ensure that Contractors have valid contracts with clearly define service level agreement in accordance with the national law and all environmental and social clauses, as applicable:
2. Contractor induction to World Bank standards and LMP:
3. Submission of progress reports
4. Information on Public Records: The Contractor must have in place information on corporate registers and documents relating to the violation of applicable law, including reports from labour inspectorates and other enforcement bodies.
5. The contractor should have Certification and Approval of Business and Workers: Documentation of approved business licenses, registration, permits and other approvals and workers' certification/permits and training to perform the work
6. Health and Safety: the contractor should have in place a documented labour management systems as it relates to organizational health and safety. Records of incidents and corresponding root cause analysis with a corrective mitigation plan. First aid cases, high potential near misses, and remedial and preventive activities required. Identification and establishment of safety committee and records of meetings
7. Workers Payroll Records: the contractor should have documentation of the number of hours work and pay received inclusive of all payments made on their behalf, for example payment made to the National Insurance Scheme and other entitlements regardless of the workers being engaged on a short- or long-term assign mentor fulltime or part time worker.

## 11 COMMUNITY WORKERS

(There will be no provision for Community Workers.)

## 12 Primary Supply Workers

The risk associated with primary supply associated with the Project is assessed as low. All primary suppliers are formal businesses who are required to procure and produce materials subject to high standards. Any new supplier is vetted using a different form which screens the supplier in regard to compliance with taxes, certification, licensing, and workmen's compensation.

### Code of Conduct (CoC)

The Code of Conduct (Annex 5) commits all persons engaged by the BERRy Project, including subcontractors and suppliers based at the community, to acceptable standards of behavior. The Code of Conduct (CoC) shall include sanctions for non-compliance, including non-compliance with specific policies related to age of working, behavior in the workplace, occupational health and safety, gender-based violence, sexual exploitation and abuse, and sexual harassment (e.g., termination). The CoC should be easily understood and shall be written in local language that the

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workers can read (Standard English) signed by each worker to indicate that they have received a copy of the CoC as part of their contract; ii. Had the CoC explained to them as part of the induction process; iii. Acknowledged that adherence to this CoC is a mandatory condition of employment; iv. Understood that violations of the CoC can result in serious consequences, up to and including dismissal, or referral to legal authorities.

## 13 ANNEXES

### Annex 1 – Guidelines for Engaging Voluntary Labour

The guidelines provided by the World Bank ESS2/Labor and Working Conditions will be followed in the BERRY project for engaging volunteer labor, if any. The ESS2 states:

1. "Work is on a voluntary basis when it is done with the free and informed consent of a worker. Such consent must exist throughout the employment relationship, and the worker must have the possibility to revoke freely given consent. In particular, there can be no "voluntary offer" under threat or other circumstances of restriction or deceit. To assess the authenticity of a free and informed consent, it is necessary to ensure that no external constraint or indirect coercion has been carried out, either by an act of the authorities or by an employer's practice<sup>6</sup>." The PSI/PMU and the Project Coordinator (PC) will put in place measures to ensure that any labor offered is voluntary and given of free will and informed consent.
2. Will be "fully informed" of the terms and conditions of the voluntary contribution of Labor. "Fully informed" means that the owner has complete information regarding the proposed activity and its impacts, the Labor requirements, and his or her rights to compensation should others be receiving compensation for the same work under the project.
3. "Free will" means that the owner can reject the possibility of offering his or her Labor with no fear of reprisal or any sanction.
4. The Project staff will ensure that all potential volunteers to the project are aware of the conditions under which voluntary Labor is acceptable.
5. Will be informed that they have the right to withdraw the voluntary Labor offer at any time without fear to threat or reprisal from the community or project.
6. Potential volunteers are provided with sufficient time to consider his or her offer of voluntary Labor.
7. The person is still entitled to benefit from the project activities whether they offer voluntary Labor or not.
8. The PSIPMU/Project Coordinator will verify that voluntary donations are indeed voluntary by requesting potential volunteers will affirm in writing that they are volunteering of their own free will and/or confirm in a presence of a trusted source (e.g. local administration official, church member or community group member) that participation is voluntary.
9. The PSIPMU/Project Manager will ensure that all types of Labor are aware of the grievance redress mechanism for workers paid and voluntary and how to access it, including anonymously.

## Annex 2 – ESS2 Applicable Standards for Government Workers

Relevant standards of ESS2 applicable to government officials working in connection with the project:

A child under the minimum age...will not be employed or engaged in connection with the project. The labor management procedures... specifies the minimum age for employment or engagement in connection with the project...

1. A child over the minimum age and under the age of 18 may be employed or engaged in connection with the project only under the following specific conditions: (a) the work does not fall within paragraph 19 below; (b) an appropriate risk assessment is conducted prior to the work commencing; and (c) the GoSVG conducts regular monitoring of health, working conditions, hours of work and the other requirement ESS2.

2. A child over the minimum age and under the age of 18 will not be employed or engaged in connection with the project in a manner that is likely to be hazardous<sup>13</sup> or interfere with the child's education or be harmful to the child's health or physical, mental, spiritual, moral or social development. Fn 13 of ESS2 indicates that Work considered hazardous for children is work that, by its nature or the circumstances in which it is carried out, is likely to jeopardize the health, safety, or morals of children. Examples of hazardous work activities prohibited for children include work: (a) with exposure to physical, psychological or sexual abuse; (b) underground, underwater, working at heights or in confined spaces; (c) with dangerous machinery, equipment or tools, or involving handling or transport of heavy loads; (d) in unhealthy environments exposing children to hazardous substances, agents, or processes, or to temperatures, noise or vibration damaging to health; or (e) under difficult conditions such as work for long hours, during the night or in confinement on the premises of the employer.

3. Forced Labor, which consists of any work or service not voluntarily performed that is exacted from an individual under threat of force or penalty, will not be used in connection with the project. This prohibition covers any kind of involuntary or compulsory Labor, such as indentured Labor, bonded labor, or similar labour-contracting arrangements. No trafficked persons will be employed in connection with the project. For more clarification, see footnote 14 of 15 of ESS2.

4. Measures relating to occupational health and safety (OHS) will be applied to the project.

5. The OHS measures will be designed and implemented to address: (a) identification of potential hazards to project workers, particularly those that may be life-threatening, b) provision of preventive and protective measures, including modification, substitution, or elimination of hazardous conditions or substances; (c) training of project workers and maintenance of training record and documentation and reporting of occupational accidents, diseases and incidents; (e) emergency prevention and preparedness and response arrangements to emergency situations - these arrangements will be coordinated with the Emergency Preparedness and Response measures established under ESS-; and (f ) remedies for adverse impacts such as occupational injuries, deaths, disability and disease - Such remedies should take into account, as applicable, the wage level and age of the project worker, the degree of adverse impact, and the number and age of dependents concerned.

6. All parties who employ or engage project workers will develop and implement procedures to establish and maintain a safe working environment, including that workplaces, machinery, equipment and processes under their control are safe and without risk to health, including by use of appropriate measures relating to chemical, physical and biological substances and agents. Such parties will actively collaborate and consult with project workers in promoting understanding, and methods for, implementation of OHS requirements, as well as in providing information to project workers, training on occupational safety and health, and provision of personal protective equipment without expense to the project workers.

7. Workplace processes will be put in place for project workers to report work situations that they believe are not safe or healthy, and to remove themselves from a work situation which they have reasonable justification to believe presents an imminent and danger to their life or health. Project workers who remove themselves from such situations will not be required to return to work until necessary remedial action to correct the situation has been taken. Project workers will not be retaliated against or otherwise subject to reprisal or negative action for such reporting or removal.

8. Project workers will be provided with facilities appropriate to the circumstances of their work, including access to canteens, hygiene facilities, and appropriate areas for rest. Where accommodation services<sup>21</sup> are provided to project workers, policies will be put in place and implemented on the management and quality of accommodation to protect and promote the health, safety, and well-being of the project workers, and to provide access to or provision of services that accommodate their physical, social and cultural needs.

9. Where project workers are employed or engaged by more than one party and are working together in one location, the parties who employ or engage the workers will collaborate in applying the OSH requirements, without prejudice to the responsibility of each party for the health and safety of its own workers.

10. A system for regular review of occupational safety and health performance and the working environment will be put in place and include identification of safety and health hazards and risks, implementation of effective methods for responding to identified hazards and risks, setting priorities for taking action, and evaluation of results.

### Annex 3 – Communicable Diseases inclusive of Covid -19 Considerations

The BERRY Project implementation may encounter the incidence of Covid-19 risk among project workers. The PSIPMU/Project Coordinator will undertake proper measures in accordance with national regulations/laws and international good practices and protocols. The project will adhere to international guidelines related to Covid-19. These include (i) ILO Occupational Safety and Health Convention (1981/No.155); (ii) WHO Emergency Response Framework, 2017; and (III) WHO Guidance on Covid-19, 2020.

The Project will ensure that adherence is made to WHO-specific guidelines on Covid-19 (see <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/advice-for-public>) along with the World Bank guidance provided through "ESF/Safeguards Interim Note: Covid-19 Consideration in Construction/Civil Work Projects (April 1, 2020)," especially as it relates to the application of such guidance to project workers, contractors, and suppliers/sub-contractors. The ESF/Covid Note requires an assessment of the current situation at the project site, and an understanding of the obligations of contractors and contractors' responsibility to put in place appropriate arrangements and plans/procedures to address aspects of Covid-19 risks.

The Project will ensure that:

- a. Project workers will be trained on hygiene and other OHS preventive measures.
- b. Establish appropriate and two-way communication measures between the contractors and the workers for regular updates and actions on Covid-19.
- c. Where possible, virtual sessions with project communities on Covid-19 measures
- d. Project will adhere to SVG protocols (<http://health.gov.vc/health/index.php/covid-19-protocols-documents>) as well as those of the WHO and World Bank regarding Covid-19
- e. Project workers will be provided with adequate PPE for safely carrying out their duties.

Finally, a protocol will be developed by the project/contractors in the event a project worker contracts Covid-19.

## Annex 4 – Accident Reporting Template

<b>PART 1- Reporting the Accident</b>
Date of the accident_____
Location _____
Type of accident _____
Detailed descriptions  
<b>Reporting officer/Staff </b> _____ Reporting date_____
<b>PART 2 – Action taken by the Project Coordinator</b>
<b>Actions taken by the Project Coordinator (date and time)</b>  
Detailed description of action and update on the accident  
<b>PART 3 – Reporting to the World Bank</b>
Report to the World Bank by the Project Coordinator Date and time Description of the accident, issues/resolutions and compensation paid (if requires)  



## CODE OF CONDUCT

I, \_\_\_\_\_, worker **with Name of company and the Beryl Emergency Resilience Recovery (BERRy), Project** acknowledge that adhering to environmental, social, health and safety (ESHS) standards, following the project's occupational health and safety (OHS) requirements, and preventing Gender Based Violence (GBV), including sexual exploitation and abuse (SEA), and sexual harassment (SH) at the workplace, is important in and outside the context of this project, as further set out in this Code of Conduct. As such, I acknowledge this Code of Conduct identifies the behavior that is expected of all workers on the **Name of Site or the PIU**

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.

For the purpose of this Code of Conduct, it is important to note that GBV is an umbrella term for any harmful act that is perpetrated against a person's will and that is based on socially ascribed (that is, gender) differences between male and female individuals. GBV includes acts that inflict physical, mental, or sexual harm or suffering; threats of such acts; and coercion and other deprivations of liberty, whether occurring in public or in private life. GBV includes the following concepts:

- **Sexual Exploitation and Abuse (SEA):** Sexual exploitation is defined as any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes, including but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. **Sexual abuse** is defined as the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
- **Sexual harassment (SH):** occurs between personnel and staff on the project and means any unwelcome sexual advance, request for sexual favors, and other verbal or physical conduct of a sexual nature.

A violation to this Code of Conduct, including failure to follow ESHS and OHS standards, or engaging in activities constituting GBV including SEA/SH—be it on the workplace, work sites, work site surroundings, at workers' camps, or the surrounding communities—, constitute acts of serious misconduct, which contravenes the terms of employment, and are therefore grounds

for disciplinary action up to and including termination of employment. Acts that may violate the laws of Saint Vincent and the Grenadines will be additionally referred to the corresponding legal authorities, including for potential prosecution under the Criminal Code.

### **Commitments under this Code of Conduct**

I agree that while working on the project I shall:

#### **General:**

- carry out my 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 Project staff, workers, and any other person.

#### **Regarding ESHS and OHS**

- Attend and actively partake in training courses related to ESHS and OHS as requested by my employer.
- Always wear my personal protective equipment (PPE) when at the work site or engaged in project related activities.
- Adhere to the OHS Management Plan.
- Adhere to a zero-alcohol/illicit drug policy during work activities, and refrain from the use of narcotics or other substances which can impair faculties.
- Report work situations that are not safe or healthy and remove myself from a work situation which I reasonably believe presents an imminent and serious danger to my life or health.

#### **Regarding equality of opportunity and treatment**

- Treat women, men, and children (persons under the age of 18), with respect regardless of race, color, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

#### **Regarding discrimination and violence based on gender**

- Not use language or behavior towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- Not engage in SEA with project beneficiaries and members of the surrounding communities.
- Not engage in sexual harassment with other project personnel and staff—for instance, comments on the appearance of another worker (either positive or negative) and sexual

desirability. Making unwelcome sexual advances, looking somebody up and down; kissing, howling or smacking sounds; hanging around somebody; whistling and catcalls; and offering or giving personal gifts.

- Not engage in sexual favors—for instance, making promises of favorable treatment (e.g. promotion), threats of unfavorable treatment (e.g. loss of job) or payments in kind or in cash, dependent on sexual acts—or other forms of humiliating, degrading or exploitative behavior.
- Unless there is the full consent<sup>23</sup> by all parties involved, not have sexual interactions with members of the surrounding communities or work colleagues. This includes relationships involving the withholding or promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex (including prostitution). Such sexual activity is considered “non-consensual” within the scope of this Code.

#### Regarding children under the age of 18

- Not engage in any form of sexual contact or activity with children under the age of 18—including grooming or contact through digital media. Mistaken belief regarding the age of a child or his/her consent is not a defense or excuse.
- Bring to the attention of my manager the presence of any children on the construction site/ office environment or engaged in hazardous activities.
- Wherever possible, ensure that another adult is present when working in the proximity of children.
- Not invite unaccompanied children unrelated to my family into my home, unless they are at immediate risk of injury or in physical danger.
- Not use any computers, mobile phones, video and digital cameras or any other medium to exploit or harass children or to access child pornography.
- Refrain from hiring children below the minimum age of 18.
- Comply with all relevant local legislation, including labor laws in relation to child labor.
- When photographing or filming a child for work related purposes, I must:
  - Before photographing or filming a child, assess and endeavor to comply with local traditions or restrictions for reproducing personal images.

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<sup>23</sup> **Consent** is defined as the informed choice underlying an individual’s free and voluntary intention, acceptance or agreement to do something. Consent must be informed, based on a clear appreciation and understanding of the facts, implications and future consequences of an action. The individual also must be aware of and have the power to exercise the right to refuse to engage in an action and/or to not be coerced (i.e., by financial considerations, force or threats). No consent can be found when such acceptance or agreement is obtained using threats, force or other forms of coercion, abduction, fraud, deception, or misrepresentation. For the purpose of this Code of Conduct, consent cannot be given by children under the age of 18, even if national legislation introduces a lower age. Mistaken belief regarding the age of the child and consent from the child is not a defense.

- Before photographing or filming a child, obtain informed consent from the child and a parent or guardian of the child. As part of this I must explain how the photograph or film will be used.
- Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive way. Children should be adequately clothed and not in poses that could be sexually suggestive.
- Ensure images are honest representations of the context and the facts.
- Ensure file labels do not reveal identifying information about a child when sending images electronically.

### **Disciplinary measures**

The Economic Planning division within the Ministry of Finance, Economic Planning and Information Technology (MOFEP), shall be responsible for making decisions on the specific sanctions to be imposed on workers for violations to this Code of Conduct. I understand that if I breach this Code of Conduct, the Economic Division within the MOFEP will take disciplinary action according to the seriousness of the offense which could include:

- verbal notification (For Public Officers)/ warning for PCT staff employed by the Project
- written notification (For Public Officers)/ warning for PCT staff employed by the Project
- termination of employment

### **Infringements sanctioned with verbal notification**

Those behaviors that do not cause relevant risks to the MOFEP and Government of Saint Vincent and the Grenadines, other workers and/or its relationship with the communities. Verbal warnings may involve a reminder of the Code of Conduct and its applicability.

### **Infringements sanctioned with written notification**

Those behaviors that cause minor risk to the MOFEP and the Government of Saint Vincent and the Grenadines, other workers and/or its relationship with the communities and/or the environment.

### **Infringements sanctioned with termination of employment**

Those behaviors that cause substantive risks to the MoFEP and the Government of Saint Vincent and the Grenadines, other workers and/or its relationship with the communities and/or the environment, or behaviors that constitute serious misconduct in accordance with this Code of Conduct. In such cases, the termination of employment may be accompanied by a referral to the corresponding legal authorities. Cases of SEA or SH will always be considered serious misconduct. Recurrent offences to the Code of Conduct will also be considered serious misconduct.

Termination of employment shall be carried out in accordance with the Labour Laws of St Vincent and the Grenadines.

*I understand that it is my responsibility to ensure that the environmental, social, health and safety standards are met; that I will adhere to the occupational health and safety management plan; and, that I will avoid actions or behaviors that could be construed as GBV, including SEA and SH. Any such actions will be a breach of this Code of Conduct. I do hereby acknowledge that I have read the foregoing Code of Conduct, agree to comply with the standards contained herein, and understand my roles and responsibilities to prevent and respond to ESHS, OHS, and GBV issues. I understand that any action inconsistent with this Code of Conduct or failure to act, may result in disciplinary action.*

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

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

## Annex 6:

### Simple code of conduct for construction workers/ LITE workers

I, \_\_\_\_\_, I agree that while working on the project I will:

- Adhere to the provisions of this code of conduct both on and off the project site, attend and actively partake in training courses related to occupational health and safety, community cohesion and preventing SEA/SH as requested by my employer.
- Treat all persons, including children (persons under the age of 18), with respect regardless of sex, race, color, language, religion, political or other opinion, national, ethnic or social origin, gender identity, sexual orientation, property, disability, birth or other status.
- Not use language or behavior towards women, children or men that is inappropriate, abusive, sexually provocative, demeaning or culturally inappropriate.
- Not participate in SEA and SH as defined by this Code of Conduct and as defined under national law (and other local law, where applicable) and commit to creating an environment which prevents SEA/SH.
- Not participate in sexual contact or activity with anyone below the age of 18 even if consensual.
- Not solicit/engage in sexual favors in exchange for anything as described above.

I acknowledge that sexual exploitation and abuse (SEA) and sexual harassment, are prohibited. As an (employee/contractor) of (contracted agency /sub-contracted agency) in St. Vincent and the Grenadines, I acknowledge that SEA and SH activities on the work site, the work site surroundings, or the surrounding community constitute a violation of this Code of Conduct. I further understand SEA and SH activities are grounds for sanctions, penalties or potential termination of employment. Prosecution of those who commit SEA and SH may be pursued if appropriate.

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

- Informal warning or formal warning
- Additional training
- Loss of salary
- Suspension of employment (with or without payment of salary)
- Termination of employment.
- Report to the police or other authorities as warranted.

I understand that it is my responsibility to adhere to this code of conduct. Any actions that go against the provisions of this Code of Conduct will be a breach of this Individual Code of Conduct. I acknowledge that I have read the Individual Code of Conduct, do agree to comply with the standards contained in this document, and understand my roles and responsibilities, especially to prevent and potentially report SEA/SH issues. I understand that any action inconsistent with this Individual Code of Conduct or failure to act mandated by this Individual Code of Conduct may result in disciplinary action and may affect my ongoing employment.

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

Title: \_\_\_\_\_

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

## Annex 7 – Age Verification Template

<b>A. Personal Data sheet</b>
Name of the person: Mother/father's name: Any identification mark: Date of birth: Address/location: Contact phone number:
<b>Type of proof/certification:</b> a: Vital statistics/birth certificate _____ b. Certification by local administration _____ c. Church certificate _____ d. certificate issues by government official _____ e. academic certificate _____ f: Other community validation _____
<b>B. Review and approval by Project Coordinator</b>
PM/Social development specialist verifies the age through personal interview and finally approves or discard
<b>C. Database of Underage children 14+ (both applied for and/or recruited for project work</b>
Project Coordinator will maintain a database for monitoring and reporting purposes



Annex 8 REGISTRATION OF LABOUR GRIEVANCE

Please use capitals: ( **Note that using your full name is optional**)

Name: \_\_\_\_\_ Contact No: \_\_\_\_\_  
Address: \_\_\_\_\_ E-mail Address: \_\_\_\_\_  
National ID No: \_\_\_\_\_ NIS Number: \_\_\_\_\_  
Gender: \_\_\_\_\_

**Name of Project Site:**

As per the ESMF of the Project , Grievance Redressal, I register my grievance as detailed:

**"Details of Grievance"**

**(I) Outline reasons why and how you are affected by the Project. (overleaf if necessary)**

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**(II) Please answer the following: (overleaf if necessary)**

**(a) The name of the person/persons who offended you:**

\_\_\_\_\_

**(b) Name of witnesses if any :** \_\_\_\_\_

**(III) Can you suggest any possible solution to address situation: (overleaf if necessary)**\_\_\_\_\_

**(IV) List documents: attach copies ( e.g) photo etc**

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**Undertaking:** I hereby certify that statements made in my Grievance and documentation enclosed are true and complete to the best of my knowledge. If at any time any part of the Grievance or the documentation is found to be false, I will be liable for any legal action that the Government of St. Vincent and the Grenadines may deem necessary.

Date: \_\_\_\_\_ (Signature of aggrieved person)

Name of recording Officer: \_\_\_\_\_

(Signature) \_\_\_\_\_ (Please print)



Annex 9 Grievance Acknowledgement Letter /TEXT

BERRy Grievance Acknowledgement letter

Date

To:  
Address  
Postal address  
Country

Subject: GRIEVANCE ACKNOWLEDGEMENT LETTER

We hereby acknowledge receipt of your formal complaint sent to the Beryl Grievance Officer, (subject), dated (date).

We will contact you within 10 working days to attend an initial meeting in accordance with the World Bank Project grievance procedure at which time you will be given the opportunity to state and explain further how you have been affected.

Please be advised that you have the right, if you so desire, to be accompanied in the meeting by a work colleague or trade union representative not acting in a legal capacity.

Please contact me at Telephone/WhatsApp (784 494 3000) or email ([wbgrievances@gov.vc](mailto:wbgrievances@gov.vc)) should you have any concerns or queries about the process.

Finally, we apologize for any inconvenience you have experienced working with the project; we value your service and endeavour to resolve this matter most urgently.

Regards

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(Name of Grievance Officer)

**Text:** Thank you for using our servicing, we acknowledge receipt of your concern and will follow-up via telephone within 10 days. If you require more urgent attention please visit us or call. ( name of Grievance officer handling this Grievance )

Annex 10 Labour Grievance Register

**Notes:**

- 1 Complainants should be provided with acknowledgement of grievance within 10 days from the date of receipt (the social specialist should insert the number of days that the project has allocated for acknowledgement of grievance, which should vary from 2-10 days. For simple issues, complaints /queries should be responded to within this allocated number of days).
- 2 Expected time of redress should be entered in this register.
- 3 Records of Grievances should always be entered in the GR Register and updated as needed, until the grievance is settled.
- 4 Grievances should normally be settled within 4 weeks of initial receipt. If not, reasons for delay should be communicated to the complainant and entered in the Register. (The social specialist should insert the number of weeks allocated for settling grievances under the project, which should vary from 2 weeks to one month. The same approach as detailed above in Note 1 should be followed).

## Grievance Details

Claim Number	Name of sub project Site	Date Complaint Received	Name & Contact Information of Person Making Complaint (optional if the complainant wishes to be anonymous)	Date of Acknowledgement of Receipt of Complaint (Issue involved) (informing complainant of response time) / Response to Complaint for Simple Issues	Actions Taken to Resolve Complaint	How Complaint Resolved	Date Complaint Resolved	If Not Resolved, Date Sent for Appeal	Status of Appeal	Date Resolved	Level of Grievance

*Beryl Emergency Resilient Recovery (BERRy) Project*  
*Labour Management Procedures*

Annex -11 GRC Meeting Record Form

Date of Meeting\_\_\_\_\_

Location \_\_\_\_\_

Type of Grievances under review \_\_\_\_\_

Chair of the Meeting\_\_\_\_\_

**List of participants**

Name of participant	Gender	Organization/address	Contact phone/cell

**Record of discussion and decisions**

Agenda items	Description and summary	Decisions and next step

\_\_\_\_\_

## Annex -12 Grievances Closure Form

Grievance Registration no:

1. History and Details of the Grievances

\_\_\_\_\_

2. Details of Action

\_\_\_\_\_

3. Complaint Satisfaction (to be completed by the aggrieved person)

\_\_\_\_\_

Are you satisfied with the actions taken to resolve your grievance?

Yes \_\_\_\_\_ No \_\_\_\_\_

4. I agree that the grievance can now be closed: Yes \_\_\_\_\_ No \_\_\_\_\_

I hereby certify that the statements above are true and complete to the best of my knowledge. If at any time any part of the grievance or the documentation is found to be false, I will be liable for any legal action that the GoSVG may deem necessary.

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

Signature of aggrieved person: \_\_\_\_\_

Grievance Redressal Officer: \_\_\_\_\_

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

### Annex -13: List of GBV Services- SVG

Name	GBV Service	Contact
<b>Gender Affairs Division</b>	Receives reports and provides direct social and psychological services to victims of IPV and adult victims of sexual abuse. The report can be made via telephone, email, mail or a visit to the Bureau's office. Conducts capacity building and training of other GBV service providers. Implements public education programmes on GBV.	<a href="http://mobilization.gov.vc/mobilization/index.php/gender-affairs">http://mobilization.gov.vc/mobilization/index.php/gender-affairs</a> The Ministry of National Mobilisation, Social Development, Family, Gender Affairs, Youth, Housing and Informal Human Settlement Halifax Street Kingstown Saint Vincent <b>Contact</b> Tel: (784) 453-2061 email: <a href="mailto:office.socialdevelopment@mail.gov.vc">office.socialdevelopment@mail.gov.vc</a>
<b>The Crisis Centre</b>	Counselling, Shelter services Small grants for reintegration and relocation if needed 24 Hour Hotline	Contact through the Gender Affairs Division Tel; 784-453-2061.
<b>Royal Saint Vincent Police Force</b>	Emergency response, investigations, arrests, and providing evidence for prosecution. Also has a Anti-Trafficking Unit and a Sexual Offences Unit.	Criminal Investigation Division (CID) 1-784-456-1810
<b>Civil Society Organisations</b>		
<b>Marion House</b>	Skills training for survivors Counselling services	Marion House Richmond Hill Tel: 784-456-2161; Fax: 784-456-1318
<b>National Council for Women SVG</b>	Advocacy to encourage legislative changes to improve protection for women and ensure that DV cases are prosecuted. It also provides training on domestic violence prevention and response	Ms. Beverly Richards <b>National Council of Women</b> P.O. Box 1157 Kingstown <b>St Vincent</b> Tel: 784-498-0021 E-mail: <a href="mailto:beverlyrichards@gmail.com">beverlyrichards@gmail.com</a>

## Annex 14 – Records of Employees

### Written Particulars of Employment

1. Name of Employer
2. Name of Employee
3. Date of Birth of Employee
4. Date Employment began
5. Wage and Method of Calculation
6. Interval at which wages are paid
7. Normal Hours of work
8. Short description of employee's work
9. Probation Period
10. Annual Holiday Entitlement
11. Paid Public Holiday
12. Payment during sickness
13. Maternity Leave (if employee female)
14. Paternity Leave (if employee male)
15. Nursing Break Entitlement (for female employee)
16. Notice employee entitled to receive for holiday, termination of service,
17. Notice employer required to give termination of service
18. Pension Schedule, NIS contribution Schedule etc.
19. Emergency Contact information: allergies
20. Any other matter either party wishes to include
21. Housing and accommodation provisions and payment required, if any ( Grenadines and Rural workers)



