

**Ministry of Environmental Protection and Agriculture  
National Agency of Public Registry**

**GEORGIA RESILIENT AGRICULTURE, IRRIGATION, AND LAND PROJECT**



MINISTRY OF ENVIRONMENTAL PROTECTION  
AND AGRICULTURE OF GEORGIA

**LABOR MANAGEMENT PROCEDURES**

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## ABBREVIATIONS

ESF	World Bank’s Environmental and Social Framework
ESS2	World Bank’s Environmental and Social Standard (ESS) 2 on Labor and Working Conditions
ESIA	Environmental and Social Impact Assessment
ESMP	Environmental and Social Management Plan
GFP	Grievance Focal Point
GM	Grievance Mechanism
GRAIL	Georgia Resilient, Agriculture, Irrigation, and Land Project
HR	Human Resource
ILMDP	Irrigation and Land Market Development Project
ILO	International Labor Organization
LC	Labor Code of Georgia
LMP	Labor Management Procedure
MEPA	Ministry of Environmental Protection and Agriculture of Georgia
NGO	Non-Governmental Organization
OHS	Occupational Health and Safety
PIU	Project Implementation Unit
PPE	Personal Protective Equipment
SEA/SH	Sexual Exploitation and Abuse/Sexual Harassment
SEAH	Sexual Exploitation, Abuse and Harassment
WB	World Bank

## 1. OVERVIEW OF LABOR USE ON THE PROJECT

Due to the challenges faced by Georgia's agriculture sector, the government of Georgia opted to invest into the restoration of irrigation infrastructure of the country. Government of Georgia is preparing Georgia Resilient Agriculture, Irrigation, and Land (GRAIL) Project. The World Bank has been requested to provide assistance to the Government of Georgia in preparing GRAIL Project. The Project will be implemented by the two Project Implementation Units (PIUs) that are currently implementing GILMD Project activities respectively in the Ministry of Environmental Protection and Agriculture (MEPA) and National Agency for Property Registry (NAPR). MEPA is in charge of the regulation and promotion of agricultural development as well the irrigation sector and land management. NAPR is in charge of preparation and implementation of policies, procedures for systematic land registration and NAPR IT system upgrade.

The main environmental and social risks related to the physical footprint of the GRAIL Project are anticipated to occur under Subcomponent 1.1, specifically, modernization of selected irrigation schemes. Other activities supported by the Project will primarily focus on conducting research, developing and implementing training/learning programs, and other capacity building activities that are likely to also carry certain environmental or social risks, though not related to the physical impact of civil works.

The Subcomponent 1.1 of the project includes 5 irrigation systems at Tashiskari, Tiriponi, Zeda Arkhi, Zemo Alvani Phase 1, Mchadijvari and 1 Narekvavi reservoir. To address the issue of degraded infrastructure, the project will invest in modernizing/rehabilitating irrigation infrastructure, drainage structures, and dams. This includes the modernization and rehabilitation of existing irrigation, drainage schemes and reservoir as well as their distribution networks (around 27,000 hectares), to ensure reliable and equitable delivery of water supplies for agricultural water users.

MEPA PIU is the project implementing entity responsible for the management of all civil works under the project including all detailed design, construction, and supervision activities. PIU will select contractor(s) for detailed design, construction, preparation and/or supervision of environment and social instruments, communications, and citizen and stakeholder engagement to enable Project implementation.

The staff involved in the project will be bound by the provisions of this Labor Management Procedures (LMP) and Georgian national law. The World Bank's Environmental and Social Framework (ESF) provisions on the prohibition of forced and child labor will apply to all project workers. The Georgian Labor Code, described in more details below, provides for prohibition of forced and child labor among other aspects materially consistent with the World Bank's Environmental and Social Standard (ESS) 2 on Labor and Working Conditions.

### Number of Project Workers

The exact number of project workers to be engaged in relation to the Project is currently unknown. The project will use mostly local workers recruited by a contractor as well as by sub-contractor companies. All contractor and sub-contractor companies involved in the project have to comply with project procurement requirement.

The vast majority of project employee are likely to be Georgian citizens and, in case of unskilled workers, from the regions and communities in which civil works will be undertaken. Foreign workers may be contracted for consultancy and supervision works, while direct staff can be recruited through local and internationally announced tenders and HR firms/platforms (Jobs.ge; HR.gov.ge; etc.).

## Characteristics of Project Workers

Based on the similar project experience, about 70-75 percent of workers will be unskilled laborers. The rest of the workforce will include semiskilled and skilled positions such as managers, engineers, forepersons, drivers, equipment operators. The majority of unskilled labor is likely to come from local communities living along the existing route, while other workers, as well as managerial and technical staff are expected to come from other parts of Georgia or, in case of a foreign company performing such works, from the contractor's home country. Based on experience regarding the women employment in Georgia, it is estimated that women are to represent about 5-10 percent of the workforce, and those would likely be technical (engineering), administrative staff, and/or staff working in the operation offices and work camps (maids, cooks, cleaners etc.). All workers will be over 18 and are expected to be 30-60 years. It is expected that the Project will engage the following categories of project workers as defined by ESS2:

### *Direct workers*

Direct workers will involve staff employed directly by the MEPA and NAPR PIUs, who will be involved in project implementation. The MEPA PIU will mostly rely on the existing staff from the World Bank-financed Irrigation and Land Market Development Project (ILMDP) that employs 11 consultants with following positions: project manager, financial management specialist, technical and engineering staff from quality control, planning and assessment specialists, as well as procurement, human resource, legal, environmental and social specialists. None of the employees are civil service and have individual consultancy contracts with the PIU. For the GRAIL project, MEPA is expected to add an additional E&S specialist, a community liaison and gender specialist, an occupational health and safety specialist, a procurement specialist, and up to five field engineers. Thus the total number of the MEPA PIU employees is expected to reach 20.

The NAPR PIU also currently has 11 employees on consultancy contracts. A number of IT developers will be added for the purposes of the project, but the exact institutional arrangements are not yet finalized.

### *Contracted workers*

Contracted workers – people employed through third parties such as consultant teams and civil works contractors – will be involved in the preparation of project designs, construction supervision, and for implementing construction works for Component 1 of the Project. The Construction Company team will include permanent staff as well as international and local experts/consultants recruited specifically for project (e.g., designated environmental, social, and community liaison specialists). Sub-contractors may be engaged by the civil works contractor. Each of these teams is likely to involve 10-20 core staff members, and up to 100 unskilled workers. Contracted workers may also include the employees of consultants or NGOs providing services such as community mobilization, establishment and operation of citizen engagement platforms, needs assessment and beneficiary surveys, among others. The employees of such consultants may range between 10 – 30 employees including survey staff. Overall, the Project may engage approximately 200 contracted workers.

### *Migrant workers*

It is expected that the project's contracted work force for Component 1 of the Project will require a combination of local workers from nearby villages and workers from other parts of Georgia and possibly from another country in the event that an international construction contractor and/or supervision consultant is recruited. The previous experience with the civil works projects shows that the contractor and subcontractors will probably hire employees from different regions of Georgia; these "internal migrants" are to be workers who already have

experience of similar infrastructure projects. Foreign “migrant” workers are likely to be management and technical staff. The number of migrant workers would depend on decisions made by contractors. Based on similar estimations, the distribution would be approximately 10 percent international, 40 percent from other parts of Georgia, and 50 percent from the local area.

#### *Community workers*

Community workers, as per definition provided in World Bank ESS2, will not be involved in the project.

#### *Primary Suppliers*

Primary suppliers are suppliers who, on an ongoing basis, provide directly goods or materials essential for the core functions of the Project. Based on previous experience from highway construction in Georgia, materials will be sourced from available local suppliers to be selected by the primary contractor., these goods can be some locally produced fruits and vegetables, materials can be posters and wooden stuff for temporary road safety signs. These suppliers are not expected to fall under the definition of ‘primary suppliers as listed above. If during project implementation significant risks related to project suppliers are identified, the supervision company will be responsible for conducting due diligence on the primary supply workers (those providing key materials for construction, in particular raw materials), to ensure there is no forced and/or child labor (as per the Labor Code of Georgia: chapter III, clause 10). In conducting due diligence, the supervision company will:

- Inform the provider, that they will not engage a provider who has forced and/or child laborers;
- When possible, visit the company/factory, and conduct interviews with key personnel about their working conditions, as well as informal random interviews with workers;
- Conduct secondary due diligence, by asking information from others who may be familiar with the provider, to make sure there are no reported instances of forced labor or child labor;
- If necessary, and when possible, engage the Labor Inspection Service to conduct checks on supplier to ensure no child labor or forced labor;
- Keep records of the information and include in reporting to PIU.

*Timing of Labor Requirements:* The timing and sequence of labor requirements in terms of numbers, locations, types of jobs and skills required will be prepared during the project implementation phase after finalization of detailed design. It is expected that the project will last approximately 6 years.

## 2. ASSESSMENT OF KEY POTENTIAL LABOR RISKS

### *Key Labor Risks*

It is assessed that labor risks will be low and mainly associated with office work for the MEPA and NAPR PIU staff and OHS risks related to civil works for Component 1 of the project. The may include earth works, excavation, blasting (if necessary), concrete works; etc. Given that many of the civil works will be held in rural agriculturally active locations, some works related to clearance of vegetation will also be performed. Other project activities are likely to involve office work and field travel, for example in relation to site supervision, stakeholder engagement activities, and land, geological and other surveys. General list of risks can be found in the table below, while a more detailed description of risks follows the table.

Project activity	Key types of labor risks	Proposed measures
Construction and upgrading	<ul style="list-style-type: none"> <li>• Occupational health and safety (OHS) hazards related to construction works including related accidents</li> <li>• Traffic safety</li> <li>• Spread of transmittable diseases such as COVID-19</li> <li>• Unequal or unfair treatment of employees, especially vulnerable workers</li> <li>• Discrimination and harassment in the workplace</li> </ul>	<ul style="list-style-type: none"> <li>• Implement OHS and traffic safety measures to be described in the ESIA/ESMP</li> <li>• Conduct training</li> <li>• Implement the code of conduct</li> <li>• Ensure availability of emergency preparedness and incident reporting systems</li> <li>• Maintain functioning workers' grievance mechanisms</li> <li>• Maintain valid insurance for all project employees</li> </ul>

For Component 1, the key labor risks would be associated with health and safety risks related to the construction activities such as exposure to physical hazards during construction activities such as: use of heavy equipment, works on irrigation canal or reservoir banks, trip and fall hazards, exposure to noise and dust, falling objects, exposure to hazardous materials and exposure to electrical hazards from the use of tools and machinery. As the construction activities will involve hazardous work, persons under the age of 18 will not be employed by the Project. Many workers will be exposed to occupational health and safety hazards, primarily including but not limited to:

- Soil excavations preparing foundations for constructing irrigation canals
- Movement and working on steep and treacherous terrain
- Accidents due to falling in water
- Accidents due to structure collapse
- Traffic accidents
- Excavations hazards
- Lifting of heavy structures
- Exposure to construction airborne agents (dust)
- Ergonomic hazards during construction
- Welding hazards (fumes, burns and radiation)

The Project risk of Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) risk is assessed as low. The assessment is based on a review of national legislation and available information on SEA/SH aspects in the country. NAPR PIU has the Code of Conduct, as we all clear procedures on how the to identify and handle SEA/SH cases, developed together with UN Women. MEPA PIU does not have a Code of Conduct but has a designated person

who is charge of receiving all worker grievances, including on SEA/SH issues. MEPA PIU will develop the Code of Conduct before the effectiveness date of the project.

The majority of labor force is expected to be recruited from local communities or other parts of Georgia. Over the last fifteen years, Georgia has progressively strengthened its legislation, institutional capacity and services in support of gender-based violence survivors, and enforcement mechanisms, introducing clearer definitions and penalties for sexual violence and harassment. Prohibition of SEA/SHH will be introduced in the Code of Conduct to be acknowledged and signed by all workers. Training on SEA/SH issues and the available protocols for handling SEA/SH complaints in sensitive and confidential manner will be provided to all workers and communities in the project corridor. The protocol for handling SEA/SH grievances will involve referral mechanism to the appropriate specialized service providers identified with SEA/SH service provider mapping.

Vulnerable workers under the project may include women, unskilled labor force, migrant workers, locally-recruited workers from an ethnic minority, workers with disability or with health conditions that require accommodation or specific preventive measures, among others. In line with the national legislation of Georgia all project workers will be recruited and treated without any bias or discrimination. Additionally, the project – PIU and the respective employers of contracted workers - will take all measures to ensure that the provisions of national law and this LMP are met for all workers taking special consideration of the requirements of vulnerable workers. This may include, for example, ensuring that training, grievance mechanism, and other necessary information are provided in an accessible manner and in a language understood by the workers; that foreign workers are provided with adequate work permits and information on their rights and obligations associated with their employment and temporary residence in Georgia, among other measures.

### 3. BRIEF OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS

All employment under the project is required to follow the provisions of the national legislation of Georgia and the present LMP. The PIU as project implementing entity, is responsible for monitoring and ensuring compliance with national labor laws and LMP. This includes monitoring, and where necessary applying remedial actions, in order to cause all contractors and sub-contractors to ensure compliance with national labor legislation and requirements of the project LMP.

Below is the overview of the key aspects of national Labor Code (2010, 2013, 2018, 2020, 2021 August 2) with regards to terms and conditions of work which address requirements of the World Bank’s Environmental and Social Standard 2 on Labor and Working Conditions (para 11). Where gaps between national legislation and ESS2 have been identified, the procedures, terms and conditions described in this LMP will be followed.

#### Wages and deductions

As part of the pre-contractual relationship, the employer is required to provide the candidate employee with the information about the work to be performed, the type of employment contract (written or oral) and terms (fixed or open-ended, the working conditions, legal rights of the employee as part of the employment relationship and remuneration (Labor Code of Georgia 2013 (“LC”) - Article

5) The Labor Code regulates part-time work. (Labor code of Georgia No7177, dated 5 October 2020) Also, ESS2 requirements apply to part-time workers, as well, including the requirement for the provision of information and contracts. Employment contracts can be performed in writing or orally, however contracts exceeding 3 months



must be concluded in writing form. The core terms of the employment contract are: the date on which the employment commences and duration of the contract, working time and rest time, place of employment, position and job description, remuneration and terms of payment; overtime and relevant remuneration /rates, paid and not paid holidays (LC article 6).

A labor agreement will determine the form and amount of remuneration. Remuneration will be paid at least once a month. The employer will pay to the employee 0.07% of the delayed sum for each day of delay in any compensation or payment (article 41 of Labor Code). The minimum wage limit is not regulated by the Georgian legislation. The employer may deduct from the employee's remuneration overpayments or any other sum payable by the employee under labor relations. The total amount of a lump-sum deduction from remuneration will not exceed 50% of remuneration (article 43 of Labor Code). The employer will pay full compensation to the employee for work-related damage that caused any deterioration to the employee's health and will cover the subsequent, necessary treatment costs (article 45 of Labor Code).

### Working hours

According to the Labor Code of Georgia, duration of work will not exceed 40 hours per weeks (8 hours per day). In case of specific types of employment (defined by the government of Georgia) duration of work will not exceed 48 hours per week. This does not include time for meal breaks. The duration of the working time of a minor between the ages of 16 and 18 shall not exceed 36 hours a week. There is no strict limitation for shift workers, apart from the fact that the duration shall be determined by a shift schedule made up by an employer and which is based on work specificities. The requirement for 12-hour minimum rest between shifts (as per LC, Art 24 above) apply. The employer should notify the employee about the shift schedule at least 10 days in advance, unless that is impossible during an emergency (LC article 24).

Working at night (night is considered to be between 22:00 and 6:00) is prohibited for minors, pregnant women, women who recently gave birth, nursing mothers as well as official caregivers of children under the age of 3, as well as persons with disabilities (LC article 28).

### Overtime

Overtime work will be considered the work, duration of which exceeds 40 hours a week for workers over 18, 48 hours in sectors regulated by the secondary regulation, as well as 36 and 24 - respectively for minors (article 24, section 3). Overtime work shall be paid in an increased amount of the hourly rate of pay or by providing additional leave days. Conditions for overtime work will be determined by agreement of the parties. Overtime is obligatory without payment only when it is required for prevention of natural disasters and/or elimination of underlying consequences; with adequate remuneration when it is required for prevention of industrial accidents and/or elimination of their consequences. It is prohibited to request overtime for the following categories of employees without their consent: pregnant women, women who recently gave birth, persons with disabilities.

### Rest Breaks

The employees will have a meal break each workday. The duration of rest between working days shall not be less than 12 hours (article 24, section 4).

## Non-Discrimination

Discrimination is prohibited in employment and even during the pre-contractual relations, including cases when a job application is published and further at the selection stage. This applies to discrimination based on race, skin color, language, ethnic and social background, nationality, origin, level of social welfare, place of residence, age, sex, sexual orientation, due to disability, religious, social, political or other affiliation, including professional union, affiliation, marital status, political or other views or other grounds. (LC Article 1, section 3).

## Annual Leaves

An employee will have the right to enjoy paid leave for at least 24 working and unpaid leave for at least 15 calendar days per annum (article 31, sections 1,2 of Labor code). Leave does not include a period of temporary disability, and maternity leave (article 32, section 4). There are around 13 public holidays determined by Labor Code and if work falls under these days, they must be deemed as overtime work for employees (LC Article 30). Additional paid leave of 10 calendar days are provided for employees working under the harsh, harmful, or hazardous<sup>1</sup> labor conditions (LC article 31).

## Parental leave

As per the Labor Code of Georgia paid maternity and childcare leave should be granted by the Employer for 126 calendar days to women or 143 days in the event of complications or multiple births. Any unused days from this category of leave can be utilized by the father. Additional 604 calendar days, in case of any difficulties related to health condition - 587 days, may be requested by the employee out of which 57 should be paid (article 37 of Labor Code).

## Labor disputes

The Labor code of Georgia includes provisions that allow workers to resolve disputes in cases where there is a disagreement between the employer and the employee over the essential terms and conditions of a labor agreement or other aspects of work. Such disagreement will be resolved in compliance with the conciliation procedures. These procedures imply direct negotiations between the employee and the employer. A party shall notify the other party in writing about initiating the conciliation procedures. The notification must specify the grounds for the arisen dispute and claims of the party. The other party shall be obliged to review the written notification and inform the party of its decision in writing within 10 calendar days after receiving the notification. Representatives or parties shall decide in writing that shall become a part of the existing labor agreement. If the parties fail to reach an agreement over the dispute within 14 calendar days after receiving the written notification about initiating conciliation a party may refer the dispute to the court. If a party avoided participating in the conciliation procedures within 14 calendar days after receiving the written notification, the burden of proof for determining the facts of the dispute shall lie on that party (article 62 of Labor Code).

## Minimum age of employment

The minimum employment age in Georgia is 16 years. Children under the age of 16 can enter into an employment agreement with the consent of their legal representative or custodian, given it does not harm them in any way and does not hold minors from acquisition of education. (LC Article 10). However, the law does not require employers to carry out additional risk assessment of working conditions for persons from 16 to 18 years and to implement additional protection measures, as is required under World Bank ESS2.

Persons below the age of 18 are prohibited to be engaged in hazardous, harsh and harmful work and night work. Minors are prohibited from being employed in work relating to gambling, nightclubs, erotic or pornographic products, pharmaceutical and toxic substances. The Project will not hire employees under 18 years of age.

The Georgian Labor Code (2010, 2013, 2018, 2020, 2021) applies to direct workers and contracted workers, including foreign workers who are employed on full-time basis. Terms and conditions of direct workers hired on part-time basis are determined in their individual employment contracts.

## Forced labor

No forced labor will be used during the works, which is prohibited under the Labor Code (LC Article 2). In addition, Georgia ratified the ILO Forced Labor Convention and the convention is currently in force. Law of Georgia on Combating Human Trafficking explicitly sets out prohibition of human trafficking and provides preventive measures as well as actions to be taken against trafficking across the country. The Criminal Code of Georgia lists different categories of trafficking as criminal offences and sets punishment ranging from 3 to 20 years imprisonment depending on specifics and circumstances of the offence.

***In summary, there are several areas where national legislation is either partially aligned with ESS2, or the implementation modality is not well defined:***

- 1) The Labor Code does not prescribe the rate of payment increase for overtime work. There is no requirement for employers to carry out appropriate risk assessment when employing a child between ages of 16 and 18 years, as required by the ESS2, nor to monitor how the protective measures for young workers are implemented. No workers under 18 will be employed in this project.
- 2) While the Labor Code provides for an optional conciliation procedure, there is no specific requirement for employers to establish a workers' grievance mechanism. PIU and all employers (management of contractor, sub-contractor, and consultant teams) under this project will be required to develop and maintain a grievance mechanism which will be officially adopted and communicated to all employees. The grievance mechanism for employees will include a protocol for confidential and survivor-centered handling of sensitive complaints such as complaints related to sexual exploitation and abuse and sexual harassment. All employees will be clearly communicated details on accessing and the functioning of the workers' grievance mechanism/s available to them.
- 3) The Labor Code does not provide for a minimum wage. The limit on maximum overtime hours is not included in the law. Under the project, the wage and overtime payment conditions will be clearly communicated with workers prior to beginning works in their written contracts/work agreements.
- 4) The formula for calculating the severance payment in instances of collective redundancies is not provided in the Labor Code, which may create a risk of social insecurity for workers who are dismissed. The law allows that termination payments and other statutory benefits are paid to the workers within 30 days for termination, while the ESS2 requires these payments to be made before the termination of employment. The terms of severance and termination under the project will be clearly communicated with workers prior to beginning works in their written contracts/work agreements.

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<sup>1</sup> [The Resolution 381 of the Government of Georgia on approving the list of heavy, harmful and hazardous works with increased danger \(July 2018\)](#) provides an extensive list of sectors and types of works which are considered heavy, harmful and hazardous such as construction and civil construction related works, mining, extraction of metal, oil and natural gas, production of basic materials, production of electrical and transport equipment and machines, electricity and gas supply, chemical, rubber, plastic and pharmaceuticals production, timber processing, forestry related works, textile and furniture production, food production, works related to transport sector, works related to water supply, sewerage, waste management, and pollution cleaning.

## 4. BRIEF OVERVIEW OF LABOR LEGISLATION: OCCUPATIONAL HEALTH AND SAFETY

This section sets out the **key aspects** of the national labor legislation with regards to occupational health and safety, and how national legislation applies to the different categories of workers identified in Section 1. The overview focuses on legislation which relates to the items set out in ESS2, paragraphs 24 to 30.

The Constitution of Georgia establishes a fundamental right to safe working conditions (Article 26). Georgia's Law on Labor Safety (2019 "LS") defines general principles of basic requirements and preventive measures that are related to occupational health and safety (OHS) at the workplace, the existing and anticipated risks, prevention of accidents and occupational diseases, training, informing, and consulting of the employees, and their equal engagement in the occupational health and safety protection issues.

The law applies to all areas of economic activity, including the labor relations as determined by the Labor Code and the Law of Georgia on Civil Service. The law applies also to category of workers who are employed for the period shorter than three months and do not have written contracts. The law does not apply to defense, intelligence, and security agencies nor to labor activities during the emergency and martial law.

The Law of Georgia on Labor Safety (last update October 13, 2020) includes provisions on occupational health and safety, and applies to direct and contracted workers, including foreign workers. The overview below provides key aspects of legislation, which relates to the items set out in ESS2, paragraphs 24 to 30.

### Responsibilities of the Employer

To ensure due compliance with OHS, the employer is required to carry out risk assessment, which aims to identify hazards at the workplace and associated preventive measures. The employer is required to carry out risk assessment at all stages of work process, in order to eliminate or reduce possible risks, and should update the risk assessment document on regular basis. Risk assessment documents should be kept duly by the employer. The employer is required to 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. This also includes use of appropriate measures related to chemical, physical and biological substances and agents, and obligation to carry out periodic control of safety conditions and checking the status of technical equipment.

Whenever avoidance of health and safety hazards is not possible, the employer shall provide appropriate protective measures. These measures include controlling the hazard at source using protective solutions and providing adequate PPE at no cost to the employee.

Employers are obliged to assign safety officers in the workplace. A workplace with fewer than 20 employees may have one of the existing employees to additionally cover the health and safety compliance functions, provided that they have undertaken a certified training. Workplaces with 20 to 100 employees are required to employ at least one safety officer. As for the workplaces with over 100 employees, the law requires at least two safety officers.

The employer is responsible to provide OHS training to employees in language understandable to them on: a) general principles of health and safety as set out by the law; b) working procedures, equipment, machinery and manual and instructions for the use and repair of work equipment; c) emergency situations and evacuation plans

and their implementation activities; d) existing threats and risks and also on measures to be taken with regards to overcoming such situations. The training must be provided to employees a) at the start of their employment, but before they actually commence work; b) in the event when employee is placed on another job; c) prior to the launch of new technological process and work methodology, as well as the use of new machinery and/or before the change in the production process; d) as part of the continuous training process, which requires conduct of training repeatedly.

The law does not explicitly require the employer to maintain training records. Trainings on occupational health and safety are delivered at employer's expense, and the time spend in training counts as working hours.

Subject to the size of the workplace, the employer is also responsible to provide the following information to its employees and employee representatives on: a) occupational risks and hazardous industrial factors which are specific to the workplace and which may potentially cause impact on health of employees and measures taken by the employee for prevention purposes; b) emergency situations, evacuation plans and activities to be carried out in the event of increased danger, as well as procedures and measures to be followed during accidents and fire; c) prohibitions on entering the premises, remaining in the premises or carrying out work, which may pose risk for life and/or health of employees.

Employers can restrict access to workplace to the employee who is under the influence of alcohol, drug or psychotropic substances.

### **Reporting on accidents, fatalities, injuries**

The employer is responsible to record accidents, instances of professional diseases and dangerous accidents and provide such information to employees or their representatives upon request (LS Article 5.1). Initially the reporting obligation of accidents rests with employees, who are responsible to notify the employer of the accident immediately along with any relevant material information about the accident. The employer is then obliged to take immediate necessary measures in order to prevent further threat to health and life; preserve the workplace where the accident took place for formal investigation purposes, unless it is necessary to take measures to further protect life and health of workers or to prevent serious economic loss. During the first 24 hours from the accident, the employer should notify the relevant authorities including respective trade unions and employee representatives; law enforcement bodies (police) and Labor Inspectorate in cases of medium, severe, fatal and mass accidents.

The employer also has the responsibility to keep a log of accidents and occupational diseases at workplaces.

In addition, the employer should keep evidence about medium gravity accidents, severe, fatal and massive accidents, which should contain data required for accurate description of accident if consequences of accident show up at a later stage.

### **Provision of workers' insurance in instances of injuries, fatalities disability and disease**

LS Article 5.9 requires the employer to provide workers with insurance against accidents at employer's expense. This obligation applies only to workers who are employed in heavy, hazardous and dangerous works, as pre-defined by bylaw issued by the Minister of Labor. The provision does not specify the instances as to accidents, fatalities, disabilities or injuries and is limited to accidents only. Accident is defined as an accident which took place during the working process or in connection to the working processes and which resulted in a health injury to the worker or a third person, limitation or loss of work ability, fatality case or declaration that the worker or other persons are missing. The employee is entitled to compensation for the damage as a result of the accident at a

workplace, including professional injury. (LS Article 10.1.e)

However, the employer is exempted from liability, if the accident at the workplace was caused by circumstances which could not have been considered in advance or if it was beyond the control of the employer, or because of the predictable circumstances, which could not be prevented despite employer's attempts (LS Article 5.13). The law is not explicit if in this case the insurance would still pay damages.

### **Preventive and protective measures**

At all stages of work the employer should assess risk and take necessary steps to eliminate or reduce risks to health by a) making sure that the existing risks are being avoided; b) evaluating those risks and threats, which cannot be avoided; c) making sure that the risk factors are eliminated or reduced; d) given the possibility, replacing the risk factors with safe or less dangerous factors; e) elaborating a consistent safety policy of the preventive measure; f) adapting working environment to provide safe conditions for workers; g) ensuring uninterrupted and proper functioning of protection and control system; h) equipping the employees/other persons present at the workplace with necessary effective individual protection gear free of charge to protect their life or health, and ensure they are clean and in proper technical operational mode; i) ensuring preventive and periodic medical check- up of the employees; and j) restricting those employees from entering workplace who are under alcohol or drug influence (LS Article 6)

### **First aid facilities and fire safety**

The employer is obliged to implement necessary measures in order to provide first aid, fire safety and evacuation, as well as establish immediate communication with emergency, ambulance services and respective authorities. The employer does not have the right to request an employee and other persons present in the work area to continue working as long as the increased or imminent threat is present. Employees shall not be put in the disadvantaged position for leaving work area and/or territory under the risk during the increased threat and should be protected from the negative consequences (LS Article 8).

### **OHS risks which may be specific to female workers**

Article 5.7 of the Labor Safety Law prohibits the employer from employing pregnant women or women who are breastfeeding, in positions, which may bear high risk or/and be harmful for the mother or child. The list of such jobs is determined by separate bylaw passed by the Minister of Labor in consultations with Tripartite Commission.

### **Right and responsibility to report unsafe situation, right to leave the workplace and prohibition of retaliation for reporting**

Employees are responsible for reporting the unsafe situations to employers, including accidents and they are granted a right to report to occupational safety officer, labor inspectorate or employee representative if occupational health and safety regulations are not duly complied with (LS Article 10.1).

Employees have a right to refuse to perform task or instruction assigned by the employer, which is in contradiction with law, or which due to breach of occupational safety and health regulations may trigger risk for employees. Employees are entitled to leave the workplace in the event of danger.(LS Article 10.1).

It is forbidden to dismiss an employee from their job, or to place them in a less advantageous position compared to other employees if such employees exercise rights of reporting or leaving the workplace during the threat of danger (LS Article 10.2).

### **Collaboration and consultations with project workers on OHS**

Article 9 of the law is entirely dedicated to consultations and participations of employees in the issues of occupational health and safety. The employer has to make sure that employees and/or their representative are involved in the resolution of the issues, by holding consultations with them and granting employees with the right to bring up an issue of concern. The law recognizes the right of employees to elect a representative in order to participate in consultations on occupational safety and health.

In the event that employees of several workplaces work together, each employer involved in this work process is to cooperate with other employers with regards to compliance with occupational health and safety regulations as well as hygiene norms. The employers should also ensure the coordination of their activities according to the specifics of the work, with regards to the occupational health and safety risk prevention. Employers should also exchange and share relevant information regarding health and safety and professional risks. And finally, it should be ensured that employees and representatives of employees are duly informed of relevant issues (LS Article 5.8)

### **Facilities for workers**

The law does not elaborate much on facilities and accommodation for workers. It is limited to general obligation of the employer to cover all the costs associated with the occupational health and safety and hygiene at workplace (LS Article 7). The law does not require separate facilities for men and women, and it does not address the requirements for workers' accommodation.

### **System for regular OHS review**

Under a general requirement set out by Labor Safety Law, the employer has an obligation to ensure health and safety at workplace. As part of this obligation, employer needs to abide by the requirements set out by the law, make sure that employees' health and safety is not exposed to risks of negative impact. The law requires the employer to regularly carry out control of safety condition of technical equipment as well as maintenance and cleaning of the individual protection gear, proper use and if needed timely replacement of it. In addition the employer should be carrying out measurement and evaluation of such factors in the work environment as: a) physical factors (including temperature, humidity, speed of the air movement, heat emission; non-ionizing emissions; ionizing emission; industrial noise, ultrasound, infrasound, vibration, mostly phybrogenous aerosols (dust), inadequate lighting, air (gas) ions; b) chemical factors (including certain substances received as a result of chemical synthesis (antibiotics, vitamins, hormones, ferments, protein specimen) and/or those substances, which need the methods of chemical analysis for controlling them). The law requires employers to document occupational hazards and report on accidents. However, the law is not explicit about the requirements to document **specific** incidents such as project-related occupational injuries, illnesses, and lost time injuries (LTI).

**While the Labor Safety Law addresses the main ESS2 requirements related to occupational health and safety, the coverage of certain requirements is partial.** The law is applicable to all economic sectors, it does not require employers to keep the workers' detailed OHS training records, provide facilities including access to canteens, hygiene facilities, areas for rest separate facilities for men and women.

## 5. RESPONSIBLE STAFF

For direct workers, the Human Resource Manager of the PIU will be responsible for implementing the requirements laid out in these Labor Management Procedures for their respective direct employees (staff and project-based consultants) employed directly by PIU.

For contracted workers, the Project Manager of the contractor or consultant company (e.g., construction contractor, supervision consultant company) will ensure adherence to this LMP via bidding documents, contractor's management plans, training and awareness raising activities, monitoring and reporting process throughout project implementation. Management of contractor companies will ensure that the same requirements are transferred to the management of sub-contractor companies and will monitor adherence to them.

Specifically, PIU will be responsible for the following:

- Implement this labor management procedure to project workers
- Ensuring that contractors prepare the Contractor's labor management procedure, in compliance with this labor management procedure, and occupational health and safety plan before initiating civil works
- Monitor and report on implementation of project contractors' labor management procedures
- Monitor that the contractors are meeting obligations towards contracted and sub-contracted workers as included in the General Conditions of Contract the World Bank Standard Bidding Documents, and in line with ESS2 and national labor code
- Maintain records of recruitment and employment process of direct workers
- Monitor employment process of contracted workers to ensure it is carried out in accordance with this labor management procedure and national labor law
- Monitor that occupational health and safety standards are met at workplaces in line with national occupational health and safety legislation, ESS2 and Occupational Health and Safety Plan
- Monitor training of the project workers on OHS, SEA/SH prevention, and any other required trainings
- Ensure that the grievance mechanism for project workers is established, monitor and report on its implementation
- Monitor implementation of the workers Code of Conduct
- Establish and implement a procedure for documenting specific incidents such as project-related occupational injuries, illnesses, and lost time accidents. Maintains such records, and requires all third parties and primary suppliers to maintain them. Such records will form an input into the regular review of OHS performance and working conditions.
- In instances of medium, severe, fatal and mass accidents, inform the law enforcement bodies and Labor Inspectorate.

The civil works contractor is responsible for:

- Prepare Contractor's LMP in accordance with present LMP and national legislation
- Implementing this labor management procedure to direct workers via its HR department;
- Monitor and enforce their obligations towards contracted and sub-contracted workers as included in the General Conditions of Contract the World Bank Standard Bidding Documents, and in line with ESS2 and national labor code;



- Ensure that sub-contractors are meeting their obligations towards their employees in compliance with this labor management procedure, and occupational health and safety plan before the design stage; Employ or appoint qualified social, environmental, labor and occupational safety experts to prepare and implement project specific labor management procedure, occupational health and safety plans, and to manage subcontractor performance
- Develop their own labor management procedure and occupational health and safety plan, consistent with this LMP and ESS2, which will apply to contracted and sub-contracted workers. These procedures and plans will be submitted to the Supervision Consultant for review and approval before the contractors mobilize for the design stage
- Contractors will supervise their subcontractors' implementation labor managements procedures and occupational health and safety plans
- Maintain records of recruitment and employment process of contracted workers
- Communicate clearly job description and employment conditions to contracted workers and provide them with one copy of the employment contract
- Develop, implement and maintain workers' grievance mechanism and address the grievance received from the contracted and sub-contracted workers
- Have a system for regular review and reporting on labor, and occupational safety and health performance
- Deliver regular work induction trainings including but not limited to OHS, HSE, social induction, SEA/SH prevention training to employees.
- Ensure that all contractor and sub-contractor workers understand and sign the Code of Conduct prior to the commencement of works
- Establish and implement a procedure for documenting specific incidents such as project- related occupational injuries, illnesses, and lost time accidents. Maintain such records and require all third parties and primary suppliers to maintain them. Such records will form an input into the regular review of OHS performance and working conditions.
- In instances of medium, severe, fatal and mass accidents, inform the law enforcement bodies and Labor Inspectorate.

The Supervision Consultant will oversee labor and safety performance on a daily basis, on the behalf of the Employer (MEPA). The Environmental and Social Management Plan (ESMP) requires the Supervision Consultant to employ qualified experts for such oversight and to report on performance to PIU on a monthly basis.

After the bidding process is completed and the Contractors are known, this labor management procedure can be updated to include additional details about companies, as necessary.

## 6. POLICIES AND PROCEDURES

This section outlines main policies and procedures to be followed during project implementation. This section will be updated and amended as needed, after construction contracts have been awarded. The direct project workers will sign the project-specific Code of Conduct.

With regard to contracted workers, the Contractors (civil works contractors, sub-contractors, as well as consultant teams and all other Employers of contracted workers in the Project) will prepare labor management plans based

on this labor management procedure, and compliant with ESS2 and national labor code. The principles and procedures presented below represent minimum requirements but are not an exhaustive list of requirements.

As specified in Labor Code of Georgia, the employment of project workers will be based on the principles of non-discrimination and equal opportunity. There will be no discrimination with respect to any aspects of the employment relationship, such as recruitment, compensation, working conditions and terms of employment, access to training, promotion or termination of employment. The following measures will be developed by the contractors and monitored by PIU and supervision consultant to ensure fair treatment of all employees:

As per Labor Code requirements, recruitment procedures will be transparent, public and non-discriminatory with respect to ethnicity, religion, sexual orientation, disability, gender, and other grounds included in the Labor Code.

Applications for employment will be considered in accordance with the application procedures established by the contractors. Clear written job descriptions will be provided in advance of recruitment and will explain the skills required for each post.

All workers will have written contracts describing terms and conditions of work and will have the contents explained to them. Workers will sign the employment contract. Terms and conditions of employment will also be available at work sites.

Unskilled labor will be preferentially recruited from the affected communities, settlements and municipalities.

Employees will be informed of planned contract termination at least one month before their expected release date. If more than 50 workers will be terminated within any three-month period, the Employer will prepare a retrenchment plan for review and approval by the Supervision Consultant.

The contracted workers will not pay any hiring fees. If any hiring fees are to be incurred, these will be paid by the Employer ('Contractor').

Depending on origin of the employer and employee, the contracts will be developed in corresponding language understandable for both parties.

In addition to written documentation, an oral explanation of conditions and terms of employment will be provided to workers who may have difficulties with understanding the documentation. While problems related to communication language are not expected, attention should be given to ensuring coordination between different contractors and means to address any language differences.

Foreign workers will require residence permit, which will allow them to work in Georgia.

PIU will include in contracts that all contractor (and subcontractor) personnel must be of the age of 18 years or more.

All health and safety procedures in accordance the Georgian Labor Safety Law and the present Labor Management Procedures and the project's Environmental and Social Management Framework (ESMF) (and site-specific ESMPs) will apply to the Project. This applies to both direct and contracted workers including the management the field teams of engineers, technicians and other personnel.

The construction contractors' workforce will encounter the main health and safety risks. Companies that submit proposals for the work will have to demonstrate capability to manage health and safety risk and provide corresponding documentation. After the contract awarded, the contractors are required to develop the contractor's labor management procedures and occupational health and safety requirements in accordance with

the project ESMP and present LMP. The contractors will ensure that sub-contractors implement occupational health and safety requirements.

PIU will include project ESMP and LMP requirements into the bidding documents specific OHS standard requirements that all contractors and sub-contractors will meet under this project. The standards will be consistent with local regulations, WB guidelines and GIIP (Good International and Industry Practices). The following OHS standard requirements should, as a minimum be included in the OHS requirements to be prepared by the contractors:

### Risk Assessment Procedure

The risk assessment procedure will include among others consideration of:

- Work permitting for hazardous work (working at heights, hot work, work on energized lines, work within confined spaces);
- Emergency response procedure;
- Fall prevention and working at heights;
- Excavation safety, Ladders and scaffolders safety; welding and cutting safety; Cranes, Derricks, and forklifts safety; power and hand tools safety;
- Respiratory prevention to chemical and airborne hazards (including dust, silica and asbestos); Electrical safety (hazardous energies control, lock out tag out, energy verification, safe distance work, wiring and design protection, grounding, circuit protection, arc fault protection, Electrical safety, PPE and dielectric tools); hazards communication; Noise and vibration safety; Steel erection safety; fire safety; material handling safety; concrete and masonry safety;
- OHS training;
- Refuse to work policy.

All Contractors must have their own OHS staff who will be responsible for the implementation and supervision of the OHS program. Contractors will provide a safe workplace therefore, a risk assessment will be completed before the commencement of any construction activities, and safety measures will be implemented in accordance with applicable safety standards. There must be on site resources for first aid and for injuries that are more serious, there must be a pre-approved health facility for medical treatment, as well as appropriate transportation of injured workers. Contractors will control the access to the construction site only to authorized people and verify if workers are meeting training and accreditation requirements. Workers must be trained to perform hazardous works such as working at heights, confined spaces, welding etc.). All workers must complete at minimum an OHS induction to have access to the construction site. Contractors will document and report to PIU all accidents and illness with a day lost or more, fatalities or serious injuries that may happen at work site.

When accommodation is provided, there will be clear contractual management responsibilities and monitoring and reporting requirements. Provision will need to be in line with national legislation and international good practice and include:

- Separate facilities will be provided for males and females.
- The movement of workers within the living and working area will be conducted according to the internal guideline developed by the Company's management.
- Charging fees for the accommodation or the services provided to workers such as food or transport should be avoided where workers do not have the choice to live or eat anywhere else.
- Provision of minimum amounts of space (9 sq.m. for each worker), heating, ventilation for each worker;

provision of sanitary (including Covid-19 prevention equipment: masks, liquids – depending on the regulations in force at the time), laundry, drinking bottled water, cooking and dining facilities and access to potable water.

- Ensuring facilities are kept in good condition (ensuring that sanitary standards or fire regulations are respected for instance) and that adequate health and safety measures are operationalized, including training, periodic testing and monitoring of fire safety equipment and periodic drills.
- An adequate number of on-site personnel are trained to provide first aid. Workers have easy access to medical facilities and medical staff. Where possible, female doctors/nurses should be available for female workers.
- Guidance will be provided to workers on the detrimental effects of the abuse of alcohol and drugs and other potentially harmful substances and the risk and concerns relating to communicable diseases, including COVID-19 (as applicable) and of other health risk-related activities. Workers should also have access to training and adequate preventive measures to enable guidance to be followed.

Supervision Consultant (on behalf of PIU) will conduct periodic supervision of contractor's OHS performance, including site visits, at least monthly. These supervisions will cover compliance with above-mentioned standards, accidents, recommendations, and progress of ongoing corrective actions. PIU will include in the contract(s) as requirement for contractors to report on issues such as number of accidents rates, severity rates, number of recurring non-compliances, fatalities and serious injuries; and penalties for non-completion.

The supervision consultant will review and approve contractors' health and safety requirements and procedures.

PIU will inform the Bank promptly and in no longer than 48 hours about any incident or accident related to the project, which has, or is likely to have a significant adverse effect on the environment, the affected communities, the public or workers (labor, health and safety, or security incident, accident or circumstance). Such events can include strikes or other labor protests, serious worker injuries or fatalities, project-caused injuries to community members or property damage. PIU will prepare a report on the event and submit to the Bank.

The civil works contractor will develop and implement Code of Conduct. The construction contractor should also submit the Code of Conduct to supervision consultant for review and approval. The Code of Conduct will reflect the company's core values and overall working culture and include prohibition of sexual exploitation and abuse and sexual harassment. The content of the Code of Conduct is included in the World Bank Standard Bidding Documents and will include provisions relating to PIU.

The contractors will be required to provide the periodic information on the performance in terms of labor, occupational health and safety issues. The information will be included in the construction contractor's monthly report and will be reviewed by the supervision consultant's team.

In addition, the contractor shall report to PIU about any inspections and audits carried out by the respective ministries. The findings of the labor audits will be presented to PIU and the Bank, if requested.

## 7. AGE OF EMPLOYMENT

Georgia law prohibits anyone under 18 from performing hazardous work, and construction is considered hazardous. Thus, no construction workers under 18 years will be employed unless they are hired for office work.

The contractors will be required to verify and identify and age of all workers. This will require workers to provide

official documentation, which could include a birth certificate, passport, or medical or school record.

If a child under the minimum age is discovered working on the project, measures will be taken to immediately terminate the employment or engagement of the child in a responsible manner, considering the best interest of the child. Project activities will be halted until thorough assessment of the work force is conducted to ensure that cases of employment minors are present in the project.

## 8. TERMS AND CONDITIONS

The terms and conditions applying to all direct Project employees (employees of PIU) will be set in the contracts with PIU employees. It provides the rights of all employees in line with the national Labor Code, which is described in the section 3. These internal labor rules and regulations will apply to employees who will work specifically in relation to the project (direct workers). Terms and conditions of direct workers are determined by their individual contracts. Permanent project staff will have individual agreements (labor contract or service contract) with fixed monthly wage rates. All the recruiting procedures should be documented and filed in the folders in accordance with the requirements of labor legislation of Georgia. Forty hour per week employment should be practiced. Requirements and conditions of overtimes and leave durations are agreed as part of individual contracts.

## 9. GRIEVANCE MECHANISM

NAPR PIU already has an established Grievance Mechanism (GM) in place, which also includes handling SEA/SH issues. MEPA PIU doesn't have a formally established worker's GM but has a designated person who in charge of receiving and handling worker's grievances. MEPA PIU will develop a formal worker's GM during prior to the effectiveness date.

A grievance mechanism (GM) will be provided for all direct workers and contracted workers to raise workplace concerns. All employees will be informed of the grievance mechanism at the time of recruitment and the measures put in place to protect them against any reprisal for its use. Measures will be put in place to make the grievance mechanism easily accessible to all such project workers.

The workers grievance mechanism will include:

- A procedure to receive grievances such as contact person, comment/complaint form, suggestion boxes, email, a telephone hotline;
- A register or central database to record and track the timely resolution of grievances;
- A responsible department to receive, record, address and track resolution of grievances.

With regard to direct workers, grievance redress mechanism will be put in place and managed by the Human Resource specialist of the MEPA PIU.

With regard to contracted workers, GM mechanism will be set up by their respective employers. For civil works contractors, the Supervision Consultant will monitor the contractors' recording and resolution of grievances, and report these to PIU in their monthly progress reports. The process will be monitored by the GM Focal Point, a supervision company representative who will be responsible for the project GM. In the absence of supervision consultant, PIU's Environmental and Social issues specialist will ensure monitoring and reporting on the availability

and functioning of worker's GMs within contractor/sub-contractor companies.

The workers grievance mechanism will be described in staff induction trainings, which will be provided to all project workers. The mechanism will be based on the following principles:

- The process will be transparent and allow workers to express their concerns and file grievances.
- There will be no discrimination against those who express grievances and any grievances will be treated confidentially.
- Anonymous grievances will be treated equally as other grievances, whose origin is known.
- Management will treat grievances seriously and take timely and appropriate action in response.
- Information about the existence of the grievance mechanism will be readily available to all project workers (direct and contracted) through notice boards, the presence of "suggestion/complaint boxes", and other means as needed.

The Project workers' grievance mechanism will not prevent workers to use conciliation procedure provided in the Labor Code or any other judicial mechanisms.

#### Contracted Worker GM structure:

- Construction Company level: Project manager or human resource manager will be assigned as a grievance focal point. If there is a situation in which the complaint cannot be resolved by the contractor management, workers may also file a complaint with the supervision consultant or PIU. The respective contact information will be provided to all workers prior to beginning activities on the project.
- Supervision company level: Human resource management, environmental, or social specialist will serve as Grievance Focal Point (GFP) to file the grievances and appeals. He/She will be responsible to coordinate with relevant departments/organization and persons to facilitate addressing these grievances. If the issue cannot be resolved at the Supervision company level within 14 working days, then it will be escalated to the PIU.
- GM will be accessible to all employees through various means (in-person, written, telephone, fax, social media etc.). Grievance logbook will be maintained in the supervision company office.
- Workplace complaints will be treated confidentially and only necessary information will be reported to other responsible staff as needed for resolving the case.
- PIU and every employer (contractor, supervision consultant, etc.) will adopt a protocol for safe, confidential, and survivor-centered approach to handling of sensitive complaints such as those related to SEA/SH. Such protocols will be based on SEAH service provider mapping for the country and project area to ensure safe and confidential referral of SEAH survivors to adequate services upon their choice.
- The Project workers' grievance mechanism will not prevent workers to use judicial procedure.

The Supervision Consultant will monitor the contractors' recording and resolution of grievances, and report these to PIU in their monthly progress reports. The process will be monitored by the GM Focal Point, a PIU representative who will be responsible for the project GM.

The workers grievance mechanism will be described in staff induction trainings, which will be provided to all project workers. The mechanism will be based on the following principles:

- The process will be transparent and allow workers to express their concerns and file grievances.
- There will be no discrimination against those who express grievances and any grievances will be treated confidentially.

- Anonymous grievances will be treated equally as other grievances, whose origin is known.
- Management will treat grievances seriously and take timely and appropriate action in response.

Information about the existence of the grievance mechanism will be readily available to all project workers (direct and contracted) through notice boards, the presence of “suggestion/complaint boxes”, and other means as needed.

The project manager of the civil works company will ensure that the sub-contractors have information about GM and relevant procedure in place for their employees prior to engaging in any project activities.

## 10. CONTRACTOR MANAGEMENT

PIU will use the Bank’s Standard Procurement Documents for contracts, and these include labor and occupational, health and safety requirements.

As part of the process to select design and construction contractors who will engage contracted workers, civil works contractor and/or the supervision consultant may review the following information:

- Information in public records, for example, corporate registers and public documents relating to violations of applicable labor law, including reports from labor inspectorates and other enforcement bodies;
- Business licenses, registrations, permits, and approvals;
- Documents relating to a labor management system, including OHS issues, for example, labor management procedures;
- Identification of labor management, safety, and health personnel, their qualifications, and certifications;
- Workers’ certifications/permits/training to perform required work;
- Records of safety and health violations, and responses;
- Accident and fatality records and notifications to authorities;
- Records of legally required worker benefits and proof of workers’ enrollment in the related programs;
- Worker payroll records, including hours worked and pay received;
- Identification of safety committee members and records of meetings; and
- Copies of previous contracts with contractors and suppliers, showing inclusion of provisions and terms reflecting ESS2.

The contracts with selected contractors will include provisions related to labor and occupational health and safety, as provided in the World Bank ESF and Georgian law.

The Supervision Consultant will manage and monitor the performance of Contractors in relation to contracted workers, focusing on compliance by contractors with their contractual agreements (obligations, representations, and warranties). This may include periodic audits, inspections, and/or spot checks of project locations or work sites and/or of labor management records and reports compiled by contractors. Contractors’ labor management records and reports may include: (a) a representative sample of employment contracts or arrangements between third parties and contracted workers; (b) records relating to grievances received and their resolution; (c) reports relating to safety inspections, including fatalities and incidents and implementation of corrective actions; (d) records relating to incidents of non-compliance with national law; and (e) records of training provided for contracted workers to explain labor and working conditions and OHS for the project.