

FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA



Ethiopia Forest Development

LABOUR MANAGEMENT PROCEDURES (LMP)

FOR THE

**OROMIA FORESTED LANDSCAPE PROGRAM (OFLP)-EMISSION REDUCTION
PROJECT (ERP) (P154294)**

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List of Acronyms

AGP	Agricultural Growth Program
BAU	Business as Usual
BoANR	Bureau of Agriculture and Natural Resources
BoLAU	Bureau of Land Administration and Use
BoWERD	Bureau of Water and Energy Resources Development
CALM	Climate Action through Landscape Management
EPA	Environmental Protection Agency
EFD	Ethiopia Forest Development
ER	Emission Reduction
ERP	Emission Reduction Project
ERPA	Emission Reduction Purchase Agreement
ESRM	Environmental and Social Risk Management
ESSs	Environmental and Social Standards
EWCA	Ethiopian Wildlife Conservation Authority
FCPF	Forest Carbon Partnership Facility
GBV	Gender-Based Violence
GoE	Government of Ethiopia
GRCs	Grievance Redress Committees
GRM	Grievance Redress Mechanism
ISFL	Initiative for Sustainable Forest Landscape
MoF	Ministry of Finance
MoH	Ministry of Health
MRV	Measurement, reporting and verification
OEPA	Oromia Environment Protection Authority
OFLP	Oromia Forest Landscape Program
OFWE	Oromia Forest and Wildlife Enterprise
ORCU	Oromia REDD+ Coordination Unit
ORS	Oromia Regional State
PIU	Project Implementation Unit
PSNP	Productive Safety Net Program
REDD	Reduced Emission from Deforestation and Forest Degradation
RETF	Recipient Executed Trust Fund
RIP	REDD+ Investment Project
RLLP	Resilient Landscapes and Livelihoods Project
WB	World Bank

1. Introduction and Background

1.1. Project Description

Ethiopia has signed and ratified the Paris agreement in 2017 and committed itself to adopting a low-carbon development pathway by designing climate-conscious and resilient national development strategies. In its nationally determined commitment plan, Ethiopia ambitiously aims to reduce its GHGs emissions by 64 % from the Business-as-Usual (BAU) by the end of 2030. The main contributing sectors are agriculture and land use change. Hence, the forestry sector is one of the pillars to achieve GHG emissions reduction at the national level. Ethiopia is implementing the national REDD+ program (Bale Mountains Eco-region REDD+ Project; and REDD+ Joint Forest Management in the five districts of Ilu Abba Bora Zone, Oromia Regional State, South-West Ethiopia - Phase II Project). Likewise, the REDD+ Investment Project (RIP) financed by the Government of Norway, and the Green Legacy Initiative supported by the FDRE and the Oromia Regional State (ORS). Furthermore, there are additional initiatives like Rural Energy and Efficient Stoves Initiative, Reduced Emissions from Livestock (RELS), BioCarbon Fund -Initiative for Sustainable Forest Landscapes (BioCF ISFL) and Electric Power Financing Initiative with a full or partial support from the World Bank. It has completed the REDD+ readiness process in 2018 through the FCPF and the BioCarbon funding mechanisms. In the readiness phase, a national REDD+ strategy, pilot REDD+ projects, regional coordination units, the Environmental and social safeguards instruments have been delivered.

The Oromia Forest Landscape Program (OFLP) is a strategic program with two sequenced financing sources and has been under implementation since 2017. The first grant financing, which is a recipient executed trust fund (RETF) grant (P156475), has been launched in May 2017 and is about to shift into the results-based financing mechanism in 2022. The OFLP-RETF grant helps reduce the risks associated with the ERPA by assisting the Recipient to put systems in place (Environmental and social risk management, carbon accounting, benefits sharing, coordination platforms, investment models) that will allow the Recipient to negotiate and implement the ERPA, which has state-wide coverage as payments are made based on changes in aggregate forest cover state-wide. Measures to address some of the risks were taken during the OFLP preparation period via the implementation of the National REDD+ Readiness initiative, which the Bank/BioCF is financing in parallel. In general, the grant financing phase was designed to successfully establish the program, to enhance state-wide enabling conditions for scaling up actions and for implementations of selected on-the ground investment activities over a period of five years (2017-2022). The OFLP-ERP(P151294) through Emission Reduction Purchase Agreement (ERPA) would receive result-based financing for a net emission reduction (ER) to be achieved from the entire regional state coming both from the forestry and other sectors including livestock and verified against the ERP's reference level until 2029.

The OFLP is the region's strategic programmatic umbrella and coordination platform for multi-sector, multi-partner interventions on all forested landscapes. The Program contributes to a transformation in the way forested landscapes are managed in Oromia to deliver multiple benefits such as poverty reduction and resilient livelihoods, climate change mitigation, biodiversity conservation, and water provisioning. The OFLP contributes to low carbon development through a series of (a) state-wide enabling investments that reduce GHG emissions from land-use change, promote sustainable land use blending land-use planning, policies, and practices; (b) harnessing multi-sector and private sector engagements; and (c) leveraging initiatives and financing, including results-based ER payments.

1.2. Project Development Objectives

The Project aims to make payments to the Program Entity for measured, reported and verified Emissions Reductions Credits (ERCs) from reduced deforestation, forest degradation, enhancement of forest carbon stocks (REDD+), Agriculture and other Land Use Sectors that meet the GHG accounting requirements of the BioCF ISFL in the Oromia State and to distribute ER payments in accordance with an agreed benefit sharing plan (BSP).

1.3. Project Components

The Project has two components:

Component 1: Purchase of Emission Reduction and distribution following the Benefit Sharing Plan. This component includes the purchase of the ERCs coming from the sound management of landscape as well as the distribution of the net revenues according to the BSP.

Sub-component 1.1: Payment for Emission Reduction Credits This sub-component represents the payments for up to US\$60 million (including options and future phases) for verified carbon performance paid within a period of up to December 31, 2029. These payments will be available once the program achieves, verifies, and reports on results with regard to reduced emissions. This climate financing will be channeled through an ERPA to be signed between the FDRE and the Bank.

While the expectation for OFLP is to generate up to \$60 million ERCs, the World Bank initially commits to purchase up to \$10 million during a first phase based on the ERCs generated by the forest sector. This is due to the fact that the baseline for the emissions related to enteric fermentation as well as emission baseline under the forest degradation have not yet been defined. For this reason, the initial legal agreement for the ER payments will only cover a portion of the full envelope and the remaining portion will appear as a funding gap.

The volume of ERs will be determined based on the comparison between the baseline and the volume given in the monitoring report that will specify the amount of emissions during a specific period. This monitoring report will use ISFL-approved methodologies as described in the ERPD as well as the data generated by the MRV system. After verification by a third party, the ERCs will be issued, accounted in the national system as relevant, registered in the FCPF/BioCF/ISFL registry (CATS –Carbon Assets Tracking System) and transferred to the buyer. The estimated disbursement schedule for the purchase of ERs is presented below.

Given the uncertainty related to the implementation of the underlying activities, ER purchase has been set with two modalities: (i) contract ERs (about \$40m), which represents the value of ERC that the Bank as a trustee and implementing agency of the ISFL, will commit to purchase if they are produced from the jurisdiction of Oromia in multiple phases. As per the ERPA, the government may still decide to keep the ERCs or sell them to another buyer for a higher price; (ii) option ERs (about \$20m), which represents ERCs that the Bank may decide to purchase, at its own discretion, if there are ERCs generated beyond the contract ERs.

Sub-component 1.2: Distribution of ER payments as per a BSP

The BSP was prepared through a highly participatory process. The BSP provides an operational solution for disbursing the performance-based ER payments equitably, effectively, and efficiently. It is guided by these principles (i.e., equity, efficiency and transparency), and defines the subcategories of beneficiaries, monitoring provisions, as well as the processes for the distribution of benefits (eligibility criteria, allocation procedures, and

flow of funds). It was designed by the FDRE during early OFLP Grant implementation period through a robust consultation process held statewide including with potential Community beneficiaries.

A total of about 32 different potential activities for investment using the emission reduction payments were identified on different discussions with community across Oromia. The long list of investment options identified during the community consultations were sorted into the three subcategories: 45% would be invested on social development and livelihood improvement activities, 50% will be invested on land use and related activities that generate more ERs. And the remaining 5% of the share received is dedicated to serve underserved social groups in the form of revolving fund. This will serve poor households or individuals and youths in the communities get their share from ER benefits. These later groups of investments should be designed carefully not to result in negative impacts, i.e., emission increase rather than reduction.

Component 2: Comprehensive Measurement, reporting and verification (MRV) system and program management including Safeguards Management system

This component is expected to provide financing for specific enabling environment activities such as (i) the finalization of the MRV system development, capacity building training on ER monitoring for the livestock sector and (ii) the operating cost related to the program management until the government receives the 1st ERC payment. Those activities can be financed by dedicated grants as well as, in the future, a contribution from the ERC payments.

Sub-component 2.1: Program Management including safeguards and communication

This subcomponent will support operation of the Oromia REDD+ coordination unit and equipment. These costs include: the time of ORCU staff (program coordinator, safeguards specialists, MRV specialists), equipment related with the OFLP execution, operational costs for the coordination unit (Safeguards supervision, field missions, MRV activity monitoring...), as well as any other operating cost as deemed necessary for the successful implementation of the program – including institutional capacity strengthening of the project implementing structures. The operating cost also includes the expenses associated with the standard administrative activities such as budgeting and planning, procurement and FM, annual audits, environmental risks management and coordination meetings at Regional or national level. In addition, it will also finance the expenses related to the Monitoring and evaluation (M&E), communication and knowledge management including: (a) meetings of the review/piloting committees; (b) implementation of the M&E framework; (c) communication and knowledge sharing; (d) planning and dissemination workshops; (e) impact assessment, midterm review, and completion evaluations.

This subcomponent can be financed using two modalities:

- Following the arrangements described in the BSP, a portion of the ERC payments will be dedicated to the program operating costs; however, the first carbon payment may not be expected before about six months after the end of the first verification, creating a gap between the end of OFLP-grant and the first carbon payment.
- To fill the budget gap to support ORCU and the program management, a grant will be provided until at least a year after the end of the first verification period. Once the payment for the first ERC purchase is received by the government of Ethiopia, this component will continue to be financed from the ER payment until the end of ERPA period following the arrangement described in the benefit sharing plan.

Sub-component 2.2: Improvement of the Comprehensive Measurement, Reporting and Verification system

As the requirements are not met for two *eligible* subcategories out of six, action plans have been established in order to improve the MRV system.

This subcomponent will support the design, improvements and operation of the MRV – in particular for measuring the livestock / Enteric fermentation, for which a dedicated grant will be provided.

Improvement on the MRV for land-use change (deforestation and reforestation). This MRV system is already operational for phase one and is expected to continue for phase 2. However, following the current requirements of the ISFL methodology, the ER Program design may have to be updated during the program implementation. In that case, updates on the baseline might be needed during the project lifetime. In that case, the additional work would be financed either by the ERCs payments from the previous monitoring phases or by external funds.

Improvement on the MRV for forest degradation (forestland remaining forestland). A work plan to improve data and methods for this subcategory “forestland remaining forestland” has been agreed between FAO, the Norwegian Embassy and the US Silva Carbon program. The technical approach will likely involve the use of advanced image analysis algorithms to track changes between classes within the forestland-remaining-forestland subcategory. The agreed workplan will improve data collection on forest-remaining-forest by the end of 2023, but additional work may be needed. In that case, the additional work would be financed either by the ERCs payments from the previous monitoring phases or by external funds.

Improvement on the MRV for livestock management (enteric fermentation). For the purpose of improving methods and data on enteric fermentation and to build livestock sector carbon measuring, reporting, and verification (MRV) systems in general, this subcomponent will provide a grant to finance capacity development in GHG inventory, emission reduction monitoring and reporting, and related skills both at the national and regional levels across the participating institutions. Sampling and laboratory analysis of feed and manure will also be funded to improve GHG emission factors. This grant will build on MRV development efforts implemented since 2018, aiming to develop GHG inventory tools for the livestock sector, identify data gaps, formulate data improvement plans, and develop data acquisition tools and protocols to address identified gaps.

The key activities to be financed under this grant are the following:

- *Acquisition of MRV equipment:* these could include special-purpose computers (desktop and laptops), servers, tablets, GPS, and other data-gathering instruments for the fieldwork.
- *A series of capacity building training programs on livestock GHG data gathering, analysis, and reporting,* using the expertise of specialized training institutions, livestock research organizations, and others, as appropriate
- *Sampling and laboratory analysis of feed and manure samples* to assess parameters related to the quantification of GHG emission; and
- *Supervision and monitoring of livestock emission reduction* by national and regional MRV personnel trained for this purpose, data analysis and reporting – until 2028.

The OFLP supports Government of Ethiopia (GoE) to strategically mobilize, coordinate, and scale up funding from diverse sources. The success of the OFLP and the achievement of the GoE broader forest, land-use, and climate ambitions depends on the OFLP’s ability to leverage financial resources from existing and future REDD+ related initiatives (e.g., the BioCF ISFL, Nespresso-East Africa Coffee Project, Bale Mountains Eco-regional REDD+ Project, REJFMA-SW Ethiopia II Project, Sustainable Land Management Project, Productive Safety Net Project, Resilient

Landscapes and Livelihoods Project, Agricultural GP, CALM) and the private sector including the International Finance Corporation (IFC) initiative (TechnoServe), the CRGE facility and bilateral supports, private investments.

1.4. Benefits and Beneficiaries of the ERP

In line with the REDD+ jurisdictional approach that defines the carbon accounting area, the OFLP will cover all of Oromia's rural woredas. In these woredas there are approximately 1.8 million people living inside or immediately adjacent to existing forests. ER payments will directly benefit communities and the government according to the rules set out in the current advanced draft Benefit Sharing Plan (BSP): 75% for community development activities, 20% to the government, 5% for activities supporting private sector development.

Beneficiaries of the ERC payment through the Benefit sharing Plan: The direct beneficiaries are smallholders and communities who will benefit from capacity building and the development/social projects to be implemented using the ER payment to be received as a result of verified emission reduction and distributed based on the BSP. Key stakeholders of the ER Program include: (a) forest dependent communities, and forest resource users, farmers, herders, and cooperatives; (b) federal institutions such as the EFD, MoF, MoA, and Ethiopian Wildlife Conservation Authority (EWCA); (c) Oromia Regional State sector institutions such as the Vice President Office for Agriculture and Rural Development Cluster, BoF, OEPA, OFWE, BoA, Oromia Cooperative Promotion and Development Bureau, BoWERD, BoL, local government sector institution at zone and woreda levels, and other public institutions that will directly or indirectly involve in the implementation of the ER Program and/or benefit from ER proceeds; (d) community-based organizations (CBOs such as Forest Management Cooperatives- FMC) and NGOs who provide support to communities and to government agencies; and (e) the private sector entities involved in the ER Program.

ER payments will promote sustainable land-use practices that will benefit all communities in these areas. In addition, 45% of the BSP payments for the community development activities will be reserved for livelihood development and social activities. Thus, a large subset of Oromia's rural population is expected to benefit from the activities generated by the ER payments.

The exact number of direct beneficiaries of ER payments will be evaluated ex post, once the BSP is implemented. Moreover, these benefits will only materialize when emissions from the program area are reduced.

Beneficiaries of the grant portions: the grants will be dedicated to the improvement and the operationalization of the MRV, Safeguards management system established for the program and for the program management, M&E and communication. Thus, the grants are mostly expected to build the country's institutional capacities within the technical ministries and agencies such as MoA, National REDD Secretariat (NRS) and EFD at federal level; OEPA-ORCU, OBoA, OBWERD, BoL and OFWE at regional level.

Engagement with civil society. Partners such as NGOs are also working with relevant bureaus/authority/agencies to: (a) prepare, implement, and report on ER activities through joint annual OFLP work plans using the coordination platforms; (b) ensure consistent application of E&S safeguard rules including application of Feedback and Grievance Redress Mechanism (FGRM); (c) maintains application of standard and agreed upon MRV and BSP systems throughout and (b) ensure synergies between existing sector initiatives that affect OFLP objectives.

Engagement with the private sector. Similarly, private sector businesses implementing or investing in forested landscape friendly initiatives will coordinate their work with OFLP-ERP. Such private sector entities include, those involved in commercial forest development activities; wood processing industries (small, medium and large); entities investing in commercial coffee plantations and processing (financed by DPs and other locally based firms); commercial agricultural firms including cattle husbandry (for milk and beef); commercial honey harvesters and processors; commercial gum, spice other forest product collectors and processors; improved cook stove and

biogas producers and distributors. All these are located in zones and woredas of Oromia and fall in different clusters as identified by OFLP. Coordination of activities at local level will be extended to these private entities too in order these entities' commercial activities bring in sustainability, where feasible, contributing to more ER at landscape level.

1.5. Rational

The Oromia Forest Landscape Program- Emission Reduction Program (OFLP-ERP) employs and deploys project workers at the program office, zonal and woreda offices and engages expert consultants, contractors, temporary workers, community workers from different segments of society. This Labor Management Plan (LMP) is necessary to manage labor related risks and to promote sound worker management relationships during the implementation of the OFLP-ERP. The purpose of this LMP is to facilitate the planning and implementation of subprojects by identifying the main labor requirements and the associated risks and determining the resources necessary to address the project-related labor issues.

The Labor Management Plan is prepared in accordance with the World Bank ESF requirements and consistent with provisions in the ESS2, ESS4 and other relevant ESSs. The LMP is intended to promote health and safety of all project workers and project affected communities during implementation. The LMP is designed to promote fair treatment, nondiscrimination and equal opportunity of all project workers; to protect vulnerable workers such as women, persons with disabilities, children of working age, migrant workers, contracted workers, community workers and primary supply workers; to prevent the use of forced labor and child labor; to support the principles of freedom of association and collective bargaining of project workers in a manner consistent with pertinent national laws and to provide project workers with accessible means to raise workplace concerns.

2. Overview of Labor use in the OFLP ER Project Implementation

OFLP ERP will be implemented per the Ethiopian Labor Proclamation No. 1156/20192 and the World Bank's ESS2. The project implementing agencies are responsible to ensure compliance by their employees as well as potential contracted institutions. Labor and working conditions in the project are relevant to direct workers (including government civil servants seconded from their home agencies to work concerning the project) employed or engaged by the project implementing agencies, contracted workers, and primary supply workers. These will include construction workers hired for the projected civil works (as required). OFLP ER project will anticipate mobilization of community workers as defined in ESS2 - people engaged and employed in providing community labor.

This LMP will also include potential labor risks anticipated in the project; terms and conditions that will be applicable for workers, as per the Government of Ethiopia (GoE) Labor Proclamation; GoE's legal frameworks on OHS; responsibility of staff management and Workers Grievance Mechanism. As per paragraph 9 of ESS2, Labor Management Procedure should be developed and implemented for project-related workers. Thus, ORCU has prepared this LMP which will be implemented defining the potential project workers, the risks, and impacts with issues of labor and working conditions. The procedures identified in this LMP apply to the direct, contracted, and primary supply workers. The project components' activities will involve workers which include both males and females.

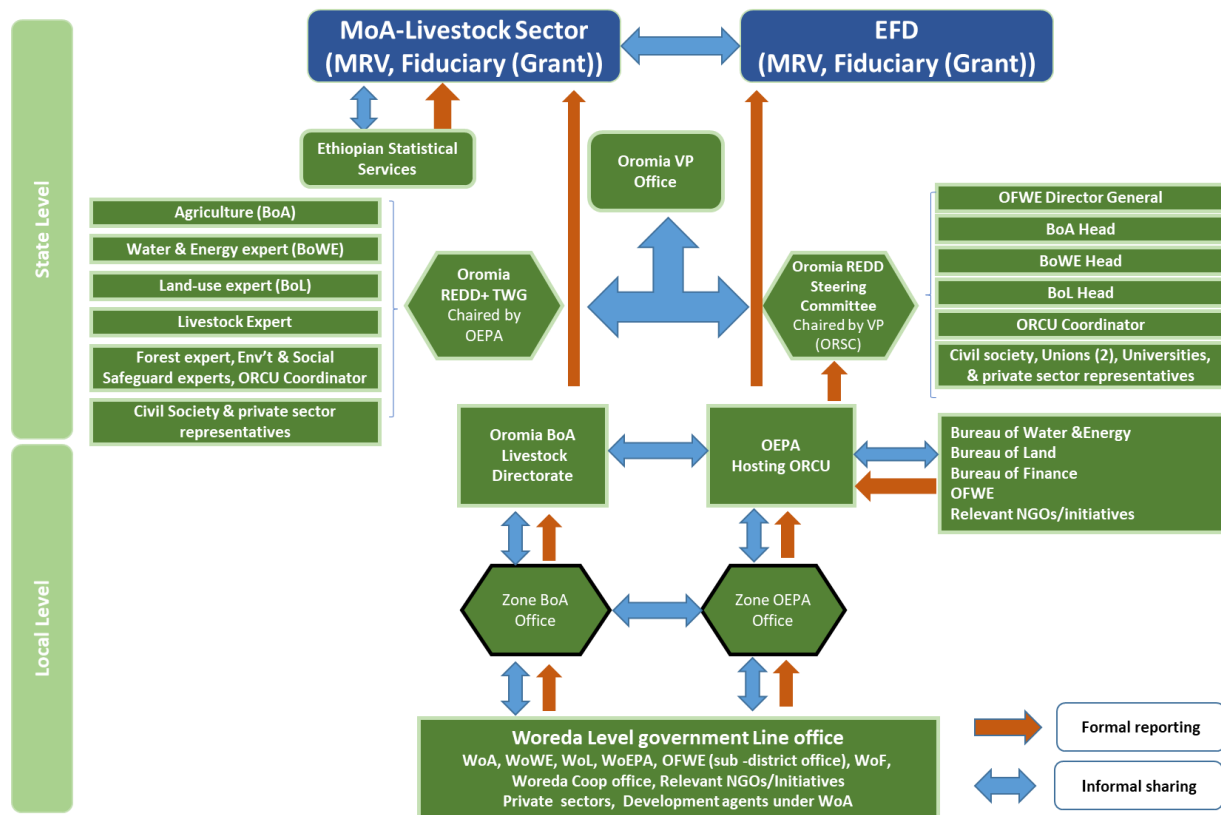
2.1. Institutional arrangement for OFLP-ERP implementation

The OFLP-ERP implementation arrangements include relevant institutions at the national, state, and sub-state levels with specific accountabilities and decision-making roles based on existing mandates. The Ministry of Finance (MoF) at federal level will sign the ERPA and take the overall fiduciary responsibility. MoF will receive funds from the ERC purchase based on verified ER amount achieved by the Program at the end of each ERPA phase and distribute ER benefits according to the BSP.

EFD will oversee the overall technical and policy dimensions of the program at the Federal level and OEPA will have the oversight responsibility for the OFLP-ER program in subsequent phases in the jurisdiction in Oromia Regional State. OEPA was set up by Proclamation 199/2016 on July 20, 2016 (as amended recently by regional regulation no. 242/2021) and is officially mandated to oversee the forest sector in Oromia.

ORCU is the implementing unit for OFLP, tasked with the Program day-to-day technical and administrative management including ER monitoring, reporting and Safeguards activity supervision to ensure the program's compliance with the ESF instruments. While ORCU reports administratively to the OEPA, it seeks strategic and tactical guidance from the Oromia Regional State Vice President, given the multi-sector nature of OFLP and land use challenges in the regional state. Below figure 1 will indicate the institutional arrangement of the program.

Figure 1. Institutional Arrangements – Program Level



The ERP implementation is split following the various segments:

- **The underlying activities** are coordinated by ORCU but executed by various projects and programs. The regional state's multi-sector REDD+ Steering Committee and Technical Working Group established during the grant implementation period, will continue providing strategic guidance and technical inputs, respectively, to guide OFLP ERP implementation. The OEPA and sector bureaus including the Bureau of Agriculture (BoA), Bureau of Water and Energy Resources Development (BoWERD), Bureau of Land (BoL) and OFWE will be supporting the ERP implementation and coordinating activities on the ground through their decentralized staff, particularly those activities that are potentially contributing to produce more ER and are financed from own sources or from ER proceeds.
 - i. **The carbon accounting and performance verification:** EFD will lead the overall MRV undertakings of the ERP through its dedicated MRV Unit, including collection of regional level primary ER performance data, analyzing the same and reporting to the WB/ISFL; EFD is Ethiopia's Coordinating Entity for MRV from forest sector through its MRV Unit. The MRV Unit produces maps, collects and reports GHG inventory data and undertakes MRV tasks working in collaboration with federal and regional institutions. The OFLP-ERP will follow the same ER monitoring approach and use the same MRV institutional arrangement established at national level. Table 5 illustrates the details of MRV institutional arrangement for Oromia Forested Landscape ERP.

- ii. **The activities financed by the ER payments as per the BSP:** The ER proceeds received as RBP will be shared among beneficiaries eligible for sharing: 20 percent for the governments (Federal and Regional), 5% to the private sector and 75% for community development projects. ER proceeds fund disbursement is to follow “Channel 1 fund transfer system”. The Ministry of Finance (MoF) receives the RBP in an independent account and keeps the 3% performance buffer for risk management and deducts the operational cost. ORCU/OEPA officially communicates the Regional Bureau of Finance (BOF) detailing the share of all eligible beneficiaries from the net payment as per the OFLP monitoring result. Accordingly, BoF transmits this disbursement request to MoF. Then MoF transfers the share of federal government to the account of EFD and the remaining net benefit and the operational cost to Oromia BoF. The BoF, based on proportion allocated for each entity and decision of the OFLP Steering Committee, will disburse ER proceeds downward to OEPA, woreda finance offices, FMCs and to the private sector accounts as appropriate. Additional details are provided in the BSP.
- **The activities financed by the Grants.** As part of the OFLP-ERP, two grants will be provided.
 - i. The first one, for a total amount of \$750,000, will support the ERP management including (i) the coordination among the various projects supporting the underlying activities, (ii) the cost associated with the reporting on carbon and non-carbon benefits (coordination meeting, compiling the data, etc...), (iii) the dialog with the federal and regional institutions involved in the ERP as well as (iv) the support for three MRV, two MRV Assistants and four OFLP safeguard specialists (two for Social, two for Environmental safeguards).. It will finance staff cost and activities to ensure that the Environmental and Social system is in place and effective to identify and mitigate the impacts of the underlying activities. This grant will be managed by ORCU.
 - ii. The second grant (\$1.2m) will support the design and operationalization of the MRV system set-up for the emissions related to Livestock management. This will include activities to be implemented under the leadership of the existing PIU for LFSDP which is already hosted by the MoA and its subsidiary within the Oromia Bureau of Agriculture (OBoA), as well as activities to be implemented in support of related MRV activities at ORCU and EFD levels. The PIU for the LFSDP will be responsible to manage the grant (at least for coming two years until the MoA sets the right directorate responsible for livestock related MRV activities). The PIU established for the LFSDP will have the overall fiduciary responsibility for this grant and will transfer the required budget to the partner entities according to agreed work plans.

2.2. Roles and responsibilities of the ERP Implementation Unit (PIU)

The PIU is responsible for the overall coordination and management of program implementation activities, including the day-to-day fiduciary requirements, liaising technically with all partner agencies, NGOs and the private sector actors involved in the OFLP implementation. With the support from OEPA, the ORCU carries out the following tasks and is responsible for:

- ✓ Safeguards implementation and reporting
- ✓ Financial management and reporting
- ✓ Procurement management and reporting
- ✓ Monitoring and evaluation for OFLP as per each defined indicator in the results framework and others as required by government and desired by the program team
- ✓ Direct implementation of specific technical assistance activities financed by the OFLP
- ✓ Joint annual work programming and budget preparations, with inputs from OEPA, OFWE, bureaus and other relevant entities; and preparation of the annual procurement plan
- ✓ Local level ORCU team engage and work with Woreda and Kebele officials (Woreda administrators and experts, DAs) and other actors to coordinate OFLP interventions and related initiatives across sectors that have an impact on forests (promoting a landscape management approach)
- ✓ Facilitating coordination with OFLP- ER related initiatives, i.e., liaising with executive-level focal points and OEPA, as required
- ✓ Ensures that ER verification is carried out through a third party.
- ✓ Ensuring the delivery, implementation and reporting on the agreed BSM/P for the OFLP ERPAA
- ✓ Conducting strategic communication through OEPA
- ✓ Serving as secretariat for the REDD+ Steering Committee and REDD+ Technical Working Group and actively participating in meetings

Labor legislation regarding health and safety will be implemented to minimize and mitigate OHS risks. Relevant OHS provisions are stated below:

- The employer is obliged to ensure the health and safety of the employees related to the work performed.
- Similarly, the employees are obliged not to jeopardize the health and safety of others and perform duties in accordance with the training and support they receive about occupational health and safety and the instructions of the employer.
- Operate machinery, equipment, tools, equipment, hazardous goods, transportation equipment and other production tools in the workplace in accordance with the rules, to use their safety equipment correctly, and not to remove them arbitrarily.
- Proper use and protection of personal protective gear and equipment provided.
- The employer shall ensure that each worker receives safety and health training. This training shall be provided on recruitment, in the event of a transfer or a change of job, in the event of a change in equipment or introduction of any new technology. The training shall be adapted to take account of new or changed risks and repeated periodically if necessary.
- Employers are obliged to provide adequate personal protective equipment to workers free of charge, including to community workers.
- If provided, accommodation for community workers should not be situated in proximity to locations used for processing or storing hazardous waste.

- Hygiene and rest facilities provided for community workers should include separate facilities for men and women

2.3. Labor requirements and use in the ORCU for the implementation of Emission Reduction Project

The ESS2 defines program/project workers into four categories and the scope of application of the ESS2 varies accordingly.

- 1) **Direct workers:** “people directly employed or engaged by the borrower (including the project proponent and the project implementing agencies) to work specifically in relation to the program/project

Employees of the ORCU are direct workers. The ORCU, as PIU of the program, has currently employed the required technical and support staffs at the regional coordination office and in its lower structure at the Zonal and Woreda level offices. These are direct workers who are engaged in running the day-to-day activities of the OFLP-ERP. At the regional office (in its head quarter), there are a total of 24 technical and support staffs. The technical staffs include a program coordinator, two safeguard specialists (social and environmental), forest resource specialist, monitoring and evaluation specialist, MRV specialist, MRV analyst, institutional and policy specialist and a private sector development specialist. The support staff comprises of a financial management specialist, procurement specialist, IT specialist, communication specialist, HR and logistics officer, financial management assistant, secretary cashier, audiovisual technician, five drivers and an office assistant. At the zonal office levels, OFLP has a total of 39 technical and support staff. These are three lead program facilitators, six safeguard coordinators, five OFLP ER finance coordinators and 25 drivers. At the Woreda level, OFLP has 38 coordinators in the implementation Woredas. These direct employees of ORCU are governed by a mutually agreed contractual agreement as defined in a standard human resource governance policy of the organization. Terms and conditions of these workers are guided by Federal Civil Servants proclamation no. 1064/2017 at federal level and by the Civil Service Proclamations of the Oromia regional state.

The OFLP, being an umbrella platform, serves as a programmatic coordination of multi-sector, multi-partner interventions in the region. The platform coordinates all relevant agriculture-forested landscape related initiatives in the region. Hence, the OFLP-ER implementation relies on existing Government institutions at different levels, encompassing all concerned regional institutions down to the Kebele level. In addition to the employees of ORCU, civil servants, experts and decision makers will contribute directly or indirectly to the OFLP implementation. They will have different degrees of contribution and various roles depending on the respective organizational mandates. They may serve as members of technical working groups, technical advisory teams, task force members, community facilitators, various committee members, on top of their regular jobs/commitments in their respective offices. These kinds of direct workers will be engaged on intermittent or basis as per the provisions in national and regional civil servant codes. The Federal Civil Servants proclamation no. 1064/2017 and the Civil Service Proclamations of the Oromia regional state will govern the contract engagement.

- 2) **Contracted workers:** people employed or engaged through third parties (i.e., contractors, subcontractors, brokers, agents or intermediaries) to perform work related to core functions of the

program/project (i.e., production and/or service processes essential for a specific project activity without which the project cannot continue), regardless of location

The OFLP ERP may require contracted workers from third parties to implement activities of the Project components. For example, in cases of sustainable forest management actions such as control of un-anticipated fire incident, it might be necessary to construct fire breaks, and such works may be outsourced to sub-contractors. In addition, local level community development works such as establishing or maintaining social infrastructure from ER revenues as per the BSP, constructing forest access roads or village access roads as part of a social development plan, there might also be a case where small irrigation dams and canal structures will be constructed in support of the local communities livelihoods from ER revenues or from own investments, and extensive forest inventory campaigns, and resettlement activities. Some specialized activities including validation of reported ER requires engaging specialized professional consultants to be provided from a third party. For example, independent environmental and social audit consultants may be deployed from third party to evaluate ESRM implementations. Hence, these and other similar activities of the ERP will require outsourcing and engaging a third party to get goods and services, which will bring contracted workers and experts to implement such activities. The Terms of Engagement of contracted workers will be based on mutually agreed terms of contract that is consistent with the provisions in the ESS2.

- 3) **Primary supply workers:** people employed or engaged by the borrower's primary suppliers (i.e., those suppliers who, on an ongoing basis, provide directly to the project goods or materials essential for the core functions of the project), and

The state-wide implementation of the ERP involves multiple sectors and actors that are engaged in implementation of afforestation and reforestation, participatory forest management, degraded area rehabilitation and restoration, green legacy initiative, small-scale construction related development activities (maintenance of social service facilities), consultancy services on specialized social development issues (counseling, GBV victims rehabilitation Center, etc.) , supply of materials as part of the BSP proceeds from ER payments (e.g., improved bee hives equipment), goods and other inputs such as seeds, seedlings, nursery materials including, polythene tubes, equipment, field survey and inventory materials, camping equipment, planting materials, protective gears will be procured from suppliers who will be selected through a standard competitive bid process. Workers coming from primary suppliers (e.g., porters, technicians, drivers, experts, facilitators, skilled labors, consultants and advisers, etc.) will be required to comply with the ESS2 and workers of the suppliers will be required to have a formal contractual engagement with the supplying entity and an indirect involvement in the OFLP activities implementation. Primary supply workers in the project will be occasional and not required throughout the project.

- 4) **Community workers:** people employed or engaged in providing community labor (i.e., Projects may include the use of community workers in several different circumstances, including where 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

(e.g., PSNP) or providing targeted assistance in fragile and conflict-affected situations. Given the nature and objectives of projects, the application of all requirements of ESS2 may not be appropriate. In all such circumstances, the Borrower will require measures to be implemented to ascertain whether such labor is or will be provided on a voluntary basis as an outcome of individual or community agreement).

The OFLP ERP will involve community workers in various ways. Currently, the OFLP has over 900 community workers as casual labor in forestry nurseries of project implementation areas. These are intermittent seasonal workers, who will be engaged when demand for labor is high (i.e., during preparations for sowing and during planting). Women and unemployed youth are engaged in seedling production for afforestation and reforestation activities, for planting activities including during the green legacy initiatives. Community labor will also be sought to put up social service structures or during maintenance of such structures as designed in the BSP. In such instances, community labor may be provided as share of contribution by the communities. Community labor may also be provided from local cooperatives members, forest user associations, grievance redress committee members, women association members, youth association members, school communities, social institutions (*Idir, ekub, mahiber/walga*, etc.) during mass planting campaigns, construction of physical soil conservation structures and during various national and international environmental events. Community members may also involve in various committees providing voluntary services.

3. Assessment of key potential Labor risks

3.1. Risks associated with direct workers

Direct workers of the OFLP ERPA may face potential labor related risks such as in connection with the process of hiring and employment (terms in conditions of contracts), discriminations, health and safety risks, accidents, gender based violence, child labor, worker's organization and absence of grievance redress mechanisms.

- A. **Risks of inadequacy in terms and conditions of employment:** risks of exclusions or omissions of basic rights of workers related benefits, work hours, wages, compensations, etc. in employment contracts in violation of national labor law provisions; engaging workers without a valid contract agreement in place; un-clarity in the language of the contract; lack of awareness and understanding on the terms and conditions (rights and obligations); lack of awareness on the relevant labor laws and procedures;
- B. **Risks of discrimination and deprivation of equal opportunity:** workers may face this risk during hiring and recruitment of employees and while at work. There might be discrimination of workers based on their identity, physical ability or disability, political affiliation, HIV/AIDS, religion, and gender; discrimination can also happen in relation to provision of compensations, benefits and other opportunities such as access to training, job assignment, promotions; application of disciplinary measures and penalties; termination of employment or retirement, working conditions and terms of employment; discriminations may arise due to favoritism, nepotism and corruption;
- C. **Risks of child labor and forced labor:** though it is legally prohibited to formally employ a worker of underage, there might be cases of engaging underage as direct worker. In the Ethiopian civil servant proclamation, any person less than 18 years of age is not legally allowed to be employed. Testimonials or credentials from legally authorized body should be provided as proof of proper age in cases of doubtful or contentious age claims;
- D. **Risks of restrictions on worker's organization:** employer may interfere and restrict workers from forming worker's organization or joining other similar organization for collective rights negotiations, to express grievances, to enable collective voicing on conditions of work, benefits, protection of rights, etc.;
- E. **Gender-Based Violence, Risks of sexual harassment and assault:** women workers may face risks of sexual harassment and assault by employees, clients, work colleagues, visitors, during hiring and employment process, and/or while at work in office and/or outside of office during field works in project implementation areas;
- F. **Risk of absence of a mechanism to express grievances and to protect rights of workers:** labor related grievance redress mechanism may not be in place at work-place and workers may not be aware of how and where to file complaints, violations of rights and prevention of harassments;
- G. **Risks related to occupational health and safety:** workers may face risk of contracting and/or transmitting COVID-19 at work place, and/or in places of potential exposure such as social gatherings, travel to and from work, public transportation, in offices, and field work sites; workers

may also be exposed to the risk of HIV/AIDS infections due to contaminations at work places, during accidents, in medical facilities and/or due to low awareness on protection measures. Furthermore, it is important to mention workplace risks like; agricultural chemicals, heat stress, electric shock, falls, heavy lifting and being attacked by wild animals can be identified as risks.

- H. **Risks related to external security threats:** project workers travel throughout the ERP implementation areas in the region and there might be risks of violent attacks, ambushes and robberies from irregular armed groups in remote hideouts and rural areas. In addition, because of the current situation of political instability ethnic violence might be risk which leads to distance between people increased and a climate of suspicion and distrust developed; and
- I. **Risks of accidents:** workers may be exposed to accidents related to travel (car, motorbike, bus) and field work in remote forest landscapes during inventory, monitoring and during routine facilitation and coordination activities of ERP; in addition, misuse and improper maintenance of hand tools may expose to risks. For example, if impact tools such as chisels, wedges, or drift pins have mushroomed heads, the heads might shatter on impact, sending sharp fragments flying toward the user or other employees.
- J. **Risk of non-compliance:** limited knowledge of workplace rights, lack of training, lack of skills and experience to recognize workplace hazards, failure to voice their concerns or manage associated risks are some of workplace compliance related challenges.
- K. **Risk related to vulnerable and forest dependent communities:** in some cases there is a striking difference among the cultural values and practices of the local and forest dependent communities. Interaction among the project involved direct workers and the local communities can lead to spoil the cultural values of the communities. The frequent and long term interaction may lead to GBV/SEA/SH incidents.

3.2. Risks associated with Contract workers

- A. **Risk of Gender-Based Violence, Sexual Exploitation and Abuse, and Sexual harassment:** contract workers from sub-contractors may be exposed to this risk. Due to the nature of the ERP, contract workers from third parties may be engaged in social service structures to be conducted or maintained in the ERP implementation areas (in the field), where there is a chance that workers and beneficiary communities interact in isolations, which might cause potential risks of Gender-Based Violence, Sexual Exploitation and Abuse, Sexual Harassment in the ERP implementing areas.
- B. **Risk of non-compliance by the contracting entity:** in case of sub-contracting and outsourcing maintenance and construction works of social services in the ERP areas, sub-contractors will be required to be legitimate sources and reliable entities, present evidence of compliance to the ESS2, incorporate the requirements of the ESS2 into contractual agreements.
- C. **Risk of absence of access to grievance mechanisms during engagement:** workers from sub-contractors may not have appropriate access to grievance mechanisms and may not be able file complaints. The sub-contractor will be required to provide grievance mechanisms for such workers and/or they will be provided access to existing grievance mechanisms.
- D. **Risks related to Community Health and Safety:** Contracted workers from sub-contractors or third parties may live in ERP implementation areas during maintenance works or construction of small

infrastructure as part of the social service provision activities from the ER revenues. This could be a possibility of contract workers to be exposed to and/or expose others to a risk of transmission of communicable diseases such as Sexually Transmitted Diseases (STDs), HIV/AIDS, and COVID-19 in the ERP implementation areas. Furthermore, it is important to mention workplace risks like; agricultural chemicals, heat stress, electric shock, falls, heavy lifting and being attacked by wild animals can be identified as risks.

- E. **Risks to vulnerable and forest dependent communities:** there might be potential risks and impacts of GBV/SEA/SH in the ERP area due to interactions between contractor/subcontractor workers who will be engaged in maintenances of schools, clinics and roads, community workers and other project workers with nearby communities, especially vulnerable and forest dependent communities
- F. **Risks of inadequacy in terms and conditions of employment:** among others, inadequate terms and conditions of exposure to untenable overtime, fatigue or burnout due to excessive plenty workload in a short period of time. The other risks can be inadequate terms and conditions of employment for contract employees/consultants, including those relating to hours of work, wages, overtime, etc. Furthermore, absence of mechanism to express grievances and protect rights regarding working conditions and terms of employment. There is also a possibility to experience discrimination in relation to recruitment, hiring, compensation, working conditions and terms of employment.
- G. As per the requirement ESS2, the Borrower will make reasonable efforts to ascertain that third parties who engage contracted workers are legitimate and reliable entities and have in place labor management procedures applicable to the project that will allow them to operate in accordance with the requirements of ESS2. The Borrower will establish procedures for managing and monitoring the performance of such third parties in relation to the requirements of this ESS. In addition, the Borrower will incorporate the requirements of this ESS into contractual agreements with such third parties, together with appropriate noncompliance remedies. In the case of subcontracting, the Borrower will require such third parties to include equivalent requirements and noncompliance remedies in their contractual agreements with subcontractors. Contracted workers will have access to a grievance mechanism. In cases where the third party employing or engaging the workers is not able to provide a grievance mechanism to such workers, the Borrower will make sure the grievance mechanism is provided.

3.3. Risks associated with primary suppliers' workers

- A. **Risk of child labor and forced labor:** supply workers may face such risks. The Ethiopian Labor Law prohibits children under the age 18 years to be considered as able workers, cannot be engaged in contract agreements. The law also requires any work assigned to workers should be done voluntarily, without any form of threat of force or penalty. Primary supply workers will be required to comply with the requirements of the ESS2 and be consistent with the Ethiopian Labor Law and relevant proclamations. If child labor or forced labor cases are identified, the supplier will be required to take remedial measures.

3.4. Risks associated with community workers

- A. **Risk of Gender-Based Violence, Sexual Exploitation and Abuse/Sexual Harassment (SEA/SH):** The ERP activities will be conducted in the program implementation sites, which creates the conditions where community workers and beneficiary communities will have close interactions and chances of interactions in isolations, which might cause potential risks of GBV/SEA/SH in the ERP implementing areas. The potential risks include:
- (i) increasing risk of violence when women are confronted with traveling long distances to access work opportunities (e.g. nursery sites) or forced to travel for the afforestation and reforestation related activities;
 - (ii) due to an interaction between community workers and other project workers with nearby communities especially the vulnerable groups including forest-dependent communities;
 - (iii) issues related to labor influx and labor/working conditions where there will be weak capacity to enforce the national labor laws and absence of workers' code of conduct;
 - (iv) The prevalence of insecurity of women's rights to land and property and economic dependence on male relatives notably common in the rural and peri-urban areas.
- B. **Risk of Community Health and Safety:** activities related to afforestation and reforestation, seedling nurseries, conservation structures, social service facilities, forest inventory; require the involvement of community workers from local sources or elsewhere. For instance, OFLP has more than 900 community workers in nurseries in all the ERP implementation areas. Community workers live in the ERP implementation areas and there is a substantial risk of transmission of communicable diseases such as Sexually Transmitted Diseases (STDs), HIV/AIDS, and COVID-19.
- C. **Risk of child labor and forced labor:** there will be a potential risk of engaging underage children as community worker in the ERP implementation areas, particularly in nursery and afforestation activities. Besides, there will be a risk of involuntary assignment of a community worker to jobs; and activities that are assigned with threat of penalty or force to a community worker. The Ethiopian Labor Law and proclamations prohibit such practices and has provisions on rules and guidelines.
- D. **Risk of labor influx:** ERP activities such as the afforestation and reforestation as well as the social service infrastructure works may create causal jobs and cause labor influx to the project implementation areas and may inflict social conflicts, gender-based violence, violence against children;
- E. **Risks of violence and discrimination of marginalized community workers:** workers from other areas and even from same region/same locality may cause violent conflicts due to ethnicity or other minor reasons. Disadvantaged community groups and vulnerable community members may suffer from this risk.

4. Overview of Labor legislation in Ethiopia: Policies and procedures

The Ethiopian government has enacted laws and policies governing labor and associated rights in the past decades pursuant to the constitution; and in accordance/in conformity with the international conventions and other legal commitments to which Ethiopia is a party. The policies and laws emanated from the 1994 Federal Constitution, which contains full articles on fundamental rights and freedoms, including the right to equality without discrimination, the rights of women and children, the right to access to justice, and economic, social, and cultural rights. Exclusively on labor, Article 42 describes “Rights of labor”, including the rights of workers to form associations, improve conditions of employment and economic well-being, limitation of working hours, remuneration for public holidays and a healthy and safe working environment.

The relevant laws, proclamations, and directives applicable to the implementation of the labor management procedure to address labor related risks in the OFLP ERP are:

- Labor Proclamation No. 1156/2019
- Federal Civil Servants Proclamation 1064/2017
- Proclamation No. 568/2008, Right to Employment of Persons with Disability
- Occupational Safety and Health Directive, 2008 (Federal Ministry of Labor and Social Affairs)
- National Comprehensive COVID-19 Management Handbook_2020 (MOH)
- National Comprehensive Guideline for HIV/AIDS prevention_2018

Worker-Employer relations are governed by basic principles of rights and obligations stipulated under the Labor Proclamation No. 1156/2019. “Worker” means a person who has an employment relationship with an employer in accordance with Article 4 the Proclamation; and an “employer” is defined as a person or an undertaking that employs one or more natural persons in accordance with Article 4 of the Proclamation.

The Proclamation specifies “**Work rules**” which govern working hours, rest period, payment of wages and methods of measuring work done, maintenance of safety and prevention of accidents, disciplinary measures, and their enforcement as well as other conditions of work. “Conditions of work” are also elaborated as the full account of labor relations between workers and employers including hours of work, wage, leave, payments due to dismissal, workers health and safety, compensation to victims of employment injury, dismissal because of redundancy, grievance procedure and any other similar matters.

Project workers of the ORCU must have a binding contract agreement that encompasses the details of rights (hours of work, overtime payments, wages), benefits (compensation benefits, severance payments, allowances, etc.), obligations, responsibilities, and accountabilities (violations of rules, causing damages property, etc.) of the employee and the employer. In compliance to the requirements in the ESS2, project workers need to be engaged with a legally binding contract agreement that clearly states the terms and conditions of employment as per the appropriate Civil Servant law and labor law. The conditions of the contract should clearly inform the employee about the rights and obligations in understandable language. The contract agreement should be signed at the beginning of the employment and whenever changes are made within the provisions and the terms of employment changes

The following general provisions are stipulated in the labor proclamation:

4.1. Terms of employment contract and conditions of work

Article 4 of the Proclamation No. 1156/2019 stipulates that a contract of employment shall be deemed formed where a natural person agrees directly or indirectly to perform work for and under the authority of an employer for a definite or indefinite period or piece of work in consideration for wage; a contract of employment shall be stipulated clearly and in such manner that the parties are left with no uncertainty as to their respective right and obligation under the terms thereof; a contract of employment shall specify the type of employment and place of work, the rate of wages, method of calculation thereof, manner and interval of payment and duration of the contract; a contract of employment shall not be concluded for the performance of unlawful or immoral acts; the contract of employment shall not laydown less favorable conditions forth employee than those provided for by law, collective agreement or work rules.

(i) Wages

A worker is entitled to wages in return for the performance of the work that he performs under a contract of employment. Wage, as defined in the law, is a regular payment for the work performed under a contract. Payments such as over-time pay, allowances, per-diems, bonuses, commissions, service charges, etc. are not considered as part of wages.

(ii) Hours of working

Normal work hours: each worker is required to work for the legally defined normal hours of work. A “normal hour of work” is the time during which a worker performs work or avails himself for work in accordance with law, collective agreement or work rules. According to the law, the Normal hours of work shall not exceed 8 hours a day or 48 hours a week. **Overtime work** is considered a work that is done more than the normal daily hours work as defined in the law. A worker is entitled to an overtime payment in accordance with the law. Workers are not obliged to work on public holidays. Public holidays are those days observed under the relevant national law and are paid Public Holidays.

Arrangement of Weekly Hours of Work: Hours of work shall spread equally over the working days of a week, provided, however, where the nature of the work so requires, hours of work in any one of the working days may be shortened and the difference be distributed over the remaining days of the week without extending the daily limits of eight hours by more than two hours.

(iii) Rest:

A worker is entitled to a weekly rest period covering not less than twenty-four non-interrupted hours in the course of each period of seven days. The weekly rest period shall be calculated to include the period from 6 a.m. to the next 6 a.m. Where the nature of the work or the service performed by the employee is such that the weekly rest cannot fall on a Sunday another day maybe made a weekly rest day as a substitute.

(iv) Leaves

The labor proclamation grants different kinds of pertinent leaves to workers as part of the rights of a worker to rest. A worker is entitled to be granted with annual leave, special leave (family events, social events, etc.) and sick leave.

Annual leave: A worker entitled to uninterrupted annual leave with pay of Sixteen (16) working days for the first year of service; and Sixteen (16) working days plus one working day for every additional two year service.

Special leave: A worker is entitled to leave with pay for three consecutive working days for special events (marriage, death of relatives, paternity)

Sick leave: as per the provisions in section three and article 86 of the labor proclamation, a worker who has completed the probation period (a maximum of 60 working days after the first day of employment), and who is rendered incapable of working due to sickness other than employment injury, is entitled to a sick leave. The sick leave period shall not be more than six months counted consecutively or separately over twelve months. The first month with payment of 100 % salary, the next two months with payment of 50 % salary and the next three months without pay.

Maternity leave: a pregnant worker shall be granted 30 consecutive days with pay of prenatal leave and a period of 90 consecutive days of postnatal leave.

(v) Contract Termination

The detailed descriptions of conditions for termination of a contract under the law are diverse. The general provision on Article 4 of the Labor proclamation state that a contract of employment shall terminate on the grounds of the completion of the work where the contract of employment is for a specified work; on the death of the worker; on the retirement of the worker in accordance with the relevant law; when the undertaking ceases operation permanently due to bankruptcy or for any other cause; when the worker is unable to work due to partial or total permanent incapacity.

(vi) Sexual harassment and sexual violence

The labor proclamation No. 1156/2019 on sexual harassment and sexual assault has several provisions. Under section three, article 14 and sub-article (h), sexual harassment or sexual assault by any worker or employer or employee manager is clearly listed as a legally prohibited act at work place. Further in sub-section two, on termination of contract by worker, under article 32 and sub-article (b), a worker who has been a victim of sexual harassment or sexual violence by an employer or employee manager can terminate his/her contract without any prior notice.

(vii) Affirmative action to the underserved

The Federal Civil Servants Proclamation No. 1064/2017, under section five, article 50 about conditions of work applicable to minority nations, nationalities and peoples state that the sub-article (1) placement of personnel in government institutions shall take into account fair representation of nations, nationalities and peoples, and under sub-article (2) it state that nations, nationalities and

peoples having lesser representation in government institutions shall be given the advantage of affirmative action in recruitment, promotion, transfer, redeployment, education and training

4.2. Non-discrimination and equal opportunity

The Federal Civil Servants Proclamation No. 1064/2017 promulgated a law that establishes a system of recruitment and selection of civil servants that guarantees diversity and that improves conditions of work. Sub-article (2) of Article 13 in the proclamation clearly state that there shall be no discrimination among job seekers or civil servants in filling vacancies because of their **ethnic origin, sex, political outlook, religion, HIV/AIDS, disability and or any other ground**. Article 8 of the proclamation states ‘**equal pay for equal work**’ regardless of any other ground than the professional requirements.

4.3. Worker Age

The relevant labor law and civil servant law declare that any person below the age of 15 years of age is considered child labor. Young worker, with restricted types of work and defined hours of work can be engaged as formal labor.

According to the civil servant law, children below 18 years of age are not legally allowed to become civil servants. Under Article 14 of the Civil Servants Proclamation No. 1064/2017, all persons less than 18 years of age cannot be employed as a civil servant.

However, the Labor Law (Labor proclamation 1156/2019), Article 89 has a provision for “Yong Worker”. A young worker is a person who has attained an age of 15 years but less than 18 years. The law has put restrictions on the types of work and hours of work in a day for young workers. The law prohibits assigning any work that may endanger the lives and health of young workers. The prohibited types of work include a) Work in the transport of passengers and goods by road, railway, air and internal water ways, dock sides and warehouses involving heavy weightlifting, pulling, or pushing or any other related type of labor; b) Work connected with electric power generation plants, transformers or transmission lines; c) Underground work such as mines and quarries; d) Work in sewers and tunnel excavation.

The normal hour of work for young workers is restricted to seven hours a day. A young worker is prohibited from night works between 10:00 pm and 6:00 am. Over time work is counted on normal rest days and holidays.

4.4. The right to form associations

Under Article 113 of the Labor law, workers have the right to form associations and Trade Unions. Workers can organize themselves into collective relations through trade unions and associations.

4.5. ESS2-Labor and Working conditions

ESS2 categorizes the workers into direct workers, contracted workers, community workers and primary supply workers. This Labor Management Procedure (LMP) applies to all project workers as defined in ESS2:

(a) Direct Workers. 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,

(b) Contracted Workers. People employed or engaged through third parties to perform work related to core functions of the project, regardless of location,

(c) Primary Supply Workers. People employed or engaged by the Borrower's primary suppliers,

(d) Community Workers. People employed or engaged in providing community labor.

Policies and procedures for this Project aim to achieve objectives of ESS2 and compliance with national labor and OHS laws.

- All project workers shall have employment contracts in writing, including a description of conditions of employment. Workers will sign the employment contract. Terms and conditions of employment will be available at work sites.
- Workers are entitled to a regular salary, as well as to compensation of salary for periods of absence from work or specific conditions of work such as overtime work, work on holidays, weekend, etc.
- Workers shall have a rest period during working hours, weekly rest and annual holidays as prescribed under the law.
- 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.
- Recruitment procedures will be transparent, public and non-discriminatory with respect to ethnicity, race, religion, sex, disability, political beliefs, and other grounds included in the Labor Proclamation
- Applications for employment will be considered in accordance with the application procedures established by the ERPA.
- Implement measures of protection at work and safety for jobs with increased risk of injury and damage to health, as well as organization of training for workers in such jobs
- Keep records of workers who are working on tasks with increased risk of injury and harm to health
- Minimum age of employment will be 18 years
- Project workers will comply with national laws prohibiting sexual harassment and sexual exploitation and abuse
- Compliance with legal notice periods

5. Occupational Safety and Health and Working Environment

Ethiopia has legal frameworks on OHS. The Constitution (1995) under Article 42/2 stated the Rights of Labor as "workers right for healthy and safe work environment" Proclamation No. 4/1995. There are also different legal frameworks on OHS which include: The National Occupational Health Policy and Strategy, Occupational Health and Safety Directive (2008), Occupational Health and Safety Policy and Procedures Manual, and On Work Occupational Health and Safety Control Manual for Inspectors (2017/18) which will apply to the ADELE project. OHS promotion is also included as a priority in the National Health Policy Statement (1993). Ministry of Labor and Skill development (MOLSD) and its regional counterparts are responsible for OHS at Federal and Regional levels. MOLSD has OHS & Working Environment Department responsible for OHS responsibilities. Each administrative region has an OHS department within the Labor and Skill development Bureau with the responsibilities of inspection service.

As stated in Article 52 of the Proclamation No, 1064/2017, the OSH is applicable to civil servants including temporary/community workers. The objective of the OSH is to maintain the safety and health of civil servants and to enhance their productivity; to arrange, improve and keep suitable work place for the safety and health of civil servants; to guarantee high level of performance of a government institution on social wellbeing; in subsequent articles from 53-59, definitions of **Accident and injury, list of the types of accidents, necessary safety measures, worker's rights in cases of accidents that result in different levels of disability (partial, temporary, permanent, etc.),** benefits and leaves, claims of compensation from third party, and other benefits to the employee are provided in details and in cases of accidents, this law is applicable. The remedies for injuries and other OHS incidents will be covered in employment contracts. The health and safety of workers while at work are protected with provisions from the **Labor proclamation No. 1156/2019**. It provides the measures to be taken to prevent occupational accidents and injuries. The Employer has the obligation to safeguards the safety and health of workers, particularly to:

- (i) Comply with the occupational health and safety requirements provided for in this Proclamation.
- (ii) Take appropriate steps to ensure that workers are properly instructed and notified concerning the hazards of their respective occupations; and assign safety officer; and establish an occupational health and safety committee.
- (iii) Provide workers with protective equipment, clothing and other materials and instruct them of their use.
- (iv) Register employment accidents and occupational diseases and report same to the labor inspection service.
- (v) Arrange, according to the nature of the work, at his own expense for the medical examination of newly employed workers and for those workers engaged in hazardous work, as may be necessary except for **HIV/AIDS** unless and otherwise the country has obligation of international treaty to do so.
- (vi) Ensure that the workplace and premises of the undertaking do not pose threats to the health and safety of workers.
- (vii) Take appropriate precautions to ensure that all the processes of work in the undertaking shall not be a source or cause of physical, chemical, biological, ergonomic, and psychological hazards to the health and safety of the workers.

- (viii) implement the instructions given by the Competent Authority in accordance with this Proclamation;

Workers (all types of workers in the OFLP ERPA) are required to comply with the requirements of the law. Hence, any worker engaged in the ERP has the obligation to:

- (i) Co-operate in the formulation of work rules to safeguard the workers' health and safety, and implement same;
- (ii) Inform forthwith to the employer any defect related to the appliances used and incidents of injury to health and safety of workers that he is aware of in the undertaking;
- (iii) Report to the employer any situation which he may have reason to believe could present a hazard and which he cannot prevent on his own, and any incident of injury to health which arises in the course of or in connection with work;
- (iv) Make proper use of all safety devices and other appliances furnished for the protection of his health and safety or for the protection of the health and safety of others;
- (v) Observe all health and safety instructions issued by the employer or by the Competent Authority.

In Chapter 13 of the proclamation, workers are entitled to the forms of benefits in the case of employment injuries include obligations of the employer, medical service benefits, various kinds of cash benefits including dependent's benefits.

It is prohibited that no worker shall:

- (i) Interfere with, remove, displace, damage, or destroy any safety devices or other appliances furnished for his protection or the protection of others; or
- (ii) Obstruct any method or process adopted to minimize occupational hazards.

The Labor proclamation gives the power for Regional Bureaus to determine standards and measures for the safety and health of workers and follow up on their implementation. It is also indicated that regional bureaus must collect, compile and disseminate information on the safety and health of workers.

It is unlawful for an employer to (a) impede the worker in any manner in the exercise of his rights or take any measure against him because he exercises his right; (b) discriminate against female workers, in matters of remuneration, on the ground of their sex; (c) terminate a contract of employment contrary to the provisions of the Labor Proclamation No. 1156/2019; (d) coerce any worker by force or in any other manner to join or not to join or to cease to be a member of a trade union or to vote for or against any given candidate in elections for trade union offices; (e) require any worker to execute any work which is hazardous to his life; (f) discriminate between workers based on nationality, sex, religion, political outlook or any other conditions.

Therefore, during ERP activities implementation, the following activities need to be performed: (i) identification of OHS risks at the ERP design stage; (ii) provision of PPEs and health, safety, and security arrangements; and (iii) training at regular intervals to workers to enhance their skills.

6. COVID-19 prevention at workplace

The Ministry of Health has published a national guideline “National Comprehensive COVID-19 Management Handbook” in April 2020 for health care professionals, decision makers and the larger public to prevent the spread of COVID-19. The Handbook has various protocols and procedures for prevention practices. The guideline is implemented at national level and the prevention protocols for the larger public are provided in section IV of the guideline.

SECTION IV: PROTOCOL FOR INFECTION PREVENTION AND CONTROL DURING HEALTHCARE WHEN SARS COV-2 INFECTION IS SUSPECTED

This Infection Prevention and Control (IPC) protocols are based on WHO infection prevention and control during health care SARS CoV-2 infection interim guidance, Ethiopian National Infection Prevention and Control Guideline, WHO guideline on hand hygiene in health care.

(i) General Precautions

The general precaution part of the protocol will be applicable after the infection is confirmed in country. Once the outbreak is declared:

- Cough hygiene should be implemented by the general public including covering mouth during coughing and sneezing with tissue or flexed elbow.
- All personnel should wear surgical masks.
- Do not shake hands, and if you do Apply ABHR or wash hands thoroughly with soap and water
- Avoid contact with a patient who is suspected or conformed for COVID-19
- Limit movement to essential purpose only
- Ensure adequate ventilation at homes
- Avoid thirst of throat, maintain rehydration

(ii) List of IPC Materials Required

- N95 mask
- Long sleeved disposable gown
- Disposable glove
- Temperature monitoring device
- Alcohol Based Hand Rub (ABHR)/ Sanitizer
- 70% Alcohol
- Leak prof biohazard bag
- 0.5% Chlorine Solution

(iii) Hand Hygiene Procedures

- All team members should perform consistent and appropriate hand hygiene procedures:

- Hand hygiene is the process of removing soil, debris, and microbes by cleansing hands using soap and water, ABHR, antiseptic agents, or antimicrobial soap.
- Hand washing is the process of mechanically removing soil, debris, and transient flora from hands using soap and clean water
- Alcohol-Based Hand Rub (ABHR) is a fast-acting, antiseptic hand rub that does not require water to reduce resident flora, kills transient flora on the hands, and has the potential to protect the skin (depending on the ingredients).

The ORCU provides protective materials; providing illustrative procedures for hand washing, social distancing and other procedures; enforce compliance to COVID-19 protocols in all workplaces. All workers of the OFLP-ERPA will be required to comply with the COVID-19 procedures.

The ORCU will provide training to community workers and local community members to create awareness on the prevention, precautions and procedures of COVID-19 protocols.

The World Bank's ESF/Safeguards Interim Note: COVID-19 Considerations In Construction/Civil Works Projects:

- The OFLP-ERP involves a mix of workers of different skills and from different sources (e.g. workers from the local communities; workers from a different part of the country) for construction maintenance works, access roads and other A/R activities in the project implementation areas. Assessing the characteristics, movement patterns and interactions with workers and local communities should be done for proper management and prevention of COVID-19 dissemination.
- Measures such as exit/entry to workplace should be monitored and documented. Establishing a system of control and checking of workers conditions is essential
- Training of staff for monitoring and informing each staff of the status and conditions is necessary
- Training workers and staff on site on the signs and symptoms of COVID-19, how it is spread, how to protect themselves (including regular hand washing and social distancing) and what to do if they or other people have symptoms
- Placing posters and signs around the site, with images and text in local languages.
- Ensuring hand washing facilities supplied with soap, disposable paper towels and closed waste bins exist at key places throughout site, including at entrances/exits to work areas; where there is a toilet, canteen or food distribution, or provision of drinking water; in worker accommodation; at waste stations; at stores; and in common spaces. Where hand washing facilities do not exist or are not adequate, arrangements should be made to set them up,
- Decreasing the size of work teams.
- Limiting the number of workers on site at any one time

7. HIV/AIDS prevention

The Ministry of Health published a “National comprehensive guideline for HIV/AIDS prevention, care and treatment” in August 2018 to prevent the spread of HIV/AIDS and control the impacts. The guideline provides categories of vulnerable people, types of workplaces where Testing Services are needed and

guiding principles are described. The guiding principles state that all forms of HIV testing and counseling should be voluntary and adhere to the five C's: consent, confidentiality, counseling, correct test results and connections to prevention, care and treatment services. Community-based HIV/AIDS testing and counseling mechanism addresses clients who don't appear at health facilities for HIV testing and counseling for different reasons. This model builds public trust and also mitigates issues related to stigma and discrimination. Providing HIV testing and counseling (HTC) in the community relieves clients from transportation and other expenses. Community-based model of HIV testing and counseling is recommended for targeted outreach testing to reach different types of workers including mobile workers, daily laborers, sex workers, long distance truck drivers and refugees.

8. Grievance Redress Mechanism (GRM)

8.1. Grievance handling procedure and principles

The GRM is essential in addressing and managing employee and employer related to conflicts and/or complaints and gender-based violence (GBV). A worker or any person who has any complaint or grievance has the right to present it and get proper response. The OFLP-ERP coordination unit or the PIU will establish accessible and functional Grievance Mechanism for all employees of the ERP as described in the above sections.

In the Article 141 of the Labor Proclamation No. 1156/ 2019, it is clearly stated that employers and workers or their respective associations may use social dialogue to prevent and resolve labor disputes amicably.

In the Article 74 of the Federal Civil Servants Proclamation 1064/2017, labor grievance is described as any complaint of a civil servant that could not be resolved through discussion conducted with the civil servant's immediate supervisor or concerned officer and should be addressed through a formal review procedure. The objectives of the civil servant's grievance handling procedure are to:

- provide expeditious remedy to grievances
- rectify weaknesses and mistakes that are causes for grievances
- provide equitable and fair treatment to all civil servants and thereby promote smooth work relationships

The following principles of GRM will apply during the implementation of the LMP

- The ERP workers GRM is not same as the grievance mechanism to be established for project affected stakeholders.
- Both direct and contracted workers will be informed on the grievance mechanism at the time of recruitment and the measures put in place to protect them against any reprisal for its use.
- The grievance mechanism will be easily accessible via the disclosure of a hotline and/or office hours and transparently disclosed to all employees to raise workplace concerns. It shall be accessible to the direct workers, contract workers and community workers.
- The grievance mechanism shall be transparent in using clear procedures.
- The aggrieved parties shall be informed within 10 days of their grievance application, either with a respective solution or with a request of extension in cases where more information is needed.
- The aggrieved party shall have the option to refer to a grievance log with key information that will be established by the regional bureau of agriculture.
- Grievance logbook will be maintained in the project office.
- The Project workers grievance mechanism will not prevent workers to use judicial procedure, if preferred.
- The quarterly environment and social implementation should include reports on grievances related to labor. If not satisfied with the outcome of the regional level, the aggrieved party shall be able to access a second level committee at the region and federal level.

8.2. Establishment of a grievance handling committee

The OFLP formed usually forms an *ad hoc* committee to handle workers' grievances that arose during program implementation. However, there have not been any serious cases and grievances arising from lower structure of the management has been handled and solved by the local cultural grievance redress mechanisms. From the parent OFLP implementation, as per the ORCU report, about 5000 Grievance Redress Committee were established across the OFLP implementation Woredas in the Oromia region to resolve any actual and potential disputes and conflicts that may arise in the process of implementing OFLP. The GRC will continue serving throughout the OFLP-ERP period. The experience shows that grievances are smoothly handled by the local committee and no escalations of cases were needed. The cultural setup has proved to function well. The experience showed that GBV cases were not filed so far to the GRC of the OFLP. However, GBV related complaints are filed through the same structure (shown in figure 1 below) and at the Woreda level, and the case will be referred to the Woreda women, youth and children office for appropriate analysis of the case and recommendation of resolution.

As per the labor proclamation 1064/2019 provisions, any government institution shall establish a grievance handling committee that conducts grievance inquiry and submits recommendations to the head of the government institution at the various hierarchy levels. Duties of grievance handling committee are described as follows.

A grievance handling committee shall have the duty to investigate complaints lodged by civil servants and submit recommendations relating to:

- Interpretation and implementation of laws and directives
- Protection of rights and benefits
- Occupational safety and health
- Placement and promotion
- Performance appraisal
- Undue influence exerted by supervisors
- Disciplinary measures taken pursuant to sub article (1) a and b of article 69.

8.3. Administrative decision

This is a decision given in writing by the head of a government institution in cases of matters referred to as labor grievance on the recommendation of disciplinary or grievance committee on other matters directly falling into his/her authority in accordance with the law.

8.4. Civil Servants Administrative Tribunal

Civil Servants related grievance cases that are not resolved through the grievance mechanism and also cases that worker opt for appeal on administrative decisions are referred to civil servants administrative tribunal at the different level of administrative hierarchy. The tribunal is a formal court presided by judges.

8.5. Labor dispute settlement

Labor disputes, arising from any worker (especially community workers) that is reviewed through various levels of the OFLP structure, but unresolved through the grievance mechanism can be forwarded to the labor settlement courts. The Labor proclamation No. 1156/2019 has provisions on labor dispute settlement between a worker and an employer. “Labor dispute” as defined in the proclamation is, any dispute between a worker and an employer or trade union and employers’ association in respect of the application of law, collective agreement, work rules, employment contract and also any disagreement arising during collective bargaining or in connection with collective agreement.

The proclamation laid out the procedures to settlement labor disputes through a legally established labor court at the regional and federal levels. However, it has provisions for alternative labor dispute settlement mechanisms before taking the issue to a labor court. These mechanisms, as described from Articles 141-144, include social dialogue through a conciliator, defining the process of assigning a conciliator, responsibilities and arbitration of settling the issue in accordance with the law.

8.6. World Bank Grievance Redress System

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

9. Roles and Responsibilities to oversee implementation of the LMP

The PIU (ORCU) is the highest responsible body for the proper implementation and management procedure through its organizational structure and the appropriate government institutions at the different level of administration. The ORCU management team will address all direct worker related complaints using its internal instruments such as the HR policy manual, the organizational Code of Conduct, the labor grievance committee, and through the appropriate legal institution. Cases that may require the involvement of the Federal institutions including the EFD, Environmental Protection Authority (EPA), and Civil Servant Tribunal will involve in resolving complex and those which require legal institution intervention. The roles and responsibilities are described along with the structure in Annex 1.

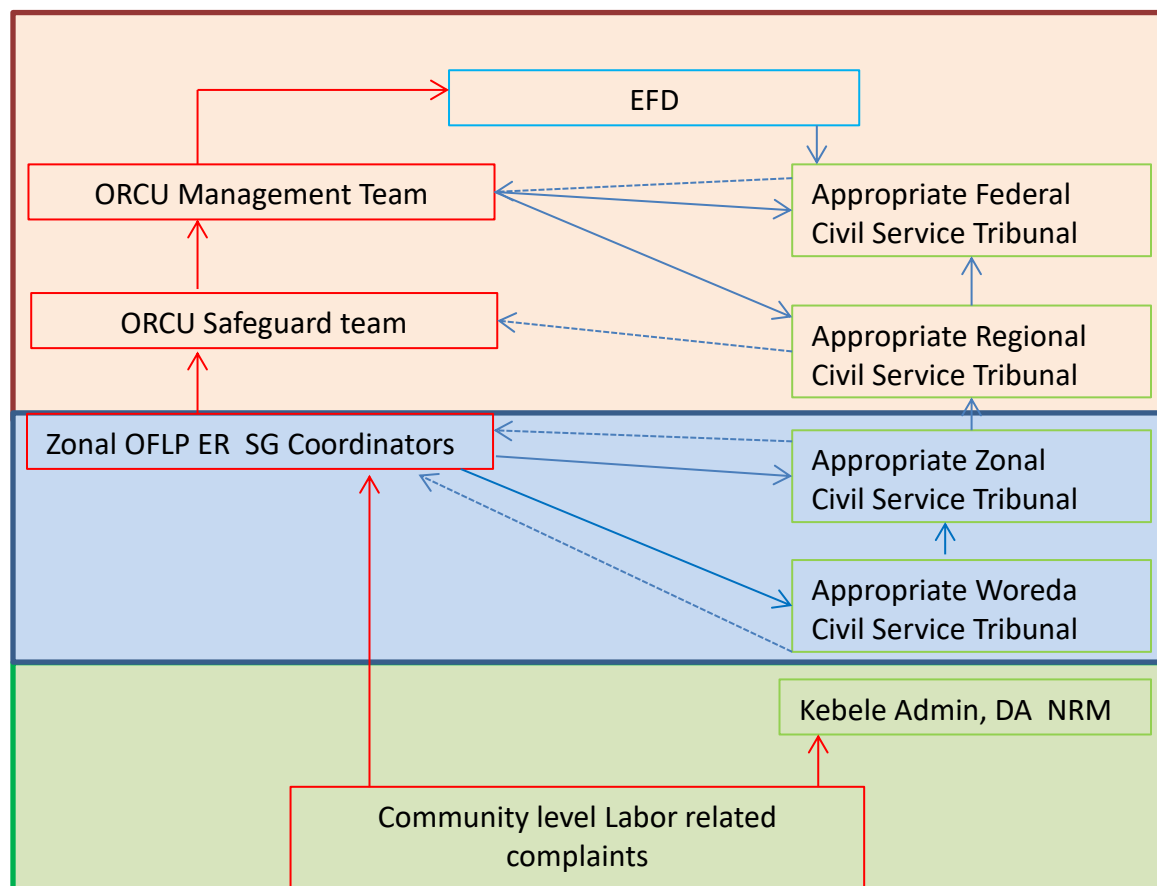


Figure 1 Grievance Redress mechanism in the LMP implementation and management structure

There have not been any labor related grievances escalated from the lower level to the second highest level. The OFLP experience shows that labor related grievances are mostly addressed through dialogue and cultural resolution methods e.g., Shimgilina).

Annex 1: Roles and responsibilities of the organizational structure of the ORCU implementation in handling labor grievances and OHS risk management

OFLP-ERP Management Structure Layer	Roles and Responsibility
Regional REDD+ Coordination Unit (ORCU)	• Receive and compile unresolved complaints of legal nature • Resolve complaints through the relevant legal means • Compile and escalate unresolved complaints of legal nature to the EFD, appropriate regional and federal legal institution • Communicate outcome of resolved complaints in written form to the Zonal OFLP SG coordinator • Make sure OHS risk management system is in place • Ensure training of workers on OHS and provision of personal protective equipment to the project workers, where appropriate • Facilitate OHS trainings and ensure compliance with health and safety requirements • Communicate clearly job descriptions and employment conditions to all workers • Maintain records of recruitment and employment of contracted workers as provided in their contracts • Establish a system for regular review of OHS performance and the working environment • Put in place OHS measures for: ▪ identification of potential hazards to project workers (ESS2 para 25(a)) ▪ maintenance of OHS training records (ESS2 para 25(c)) ▪ documentation and reporting of accidents and injuries (ESS2 para 25(d)) ▪ emergency preparedness and response (ESS2 para 25(e)) ▪ remedies for adverse impacts such as injuries, disabilities, and deaths (ESS2 para 25(f))
Zonal OFLP ERPA Safeguard Coordinator	• Receive and compile unresolved complaints of legal nature at the Zonal level • Resolve complaints through the relevant legal procedures and guideline • Escalate unresolved complaints of legal nature to the regional Coordinator • Communicate outcome of resolved complaints in written form to the Kebele OFLP coordinator • Make sure OHS risk management system is in place

	• Ensure training of workers on OHS and provision of personal protective equipment to the project workers, where appropriate • Facilitate OHS trainings and ensure compliance with health and safety requirements • Communicate clearly job descriptions and employment conditions to all workers • Maintain records of recruitment and employment of contracted workers as provided in their contracts • Establish a system for regular review of OHS performance and the working environment • Put in place OHS measures for: ▪ identification of potential hazards to project workers (ESS2 para 25(a)) ▪ maintenance of OHS training records (ESS2 para 25(c)) ▪ documentation and reporting of accidents and injuries (ESS2 para 25(d)) ▪ emergency preparedness and response (ESS2 para 25(e)) ▪ remedies for adverse impacts such as injuries, disabilities, and deaths (ESS2 para 25(f))
Woreda OFLP ERPA Coordinator	• Receive and resolve minor labor related complaints within the realm of authority • Compile and escalate unresolved labor related complaints to Woreda Administration Labor Office • Escalate unresolved labor complaints to Zonal OFLP ERPA coordinator • Communicate outcome of resolved complaints in written form to the Kebele OFLP coordinator • Make sure OHS risk management system is in place • Ensure training of workers on OHS and provision of personal protective equipment to the project workers, where appropriate • Facilitate OHS trainings and ensure compliance with health and safety requirements • Communicate clearly job descriptions and employment conditions to all workers • Maintain records of recruitment and employment of contracted workers as provided in their contracts • Establish a system for regular review of OHS performance and the working environment • Put in place OHS measures for: ▪ identification of potential hazards to project workers (ESS2 para 25(a))

	▪ maintenance of OHS training records (ESS2 para 25(c)) ▪ documentation and reporting of accidents and injuries (ESS2 para 25(d)) ▪ emergency preparedness and response (ESS2 para 25(e)) ▪ remedies for adverse impacts such as injuries, disabilities, and deaths (ESS2 para 25(f))
Kebele OLFP-ERP facilitator	• Receive any labor complaints in oral and/or written form • Report the same labor related complaints to the Kebele Labor Grievance Committee

Annex 2: Positions and number of workers in the ORCU OFLP-ER implementation structure

Administrative level	Positions	Total number of staff
Region	Program Coordinator	1
	Social Safeguards Specialist	2
	Environmental Safeguards Specialist	2
	M&E Specialist	1
	Financial Management specialist	1
	MRV Specialist	8
	Procurement Specialist	1
	IT Specialist	1
	Drivers	3
	Secretary Cashier	1
Sub-total 1		21
Zonal		
	OFLP Safeguards Coordinators-cluster level	6
Sub-total 2		6
Grand total		27