

Digital Transformation for Africa / Western Africa Regional Digital Integration Programme (DTfA/WARDIP)

P176932

LABOR MANAGEMENT PROCEDURES

**For portion of WARDIP-SOP1 being implemented by the ECOWAS
Commission**

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GLOSSARY

Acronym	Definition
AIDS	Acquired Immuno-Deficiency Syndrome
CMS	Case Management System
COVID	Corona Virus Disease
DFS	Digital Financial Services
DTfA	Digital Transformation for Africa
ECOWAS	Economic Community of West African States
ESCP	Environmental and Social Commitment Plan
ESF	Environmental and Social Framework
ESHS	Environmental, Social, Health and Safety
ESRM	Environmental and Social Risk Management
ESS	Environmental and Social Standards
GBV	Gender Based Violence
HIV	Human Immuno-Deficiency Virus
ILC	International Labour Conference
ILO	International Labour Organisation
LMP	Labour Management Procedures
MFD	Maximizing Finance for Development
NGO	Non-Governmental Organisation
OHS	Occupational Health and Safety
PCM	Private Capital Mobilisation
PIU	Project Implementation Unit
PPE	Personal Protective Equipment
PPP	Public Private Partnership
PWD	Persons with Disabilities
SDM	Single Digital Market
SEA/SH	Sexual Exploitation and Abuse/Sexual Harassment
SMS	Short Messaging Service
VAC	Violence against Children
WARDIP	Western Africa Regional Digital Integration Program
WHO	World Health Organisation

1. INTRODUCTION

This Labor Management Procedures (LMP) document is intended to address the specific labor related risks and impacts that are anticipated to occur because of the implementation of the Digital Transformation for Africa/Western Africa Regional Digital Integration Project (DTfA/WARDIP). The LMP sets out a formal system by which the ECOWAS Commission in implementing the regional grant portion of the project will manage and implement mitigation measures to avoid or reduce impacts on personnel working on the project. LMP includes the policies, rules, regulations, procedures, and competencies which govern and regulate the workforce including skilled, semi-skilled and unskilled workers in an agency or organization. The general expectation is that the respective organization should have systems designed to best ensure workers can safely participate in employment.

1.1 Purpose and Objectives of the LMP

The LMP will facilitate the planning and implementation of the project's activities in relation to its labor force, including identification of labor requirements and risks, and impacts and the required resources to address them. It will enable different project-related parties including staff of the PIUs, contractors and sub-contractors to understand what is required on a specific labor issue.

The objectives of the LMP include to:

- i. promote fair treatment, non-discrimination, and equal opportunity for project workers.
- ii. Ensure the protection of project workers, including vulnerable workers such as women, persons with disabilities and migrant workers, contracted workers, and primary supply workers, as appropriate.
- iii. Provide a system for preventing the use of all forms of forced labor
- iv. Address child labor, and prevent worst forms of child labor
- v. Promote the principles of freedom of association and collective bargaining of project workers in a manner consistent with national labor laws, policies, regulations and the ESS2
- vi. Promote occupational, health and safety at sub-project sites
- vii. Provide a Grievance Mechanism (GM) for project workers to raise their concerns

The LMP is in line with the ECOWAS Staff Regulations, which lay out the conditions of employment and specifies the rights, obligations, and privileges of Staff Members of ECOWAS institutions. It is also in line with the national requirements of the Federal Republic of Nigeria, which is the host country of the ECOWAS Commission, in which the PIU will be setup for the operation of the project and implementation of its activities. The LMP is also designed to satisfy the World Bank's Environmental and Social Framework (ESF) objectives, specifically the Bank's Environmental and Social Standards (ESS). The key ESF environmental and social principles applicable by the LMP are part of the Labor and Working Conditions (ESS2).

The ESS2 Labor and Working Standard obliges the Borrower to develop and implement written labor management procedures (LMP) applicable to the Project. The LMP will set out the way in which project workers will be

managed, in accordance with the requirements of the national laws of the country where the Project activities will be implemented and the provisions of ESS2.

1.2 Scope of the LMP

The LMP applies to project workers including full-time, part-time, temporary, migrant workers, and where applicable, to workers of primary suppliers, etc. The LMP will cover issues on occupational health and safety (OHS), gender-based violence (GBV) including sexual exploitation or abuse / sexual harassment (SEA/SH) labor influx, labor grievance mechanisms, security personnel, discrimination against workers, forced labor, code of conduct etc. on the Digital Transformation for Africa/ West Africa Region Digital Integration Program (DTfA/WARDIP) activities implemented by the ECOWAS Commission.

To promote good labor practices and to align with the Bank's social and environmental requirements under ESS2, the LMP considers the local labor laws and policies of the Federal Republic of Nigeria and the ECOWAS staff regulation adopted by the Council of Ministers of ECOWAS to govern the administration and safeguard of rights of persons working for ECOWAS institutions. Relevant details of the Staff Regulation in relation to labor and working conditions are found in Chapter 4.

As the LMP is a living document, it will be updated, if needed, throughout implementation of the Project as warranted.

2. DESCRIPTION OF THE PROJECT

The DTfA/WARDIP SOP1 aims to increase broadband access and usage and strengthen the foundations for the establishment of a single digital market in Western Africa. The components of the project within the scope of implementation of the ECOWAS grant are as follows:

Component 2: Connectivity Market Development and Integration

This component aims to develop and integrate the regional connectivity market in a way that encourages private sector competition and investments. Market failures in the telecom sector will be addressed by (i) strengthening the policy and regulatory framework to foster a leveled playing field, (ii) harmonizing digital market environment and sector policies to ensure cross-border interconnection of networks and services, (iii) providing catalytic public funding to connectivity infrastructure PPP projects to increase the resilience of international and core backbone connectivity, and (iv) coordinating between stakeholders to stimulate private investment appetite. This component is also designed to establish a framework for energy-efficient and climate-resilient digital infrastructure-related investments in the region. It comprises the following:

Sub-component 2.1: Legal, regulatory, and institutional capacity for the telecommunications sector and digital economy. This subcomponent is designed to support modernization of regional legal, regulatory, and institutional frameworks governing the telecommunications sector to foster competition and private sector investments in Western Africa. This subcomponent will also support environmental policy approaches and instruments to promote national and regional climate-resilient and energy-efficient solutions in the sector. Activities will include:

- (i) TA to help ECOWAS member states implement the new ECOWAS legal and regulatory framework for digital economy to ensure regional policy and regulatory coordination in West Africa.
- (ii) TA to support the establishment of a regional technical working group under ECOWAS to support policy and regulatory coordination and knowledge sharing for connectivity market integration among its member states.
- (iii) TA for development of regional guidelines and standards to reduce the environmental impact of the digital sector in West Africa.
- (iv) TA to support the evolution and sustainability of the ECOWAS digital observatory, the portal that collects and collates data on the Digital Economy sector in the region.
- (v) TA to conduct an implementation review of the action plan in the 2024 - 2028 ECOWAS digital sector development strategy.
- (vi) TA to support the implementation of the ECOWAS Regulation on Roaming.

Subcomponent 2.2: International and national backbone network infrastructure. This subcomponent will address missing links in the communications network to increase resilience and coverage of core regional broadband networks. It will encourage private sector investment in connectivity infrastructure deployment using the MFD and PCM approach. Activities will include:

- (i) TA to ensure private sector participation in ECOWAS regional digital infrastructure projects. The project will support development of the Amilcar Cabral Project that ECOWAS is leading by providing transaction advisory support and assistance with developing the appropriate PPP structure and roles and responsibilities for participating countries and the organizational structure of the project.
- (ii) Amilcar Cabral Project political level agreement/mechanism

Component 3: Data Market Development and Integration

This component aims to build trust in online transactions and strengthen the security and resilience of digital infrastructure and systems as a prerequisite for a functioning SDM. It will support reforms to enable secure cross-border data exchange, storage, and processing to support regional deployment and access to data-driven services, innovation, and infrastructure. It will support the development of a harmonized data and cybersecurity enabling environment, incentivizing public, and private deployment of data-driven services. Activities will include:

Subcomponent3.1: Data safeguards: Legal, regulatory, and institutional capacity for cybersecurity. This subcomponent is designed to implement data safeguards to enhance the security of the digital infrastructure. It will complement the ongoing efforts of the ECOWAS Commission by developing an enabling environment and institutions to protect the public and private sectors from cyberthreats. Activities will include:

- (i) TA for a feasibility study on establishing a regional cybersecurity regional coordination and training center.
- (ii) Financing of pooled regional resources and events in cybersecurity
- (iii) Capacity building for member countries in Cybersecurity

Component 4: Online Market Development and Integration

This component aims to promote creation, access and delivery of digital goods and services seamlessly and freely across the region. This component aims to harmonize infrastructure and regulatory frameworks, remove barriers to cross-border access and delivery of digital goods and services, and support the creation of new digital services. The component will foster digital entrepreneurship ecosystems, harmonize technologies and legal frameworks for Digital Financial Services (DFS) aligned with international standards and achieve integration as a precursor for enabling e-commerce transactions. It will also emphasize initiatives to increase service uptake by enhancing digital literacy and skills and expanding the availability, effectiveness, and quality of key public online services for regional integration to acquaint people with use of e-services. It comprises the following:

Subcomponent 4.1: Digital adoption for regional integration: e-commerce, digital entrepreneurship, and digital skills. This subcomponent is designed to facilitate digital adoption by promoting e-Commerce in West Africa. It is designed to initiate a cultural shift toward digital transformation of the private sector by harmonizing e-commerce policies and frameworks in the region and thus reducing adoption costs for e-Commerce. Activities will include:

- (i) TA and capacity-building training to support the national adoption of or alignment with the ECOWAS regional e-commerce strategy.
- (ii) TA to improve data collection on cross-border e-commerce in the region, including development of stakeholder consultations and awareness-raising workshops to harmonize e-commerce data for creating a common e-commerce methodology
- (iii) TA to foster inclusion for e-commerce development in ECOWAS, including study to develop a program focus on women and youth, on PWD.

Subcomponent 4.2: Access and use of digital financial services. This subcomponent is designed to promote innovation, investment, and adoption of digital financial services. It will support modernization of policy, legal, and regulatory frameworks, which are currently preventing the region from introducing new non-bank digital financial products, to facilitate widespread adoption of digital forms of financial services. Activities will include:

- (i) TA to promote cross-border payment and settlement systems integration

Subcomponent 4.3: Digital government services for regional integration. This subcomponent is designed to help make public services widely accessible online across regional borders to accelerate the regional online market. It will support the identification of priority digital public services to be coordinated at the regional level and facilitation and monitoring of national introductions. Activities will include:

- (i) TA to define a list of priority public digital services for regional integration.
- (ii) Capacity building through support for delivery of two workshops per year for exchange of best practices among member countries.

Component 5: Project Management and Implementation Support

This component will finance project management and implementation of project-associated activities, including procurement, financial management, monitoring and evaluation, project communication, safeguards, and citizen engagement. It will cover the operating costs of the project implementation unit (PIU); help increase the technical

and functional capacity of the PIU, including recruitment of expert consultants in key areas and facilitation of on-the-job learning and competency transfer; and support independent audits and quality assurance to ensure compliance with best procurement and financial management practices. In addition, support with upgrade and enhancement of IT equipment and systems in ECOWAS will be financed.

3. OVERVIEW OF LABOR USE ON THE PROJECT

3.1 Project Activities Requiring Labor Use

The following types of workers are expected to be engaged in the project:

- a) Direct workers include the staff of ECOWAS Commission and staff of the PIU who will work on the project for the duration of the project preparation and implementation.
- b) Contracted workers will be engaged in implementing activities under components 2, 3 and 4. These will include Consultants and contractors who engaged from time to time to conduct technical assessments or studies, and other related technical work when necessary (under components 2, 3, 4)
- c) Primary Supply Workers are suppliers who, on an ongoing basis, provide goods or materials directly to the Project (relevant for component 5)
- d) Potential use of migrant workers/specialized workers outside the project area because of the international and technical nature of the Project. As the ECOWAS Commission is an international organization, roles will typically be open for application by citizens from any of the ECOWAS Member States outside Nigeria. The ECOWAS Commission will be responsible for ensuring that any employment/engagement of migrants for the project will conform to the provisions of ESS2 and the ECOWAS Staff Regulation.

The activities implemented under this project will not require community workers as defined under ESS2. No infrastructure or construction works are expected to be implemented within the scope of ECOWAS's activities. No work camps will be established as part of this project.

The activities under Components 2, 3 and 4 of the DTfA/WARDIP SOP1 are primarily TAs to carry out studies, provide advisory services and facilitate capacity building activities as described under Section 2. The type of labor required for these activities are therefore Technical Specialists/Consultants.

3.2 Number of Project workers

The PIU established within the ECOWAS Commission for the regional grant implementation makes provision for 6 staff members. The project activities pertaining to the implementation of the activities under Components 2, 3 and 4 envisage the use of individual consultants and consulting firms to provide technical assistance and capacity building services. The exact number cannot be estimated at this time until the Terms of References for the respective activities are finalized. The PIU will therefore provide these numbers as part of regular monitoring and updates to the World Bank.

Table 1

Table 1: PIU Staff

PIU Staff	Activities	Number
Project Coordinator	Provide the necessary project management and technical assistance required to support the entities and stakeholders involved in implementation of the Project to ensure effective delivery	1
Project Assistant	Assist the project coordinator in the execution of day-to-day operations of the project's activities	1
Procurement Specialist	Support the PIU in all procurement processes of engaging project consultants and procuring goods, non-consulting services and works related to the Project	1
Financial Management Specialist	Support the PIU in all aspects of financial management and monitoring of project funds	1
Monitoring and Evaluation Specialist	Monitoring and evaluation of project activities according to project M&E arrangements and Results Framework	1
Environmental and Social Specialist	Monitor the implementation of the ESCP and preparing reports on all environmental and social issues	1
Total		6

Table 2: Consultancy Services for the implementation of DTfA/WARDIP Components

Components	Type	Number (est.)
Component 2: Connectivity Market Development and Integration	For Intellectual Services: - Individual consultants - Consulting firms	6
Component 3: Data Market Development and Integration	For Intellectual Services: - Individual consultants - Consulting firms	3
Component 4: Online Market Development and Integration	For Intellectual Services: - Consulting firms	5
Total		14

3.3 Characteristics of Project workers

The Project will recruit and manage project personnel in full compliance with the ECOWAS Staff Regulations, the ECOWAS Procurement Regulations (in relation to recruitment of consultants) as well as the World Bank's Environmental and Social Standard on Labor and Working Conditions (ESS2). Given the scope of activities of the project, the workers can be characterized as skilled labor as they are technical personnel with advanced specialist training e.g., consulting professionals and project administration staff.

Given the regional nature of project activities, the project will ensure that recruitment of the staff of the PIU is open to nationals of all Member States. For all categories of workers on the project, the ECOWAS Commission and PIU will ensure through screening of received applications that the employment/engagement of anyone under 18 years of age in relation to the project is prohibited.

4. ASSESSMENT OF KEY POTENTIAL LABOR RISKS

The scope of the DTfA/WARDIP to be implemented by the ECOWAS Commission includes a series of technical assistance, intellectual studies, advisory services and organization of workshops and studies. The specific activities to be carried out are listed and described under Section 2: Description of the project. The type of labor required for these activities are therefore Technical Specialists/Consultants.

These activities will mostly be managed from the PIU which will be situated within the ECOWAS Commission in Abuja, Nigeria. Short-term consultants, estimated to be fourteen (14) as provided in table 2, will also be hired to carry out specific project activities. Such consultants will be required to work remotely where they are domiciled, except for expected travels to attend project-related meetings wherever they may be held within the West Africa region. No civil or construction works are expected to be implemented within the scope of the project activities.

As at the appraisal stage of the project, the overall risk rating was substantial for both environmental and social aspects. However, this rating is attributed to the unfamiliarity of the responsible Directorate within the ECOWAS Commission with the World Bank E&S framework. To address this, close support and capacity-building sessions will be provided to help concerned staff in the Directorate who are associated with the project. A part-time E&S specialist will also be engaged for the implementation, follow-up, and reporting of the E&S commitments agreed in the ESCP.

Key labor risks that may be associated with the project activities and their mitigation measures are described in the following subsections:

4.1 Forced Labor

Forced labor will not be permitted on the (DTfA/WARDIP) project, this is strictly prohibited by the ECOWAS Staff Regulations and ECOWAS Labour and Employment Policy of 2009, the project Environmental and Social Risk Management (MFD) guide and the World Bank ESS2.

For the reference of partners, this may also include excessive limitations of freedom of movement, imposition of recruitment or employment fees payable at the commencement of employment, loss or delay of wages that impede the workers' right to end employment within their legal rights, substantial or inappropriate fines, physical punishment, use of security or other personnel to force or extract work from project workers, or other restrictions that compel a project worker to work in a non-voluntary basis.

Unannounced visits by (DTFA/WARDIP)'s E&S Safeguard Specialist and relevant technical services will effectively identify cases of forced labor and refer such cases to the criminal justice system. A review of lessons learned from the experiences of previous projects and its implementing partners in ECOWAS PIU highlights the absence of forced labor. However, a specific monitoring procedure will be put in place by the (DTFA/WARDIP) ECOWAS PIU in close collaboration with the beneficiary member states and other interested parties.

4.2 Child Labor

Child labour in Nigeria is the employment of children under the age of 18 in a manner that restricts or prevents them from basic education and development. The risk of occurrence of child labor in the execution of project activities is negligible, as it is not possible to recruit child labor to the Technical Consultants/Specialist roles required for the activities. Generally, TORs advertised for each of the roles will require years of post-graduate work experience, which cannot normally be satisfied by persons under the age of 18 years. Government identification (passport, national ID card, birth certificate / affidavit of birth) will be requested from candidates who are successful in the recruitment process and their ages will be verified to confirm that they are above the ages of 18.

4.3 Occupational Health and Safety (OHS) risks

Risks associated with OHS as stipulated in ESS2 are aimed at protecting project workers from injury, illness, or impacts associated with exposure to hazards encountered in the workplace or while working. The activities within the current scope of the project are primarily TAs to carry out studies, provide advisory services, and facilitate capacity-building activities as described under Section 2. No infrastructure or construction works are expected to be implemented. As such OHS risks are limited to the working environment where the PIU is situated and are therefore under the management and control of the ECOWAS Commission.

Project staff will be required to adhere to all the instructions of the Directorate in charge of Administration and General Services at the ECOWAS Commission regarding Health and Safety at work, in line with the occupational health and safety requirements provided in Directive on Minimum Standards towards the Harmonization of Labour Laws of ECOWAS Member States, especially in Part VII – Protection of Occupational Safety and Health. PIU workers will be given an orientation of the Health and Safety measures on duty.

As the project scope is regional, there may be some travel by PIU staff outside Nigeria to participating countries and other Member States of ECOWAS. Travel-related risks will be managed by complying with travel guidelines of the Commission, which include the use of official vehicles and drivers supplied by the Transport Unit for land trips, and the use of flights on the approved list of the Travel Unit.

In relation to security risks, security assessments are regularly conducted by the Security Division within the Commission, and security bulletins are published and disseminated to staff. The Commission will ensure strict compliance of PIU staff and contractors to these security advisories in the same manner as any ECOWAS staff.

4.4 Other Risks

Aside from the risks enumerated above, ESS2 required consideration and management of the following risks:

- The conduct of hazardous work, such as working at heights or in confined spaces, use of heavy machinery, or use of hazardous materials
- Presence of migrants or seasonal workers
- Risks of labor influx
- Accidents or emergencies, with reference to the sector or locality

Due to the nature of project activities, the likelihood of occurrence of these risks and incidents is very minimal.

5. BRIEF OVERVIEW OF LABOR AND OCCUPATIONAL HEALTH AND SAFETY (OHS) LEGISLATION

5.1 Labor Policies and Guidelines

ECOWAS adopted a Labour and Employment Policy in 2009 in Abidjan at the Abidjan Conference of Labour and Employment Ministers of the various member countries.

The objective of this policy is to promote the rational use of human resources to stimulate development in the sub-region. The objectives of this labour and employment policy include:

- To promote the harmonisation, coordination, use and implementation of common policies and programmes across member countries;
- Laying the foundations for equal treatment in the workplace;
- Support the eradication of child labour;
- Develop the promotion of occupational health and safety;
- Ensuring worker/employment protection;
- Strengthening social dialogue;
- Encouraging dispute prevention and resolution;
- Strengthening trade unions;
- Controlling labour migration etc.

The ECOWAS Labour and Employment Policy aims to cover the following priority areas to which Member States are committed to:

1. **Principle of subsidiarity:** which defines and justifies the added value and respective roles of each type of stakeholder: regional and international (ECOWAS Commission, ILO, regional umbrella organisations) who intervene only in areas where national action has not been sufficiently effective; and national stakeholders consisting of representatives of the state, workers and employers, civil society, etc.

2. **Labour market regulation and employment conditions for the formal and informal sectors.** This involves the promotion and overall harmonisation of labour market regulations in the region, and covers both the formal and informal sectors.
3. **Promotion of dignified and decent employment:** improving employment opportunities for young people; eradication of child labour; eradication of trafficking in persons for labour exploitation; eradication of gender gaps in employment and pay.
4. **Promoting labour migration and integration:** promoting the rights of migrant workers; eliminating trafficking in persons; creating an enabling environment for migrants, especially those in the diaspora, for the development of their countries.
5. **Child labour.** ECOWAS shall adopt the necessary measures to eradicate child labour; encourage child development and education; discourage child employment; and encourage tripartite assessment of child labour issues in relation to labour issues.
6. **Trafficking in persons.** ECOWAS shall adopt the necessary measures to eradicate trafficking in persons for labour exploitation, including the establishment of a tripartite mechanism to assess labour trafficking issues.
7. **Equal opportunities in the workplace.** Member States are urged to promote the following trilogy in the workplace: promoting equality between men and women; tackling discrimination; and integrating people with disabilities. In this regard, all Member States must address anti- discrimination and stigma legislation and gender mainstreaming issues so that equal opportunities, equal pay and equal access are guaranteed to all citizens and implemented.
8. **Adequate, financially sustainable and modern social security systems.** Member States are required to ensure income security and financial autonomy in particular for disadvantaged groups.
9. **Occupational safety and health in the workplace.** Member States are urged to promote occupational health and safety measures in the workplace and to provide cross-border health care for all, particularly with regard to the scourge of HIV/AIDS, malaria and infectious diseases.
10. **Promotion of social dialogue and tripartism.** Member States are enjoined to promote representativeness and inclusiveness in order to prevent/reduce/resolve conflicts, achieve participatory/industrial democracy and harmony in the workplace.

ECOWAS has also developed the Guidelines on Minimum Standards for the Harmonisation of Labor Law in ECOWAS Member States. There are twelve parts to this document, the most important being:

- Part II - Freedom of movement and freedom to work
- Part III - Right to fair remuneration and wage protection
- Part IV - The right to employment protection
- Part V - Equal treatment for men and women workers
- Part VI - Prohibition of child labour and protection of young workers
- Part VII - Protection of safety and health at work
- Part VIII - Respect for the dignity of men and women workers
- Part IX - Freedom of association and collective bargaining
- Part X - Right to information, consultation and representation
- Part XI - Right to social protection

Importantly, these ECOWAS directives on minimum standards for the harmonisation of labour law in member states are broadly met by all countries. Indeed, all ECOWAS countries have adopted and implemented a relatively comprehensive set of laws and regulations on labour law and conditions of use of labour.

All ECOWAS member countries are signatories to ILO and United Nations conventions and treaties on working conditions and respect for workers' rights including:

- a. Convention No. 29 on Forced Labor, ILC, 14th Session, Geneva, June 1930. b) Convention No. 87 on Freedom of Association and Protection of the Right to Organize, ILC, 31st Session, Geneva, June 1948
- b. Convention No. 98 on the right to organize and collective bargaining, ILC, 32nd session, Geneva, June 1949
- c. Convention No. 100 on equal remuneration, ILC, 34th session, Geneva, June 1951. e) Convention No. 105 on the abolition of forced labour, ILC, 40th session, Geneva, June 1957. f) Convention No. 111 concerning discrimination (employment and occupation), ILC, 42nd session, Geneva, June 1958
- d. Convention No. 138 on minimum age, ILC, 58th session, Geneva, June 1973. h) Convention No. 182 concerning the prohibition of the worst forms of child labor and the action with a view to their elimination, CIT, 87th session, Geneva, June 1999.
- e. C190 - Violence and Harassment Convention, 2019 (No. 190). j) Regulation C/ REG13/06/13 establishing the Regional Tripartite Social Dialogue Forum of the ECOWAS

In addition to the above references, Regulation C/REG13/06/13 establishing the ECOWAS Tripartite Social Dialogue Regional Forum will be applied. Regulation C/REG 13/06/13 stipulates for employers and workers the promotion of social dialogue at all levels as well as compliance with labor legislation at national level.

The terms established by the legal provisions in force include the principles of equity and equal access to work. Any discrimination based on race, color, sex, religion, etc. is prohibited. ILO texts and conventions, the basis of ECOWAS regulation C/REG 13/06/13, provide for provisions in terms of remuneration, working hours and worker's rights, including leave and freedom to join. to the workers' organization of his choice. The project will provide for the provision of all this information to any newly recruited worker; inform staff of any modification occurring during the contract as well as at the end of the contract. Workers will be informed of all withholdings and deductions at source that will be made on their remuneration in accordance with the provisions of the laws and regulations applicable to them

In addition, and in line with the above, the ECOWAS Council of Ministers have also adopted a set of ECOWAS Staff Regulations, which lay down the conditions of employment and specify the rights, obligations, and privileges of staff members of ECOWAS Institutions. Key components of the staff regulations relevant to the project are documented below:

5.1.1 Ethical Standards

Staff members must show integrity and ensure utmost respect for ECOWAS's interests. In this regard, they must be mindful of respecting the ethical standards adopted by ECOWAS and abstain from any action that may

jeopardise the achievement of ECOWAS' objectives or result in a conflict of interest in accordance with the ECOWAS Code of Ethics.

5.1.2 Working Hours and Official Holidays

Staff members shall be present at their duty post and shall discharge diligently tasks assigned. The daily working hours within ECOWAS Institutions is eight (8) hours, that is forty (40) hours per week. Working hours are fixed from 9am to 5pm including one-hour (1) break.

Staff members are entitled to the following paid holidays:

- a. 28th May, ECOWAS Day, marking the anniversary of the signing of the ECOWAS Treaty which created the organization.
- b. Official public holidays are observed in the host country of the institution.

Staff members shall be granted a paid work-free day on the national day of the country of origin.

5.1.3 Outside Activities and Interests

A Staff Member shall not undertake any other paid professional activity without prior authorization of the Head of the Institution.

A Staff Member shall discharge their civic rights; however, they shall not engage in any political activity or pursue an elective position incompatible with the independence and impartiality required by his/her status as a Staff Member.

Staff Member shall not accept from any other source, any honorary award, decoration, remuneration, gratification or favours incompatible with his/her obligations and duties towards ECOWAS except by authorization from the President of the Commission.

Staff Member shall neither seek nor accept any instructions from any government, or national or international authority.

A Staff Member holding interests in any company prior to his/her appointment in an ECOWAS Institution or who has acquired shares while in service shall disclose this information to the Head of the Institution in accordance with the ECOWAS Code of Ethics. Moreover, the Staff Member shall undertake in writing not to be involved in the management of such Companies.

A Staff Member who is part of the decision-making process for a recruitment and has interest in that process or any other process shall disclose that interest and recuse him/herself from the process.

5.1.4 Secrecy and Confidentiality

A Staff Member of ECOWAS Institutions shall swear and be bound by an Oath of Secrecy. Except when formally authorized by the Head of the Institution the Staff Member shall not communicate to a third party, or make private use of information, documents or facts that come into their possession due to their position or during the performance of their work or by virtue of their official duties.

All Staff Members shall abide by the Oath of Secrecy and Confidentiality. Staff Members are not authorized to make statements to the press or to other private or public media organs, to make public statements or to publish articles and scientific books on the activities of ECOWAS. However, the Head of the Institution can authorize and encourage the publication of articles and scientific books, considering the interest of ECOWAS and the scientific output of the Staff Member.

Staff Members shall remain bound by these obligations for a period of five (5) years after separation from the service of ECOWAS, except were authorized by the Head of the Institution.

Diversion, disclosure, removal, and destruction of official documents without the prior authorization of the Head of the Institution, is formally prohibited and subject to disciplinary sanctions. Similarly, official documents shall not be made public or reproduced except for official purposes.

5.1.5 Renumeration and Benefits

The salary scale for all categories of ECOWAS Staff shall be fixed by the Council of Ministers on the recommendation of the Administration and Finance Committee.

The salary of each Staff Member within the approved scale shall be determined according to his/her grade and professional classification, on the recommendation of the appropriate Advisory Committee on Appointments.

A comparative compensation survey shall take place once every five (5) years to inform future salary adjustments. Increases in salary shall be dependent on the financial situation of the ECOWAS. The modalities shall be defined in the Manual of procedures.

Deductions from wages of workers are prohibited except as permitted by law, collective agreement, arbitral award, or judicial decision.

Staff members are also entitled to the following grants where the criteria for benefiting from them is met:

- a. Education grant for a maximum of four (4) children
- b. Housing allowance
- c. Family dependent allowance, including spouse allowance for an eligible dependent spouse, and dependent child allowance for a maximum of four (4) children up to the age of twenty-four (24) years.

5.1.6 Principles of Recruitment

During the recruitment of professional staff, due attention shall be paid to the equitable geographic distribution of positions and gender balance among nationals of all Member States in addition to the efficiency criteria and technical competencies required by the Institution.

All permanent professional positions declared vacant in an ECOWAS Institution shall be advertised. Applicants shall be notified of the receipt of applications for the positions advertised. The deadline for receipt of applications shall be forty-five (45) calendar days after the date of publication. The positions shall be filled through a competitive recruitment process in which all shortlisted candidates shall appear before the relevant Committee.

The minimum age limit for the recruitment of professional staff shall be twenty-four (24) years and a maximum of fifty (50) years. This age limit stated shall not apply to Staff Member already in the service of ECOWAS.

With regards to equally qualified applicants, preference shall be given to:

- i. internal candidates,
- ii. gender balance and
- iii. nationals of Member States with the lowest staff representation in the Institution.

For the recruitment of Local Staff, the post shall be filled through a competitive process. Only shortlisted candidates shall appear before the Committee on the Appointment and Promotion of locally recruited Staff. Rigorous standards based on efficiency and technical competencies shall be taken into consideration during the appointment process of General Services Staff of ECOWAS. Candidates shall be recruited from ECOWAS Citizens resident in the Member State where the position has been advertised.

5.1.7 Staff Leave

Subject to the recruitment category, staff members shall be entitled to Annual Leave, Home Leave, Special Leave, Maternity Leave, Paternity Leave and Sick Leave, and other leave as stipulated in the Staff Regulation.

5.2 Labor management

The project will comply with the following provisions in the management of labour:

Freedom of movement and freedom of work

Any citizen of a ECOWAS Member State has the right to practice his/her trade or profession in any other State within the Community, without restrictions, except such as is necessary for the proper and effective regulation of the trade or profession in the host State.

Forced or compulsory labor shall be abolished in all its forms, as defined by ILO Convention No 29 on Forced Labor 1930. Definite and appropriate measures shall be taken to eradicate human trafficking so as to eliminate servitude and slavery within and out of the Community.

Fair remuneration and salary protection

The Commission shall provide, by legislation, collective agreements, regulations, arbitral award, or court decision, fair remuneration and a reasonable standard of living for all workers. Their duty is also to ensure, through methods suited to national conditions and practice that wages of workers are paid at regular intervals and in legal tender. Deductions from wages of workers are prohibited except as permitted by law, collective agreement, arbitral award or judicial decision.

Employment protection

It is important to guarantee the protection of all fundamental rights of workers within its territory, in accordance with its constitution or other legislation, provided that the rights guaranteed by such constitution or other legislation correspond with the ECOWAS, regional and internationally accepted minimum standards for decent work. Every contract of employment shall contain information on the fundamental terms of the contract. Employment protection also involves:

- Provide reasonable opportunities or facilities for skills acquisition or vocational training, for every worker, within its territory, in so far as local conditions and resources permit.
- Providing workers living with disabilities, reasonable facilities to enhance their job mobility, performance and assessment.
- Protecting the right of every pregnant worker to maternity leave and maternity pay in accordance with internationally accepted minimum standards.
- Making it unlawful for an employer to terminate the employment of a woman worker on grounds that such a worker is either pregnant or on maternity leave
- Prohibiting the dismissal of a worker by an employer without valid reason.

Equal Treatment for Men and Women Workers

All forms of discrimination in employment based on the country or state of origin, ethnic origin, race, religion, sex, age, family status, pregnancy, health status or disability of a worker or person, or any other consideration which is incompatible with regional and global best practices is strictly prohibited. Equal opportunity for men and women in employment shall be strictly maintained in accordance with the national laws, regulations and policies. All forms of discrimination in relation to access to, or continuance in employment, based on the worker's family status and responsibilities shall be prohibited. Measures to reconcile worker's responsibilities at work and family obligations in order to achieve a reasonable work- life balance shall be adopted.

Prohibition of Child Labor and Protection of Young Workers

The minimum age for admission to employment and work shall not be less than 15 years, in compliance with the provisions of ILO Convention No. 138 (1973) concerning Minimum Age for Admission to Employment, 1973 and ILO Recommendation 146. All worst forms of child labor shall be eradicated in line with the provisions of ILO

Convention No. 182 concerning Worst Forms of Child Labor 1999. Any type of work likely to jeopardize the health, safety or morals of young persons over 15 years of age but under 18 years, are prohibited, except that exemptions may be granted for certain trades or profession, where necessary, for the purpose of apprenticeship, or training of a young person.

Respect for the Dignity of Men and Women Workers

The Commission shall, by relevant laws, regulation, or collective agreement, ensure the protection of every worker's right to privacy. The terms and conditions under which the employer may handle the personal data of a worker will be subject to the provisions of the national laws, regulations and collective agreements. The use of employer's social media platforms by workers for personal purposes shall be strictly prohibited, except as may be permitted by law or by the employer from time to time.

Freedom of Association and Collective Bargaining

All workers without distinction whatsoever, shall have the right to establish and subject only to the rules of the organization concerned, to join organization of their own choosing without previous authorization in accordance with article 2 of the ILO Convention No.87, 1948. They also have the right to draw up their constitutions and rules, to elect their representatives, to elect their representatives in full freedom, to organize their administration and activities and to formulate their programmes as stated in article 3 of ILO Convention No 87, 1948.

Deductions and remittance of trade union subscriptions shall be in line with national laws. In line with ECOWAS Decision A/DEC.2/7/86, the system of check-off shall be applied in all member states of the Community in order to improve the financial position of the national trade unions as well as that of their regional Organization: Organization of Trade Union of West Africa (OTUWA). All workers' unions and all employers' organizations are given adequate protection against any act of interference against one or the other from the public authorities.

The protection of the right to strike of workers in conformity with international conventions, regional and national laws shall be guaranteed.

Right to Information, Consultation and Representation

Workers have the right to be informed or consulted either directly, or through the duly elected representatives, before management takes a decision which may have direct or indirect consequences on the organization of work in the company, in particular, on the status of the worker. Thus, particular measures need to be taken to prevent any form of direct dissemination of information from the management, or from the representative of management to workers, from creating friction between workers and their duly elected or chosen representatives, or their organizations.

Workers have to exercise their right to freedom of expression individually or collectively, on any matter or issue relating to the workplace, are not victimized.

Right to social protection

In terms of right to protection, individual worker has right to social security and social protection and measures will be defined to provide social protection to workers.

5.3 Occupational Health and Safety (OHS) regulations

Occupational health and safety requirements are provided in Directive on Minimum Standards towards the Harmonization of Labor Laws of ECOWAS Member States, especially in Part VII – Protection of Occupational Safety and Health. The Directive stipulate that each Member State has responsibility to make laws, regulations or policies for the protection of the occupational safety and health of workers.

Measures for the prevention, protection and continuous improvement of the safety and health of the work environment, and of all workers will be adopted in accordance with the provisions of Convention No. 155 concerning Occupational Safety and Health and the Working Environment 1981, and other instruments.

According to the Directive States shall take steps to guarantee to every worker, the right to be informed of the likely occupational hazards or risks inherent in the particular work to which the worker is assigned. They shall, in consultation with employers and employees, make suitable and adequate provisions for the training of workers on safety and health standards in the workplace, including the use of protective facilities or gadgets.

It is important for the States to ensure that special measures are taken by employers to safeguard the safety and health of night and underground workers. They shall, by law, regulation, policy or collective agreement, ensure that every worker has access to medical examination, at the cost of the employer, at the inception of the employment, and at periodic intervals, during the course of employment. Workers who perform particularly hazardous jobs shall be entitled to special medical supervision.

In compliance with the Directive on Minimum Standards towards the Harmonization of Labour Laws, they shall:

- a) Prohibit the termination of the contract of employment of any worker who suffers an occupational accident or an occupational disease while such worker is undergoing therapy, and/or rehabilitation.
- b) Ensure that the wages of the affected worker shall be paid in accordance with national laws, collective agreements and practices.
- c) Provide that a worker who after rehabilitation is declared fit by a qualified medical practitioner to return to work is entitled to be reabsorbed to the position occupied immediately before the accident or disease, or to another position commensurate with his former position and skill.
- d) Ensure that where reabsorption is no longer possible thus leading to termination of the employment, the worker shall be entitled to damages in accordance with the national laws and practices.

The Protection of Occupational Safety and Health requires also that States to take steps to the protection of the right of every worker to a conducive work environment free from physical violence or threats of violence, including sexual harassment and emotional and mental harm.

Finally, it is important for States to ensure the enforcement of laws, regulations, and policies for occupational safety and health through effective and appropriate safety and health inspection strategies, together with adequate sanctions against defaulters.

6. POLICIES AND PROCEDURES

6.1 Terms and Conditions of Employment

The types of workers who will be engaged in this project include:

- i. Direct workers in the PIU who have contracts that are governed by the various national legislations, and regional and institutional labor policies;
- ii. short-term consultants carrying out specific tasks under Components 2, 3, and 4 of the project;
- iii. migrant workers, in the case where the Direct workers recruited into the PIU are from outside the Commission's host nation of Nigeria and required to be stationed in Nigeria.

All workers in the project shall be engaged through negotiated contracts with accepted standards and terms and conditions of services applicable to the nature of project activities.

The PIU staff, who will be engaged full-time for the duration of the project shall be engaged according to the following conditions of service:

- Contracts shall be for an initial two-year term, renewable based on satisfactory performance and availability of budget and tenure of the project.
- PIU staff remuneration shall include a lump-sum consultancy fees paid monthly, an annual housing allowance, and a one-time installation allowance paid at the beginning of the contract.
- Entitlement to thirty (30) days annual leave.
- ECOWAS Laisser-Passez to facilitate travel within the region on official project duties.
- Air ticket for travel from staff home country/city to the duty station of Abuja at the beginning of the contract.
- Payment of daily subsistence allowance at the prevailing ECOWAS rate for professional staff for official travels related to the execution of project duties.

For other categories of workers (short-term consultants), the PIUs shall ensure that:

- Workers work for 8 hours a day from 8:00 to 17:00 with a one-hour break, five days a week
- Payment for work done will be made monthly or after completing the assigned work, as appropriate to the nature of the contract.
- All contracts are vetted by the Department within ECOWAS responsible for ensuring that conditions are in line with relevant labor laws and provisions.
- Workers know the standards of conduct expected of them. A written policy manual (Code of Conduct) specifying the rules and procedures will be issued and made readily available to all workers as part of the labor contract.

6.2 Age of Employment

Per the ECOWAS Staff Regulations, the minimum age of employment for professional staff is 18 years and above. This provision is consistent with ESS2, whereby the minimum age for employment or engagement in connection with the project is the age of 14 unless national law specifies a higher age. The Project will therefore target participation of both men and women who are at least the minimum age of 24 at the time of recruitment. Methods that will be employed to verify the age of workers will include among others Birth certificates, National Identity Cards, or travel Passports, which will be filled in each employee's records. In circumstances where these documents are unavailable, the Affidavit of Birth will be used.

Due to the nature of activities under the project, it is highly unlikely that a minor could be engaged on the project. However, if such a situation should arise directly or indirectly, measures will be taken to immediately terminate the employment or engagement of the minor in a responsible manner, considering the best interest of the minor. In this case, the following procedures will be applied:

Conduct routine document check process without raising the alarm.

- Review documents detaining the age of the child and verify that they are genuine.
- Remove the child from all work immediately if checks on the document confirm the child is underage.
- If the documentary evidence is inconclusive, checking the age of the child may entail communication or meeting with parents and guardians of children, contacting local labor authorities to validate identification, and conduct medical check-ups to assess age.
- Search for and obtain contact details particularly mobile phone number of child's parents or guardian. Where possible, obtain the home address of the child too.
- Talk to the child about the risks and hazards of child labor and ensure that the child understands what is happening and why. Arrange for a meeting with the contractor/consultant who has engaged the child. Communicate the policies and basic positions regarding child labor with the official met.
- Contact the parents/guardians to ensure that they understand and agree with what is happening and to explain the risks and hazards of child labor.
- Identify whether there are any other child workers by reviewing all the personnel records at the workplace.
- To ensure that no new child worker is hired, give advice to the contractor or consultant on improving age verification systems.

6.3 Occupational Health and Safety

- The ECOWAS Commission will ensure adherence with the Staff Regulation to provide a safe working environment for PIU staff stationed within the Commission.
- Project contractors and consultants will be required to provide safe and healthy working facilities and take appropriate precautionary measures to protect workers from anticipated dangers in the workplace.

- They must also have a pre-established action plan designed to respond effectively to workplace accidents and health hazards if all precautions fail.
- The contractor must consult employees and their representatives on health and safety matters in the workplace. Employees must be given adequate information regarding health and safety matters and asked to contribute their input on such issues as the alteration of workplace processes, occupational safety, and the organization of work.
- No employee must be punished for removing themselves from a working environment that they perceive as dangerous or harmful.
- Project Consultants shall be provided with SEA/SH and health and safety orientation/training.
- OHS training/orientation will be provided prior to beginning a new assignment. All workers must avail themselves for OHS training and subsequent toolbox meetings.
- Workers shall be provided facilities such as canteens, toilets, first aid kits, potable water, hygiene and, wash facilities including washing points (clean running water, soap, and tissue paper) within the work environment

A part-time E&S specialist shall be engaged within the PIU to handle environmental, social, labor, occupational health and safety issues including grievance redress and enforce the local laws on same as well as requirements of ESS2 and this LMP.

6.4 Contractor Management

Each contractor engaged by the Project to provide services will be expected to adopt the protective measures outlined in this document. The contracts drawn up by the PIUs will include provisions, measures, and procedures to be put in place by the contractors to manage and monitor the relevant OHS, child labor, forced labor, and other employment terms and conditions issues. Measures required of Contractors will among others include the following:

- As part of the bidding/tendering process, specific requirements for certain types of contractors, and specific selection criteria (e.g., technical suitability, certifications, previous experience etc.).
- Provision of medical insurance covering treatment for illness inflicted of duty and payment in the event of death.
- Specific procedures relating to the workplace and the conduct of the work
- Specific procedures and measures dealing with specific risks. For example, for healthcare contractors.

For contract bidding and contracts for the Project, the ECOWAS Commission and the PIU will use the World Bank's 2017 standard procurement documents, which include labor, and occupational health and safety requirements. The PIUs will incorporate standard language, based on project requirements drawn from ESS2, ESS4 and other sections of the World Bank Environmental and Social Framework and supporting documentation, in the tender and contract documents to ensure potential bidders are aware of the environmental and social requirements to be met under the project.

Tender documentation will note that the contractor/subcontractor shall actively collaborate and consult with project workers in promoting understanding, and methods for, implementation of OHS requirements, as well as

providing information and training on occupational safety and health, and provision of personal protective equipment without expense to project workers.

Project workers who remove themselves from dangerous work situations will not be required to return to work until necessary remedial action to correct the situation has been taken. Project workers will not be retaliated against or otherwise subject to reprisal or negative action for such reporting or removing themselves from such dangerous situations. The PIU will also state in the tender documentation that adherence to national legislation regarding labor and employment relations and occupational health and safety is a prerequisite for participation in the project. The PIU will also include in the tender documents provisions that forced labor, child labor, discrimination in hiring and employment based on gender, disability, ethnicity, or other personal characteristics unrelated to work requirements, sexual harassment in the workplace, and sexual exploitation and abuse are prohibited and may be grounds for removal of the contractor from the Project.

The PIU will require bidders for contracts for the Project to agree to and implement a workplace Code of Conduct that includes provisions prohibiting any form of sexual exploitation, assault or harassment of Project workers, as well as sexual exploitation or sexual assault of persons in local communities affected by the project, and any form of sexual activity with individuals under the age of 18, except in case of pre-existing marriage. The CoC will apply to all persons employed or engaged, including persons employed or engaged through contractors and subcontractors, concerning the project.

The PIU will require bidders for contracts for the project to submit a statement confirming their firm compliance with national labor and employment and occupational health and safety laws, and labor management procedures in accordance with Environmental and Social Standard 2 “Labor and Working Conditions” (ESS2) and the LMP for the project.

The PIU will make reasonable efforts to ensure that parties awarded contracts for the project are reliable law-abiding entities that do not have a history of problems relating to disrespect for national labor law, unresolved labor disputes, or frequent work-related accidents. As part of the selection process for contractors, the PIU and the other implementing agencies will request and review from prospective contractors the following information:

- Information in public records, for example, corporate registers and public documents relating to violations of applicable labor law, including reports from labor inspectorates and other enforcement bodies on OHS, child labor, forced labor, worker right of association, or other labor issues
- Business licenses, registrations, permits, and approvals
- Documents relating to a labor management system, including OHS records, for example, labor management procedures
- Identification of labor management, safety, and health personnel, their qualifications, and certifications
- Workers’ certifications/permits/training to perform required work
- Records of safety and health violations, and responses
- Accident and fatality records and notifications to authorities
- Records of legally required worker benefits and proof of workers’ enrolment in the related programs
- Worker payroll records, including hours worked and pay received

- Identification of safety committee members and records of meetings

During the implementation of the contract, the PIU will require that contractors submit quarterly reports on compliance with the LMP. The report should include the number and status of project workers, the number of hired and terminated employees in the given period, the number of hours worked, overtime, regularity of payment.

OHS issues (injuries and fatalities, if any), safety measures, grievances raised and resolved, training provided/attended, incidents of non-compliance with national law or the LMP. The contractors will be required to identify focal points and communication channels (e.g., WhatsApp, SMS, and email) within the company to address workers' concerns. The contractors should ensure that such channels are adequately resourced (e.g., 24-hour staffing of the emergency response call line). The contractors should ensure that the workers shall not be victimized for reporting a grievance or the workplace concerns.

6.5 Grievance Mechanism

DTFA/WARDIP ECOWAS PIU is committed to providing a transparent and easily accessible grievance mechanism for all workers under the DTFA/WARDIP project for complaints relating to disagreement on working conditions, labor and decent work, occupational health and safety, discrimination, bullying, sexual harassment, and sexual exploitation and abuse.

All workers will be informed of the grievance mechanism at the time of their engagement on the project including measures put in place to protect them against any reprisal for its use. The mechanism will also allow for anonymous complaints to be raised and addressed by providing options for people to registering their grievance anonymously. Individuals who submit their complaints or grievances may request that their names be kept confidential and this must be respected.

6.5.1 The DTFA/WARDIP Workers' Grievance Mechanism

Scope

The grievance mechanism procedure applies to all staff members (covering all types of employment contracts including but not limited to regular, consultants, part-time, contract of service, PIU staff, interns, contractors, visitors, donors, volunteers, and vendors of the DTFA/WARDIP).

The grievance mechanisms under this policy procedure are also applicable to PIU staff and contractors engaged to implement DTFA/WARDIP ECOWAS PIU activities, although in such cases the investigations procedures may be adjusted in consultation with other relevant legal entities where this may be applicable.

Types of complaints

The mechanism handles complaints relating to three broad areas:

- (i) Fraud-related breaches: these include embezzlement, theft, bribery, and kickbacks,

- (ii) Compliance-related breaches: these include unsafe working conditions, vandalism, falsification of contracts, complaints, or records, non-compliance to research ethics, etc.
- (iii) Human resource-related breaches: these include sexual harassment, discrimination, abuse, bullying, conflict of interest, alcohol, substance abuse, etc.

Complaint/grievance uptake point

Staff members and all other stakeholders may choose one of two ways to submit their complaints:

1. Anonymous reporting using a DTFA/WARDIP ethics hotline.
2. Cases can be submitted to a DTFA-WARDIP grievance webpage via the project website or by Email.

Complaints received through these channels including cases linked with SEA/SH will be shared with the DTFA/WARDIP ECOWAS PIU Safeguard Focal Person for records keeping and reporting, and referral of SEA survivors to GBV service providers listed at Annex 2 below.

Procedure for direct reporting

- The complainant shall prepare a written complaint to a supervisor/manager/other colleagues. If the complaint is made verbally, the person receiving the complaint shall capture the matter in writing and submit it to the supervisor/manager/ Director of the Digital Economy & Post directorate.
- The person receiving the complaint shall acknowledge receipt of the complaint.
- The information provided shall be reviewed and may be the basis of an internal and/or external investigation into the issues that are complained about.

Procedure for submitting a complaint through the DTFA/WARDIP hotline

Designated recipient: The designated recipients of the complaint will generally be the Grievance Specialist/Safeguard focal person and the complaints that will be shared with them will align with their job descriptions according to the three broad areas of breaches.

The designated recipient will:

- Receive a copy of the complaint submitted to DTFA/WARDIP PIU
- Review the complaint and consult internally in order to decide on the way forward

Case management investigator: Case management investigators are the designated investigators of the case, who shall investigate the case following DTFA/WARDIP policies and procedures.

Case management system (CMS) data analyst: A DTFA/WARDIP official will assume the role of a case management systems administrator responsible for updating case information on the DTFA/WARDIP platform in accordance with the established policies and procedures.

Investigation

- After receipt of the complaint, an initial assessment shall be carried out to determine if there is a genuine concern. If the concern is considered to fall more properly within a different type of complaints procedure, such as a grievance, the complainant will be informed accordingly and provided with advice on how to proceed.

- If there are sufficient grounds to initiate a full investigation, a diverse committee shall be constituted by the Director for Digital Economy & Post or his designate to investigate the matter and recommend the course of action to be taken. During the investigation, the alleged perpetrator(s) may be given the opportunity to represent their argument.
- The amount of contact between the individual submitting a complaint and the body investigating the concern will depend on the nature of the issue, the clarity of information provided, and whether the employee remains accessible for follow-up.
- Where breaches of duty are confirmed to have occurred, the investigator will provide recommendations on what action is appropriate, which may involve disciplinary procedures. Action will be taken to correct the failure and avoid similar events in the future as well as to address the alleged perpetrator/s of misconduct.

Conclusion of cases

- The project shall endeavor to conclude all cases under investigation within a month of the start of the process, although it is recognized that there may be exceptions depending on the circumstances. Should the complainant still feel either victimized or disadvantaged following the complaint and subsequent investigation, he/she may choose to escalate the issue in the form of an appeal to the next level of authority, in this case the Commissioner in charge of Infrastructure, Energy and Digitalisation at the ECOWAS Commission.

Appeals

- The Project workers' grievance mechanism will not prevent workers from using the reconciliation procedure provided in the procurement rules and procedures, ECOWAS Staff Regulations and labor management procedures.
- If the complainant remains dissatisfied with the mediation effort of the project grievance committee, the complainant has the option to pursue appropriate recourse via the judicial process of choice. The (DTFA/WARDIP) project will allow any aggrieved person the right of access to a Court of law. Courts of law will be a "last resort" option, given the above mechanism.

6.5.2 Project Grievance Mechanism

In addition to the separate worker grievance mechanism established in line with ESS2, the project also has a general Project Grievance Mechanism (GM). Under the GM, the project has several channels for reporting complaints and grievances. These shall include email, phone calls, text messages, toll-free number (if feasible) and written form that will also be accessible to all stakeholders. Women will be consulted to confirm that the channels are safe and accessible to them, including to report any SEA/SH related complaints. Information on the project GM will be made available to workers at the time they sign their contract to ensure that all workers, including the unskilled laborers engaged at the community level, if any, have adequate information on how to lodge a complaint and who to direct it to. Anonymity will be assured when handling workers' grievances. Existing grievance mechanism methods such as 'suggestion boxes' which exist in many worksites and appear to be a preferred form of reporting complaints may be used.

The project GM will include confidential, and survivor centered procedures to record, verify and address SEA/SH complaints with referral protocols to local GBV service providers that will be identified through GBV service mapping.

6.5.3 Sexual exploitation abuse and Sexual Harassment (SEA/SH) Grievance Mechanism

Overall, all Consultants/Contractors implementing activities or supplying services to the project are required to adhere to and implement measures contained in the project SEA/SH mitigation and response action plan.

All Consultants/Contractor's/Partners working with or on behalf of the DTFA/WARDIP ECOWAS PIU are required to ensure that their workers sign a Code of Conduct (CoC) that set out acceptable standards of behavior. The CoC must include sanctions for non-compliance, including non-compliance with specific policies relating to SEA/SH. Contractors or Partners whose employees' CoC does not meet these standards will be required to adapt the CoC at Annex 1 for employees to sign. The CoC will be signed by each worker to indicate that they have:

- Received a copy of the CoC as part of their contract;
- Had the CoC explained to them as part of the induction process;
- Acknowledged that adherence to this CoC is a mandatory condition of employment;
- Understood that violations of the CoC can result in serious consequences, up to and including dismissal, or referral to legal authorities.

All partners will be further required to act against SEA/SH, through:

- Mandatory training and awareness raising for the workforce about refraining from unacceptable conduct toward local community members, specifically women and children. Training may be repeated;
- Informing workers about ECOWAS labour and employment policy, laws, and institutional policies that make sexual harassment and gender-based violence a punishable offense;
- Adopting a policy to cooperate with law enforcement agencies in investigating complaints about gender-based violence;
- Maintain a separate grievance mechanism to capture and refer SEA/SH-related complaints/issues and complaint SEA/SH complaints to the World Bank through (DTFA/WARDIP) Safeguard Focal Person within 24 hours upon receipt.

Actions for managing complaints

Complaints related to SEA/SH will be managed by a focal point(s) who will be primarily individuals with experience on GBV so that it is easier for survivors to talk about their case.

The accessibility of the entry point(s) will be confirmed during stakeholder consultations, including specific consultations dedicated to women and facilitated by a woman.

If there has been a pre-screening, consultations organized by the ECOWAS PIU with women should confirm whether this person is indeed considered accessible and trustworthy, otherwise, an additional entry point should be identified.

In addition, SEA/SH complaints will be recorded and managed according to the principles of confidentiality, safety, ethics and, most importantly, the survivor-centred approach. Regarding the recording of these complaints, this

will be done by the focal point(s) in a separate logbook and kept in separate lockers with access limited to a few people.

Complaints will be referred to GBV service providers (in case of consent of the survivor collected through a consent form), for at least medical, psychosocial, and legal care. At this level, the PIU can use GBV management services, mapped and evaluated by other Bank projects, as well as referral protocols and information exchanges with service providers. This information will not go beyond the incident's resolution, the date it was resolved, and the case's closure.

6.6 Gender-Based Violence

Given that most GBV cases at the workplace are not reported because of the fear of victimization, anonymous reporting channels have been provided as part of DTFA/WARDIP ECOWAS PIU grievance uptakes points to encourage reporting of SEA/SH related cases. When such a case is reported, the complainant would be provided with information about the available services including confidentially appropriate medical and psychological support, emergency accommodation, and any other necessary services as appropriate including legal assistance. The Safeguard Focal Person will refer all SEA/SH survivors to relevant GBV service providers at Annex 2. When a case of that nature is reported, the Safeguard Focal person will record the case with the following limited information the nature of the incident, the age and sex of the complainant, and whether the survivor was referred to a service provider.

The DTFA/WARDIP ECOWAS PIU Grievance Committee will review all cases referred to it to determine and agree upon a course of action for handling and resolving the case. The appropriate institution that employs the perpetrator will be required to review the case and take disciplinary action in accordance with the DTFA/WARDIP ECOWAS code of conduct, procedures, and policies. Disciplinary actions may include informal warnings, formal warnings, additional training, loss of salary, suspension, or termination of employment. A survivor may continue to receive support from the appropriate GBV service providers while the case is being handled by the (DTFA/WARDIP) PIU.

There will be specific procedures for addressing SEA/SH complaints within project GM including confidential reporting with safe and ethical documentation of SEA/SH cases guided by the GBV Referral Protocol. Multiple channels will be put in place for lodging a complaint in connection to SEA/SH. Specific considerations for addressing SEA/SH are:

- The GM covers grievances related to SEA/SH. The GM operators must be trained on how to collect SEA/SH cases confidentially and empathetically (with no judgment);
- The Project has established multiple complaint channels as part of the GM, and these must be trusted by those who need to use them. Women will be regularly consulted to confirm that the channels are safe and accessible.
- No identifiable information on the survivor should be stored in the GM logbook or GM database.
- The GM does not ask for, or record, information on more than three aspects related to the GBV/SEA/SH incident:

- The nature of the complaint (what the complainant says in her/his own words without direct questioning);
- If, to the best of complainant's knowledge, the perpetrator was associated with the project; and,
- If possible, the age and sex of the survivor.
- The GM assists survivors by referring them to GBV Services Provider(s) (or the nearest One Stop Centre if existing) for support immediately after receiving a complaint directly from a survivor. This will be possible because a list of GBV service providers will be made available before project work commences as part of the mapping exercise.
- The information in the GM must be confidential, especially when related to the identity of the complainant. For SEA/SH, the GM should primarily serve to: (i) refer complainants to the GBV Services Provider; and (ii) record resolution of the complaint.

Data Sharing: GBV Service Providers will have their own case management process which will be used to gather the necessary detailed data to support the complainant and facilitate resolution of the case referred to by the GM operator. The GBV Services Provider should enter an information-sharing protocol with the GM Operator to close the case. This information should not go beyond the resolution of the incident, the date the incident was resolved, and that the case is closed. Service providers are under no obligation to provide case data to anyone without the survivor's consent. If the survivor consents to case data being shared, the Service Provider can share information when and if doing so is safe, meaning the sharing of data will not put the survivor or Service Provider at risk for experiencing more violence or abuse.

The GM will have in place processes to immediately notify both the PIU and the World Bank of any SEA/SH complaints with the consent of the survivor, while maintaining anonymity and confidentiality of personal and identifiable information about the survivor.

7. Monitoring and reporting

The Safeguard Focal Person for DTFA/WARDIP ECOWAS PIU will regularly monitor the compliance of workers, consultants, and service providers to the above policies and procedures and provide biannual reports to the (DTFA/WARDIP) project management unit. All partners shall provide quarterly reports to the World Bank on the status of ensuring compliance with the above policies and procedures.

8. Dissemination and Awareness

This LMP will be shared with all PIU staff, consultants, partners and project workers. The policies and procedures will further be disseminated to workers during scheduled training.

ANNEXES

Annex 1: Individual Code of Conduct (Sample)

I, _____, acknowledge that it is important to adhere to (DTfA/WARDIP) Project environmental, social, health and safety (ESHS) standards, requirements, and preventing sexual exploitation and abuse and sexual harassment (SEA/SH), and violence against children (VAC).

WARDIP considers that failure to follow ESHS standards, or to commit acts of SEA/SH or VAC —be it on the work site, the work site surroundings, or the surrounding communities—constitute acts of gross misconduct and are therefore grounds for sanctions, penalties, or potential termination of employment. Prosecution of those who commit SEA/SH or VAC by law enforcement authorities may be pursued if appropriate, and only upon informed survivor consent, or in the case of a minor, with appropriate caregiver consent.

I agree that while working on the project I will: Regarding Occupational Health and Safety

- Comply with legislation and other applicable requirements relating to occupational health and safety risks.
- Attend occupational health and safety training as requested by the PIU(DTfA/WARDIP). or the project.
- Identify the potential risks associated with each activity and workstation.
- Make recommendations regarding safety and health issues affecting employees
- Wear prescribed and appropriate personal protective equipment (PPE) at all times on the project site.
- Take proper care of working tools and PPE.
- Ensure safe disposal of used pesticide containers in accordance with the project pest management plan.
- Prevent avoidable accidents and report conditions or practices that pose a safety hazard or threaten the environment.
- Report any violations of this code of conduct to workers' representative, HR, or grievance redress committee. No employee who reports a violation of this code of conduct in good faith will be punished in any way.

Regarding COVID-19

- Washing hands, always sanitize and observing social distancing and follow WHO and ECOWAS updated guidelines;
- Taking care of PPE and materials used for protection (including gloves, masks) and ensuring their safe disposal;
- Wash hands frequently, always sanitize, observe social distancing and follow WHO and ECOWAS updated guidelines.
- Seek healthcare after experiencing any of the following symptoms (while at home or work): cough, fever, and shortness of breath
- Stay at home and report immediately to the supervisor if I or any family member comes into contact with someone who has been reported to have COVID-19.

Regarding Sexual Exploitation and Abuse and Sexual Harassment

- Attend and actively partake in training courses related to SEA/SH and VAC as requested by the project.
- Treat women, children (persons under the age of 18), and men with respect regardless of race, color, language, religion, political or other affiliation, nationality, ethnicity, or social origin, property, disability, birth or nationality, sexual orientation, gender identity, or other status.
- Not use language or behavior towards women, children, or men that is inappropriate, harassing, abusive, sexually provocative, demeaning, or culturally inappropriate.
- Not engage in sexual exploitation, which is defined as any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another.
- Not engage in sexual abuse, which is defined as the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
- Not engage in sexual harassment, which is defined as any unwelcome sexual advance, request for sexual favor, verbal or physical conduct or gesture of a sexual nature, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation to another, when such conduct interferes with work, is made a condition of employment, or creates an intimidating, hostile or offensive work environment.
- Not participate in sexual contact or activity with children—including grooming or contact through digital media (community members married to minors, even if legally done, will not be hired). Mistaken belief regarding the age of a child is not a defense. Consent from the child is also not a defense or excuse.
- Not have sexual interactions with members of the host communities (NB: an exception applies to a locally hired worker already married to an adult member of the community). This includes relationships involving the withholding or promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex—such sexual activity is considered “non-consensual” within the scope of this Code.
- Consider reporting through the Grievance Mechanism or to my manager any suspected or actual SEA/SH or VAC by a fellow worker, whether employed by my company or not, or any breaches of this Code of Conduct.

Regarding children under the age of 18:

- Wherever possible, ensure that another adult is present when working in the proximity of children.
- Not invite unaccompanied children unrelated to my family into my home unless they are at immediate risk of injury or in physical danger.
- Not use any computers, mobile phones, video, and digital cameras or any other medium to exploit or harass children or to access child pornography (see also “Use of children's images for work related purposes” below).
- Refrain from physical punishment or discipline of children.
- Refrain from hiring children below the minimum age of 15, for domestic or other labor which places them at significant risk of injury, as specified by the national law
- Comply with all relevant local legislation, including labor laws in relation to child labor and World Bank’s E&S standards on child labor and minimum age.

- Take appropriate caution when photographing or filming children (see details below).

Use of children's images for work-related purposes. When photographing or filming a child for work-related purposes, I must:

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

Sanctions

I understand that if I breach this Individual Code of Conduct, the grant partner will take disciplinary action which could include:

- Informal warning.
- Formal warning.
- Additional Training.
- Loss of up to one week's salary.
- Suspension of employment (without payment of salary/contract fees), for a minimum period of 1 month up to a maximum of 6 months.
- Termination of employment.
- Reporting to the police if warranted.

I understand that it is my responsibility to ensure that the environmental, social, health, and safety standards are met. I will adhere to the occupational health and safety management requirements and avoid actions or behaviors that could be construed as SEA/SH or VAC. Any such actions will be a breach of this Individual Code of Conduct. I do hereby acknowledge that I have read the foregoing Individual Code of Conduct, do agree to comply with the standards contained therein, and understand my roles and responsibilities to prevent and respond to OHS, SEA/SH and VAC issues. I understand that any action inconsistent with this Individual Code of Conduct or failure to act mandated by this Individual Code of Conduct may result in disciplinary action and may affect my ongoing employment.

Signature: _____

Printed Name: _____

Title: _____

Date: _____

Annex 2: Service Providers for Survivors of Gender Based Violence

Health Care Service Providers	
1.	2.
Type of Organization: NGO Primary Service: Sexual and Productive Health Care Geographical coverage: Contact Number: Working Hours: Other Services: Referral system, Shelter, Childcare/Child Protection, social and economic reintegration, Legal, Psychosocial support.	Type of Organization: Primary Service: Health Care Geographical Coverage: Number: Working hours: Other Services: Referral system, Monitoring (Followups).
3.	4.
Type of Organization: NGO Primary Service: Health Care Geographical coverage: Contact Number: Working hours: Other Services: Community health; Voluntary Counselling and Testing	Type of Organization: Government Agency Primary Service: Health Care Geographical Coverage: Contact Number: Working hours: Other Services: Referral system, Community health
Psychosocial Service Providers	
5.	6.

<p>Type of Organization: Government Agency</p> <p>Primary Service: Legal and Health Care</p> <p>Contact Person:</p> <p>Phone:</p> <p>Working Hours: 24 hours</p> <p>Geographic Scope:</p> <p>Other Services: referrals to shelters, legal services, HIV testing, HIV post-exposure prophylaxis, and linkage to HIV treatment.</p> <p>Legal, Health, Psychosocial Support, Social and Economic reintegration, Shelter, Childcare/Child protection; Monitoring (follow ups), coordination, Referral's system,</p>	<p>Type of Organization: NGO</p> <p>Primary Service: Psychosocial</p> <p>Contact Person:</p> <p>Phone:</p> <p>Email:</p> <p>Geographical Scope:</p> <p>Other Services: Community/Customary Land Rights, Criminal Justice, Family, Gender-based violence, Generalist Legal Services, Labor & Employment, Livelihoods, Other, Peacebuilding & Transitional Justice, Traditional / Customary Justice</p> <p>Shelter, Judicial, Social and Economic Integration, Psychosocial Support, Referral's system, Monitoring (follow ups), coordination, Referral's system,</p>
Legal/Justice Service Providers	
7.	8.

<p>Type of Organization: Government Agency</p> <p>Primary Service: Legal/Justice</p> <p>Contact Person:</p> <p>Geographic Scope:</p> <p>Helpline:</p> <p>Working Hours:</p> <p>Website:</p> <p>Other Services: Legal, Health, Psychosocial Support, Social and Economic reintegration, Shelter, Childcare/Child protection; Monitoring (follow ups), coordination, Referral's system, Law enforcement mechanisms,</p>	<p>Type of Organization: NGO</p> <p>Primary Service: Legal and Social Justice</p> <p>Contact Person:</p> <p>Phone:</p> <p>Email:</p> <p>Website:</p> <p>Working hours:</p> <p>Geographical Scope:</p> <p>Other Services: Advocacy, Community mobilization, Legal Reform, Media, Policy/Advocacy, Prevention and Response/ Service Delivery</p> <p>Judicial, Social and Economic Integration, Psychosocial Support, Referral's system</p>
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