

**The Regional Organization for the Conservation of the
Environment of the Red Sea and Gulf of Aden**

**Regional Project on Sustainable Fishery
Development in Red Sea and Gulf of Aden
(SFISH Project) (P178143)**

Labor Management Procedures (LMP)

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Executive Summary

This Labor Management Procedure (LMP) has been prepared by PERSGA for the “Sustainable Fisheries Development in the Red Sea and Gulf of Aden Project” (SFISH Project P178143) to ensure the project compliance with Environmental and Social Standard 2 on Labor and Working Conditions (ESS2) of the World Bank’s Environmental and Social Framework (ESF), as well as other relevant objectives of ESS4 (Community Health and Safety) and ESS10 (Stakeholders Engagement and Grievance Mechanism). The LMP will be adopted before the SFISH Project effectiveness and thereafter be implemented throughout the Project execution.

As a regional-level project focusing on strengthening regional coordination and building capacity, the SFISH will mainly involve direct workers and contracted workers, and to a considerably less extend primary suppliers’ workers. The estimated number of direct workers in the Project include 12 staff in the Project Coordination Unit (PCU) at PERSGA. The contracted workers are mainly consultants and subject matter experts for assessment studies and training assignments and contracted staff for technical assistance activities under the project. The total number of contracted workers in the Project is predicted at 45-50 experts, including individual international, regional and national consultants. Primary supplier workers include people employed or engaged in SFISH project suppliers for some ICT products, including software and PCs devices for upgrading PERSGA IMIS, design and printing of project outreaches. The Project will also engage 7 national coordinators from PERSGA member states, where they work at government agencies in connection with the project. For the PCU who are PERSGA international civil servants as well as the national coordinators from PERSGA member states, most provisions under the ESS2 will not apply to such government civil servants as they will remain subject to the terms and conditions of their existing public sector/international employment agreement or arrangement. However, the provisions of paragraphs 17 to 20 (Protecting the Work Force) and paragraphs 24 to 30 (Occupational Health and Safety), will apply to PERSGA PIU and national civil servants, whether they are full-time or part-time, unless there has been an effective legal transfer of their employment or engagement to the project .

The main PERSGA regulations relevant to this LMP is PERSGA “Staff Rules and Financial Regulations and the By-laws of the Staff Rules and Financial Regulations”, which provides terms and conditions for employment by PERSGA. These include chapters on terms and conditions mainly for job descriptions, recruitments, staff duties and conduct, wages, allowances and deductions, working hours, overtime work, leaves, penalties and punishments, health and social insurance and safety, privileges and immunities of PERSGA staff as per host country agreement. The national legislation relevant to this LMP is Saudi Labor Law- 1426 H (2005), which has undergone several amendments to address evolving needs, the last one being in 2021. The law includes 16 chapters on terms and conditions for recruitment of citizens and non-Saudi labor, training, work relations, such as contract, wages, duties of the employer and employee, etc., part-time work, prevention of risks labor incident and injury, occupational health, child labor, women labor, labor dispute settlement bodies, punishments, maritime labor, mining labor. The LMP identified the shared aims and gaps between the project relevant World Bank’s ESF standards and the above mentioned PERSGA regulations, chiefly to adopt existing good practices and propose suitable approaches for inadequately addressed issues/ areas, in order to be followed during the implementation of the project

The Project Coordinator, who has been assigned by PERSGA SG to head the Project Coordination Unit (PCU), will be the responsible staff for the implementation of the procedures outlined in this LMP under the SG supervision. The Project Coordinator will be assisted by 2 designated PCU members for this purpose. The Grievance Redress Mechanism for project workers outlined in the Stakeholder Engagement Plan (SEP) of this project will be utilized to address any labor related grievances.

1 Overview of Labor Use in the Project

1.1 Types of Workers

1. This Labor Management Procedures (LMP) is developed to manage risks under the “Sustainable Fisheries Development in the Red Sea and Gulf of Aden Project” (SFISH Project- P178143), which is implemented by PERSGA, and supported by the World Bank. The LMP sets out the Project’s approach to meet PERSGA requirements and to comply with the objectives of the World Bank’s Environmental and Social Framework (ESF); specifically, the objectives of Environmental and Social Standard 2 (ESS2-Labor and Working Conditions), in addition to the relevant objectives under Standard 4 (Community Health and Safety ESS4) and Standard 10 (Stakeholder Engagement and Grievance Mechanism).
2. As a regional-level project focusing on strengthening regional coordination and building capacity activities, the SFISH will mainly involve direct workers, contracted workers and primary supplier workers:
 - (i) **Direct workers:** Estimated as 11 PERSGA staff in the Project Coordination Unit (PCU) working at PERSGA, comprising five technical /scientific staff (Project Coordinator and 4 technical experts); four Finance and Procurement staff (Finance Amin Manager, a Finance Assistant, a Procurement Assistant,); and 3 ICT support staff (Head ICT Unit assisted by 2 ICT specialists).
 - (ii) **Contracted workers:** are mainly consultants and subject matter experts for assessment studies, developing technical guidelines and training assignments and technical assistance activities under the project. The total number of contracted workers in the Project is estimated at 45 experts, including individual international, regional and national consultants.
 - (iii) **Primary supplier workers:** include people employed or engaged in SFISH project suppliers for procured items of ICT software and hardware products related to PERSGA IMIS upgrading; design and printing services of the project outreaches, e.g. info graphics, documents, videos. The number and affiliations of the Project primary supplier workers cannot be identified at current stage.
3. The Project will also work closely with seven national coordinators from PERSGA member states, where a national coordinator will be assigned by the PERSGA focal point in each country to assist with national level coordination in connection with the project. Most ESS2 requirements will not apply to such government staff as they will remain subject to the terms and conditions of their existing public sector employment agreement or agency arrangement. However, the PCU will ensure compliance with certain relevant provisions of the Standard, such as those related to Protecting the Work Force, and Occupational Health and Safety, as recommended in ESS2 guidelines.

1.2 Timing of Labor requirement

4. Direct workers in the PCU are fixed PERSGA staff, employed and eligible to work for one

year contracts period, which are renewable on annual basis, based on satisfactory performance and work needs. One project management assistant will be hired by the Project to support the PCU through time-basis, one year contract that will be also renewable every year for the project period, based on satisfactory performance. Project tasks and duties assigned to each PCU member are detailed in the POM.

5. Timing for involvements of Project contracted workers (consultants) vary depending on the time schedule and deliverable stated in the TOR and contractual agreement for each. Generally these are short term of calculated 30-90 working days, distributed over periods of around 6-12 months, according to the appropriate schedule and deliverables stipulated in the consultancy tasks. Their contracts can be extended within the project period, if required, based on satisfactory services.

2 Assessment of Key Potential Labor Risks

2.1 Project Activities

- 3 The following are the main project activities;
 - Develop fisheries Integrated Information & Knowledge Management System (IIMS)
 - Update and improve PERSGA organizational and technical guidelines including for finance management, procurement procedures, project management and environmental and social safeguards procedures.
 - Develop regional technical guidelines and manuals for standard methods for fisheries data collection & statistics for the IIMS.
 - Undertaking review assessments of the status and management capacities, and updating/ developing harmonized regional and national action plans in PERSGA region, mainly for:
 - IUU fishing, fish spawning aggregations and fishery by-catch
 - Productivity and priority fisheries stock assessments and monitoring
 - Critical fish habitats restoration mapping and programs
 - Fisheries conservation measures for sharks, marine turtles, seabirds and marine mammals
 - Aquaculture best practices, EIA and biosecurity procedures
 - Climate Change adaptation and mitigation measure for fishery and aquaculture
 - State of fisheries indicators and reporting process
 - Upgrade software system for oil spill tracking assisting response and mitigating impacts of oil pollution on fisheries and their critical habitats.
 - Develop and deliver tailored training programs/ workshops on the above subjects and issues.
 - Organizing regional coordination platforms and meetings in sustainable fishery and aquaculture policies, action planning and management.
 - Production and dissemination of awareness outreaches; brochures, pamphlets, newsletter, short videos, documentaries and supporting awareness campaigns

2.2 Key Labor Risks

6. Major labor risks associated with the project are negligible due to:
 - i) The regional-level, and small-scale types of the project interventions;
 - ii) Nature of the project activities, which involve mainly technical assistance and capacity building activities; and
 - iii) The lack of construction works in the project.
7. Labor risks associated with direct workers and contracted workers are low, given that PERSGA is a regional intergovernmental organization governed by established employment rules and procedures, and has executed two previous World Bank supported projects before, including the SAP and SEM projects, therefore, has generally high awareness of World Bank ESS standards, and adherence to the national labor legislation in Saudi Arabia as host country. Furthermore, the type of work to be carried out by direct and contracted workers in the project, viz. review assessments, developing guidelines/action plans, course training, technical meetings, etc., does not entail vulnerability to abuse of labor rights or OHS risks.
8. Labor risks including labor influx and associated gender based violence (GBV), and child labor are considered low, given absence of civil works, and PERSGA adherence to the national labor law in Saudi Arabia in these issues, which are sufficiently addressed by its provisions.
9. As identified in the SFISH appraisal assessments and ESCP, the Project action planning will address risks associated with community health and safety, SEA/SH, and GBV.
10. As part of the POM, the project will implement procedures to observe and manage specific risks and impacts to the community arising from Project activities, including, inter alia, COVID-19 risks during training events and include mitigation measures. These procedures are guided by national legislation in PERSGA host country (Saudi Arabia) and other member states, which require specific mitigation measures that more or less align with World Bank interim note regarding COVID-19. The Project procedures in this regard will also follow the guidelines of Bank's ESS 2 and ESS 4 and the World Bank's interim note on "COVID-19 Considerations in Construction/Civil Works Projects"¹ and the Technical Note on "Public Consultations and Stakeholder Engagement in WB-supported operations when there are constraints on conducting public meetings"².
11. The POM in its particular Grievance Redress Mechanism will address gender-based violence (GBV), sexual exploitation and abuse, and sexual harassment (SEA/SH) in a manner that avoids stigmatization, rejection, and reprisals against survivors. SEA/SH survivors will be assisted by referring them to GBV service providers for support

¹ <https://documents1.worldbank.org/curated/en/195041589897198349/pdf/Revised-Labor-Management-Procedures-Bangladesh-COVID-19-Emergency-Response-and-Pandemic-Preparedness-Project-P173757.pdf>

² https://biwta.portal.gov.bd/sites/default/files/files/biwta.portal.gov.bd/page/f3ca1ff6_95b0_4606_849f_2c0844e455bc/2020-10-01-11-04-717aa8e02835a7e778b2fff46f531a8c.pdf

immediately after receiving a complaint. The information in the GM relative to GBV/SEA/SH will be confidential, especially when related to the identity of the complainant. PERSGA will assign female staff to handle GM gender sensitive, and to inform involved women about the project in a culturally sensitive manner, and procedures to receive any project-related complaints from women. The GM will respect best practices and a survivor-centered approach.

12. The PCU members in charge of ensuring application of mitigation measures and procedures regarding COVID-19, and those assigned to handling GBV/SEA/SH issues will also ensure that the relevant costs are considered in the activities' budgets appropriately. They will receive necessary orientation/ training at the start of the project. The Project Coordinator, as head of the Project Coordination Unit (PCU), will be the responsible for overall overseeing suitable implementation of the procedures by the PCU members, and other project contracted workers.
13. Furthermore, one of the main subcomponent of the SFISH project itself will focus on promoting institutional capacities at PERSGA, which include specific activity devoted for building PERSGA capacity in the area of Environmental and Social Safeguard standards, including development of PERSGA ESS guidelines, formulating training modules and delivering training workshops for PERSGA staff and engaged staff from the national focal point agencies. This will certainly assist sensible implementation of relevant ESS Standards in this project, and institute for long term and responsive ESS framework and policy for PERSGA projects in general.

3 Brief Overview of Relevant PERSGA Rules and National Labor Legislation

14. The main PERSGA regulations relevant to this LMP is PERSGA "Staff Rules and Financial Regulations and the "By-laws of the Staff Rules and Financial Regulations", which provide terms and conditions for employment by PERSGA. These include chapters on terms and conditions regulating job descriptions and recruitments, staff duties and conduct, wages, allowances and deductions, working hours, overtime work, leaves, penalties and punishments, health and social insurance and safety, privileges and immunities of PERSGA staff as per host country agreement.
15. The national legislation relevant to this LMP in the PERSGA host country is Saudi Labor Law- 1426 H (2005), which undergone several amendments to comprehend evolving needs, the last one being in 2021. The law include 16 chapters on terms and conditions for: recruitment of national and non-Saudi labor; labor training; work relations, such as contractual agreement, responsibilities and duties of the employer and employee, punishment rules, contract termination, post service reward; work conditions, including wages, work hours, rest periods and weekly rest, annual leave; part-time work; prevention of labor risks, incidents and injury, occupational health, social and health services; child labor, including prevention of child labor below age 15 years, subject to

raise age limit in certain conditions; women labor, including maternity leave, lactating mother rest hour, loss of husband leave, and nursery services for groups of working mothers; labor dispute settlement bodies punishments; and special provisions for maritime labor, and mining labor.

16. This LMP identified the shared aims and gaps between the project relevant World Bank’s ESF standards and the above mentioned PERSGA regulations and national legislation, chiefly to adopt existing good practices, and propose suitable approaches for inadequately addressed issues/ areas, in order to be followed during the implementation of the project, which can be summarized in the following table

WB ESS Standard	Shared Aims/ Gaps in relevant PERSGA Rules & National Act	Approach by the SFISH Project
<i>ESS2: Labor and Working Conditions</i>	<p>Main issues and risks well addressed by PERSGA Rules and National Act, including OHS, child labor, forced labor, grievance arrangement, etc./</p> <p>Preparation of specific LMP for development projects is not required</p>	<p>Develop and implement this project LMP</p> <p>POM includes detailed LMP related measures and GRM for both project workers and stakeholders</p>
<i>ESS4: Community Health and Safety</i>	<p>Well addressed in particular to COVID 19 related measures/</p> <p>SEA/SH and GBV are not familiar as newly introduced WB ESS standards in development projects, though addressed in some national strategies and action plans</p>	<p>POM includes detailed SEA/SH and GBV related measures and special related grievance mechanism for both project workers and stakeholders</p> <p>Project workers apply code of conduct forbidding SEA/SH and receive orientation and training on SEA/SH and GBV prevention and management standards</p>
<i>ESS10: Stakeholder Engagement and Information Disclosure</i>	<p>PERSGA Project Guidelines Manual include stakeholder analysis and engagement approaches/</p> <p>Preparation of project specific “Stakeholder Engagement Plan” and “Grievance Mechanism” not required</p>	<p>SFISH project “Stakeholders Engagement Plan” & “GRM” was developed as per WB guidelines, and embedded in the POM</p>

4 Responsible Staff, Policy and Procedures

17. The responsible staff and oversight mechanisms is described in further detail in the POM. The Project Coordinator, whom assigned by PERSGA SG to head the Project Coordination Unit (PCU), will be the responsible staff for the overall implementation of the procedures outlined in this LMP under the SG supervision. The Project Coordinator will be assisted by the designated PCU members for this purpose. The Grievance Redress Mechanism for project workers outlined in the Stakeholder Engagement Plan (SEP) of this project will be utilized to address any labor related grievances.
18. A Code of conduct will be publicized, and signed and admitted by project workers. This Code will be in understandable language, expressing the project core values, including welcoming environment for everyone, regardless of gender, national origin, sexual orientation or religion; zero tolerance and unacceptability of offensive behavior, such as discrimination and harassment in any form, SEA/SH and GBV; and adherence to guidelines for mitigating risks to community health and safety, such as COVID-19; provisions of national labor act, in addition to ESS2 guidelines regarding Labor and Working Conditions, such as including OHS, child labor, forced labor, grievance arrangement. It should also insist on the obligation of everyone actively contribute to a good work climate and counteract all kind of offensive behavior, and violation of health and safety rules.
19. The PCU, *inter alia* the Project Coordinator (PC) has the overall responsibility to oversee all aspects of the implementation of the LMP, in particular to ensure contractor compliance. This will address all LMP aspects as part of procurement for the relevant service, as well as during contractor induction and execution. Due Diligence for ESS compliance measures in project contracts is provided in the table below.

Stage of Contractual Process	Due Diligence
Before bidding/ Petition	<ul style="list-style-type: none"> ▪ Ensure that the terms of reference clearly define the contractor responsibilities regarding oversight of, and reporting on, measures for the relevant ES safeguards and supervision. ▪ Ensure the team skills in the terms of reference clearly include key staff qualified and experienced in managing similar projects, and demonstrated capacity to manage social and environmental issues, including issues pertaining to community health and safety and SEA/SH/ GBV ▪ Ensure that the project GRM is established and its use is publicized.
Preparation of bidding/ petition documents	<ul style="list-style-type: none"> ▪ Review contract conditions included in bidding documents to: <ul style="list-style-type: none"> – Ensure that relevant ESS mitigation measures on community health & safety and SEA/SH & GBV are reflected and budgeted in the contract, and explicitly referred to in the documents.

	<ul style="list-style-type: none"> - Identify relevant provisions regulating the contractor’s responsibility, and any gaps, inconsistencies or areas of concern that could be addressed through additional provisions in the “particular conditions of contract” and/or technical specifications - Include a requirement to sign ‘Codes of Conduct’ governing behavior, and identifying sanctions - Identify that training programs on implementing the Codes of Conduct, etc. will be undertaken - Ensure the contract conditions clearly specify what type of penalty the contractor will face if the provisions of the relevant ESSs and related national act are not adhered to, including by subcontractors, e.g. direct incentives to contractors in the form of penalties for poor performance on ESS performance/ compliance. - Ensure the bidding documents detail how the contractor will be required to monitor and report on aspects reflecting issues and risks specific to the contract and its monitoring.
Bidding/ proposal evaluation	<ul style="list-style-type: none"> ▪ Review the bid evaluation report to verify for the recommended contractor documents related to the ESS compliance, implementation capacity, and other obligations of the contractor required are sufficiently detailed and cover the contractual requirements. ▪ Require the contractors or his representative staff to have the ability to communicate in the language of the Borrower and/or the local language. ▪ Verify that the contract management framework identifies clearly lines of communication and that these are formalized and a consistent record is provided. ▪ Confirm that the contractor meets the project’s ESS requirements for capability and experience.
After contract signing	<ul style="list-style-type: none"> ▪ Prior to commencing service, ensure that the contractor submits specified requirements for ESS documents related to compliance, implementation capacity, and other obligations of the contractor required, including also signed Code of Conduct, and clear & agreed measures to manage identified gaps, inconsistencies concerns that were included in additional provisions and/or technical specifications ▪ Ensure and follow up implementation of agreed monitoring and reporting procedures.

5 Grievance Redress Mechanism (GRM)

20. The SFISH project, as per ESS 10, has a GRM in place available for project stakeholders and other interested parties to submit questions, comments, suggestions and/or complaints and provide any form of feedback on all project-funded activities. While GRM for workers under ESS2 is separate from the Project level GRM under ESS10, given the

nature, type and scale of the project, the GRM will be streamlined to address grievances relating for the workers as well as for the whole project. In this regard, the GRM for project workers is elaborated in the project Stakeholder Engagement Plan³. The GRM mainly includes:

- iv) Procedure to receive grievances comment/complaint form, including suggestion box/ email/ telephone line, as appropriate.
- v) Stipulated timeframes to respond to grievance,
- vi) A register to record and track the timely resolution of grievances, and
- vii) Responsible staff/ office to receive, record and track resolution of grievance.

³ https://persga.org/Documents/Publications/SFISH/SEP_PERSGA_C1_SFISH_Project.pdf