

## **ESS2 - Labour and Working Conditions**



CANARI serves as CEPF's regional implementation team for the Caribbean Islands Biodiversity Hotspot.

### **Labor Management Procedures**

**10 May 2023**

**CEPF- 113662**

**Fundación de Apoyo al Suroeste, Inc. - FUNDASUR**

**Promotion of Participatory Management of the Padre Miguel Fuertes Natural Monument  
in the Dominican Republic**

### Grant Summary

1. **Beneficiary organization: Fundación de Apoyo al Suroeste, Inc. – FUNDASUR**
2. **Project title: Promotion of Participatory Management of the Padre Miguel Fuerte Natural Monument in the Dominican Republic**
3. **Grant number: CEPF-113662**
4. **Grant amount (US dollars) \$49,964.20**
5. **Proposed grant dates: 1 September 2023 – 31 August 2024**
6. **Countries where the activities will take place: Dominican Republic**
7. **Date of preparation of this document: May 9, 2023**

### 8. Caribbean Hotspot Project Overview

The Caribbean Islands Biodiversity Critical Ecosystem Partnership Fund (CEPF) Small Grants Facility is being implemented in the Caribbean Islands by the Caribbean Natural Resources Institute (CANARI), acting as the Regional Implementation Team (RIT). for its acronym in English). After a successful first investment in the Caribbean Islands Biodiversity Hotspot between 2011 and 2016, the CEPF has returned to the region for a second phase of investment from August 2021 to July 2026, amounting to US\$11.8 million.

The objective of the CEPF is to conserve biodiversity. Its approach is to build local conservation leadership and promote sustainable development by developing locally-driven conservation strategies and providing grants to civil society to implement those strategies. In the Caribbean, the CEPF aims to strengthen the protection and management of globally important biodiversity within 32 priority Key Biodiversity Areas (KBAs) and seven conservation corridors in Antigua and Barbuda; The Bahamas; Dominican Republic; Haiti; Jamaica; Saint Lucia; Saint Vincent and the Grenadines.

### 9. Summary of working conditions in the project:

This grant focuses in the first instance on updating the management plan and promoting the co-management of the protected area, training partners and key actors to ensure effective capacities in the co-management of the area and supervising the implementation of the management plan. Sensitizing the surrounding communities about the importance of biodiversity conservation of this KBA and promoting their participation and socialization in the management plan is also part of this project.

To carry out the actions described above, this project will have a main Coordinator (100%), a Social Technician (40%), who will accompany the coordinator and is in charge of promoting social activities, as well as an accountant (40%).

This grant includes consultancies and professional services. With regard to the updating of the Management Plan, there will be the technical assistance of a consultant, for the design of training content and awareness to the communities will have professional services knowledgeable about the place and the subject. This person will be in charge of the logistics for the workshops to be carried out with the support of the accountant.

Likewise, this subsidy will require professional services for the realization of the informative material of the Natural Monument, as well as for the realization of a web page of the beneficiary organization in order to promote this Key Biodiversity Area (CPA) and inform the actions that are being carried out under this project, mainly with a view to updating the management plan.

Number of people hired/working for the project

The project will employ three (3) professionals from FUNDASUR and will hire the professional services of 4 people as detailed in table 9.1

**Table 9.1: Project Workers/Staff**

Job Position	Type (direct / contracted / community)	Gender	Workplace (Remote / Office / Field)	Status	
				(full-time / part-time)	(staff hired / to be hired)
Juan Francisco Garcia Talavera Responsible coordinator	Direct	M	Office/ Field	Full Time	Staff
(To be defined) Social Technician	Direct	X	Office/ Field	Full Time	To be hired
Counter (a)	Direct	M	Office	Part-time	Staff
Professional Services Consultant for Management Plan Update	Direct	M	Office/Field	Part-time	To be hired
Professional services Designer of training and awareness content	Direct	X	Office/field	Part-time	To be hired
Professional services to design informative and informative material	Direct	X	Office	Part-time	To be hired
Professional services of a Community Manager for website and social networks	Direct	X	Office	Part-time	To be hired

**Characteristics of the staff / workers**

The exact profile of the people who will be involved is not yet known, but it is estimated that 35% women will be engaged to work on the project. It is important to note that care will be taken to ensure that the persons hired or involved in the execution of the project are knowledgeable about the place and the customs of the communities.

**Calendar of labor needs**

Table 9.2 shows the expected timetable for the labour requirements of this grant

**Table 9.2: Schedule of Work Needs**

	2023		2024		
	Q3	Q4	Q1	Q2	Q3
1. Project Coordinator	X	X			X
2. Field technician	X	X	X	X	-
3. Contador	X	X	X	X	X
4. Consultant for updating the management plan		X	X	X	X
5. Professional services Designer of training and awareness-raising content	-	X	X	X	X-
6. Professional services to design informative and informative material		X	X	X	X
7. Professional services of a <i>community manager</i> for website and social networks	X	X	X	X	X

**10. Assessment of the main potential occupational risks and risk mitigation measures**

The following table identifies the potential and expected occupational hazards of the proposed subproject based on the activities.

**Table 10.1: Potential occupational hazards and mitigation measures**

Main occupational hazards	Probability of risk (low / medium / high)	Risk level (low / medium / high)	Description	Mitigation measures
Physical injuries from accidents (e.g., traffic accidents), health emergencies (e.g., acute illness)	Middle	Middle	It will be necessary to travel by vehicle (either car or motorcycle) to carry out the different activities of the project.	To minimize the risk for visits in the area concerned and in the vicinity of the communities, the vehicle (whether car or motorcycle) to be used within the framework of the project will be subject to routine maintenance. Authorized drivers of the vehicle (whether car or motorcycle) will have the necessary licenses to operate the vehicle in question. Workers will be licensed to operate vehicles and any other motorized equipment and will be determined to be in good condition before departing All

Main occupational hazards	Probability of risk (low / medium / high)	Risk level (low / medium / high)	Description	Mitigation measures
				authorized drivers will be reminded of safe driving practices. Workers will have access to first aid equipment.
Physical harm (during any outside visits in the community)	Low	Low	Direct workers will have to visit the communities to undergo community participation and outcome presentations. Direct workers can be invited by community groups, in order to tour farmland, used areas, etc. There could be injuries such as sprains or breaks in the event of a fall.	Staff or workers shall have access to first aid equipment.  All direct workers will have health insurance in case they need medical treatment. Guidelines of possible in risks in the field, it is desirable
Hydrometeorological phenomena (hurricanes, tropical storms) and other natural disasters, including earthquakes and volcanic eruptions.	Middle	High	Throughout the life of the project, the country may be severely affected by a hydrometeorological phenomenon or other natural disasters. The Caribbean region is up to seven times more likely to suffer a natural disaster than the largest states, and when one occurs, the damage is up to six times greater.	Recognizing the risk of natural disasters, workers will remain vigilant for all weather warnings and carry out community activities in accordance with the Government of Dominican Republic's guidelines on natural disasters and emergencies. Workers will not travel to the field in adverse weather conditions. To the extent possible, community engagement activities will take place outside of hurricane season.
Discrimination and/or harassment in the workplace	Low	Low	Unfair treatment in the form of discrimination based on personal characteristics such as race, sex, religion, sexual orientation, etc.	Staff/workers will be notified that everyone has the right to a safe working environment, and that discrimination and harassment will not be tolerated. Any incident will be dealt with in accordance with the grievance mechanism described in sections 18 and 19, which will be disseminated to all workers within the framework of the project.

Main occupational hazards	Probability of risk (low / medium / high)	Risk level (low / medium / high)	Description	Mitigation measures
Use of child labour.	Low	Low	Use of minors under 18 years of age to work within the framework of the project.	Workers will be notified that the use of child labor will not be tolerated. Any incident shall be dealt with in accordance with the grievance mechanism described in sections 18 and 19, which shall be disseminated to all project workers, and an independent grievance mechanism shall be disseminated to interested parties.
COVID-19 contraction/transmission	Middle	Low	COVID-19 occurs globally and is more likely to be transmitted through any work involving large gatherings	Workers will be provided with safety equipment (masks, disinfectant). Any national declarations or guidelines of the Government of Dominican Republic shall be respected. At all community meetings, sanitizers and masks will be available to others if needed.  Direct workers are vaccinated and will follow distancing and hygiene protocols as needed.

## 11. Brief Overview of Dominican Republic Labor Legislation/Code - Terms and Conditions

Act No. 1692 promulgating the Labour Code <sup>1</sup>shall be taken into account in the recruitment of personnel and professional services<sup>2</sup>

The Dominican legislation contemplates as main points:

- For contractors / specific services: a withholding of 10%, corresponding to the Income Tax (IRS) of the General Directorate of Internal Taxes (DGII), and an additional 18% corresponding to the ITBIS, to be paid in this case by FUNDASUR.
- For employees with an indefinite term/long-term contract: withholdings of Impuesto Sobre la Subtraction (IRS), which is calculated based on the total amount of the contract, and about 6% of the total amount of the contract for the payment of the AFP

<sup>1</sup> Secretaría de Estado de Trabajo, Santo Domingo, Dominican Republic, 1992, 146 pp.

<sup>2</sup> For further references, see <https://www.ilo.org/dyn/natlex/docs/WEBTEXT/29744/64852/S92DOM01.htm>

and<sup>3</sup> SFS<sup>4</sup>. Additionally, the employer must contribute an amount corresponding to approximately 16%, destined to the Social Security Treasury (TSS). The employee receives with a double salary (without tax deduction) that is paid in the month of December, and has 15 working days of vacation.

### **National legislation on Occupational Safety and Health**

In accordance with art. 62, section 8 on the right to work of the Constitution of the Dominican Republic 2010: "It is the obligation of every employer to guarantee its workers adequate conditions of safety, health, hygiene and work environment. The State shall adopt measures to promote the creation of bodies composed of employers and workers for the achievement of these ends."

Likewise, in accordance with Law 87-01 that creates the Dominican Social Security System in Art. 4, paragraph 4 stipulates the following: "The worker has the duty to observe each and every one of the recommendations aimed at preventing accidents at work and/or occupational diseases. In addition, it must participate and / or collaborate with the occupational safety and health committees that are organized in the company or institution where it provides its services.

According to the legislation, an amount of 1.10% of the total amount is contributed to cover the Occupational Risk Insurance. This affiliation is made automatically when making the corresponding payments to the Social Security Treasury (TSS). Additionally, the payment of the TSS ensures the affiliation of the employee to medical insurance, either with the State insurance (SENASA) or through a private health policy.

#### **Risk mitigation measures:**

To avoid possible accidents and emergencies, much will be depended on the constant consultation of those who know the territory best, and travel under adverse conditions (heavy rains or when roads are in very bad condition, among other unfavorable conditions) will be avoided. This mitigation measure will seek to minimize possible eventualities.

However, in the Dominican Republic, one of the main responsibilities attributed to the Occupational Health and Safety Regulation is to **evaluate the occupational risks** to which all workers in their charge are exposed. The regulation of this duty is established in certain provisions contained in Decree No. 522-06 of 17 October 2006. As established in article 6 of the standard, employers have the obligation to protect workers against occupational risks. In compliance with this general duty, it must guarantee the safety and health of the workers at its service, in all aspects related to work, through the adoption of all necessary preventive measures. That regulation is therefore enforced in the context of the draft<sup>5</sup>.

---

<sup>3</sup> Country pension fund

<sup>4</sup> Family Health Insurance

<sup>5</sup> See <https://prl.ceoe.es/informacion/prl-en-el-mundo/republica-dominicana/>

## 12. Direct workers

Direct workers are hired in accordance with national labour and employment legislation. FUNDASUR does not discriminate in its programs, activities or contracts on the basis of race, skin color, national or ethnic origin, age, religion, disability or handicap, sex or gender, gender identity and/or expression, sexual orientation, military or veteran status, genetic information or any other characteristic protected by applicable Dominican legislation.

Subcontracting agreements include standard text on labour and employment law. HR policies only exist within the subcontracting organizations themselves.

Close monitoring will be given to the contracts that are handled from the sub-subsidies so that all conform to the framework of safeguarding the subsidy, and comply with labor regulations of Dominican law. As already described, FUNDASUR will ensure that all hiring and personnel involved in the grant respect the country's legal regulations, and that they are also in line with the provisions of the Safeguard policies dictated by CEPF.

The complaint and communication channels around the project will be presented and remembered in each public event that takes place, and with the help of visual elements located in strategic places, so that both the community involved and the employees (direct or indirect) can have a clear channel of communication.

## 13. Community labour force

No community workers are foreseen for this project. There will be community participation in the workshops, but no community member is expected to be paid for their services.

## 14. Responsible personnel

The personnel responsible for the management and supervision of PMD-related activities are listed in Table 13.1.

*Table 15.1: Staff and workers responsible for the implementation of the PML*

Position	Activities	Estimated time (%)
Executive Director of FUNDASUR	Supervision of people working directly, including administrative and human resources responsibilities of FUNDASUR staff, as well as ensuring that subcontracting agreements are accurate and include relevant information. Ensure that the LMP document and the Grievance Mechanism are shared with all direct workers	5%
Project Coordinator at FUNDASUR	Commitment and management of subcontractors. Direct supervision of deliveries and activities of subcontractors. Procurement of all necessary	10%



	supplies and equipment and first point of contact for the grievance mechanism	
Social Technician at FUNDASUR	Promotes social activities and accompanies coordination and informs community groups about grievance mechanisms,	5%

## 15. Estimation of implementation costs

The following table shows the items or activities associated with PLM. For the staff responsible for the implementation of safeguard policies, a percentage of their budgeted costs has been used. The table represents the costs associated with the implementation of the PGV throughout the grant.

**Table 16.1: Implementation schedule and cost estimates for the entire duration of the subproject**

Items	Concept Cost Estimate (USD)
Salary of direct workers for the execution of PLM	\$3000
Purchase of COVID-19 safety supplies (masks, hand sanitizer, rapid test results)	\$200
First aid kit for field work	\$100
Vehicle / transport expenses	\$2400

## 16. Policies and procedures

The following administrative and human resources policies and procedures are in place for the beneficiary:

- **Guiding principles** - fundamental principles that are used to guide the operation of FUNDASUR and the recruitment, as well as the treatment of personnel.
- **Personnel Manual** - This manual is intended to provide clear guidelines on the conduct of personnel hired by FUNDASUR, as well as to provide information on employee benefits and staff welfare.
- **Operations Manual** - This manual is intended to provide clear guidelines for staff regarding FUNDASUR's day-to-day operations, administrative procedures, and project management principles.
- **Accounting Manual** - This manual is intended to guide all FUNDASUR investments, budgeting, account management and accounting procedures.
- **Information Technology (IT) Policy** – This policy provides guidance to FUNDASUR employees on the proper use of IT, including cybersecurity, electronic file storage and backup procedures, as well as the use of the Internet and email.
- **Electronic Wage Payment Procedure** - This manual describes the procedure for executing electronic wage payments through FUNDASUR's online banking

platform. If for any reason the online banking platform does not work on payday, staff must receive payment by check.

- **Tax and Return Filing Calendar**

## **17. Grievance or Grievance Mechanism (MR)**

The following is the MR of the project to address the concerns of **FUNDASUR**'s external stakeholders. The MR will be made available to stakeholders once the project starts. Grievances related to project workers will be handled by a separate mechanism that is included as part of the project's Labor Management Procedure.

This MR is simplified, considering the limited scope of project activities at the community level and the low risk of adverse social impacts. The key measures will be to explain the purpose of any visit to stakeholders, explain the existence of the MR and make available the contact information of **FUNDASUR** and the CEPF-RIT (Implementation Team-CANARI). This will be done through a printed brochure or other locally appropriate means.

### **Objectives of the MR**

The objectives of the MR are to:

1. Ensure that World Bank NAS are complied with in all project activities.
2. Address any negative environmental and social impacts of all project activities.
3. Resolve all complaints arising from project activities in a timely manner.
4. Establish relationships of trust between project staff and stakeholders.
5. Create transparency between stakeholders, including affected persons, through an established communication system.
6. Strengthen the relationship of trust between project personnel and affected parties.

### **First Level of Repair**

**1. Receive complaints:** at the project level, all complaints must be received by the executive director of FUNDASUR, **Mr. Antonio Fernández Rodríguez**

Complaints may be made personally, in writing, verbally by telephone, by e-mail or by any other appropriate means. Reports can be submitted anonymously. The point of receipt of complaints is detailed below:

<b>Contact</b>	
Position	Project Coordinator
Telephone	+1809 524-2876 / +1809(001809)
Email	
Physical address	Calle Colón # 53, corner of Avenida Luperón - Barahona.

**At the local and national level, complaints should be sent to:**

<b>Contact</b>	
Position	Chief executive officer

Contact	
Telephone	(809)524-2876 +1809(001809)
Email	aferduverge@gmail.com
Physical address	Calle Colón # 53, corner of Avenida Luperón - Barahona.

All complaints received by FUNDASUR staff must be forwarded to the Executive Director within 24 hours of receipt.

2. Acknowledgement of receipt: the Executive Director shall acknowledge receipt of all complaints by telephone or in writing within 48 hours of receipt and the complainant shall be informed of the approximate time limit for resolving the complaint, if it cannot be resolved immediately. The Executive Director shall endeavour to ensure the prompt resolution of the complaint. If the complaint cannot be resolved at this level, it will be moved on to the next level.

3. Registration: the complaint will be registered in FUNDASUR's complaints file, including the relevant documents.

4. Notification: communication of the grievance as follows:

- a. If it refers to the project, communication to the project manager
- b. Notification shall also be made to the CEPF grant director and the Regional Implementation Team manager within 15 days.
- c. If it refers to operations/general activity of FUNDASUR, communication to the executive director.

5. Evaluation: a decision is made about the nature of the research to be carried out.

6. Investigation: proper investigation of the complaint by an internal team assigned to this task (e.g. may include staff directly involved). The investigation may include meetings with the complainant and other interested parties and a review of relevant documents. Meetings with the complainant shall involve an impartial party. Representatives of the community or the complainant may attend these meetings. Meeting minutes and documents shall be incorporated into the complaint file.

7. Resolution: Depending on the findings of the investigation:

- a. A resolution is decided immediately
  - a. The complaint is rejected
  - b. An answer is agreed
  - c. The complaint is forwarded as appropriate
- b. No resolution can be reached, and the case is submitted to the CEPF Grant Director or the NCCLFMC Grievance Committee for further information.

8. Communication: Once a decision has been reached, the decision is communicated to the complainant in writing. The documents are added to the complaint file.

9. Satisfaction: If the plaintiff is not satisfied with the NCCLFMC's response, they may move to the second level of relief. At all stages, documents are added to the complaint file.

NB: The complainant may request that the matter be transferred to the second level of redress if he/she does not feel that the complaint is being adequately addressed by the Director of the Caribbean Islands Biodiversity Hotspot Grant.

### **Second level of repair**

If complainants are not satisfied with the way their complaint has been dealt with at the first level, they will be given the opportunity to raise it directly with the Director of the CEPF Caribbean Islands Biodiversity Hotspot Grant, who they can contact as follows:

<b>Contact</b>	
Title	RIT Director for the CEPF Caribbean Islands Hotspot
Telephone	Phone +1-868-638-6062
Email address	caribbeanrit@canari.org
Physical address	Caribbean Natural Resources Institute, #105 Twelfth Street, Barataria, Trinidad y Tobago

### **Third level of repair**

If complainants are not satisfied with the way their claim has been handled at the second level, they may contact the CEPF Grants Director at +1-703-341-2400 or by email: [cepf@cepf.net](mailto:cepf@cepf.net)

### **Fourth level of repair**

If the complainant is not satisfied with the way his complaint has been handled at the third level, he must turn to the services of the national labour disputes tribunal through the Wages and Conditions of Employment Branch (PCEB) of the Labour Relations Department (IR) of the Ministry of Labour and Social Security, Phone (876) 922-2468 or (876) 922 9500-14. Once complainants formally file a complaint, including filling out appropriate forms, PCEB officials and inspectors will conduct an investigation. The name and identity of any person submitting a complaint to the PCEB shall be kept confidential.

If the claimant remains dissatisfied, the claimant has the option of submitting his or her claim to the World Bank Claims Facility, but this should only be accessed after the claimant has exhausted other MR options. The RIT and the CEPF Secretariat will attempt to resolve all complaints within 60 days of receipt.

### The World Bank Claims Facility (GRS)

The complainant has the option of approaching the World Bank, if it considers that the established GRS cannot resolve the matter. It should be noted that, ideally, this GRS should only be accessed once the project grievance mechanism has been used for the first time without an acceptable resolution. World Bank procedures require the complainant to express their grievances in writing to the World Bank office in Washington DC by completing the GRS complaint form, which can be found at the following link:

<http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service#5>. Completed forms will be accepted by email, fax, letter, and hand delivery to the GRS at World Bank headquarters in Washington or at World Bank country offices.

Email: [grievances@worldbank.org](mailto:grievances@worldbank.org)

Fax: +1-202-614-7313

By letter: World Bank, Grievance Repair Service (GRS) MSN MC 10-1018 NW,  
Washington, DC 20433, USA

### **18. Address sexual exploitation, harassment and abuse**

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

The grantee/beneficiary will specify an individual who will be responsible for dealing with SEA/SH issues, should they arise. The project will maintain a list of SEA/SH service providers. The grantee must assist SEA/SH survivors by referring them to service providers for support immediately after receiving a complaint directly from a survivor.

To address the SEA/SH, the project will follow the guidance provided in the World Bank's technical note "Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) in the Financing of Investment Projects Involving Civil Works." This dealership will follow the official WB definitions described in the technical note as shown below:

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

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

Sexual harassment (SH) is any unwanted 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 may reasonably be expected or perceived, that causes offense or humiliation to another, and when such conduct interferes with work, becomes a condition for employment or creates an intimidating, hostile or offensive work environment.

The Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) Service Provider is an organization that provides specific services for SEA/SH survivors, such as health services, psychosocial support, shelter, legal assistance, safety services, etc.

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

and express needs and wants, as well as to strengthen the survivor's ability to make decisions about possible interventions.

Complaints about EAE/SH can be received through any of the available channels and will be considered "High profile complaints - which if not resolved promptly may pose significant risks to the environment or the community". A list of EAE/SH service providers can be found on the RIT page: <https://canari.org/wp-content/uploads/2022/06/CEPF-II-GBV-Service-Providers-Jamaica2.pdf>.

In addition, if an incident occurs, it will be reported accordingly, maintaining the anonymity and confidentiality of the reporting person and applying the survivor-centred approach<sup>6</sup>. Any SEA/SH cases submitted through the grantee will be documented, but will remain closed/sealed to maintain survivor confidentiality. The CEPF will be notified as soon as the designated persons of the Grantee organization become aware of the complaint.

If an incident involving SEA/HH occurs, it will be reported through the grantee, as appropriate and maintaining the confidentiality of the survivor's information. Specifically, the following measures will be taken once an incident occurs:

#### ACTION 1: ADMISSION AND REFERRAL OF THE COMPLAINT

If the survivor consents, the responsible person designated by the grantee completes a complaint form, excluding any information that can identify the survivor:

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

If the survivor does not wish to give written consent, he or she may receive it verbally. If the survivor needs or wants it, the responsible person designated by the grantee refers them to the relevant EAS/SH service providers, identified in the EAS/SH service provider map and in accordance with pre-established and confidential referral procedures. The survivor's consent must be documented, even if received orally. Service providers may direct survivors to other service providers should the survivor wish to access other services. The person designated by the beneficiary shall keep the survivor informed of any action taken by the aggressor's employer. If the survivor has been referred to the relevant SEA/SH service providers, has received appropriate assistance and no longer needs support; and if appropriate action has

---

<sup>6</sup> The survivor-centred approach is based on a set of principles and skills designed to guide professionals – regardless of their role – in their relationship with survivors (predominantly women and girls, but also men and boys) who have experienced sexual or other forms of violence. The survivor-centred approach aims to create a supportive environment in which the survivor's interests are respected and prioritised, and the survivor is treated with dignity and respect. The approach helps promote survivors' recovery and ability to identify and express their needs and wants, as well as strengthen their ability to make decisions about possible interventions.

been taken against the aggressor or if the survivor does not wish to lodge an official complaint with the employer, the designated responsible person of the grantee may close the case.

## ACTION 2: NOTIFICATION OF THE INCIDENT

The designated person responsible for the Grantee has to report the anonymous SEA/SH incident as soon as it is known, to the executive director, who in turn will inform the CEPF. Report Forms and other detailed information must be filed in a safe place by the designated person responsible for the Beneficiary. Neither the grantee's designee nor the executive director should seek additional information from the survivor.

SEA/SH incident reporting is not subject to survivor consent, but the designated grantee responsible needs to provide ongoing feedback to the survivor at various times: (1) when the complaint is received; (2) when the case is reported to the designated person responsible for the grantee and to the CEPF; (3) when verification begins or when it is determined that there is no sufficient basis to proceed; and (4) when verification is concluded or when any result is achieved or disciplinary action is taken.

While the SEA/SH remains open, the designated person responsible for the beneficiary and/or executive director must update the CEPF on the measures taken to close the incident.

## ACTION 3: VERIFICATION AND INVESTIGATION OF COMPLAINTS

Each SEA/SH incident must be verified to determine if it was related to the CEPF-funded project. The designated person responsible for the grantee must form a SEA/SH verification committee composed of him/her, a member of the grantee's organization, a member of a local service provider, and a contractor's representative (if relevant). The person designated as responsible for the grantee must notify the incident to the SEA/SH Committee within 24 hours of its creation. The SEA/SH verification committee will review the SEA/SH allegation to determine the likelihood that the complaint is related to the project.

If, after the committee's review, SEA/SH's claim is confirmed and determined to be linked to a project, the<sup>7</sup> verification committee discusses appropriate actions to be recommended to the appropriate party, i.e., the author's employer, which could be the designated person responsible for the grantee or a contractor. The controller designated by the beneficiary shall ask the contractors to take appropriate action. The committee reports the incident to the aggressor's employers so that they can apply corrective/disciplinary measures in accordance with local labor laws, the aggressor's employment contract and its codes of conduct according to standard recruitment documents.

---

<sup>7</sup> Project actors are: (a) persons employed or directly committed by the grantee to work specifically in relation to the project (direct workers); (b) persons employed or involved through third parties (project personnel, subcontractors, brokers, agents or intermediaries) to perform work related to the core functions of the project, regardless of location (contract workers); (c) persons employed or engaged by the concessionaire's major suppliers (primary supply workers); and (d) persons employed or involved in providing community labor, such as volunteer services or participation in project activities and processes (community workers).

In the case of EAS/SH incidents where the survivor has not consented to an investigation, appropriate measures should be taken to ensure that the survivor is referred to or aware of available services, and that project mitigation measures are reviewed to determine whether they remain adequate and appropriate or need to be strengthened.

If the survivor is interested in obtaining redress and wishes to lodge an official complaint with the employer, or with entities of the SVG legal system, the responsible person designated by the grant recipient must provide liaisons with the relevant institutions. Ensuring due process of law rests with the police and the courts, not the SEA/SH verification committee. Unlike other types of issues, the responsible person designated by the beneficiary does not carry out investigations, make any announcements or judge the veracity of an allegation.

All SEA/SH cases submitted through the grantee will be documented, but will remain closed/sealed to maintain survivor confidentiality. In this case, the GM will mainly serve to:

- Refer complainants to the SEA/SH Service Provider; and
- Register the resolution of the complaint.

The Aid Recipient shall also immediately notify CEPF and the World Bank of any complaints from SEA/SH **WITH THE CONSENT OF THE SURVIVOR**.

## **19. Disclosure**

CEPF also requires all direct, contracted, and community and community workers to receive the Conservation International (CI) Code of Ethics and are informed that any violations of the Code of Ethics must be reported to CI through its ethics hotline at [www.ci.etspoint.com](http://www.ci.etspoint.com)

The code of ethics shall be consistent with the WB Code of Conduct:

[Enter staff name] has signed a contract with the sub-beneficiary for [Enter Terms of Reference (TOR) description]. This task will be carried out in XXXXX. This contract requires you to implement measures to address environmental and social risks related to the subproject, including risks of sexual exploitation, abuse and sexual harassment.

All persons are hereinafter referred to as "sub-beneficiary personnel" and are subject to this Code of Conduct.

This code of conduct identifies the behavior that is required of all sub-beneficiary staff.

The workplace is an environment where unsafe, offensive, abusive or violent behavior will not be tolerated and where all people should feel comfortable raising issues or concerns without fear of retaliation.

The staff of the sub-beneficiary shall:

1. carry out their duties competently and diligently.
2. acknowledge that compliance with this Code of Conduct is a condition of employment.



3. practice this Code of Conduct and all applicable laws, regulations and other requirements, including requirements to protect the health, safety and welfare of the staff of other sub-beneficiaries and any other person.
4. Maintain a safe working environment, including for:
  - a. Ensure that the equipment and processes in the workplace under the control of each person are safe and without health risks.
  - b. wear required personal protective equipment when visiting construction sites and follow protective guidelines related to the COVID-19 sub-project, as outlined in the Stakeholder Engagement Plan (SEP), Labour Management Procedure (LMP), Environmental and Social Management Framework (ESMF) and plans. (ESMP) or other relevant instruments.
  - c. use appropriate measures relating to chemical, physical and biological substances and agents; and
  - d. Follow applicable emergency operating procedures.
5. report work situations that you consider unsafe or unhealthy and withdraw from a work situation that you reasonably believe presents an imminent and serious danger to your life or health.
6. avoid any conflict of interest (so that no benefits, contracts, employment or any type of preferential treatment or favor are provided to any person with whom there is a financial, family or personal connection).
7. respect reasonable work instructions (including those relating to environmental and social standards).
8. protect and properly use property (for example, to prohibit theft, neglect or waste).
9. treat other people with respect and do not discriminate against specific groups such as women, people with disabilities, migrant workers or children.
10. Not engage in sexual harassment, i.e., unwanted sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature with sub-beneficiaries or other personnel.
11. not to engage in acts of sexual exploitation, i.e., any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetically, socially, or politically from the sexual exploitation of another person.
12. not to commit sexual abuse, i.e. actual physical intrusion or threat of physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
13. protect children (including prohibitions against sexual activity or abuse, or any other unacceptable behaviour towards children, limiting interactions with children and ensuring their safety in project areas).
14. They will not engage in any form of sexual activity with persons under the age of 18, except in the case of pre-existing marriage.
15. will have access to a referral system for victims of Gender-Based Violence/Sexual Exploitation and Employee Abuse and any individual who may be associated with the sub-project. When such an incident has occurred, the employer or his designee should be immediately notified, who will ensure that the victim is referred to a service provider trained to deal with cases of gender-based violence.

16. complete relevant training courses to be delivered in relation to the environmental and social aspects of the Contract, including health and safety, Sexual Exploitation and Abuse (EAS) and Sexual Harassment (AS).
17. will have access to a Grievance Mechanism, which will offer effective solutions.
18. report violations of this Code of Conduct to the Employer under this project.
19. retaliate against any person who reports violations of this Code of Conduct, either to the Employer or to the project's Grievance Redress Mechanism,
20. the Beneficiary's staff will follow the relevant requirements set out in the labour management procedure.

#### RAISE PROBLEMS

If you notice any behaviour that you believe may be a violation of this Code of Conduct, or that concerns you for any other reason, you should raise the issue without delay. You can do this in any of the following ways:

1. Contact [insert name of the Employer's Social Expert with relevant experience in dealing with gender-based violence, or if such person is not required under the Contract, another person designated by the Employer to deal with these matters] in writing at this address [ ] or by telephone at [ ] or in person at [ ]; or
2. Call [ ] to contact the contractor's hotline (if any) and leave a message.

The identity of the person will be kept confidential, unless the laws of the Dominican Republic require the filing of complaints. Anonymous complaints or denunciations may also be submitted, which will be subject to due and appropriate consideration. We take all allegations of possible misconduct seriously, investigate them and take appropriate action. If appropriate, we will refer the person who has suffered the alleged incident to service providers who can assist them.

No retaliation will be taken against anyone who in good faith reports behavior prohibited by this Code of Conduct. Such retaliation would constitute a violation of this Code of Conduct.

#### CONSEQUENCES OF VIOLATION OF THE CODE OF CONDUCT

Any violation of this Code of Conduct by the Sub-beneficiary's Staff may result in serious consequences, which may include dismissal and possible referral to the legal authorities.

#### FOR GRANTEE/BENEFICIARY PERSONNEL

I have received a copy of this Code of Conduct written in a language I understand. I understand that, if I have any questions about this Code of Conduct, I may contact [insert name of Employer contact person(s) with relevant experience]] requesting an explanation.

Name of subcontracted staff: [insert name]

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

Date: (day month year): \_\_\_\_\_

Signature of an authorized representative of the employer:

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

Date: (day month year): \_\_\_\_\_

ANNEX 1: Conduct constituting sexual exploitation and abuse (EAS) and conduct constituting sexual harassment (ASI)

## **ANNEX 1: Conduct constituting sexual exploitation and abuse (EAS) and conduct constituting sexual harassment (ASI)**

The following non-exhaustive list is intended to illustrate types of prohibited behaviours:

(1) **Examples of sexual exploitation and abuse** include, but are not limited to:

- A Sub-grantee Personnel tells a member of the community that he/she can get them jobs related to the work site (e.g., cooking and cleaning) in exchange for sex.
- A Sub-grantee Personnel that is connecting electricity input to households says that he can connect women-headed households to the grid in exchange for sex.
- A Sub-grantee Personnel rapes, or otherwise sexually assaults a member of the community.
- A Sub-grantee Personnel denies a person access to any project Site unless he/she performs a sexual favour.
- A Sub-grantee Personnel tells a person applying for employment under the Project that he/she will only hire him/her if he/she has sex with him/her.

(2) **Examples of sexual harassment in a work context**

- Sub-grantee Personnel comment on the appearance of another Sub-grantee Personnel (either positive or negative) and sexual desirability.
- When a Sub-grantee Personnel complains about comments made by another Sub-grantee Personnel on his/her appearance, the other Sub-grantee Personnel comment that he/she is “asking for it” because of how he/she dresses.
- Unwelcome touching of a Sub-grantee or Employer’s Personnel by another Grantee Personnel.
- A Grantee Personnel tells another Grantee Personnel that he/she will get him/her a salary raise, or promotion if he/she sends him/her naked photographs of himself/herself.