

ESS2 - Labor and Working Conditions



Labor Management Procedures

May 19, 2022

CEPF Grant 112640

IUCN

**Conservation action planning of selected threatened conifers and palm species in the Dominican Republic
Dominican Republic**

Grant Summary

- 1. Grantee organization:** International Union for the Conservation of Nature (IUCN)
- 2. Sub-project title:** Conservation action planning of selected threatened conifers and palm species in the Dominican Republic
- 3. Grant number:** 112640
- 4. Grant amount (US dollars):** US\$113,467.5
- 5. Proposed dates of grant:** July 2022-July 2024
- 6. Countries where activities will be undertaken:** Dominican Republic
- 7. Date of preparation of this document:** May 19, 2022

8. Overview of labor use on the sub-project:

These Labor Management Procedures (LMP) have been prepared for the International Union for the Conservation of Nature (IUCN) (CEPF-112640). The initiative forms part of the Critical Ecosystem Partnership Fund – Caribbean Hotspot Project (P173464) funded by the Policy and Human Resources Development Trust Fund at the World Bank and implemented by Conservation International (CI), headquartered in Washington, D.C., USA, which aims to improve the capacity of CSOs to reduce threats to globally important biodiversity in the Caribbean Islands Biodiversity Hotspot.

The LMP seek to ensure that measures are in place to manage risks associated with employment under the sub-project and help to determine the resources necessary for effective planning and management. They set out the approach to complying with national labor legislation in all the countries where the sub-project will be implemented, as well as the objectives of the World Bank's Environmental and Social Framework (ESF), in particular Environmental and Social Standard 2 (ESS2) on Labor and Working Conditions. The LMP are a living document and will be updated to meet any changes in the demands or circumstances of the sub-project.

The LMP applies to all sub-project workers, whether full-time, part-time, or temporary. This section describes the sub-project's labor requirements based on available information.

Number of Project Workers

The project will employ 11 workers from the following three organizations: IUCN, Grupo Jaragua and the Species Survival Commission Conservation Planning Specialist Group (SSC CPSG) and three Dominican Republic-based consultants (see Table 8.1). Of these individuals, three are direct workers employed by IUCN while eight are contracted workers employed by Grupo Jaragua and IUCN SSC CPSG, which are project sub-grantees.

Table 8.1: Project worker positions and places of work

	Position	Place of work	Jurisdiction	Sex	Status
1	Manager, Biodiversity Assessment Unit (BAU), IUCN	Washington, DC	USA	Male	Direct worker
2	Program officer, Red List Unit (RLU), IUCN	Cambridge	UK	Male	Direct worker

3	Senior finance manager, IUCN North America Regional Office	Washington, DC	USA	Male	Direct worker
4	Program officer, SSC CPSG	London	UK	Female	Contracted worker
5	Project manager, Grupo Jaragua	Santo Domingo	Dominican Republic	Female	Contracted worker
6	Field coordinator, Grupo Jaragua	Santo Domingo	Dominican Republic	Male	Contracted worker
7	Senior administrative officer, Grupo Jaragua	Santo Domingo	Dominican Republic	Male	Contracted worker
8	Junior administrative officer, Grupo Jaragua	Santo Domingo	Dominican Republic	Male	Contracted worker
9	Botanical expert, Consultant, (consultant, Grupo Jaragua)	Santo Domingo	Dominican Republic	Female	Contracted worker
10	Botanical expert, Consultant (consultant, Grupo Jaragua)	Santo Domingo	Dominican Republic	Male	Contracted worker
11	Professional nature photographer, Consultant (consultant, Grupo Jaragua)	Santo Domingo	Dominican Republic	Male	Contracted worker

Characteristics of Project Workers

IUCN, Grupo Jaragua and IUCN SSC CPSG are equal opportunity employers that value diversity in all forms and are committed to an inclusive, respectful environment for all. It is the policy of all three organizations to ensure that all individuals are treated equally without regard to race, color, national origin or ancestry, religion or creed, sex (including pregnancy, childbirth, and related medical conditions), disability (physical or mental), citizenship status, marital status, genetic information, age, sexual orientation, gender identity or expression, medical condition, military service and/or veteran status, or any other characteristic protected by applicable law.

The three direct workers currently comprise three men and no women, although the sex ratio may change over time due to turnover. All direct workers are over 18 years old, and given the qualification requirements for the positions, no one under this age will be employed to work on the project as a direct worker. All direct workers have the authorization to work in the country

where they are normally domiciled.

The contracted workers comprise seven men and three women, although the sex ratio may change over time due to turnover. All direct workers are over 18 years old, and given the qualification requirements for the positions, no one under this age will be employed to work on the project as a direct worker. All contracted workers have authorization to work in the country where they are normally domiciled.

Besides local assistants/guides (see Community Workers section below), students or other researchers might join the expeditions and workshops (given there is available space) on a voluntary basis. If coming from outside the locality where the activity takes place, these students or researchers will receive per diems to cover transportation/lodging/meal costs, as appropriate.

Timing of Labor Requirements

The three direct workers are all existing, full-time employees of IUCN, who will be assigned to work part-time on the project; no new positions will be created, or staff recruited, unless to fill vacant positions due to staff turnover.

Fieldwork will be needed in the first year of the project July 2022-July 2023 – this will require assistance from the Grupo Jaragua and local field assistants/guides previously described. Workshop facilitation will take place in 2023 – this will require input from the IUCN, Grupo Jaragua and SSC CPSG.

Writing of project results within an office environment will be undertaken by the IUCN, Grupo Jaragua and SSC CPSG facilitation team in 2023 and 2024.

Contracted Workers

The contracted workers are all existing, full-time employees of Grupo Jaragua and SSC CPSG, who will be assigned to work part-time on the project; no new positions will be created, or staff recruited, unless to fill vacant positions due to staff turnover.

One worker will be engaged by SSC CPSG while seven will be engaged by Grupo Jaragua

Community Workers

The project could use the services of up to 8 field assistants/guides for field expeditions, depending on the location. These are local staff from Grupo Jaragua (from Oviedo or Duvergé areas). They will receive per diem, have transportation provided or transportation costs covered, and any field equipment/supplies needed. These individuals' salaries are paid by Grupo Jaragua with non-project funds.

9. Assessment of key potential labor risks:

Much of the project work can be classified as knowledge work, requiring professional and administrative labor.

Direct fieldwork to research the distribution and population sizes of target palm and conifer species confers risk mostly through travel on poorly maintained roads. Within the field environment that will be surveyed, there are anticipated to only be minor health and safety issues associated with trekking through open forest habitats. As always with fieldwork, it is possible that slips, falls or trips could occur as part of the trekking. There is a minor possibility of exposure to poisonous plants or venomous snakes. Dehydration and heat stroke will be prevented through reducing exposure and the provision of readily available drinking water.

COVID-19 currently presents a threat to all workers, whether working in-country or during regional travel.

There are also risks to occupational health and safety associated with natural hazards, particularly those hazards characteristic of countries in the Atlantic hurricane belt. Project workers may also be exposed to workplace injuries at Grupo Jaragua's offices or remote work locations.

Although unlikely, there may be some risk of discrimination and/or harassment, including sexual harassment, in the workplace, on the grounds of gender or other protected characteristic.

The key labor risks that may be associated with the sub-project are summarized in Table 10.1.

10. Risk mitigation measures:

It is expected that there are minimal labor risks associated with office or workshop environments.

For the fieldwork, experienced professional drivers will be employed to navigate the poorly maintained roads. There will remain a risk, but there will be full communication on when these journeys to field sites take place, including confirmation that fieldwork participants have reached the sites safely.

The possibility of minor injuries through trips, slips or falls during trekking will be addressed through the use of a first aid kit carried with the survey team.

Throughout the project, the IUCN and GJ will monitor the national specific regulations and guidelines related to COVID-19 on a frequent basis and will work closely with the CEPF Secretariat and in-country partners to make decisions. There will likely be limited community engagement in the fieldwork within the national park, and where there is, precautions will be taken to limit any spread of Covid-19. The Red List and Conservation Planning workshops will also have limited risk of exposure to COVID-19 for the ~15 workshops participants. Overseas facilitators will undertake Covid-19 tests on arrival in Santa Domingo prior to interacting with workshop participants. It is expected that participants will respond to a request to be vaccinated for Covid-19 prior to the meetings. Masks will be requested for the meetings. For natural hazards, no travel will take place during times where inclement weather is forecast. It will be difficult to predict all and every possible natural disaster.

As noted, there is a minimal risk of discrimination and/or harassment. IUCN and Grupo Jaragua have zero tolerance for harassment or discrimination of any form in the workplace.

Table 10.1: Potential Labor Risks and Mitigation Measures

Key labor risks	Risk probability	Risk severity	Description	Mitigation Measures
Accidents (e.g., road traffic accidents), health emergencies (e.g., acute illness)	Low	High	Direct fieldwork to research the distribution and population sizes of target palm and conifer species confers risk mostly through	Project protocols will be adhered to such as the use of professional drivers, scheduled check-ins, etc. Medical kits will be

			travel on poorly maintained roads.	<p>carried by experienced fieldwork leaders so that any minor injuries can be addressed.</p> <p>In case of accidents and incidents, IUCN will immediately report the accident/incident to CEPF. IUCN will provide sufficient detail regarding the incident or accident, indicating immediate measures taken or that are planned to be taken to address it. Subsequent reports may be provided to CEPF upon request.</p>
Hydrometeorological events (hurricanes, tropical storms) and other natural disasters, including earthquakes and volcanic eruptions	High	Substantial - High	Over the life of the project, it is possible that the country could be severely impacted by a hydrometeorological event or other natural disasters. The Caribbean region is up to seven times more likely to experience a natural disaster than larger states, and when one occurs, it incurs as much as six times more damage.	Field trips to be scheduled, insofar as possible, will take into consideration the Caribbean's hurricane season (June to November). No travel will take place during times where inclement weather is forecast
Discrimination and/or harassment in the workplace	Low	Substantial - High		<p>IUCN and Grupo Jaragua have zero tolerance for harassment or discrimination of any form in the workplace. Discrimination and workplace harassment is addressed by IUCN Global Human Resources policy.</p> <p>Workers will adhere to the World Bank Code of Conduct (included at end of document) and will also have access to a</p>

				grievance mechanism to lodge any complaints.
Contraction/transmission of COVID-19	Medium	Medium	All Caribbean countries have been affected by the COVID-19 pandemic, though to differing degrees. Countries are similarly moving towards recovery at differing paces. All countries remain vulnerable to a change in their national situation.	Travel and face-to-face interactions will be conducted in alignment with national guidelines and protocols and will adhere to the guidelines established in the technical note, "Public Consultations and Stakeholder Engagement in WB-supported operations when there are constraints on conducting public meetings March 20, 2020."

11. Brief overview of legislation: terms and conditions:

Direct workers will be employed in the United States and United Kingdom. Direct workers will be paid on a monthly basis in compliance with national laws and labor management procedures. Statutory deductions from wages will comply with national laws; direct project workers will be informed of the conditions under which such deductions will be made.

Contracted workers will be employed in the Dominican Republic and from the United Kingdom, Contracted workers will be paid on a monthly basis in compliance with national laws and labor management procedures. Statutory deductions from wages will comply with national laws; direct project workers will be informed of the conditions under which such deductions will be made

Table 11.1 below sets out details of legislation for all countries where direct workers will be employed.

Table 11.1: National labor legislation relevant to ESS2 in the Dominican Republic, USA and UK

Country	Law	Relevance to ESS2
Dominican Republic	Presidential Decree 522-06 on Occupational Health and Safety	Establishes standards for occupational health and safety.
Dominican Republic	Labor Code of the Dominican Republic (Law 16 from 1992)	Provides for regulation of industrial relations and establishes employment standards, including with regard to employment of children. Specifically, the code prohibits the employment of children under the age of 14 years and places restrictions on employment of young persons under the age of 18.

Dominican Republic	Law 87-01 on Social Security and Presidential Decree 548-03 which regulates national insurance for labor related injuries	All workers in the DR are legally entitled to compensation from the national insurance on labor related injuries.
Dominican Republic	Agreements of the International Labour Organization	The Dominican Republic Congress have ratified (and thus turned into national law) agreements of the International Labour Organization, including those related to occupational health and safety, discrimination and harassment.
USA	The Fair Labor Standards Act (1938)	Establishes minimum wage, overtime pay, recordkeeping, and youth employment standards affecting employees in the private sector. Among other provisions, the act requires employers to pay non-exempt employees at least the federal minimum wage, restricts the hours that children under the age of 16 can work and forbids the employment of children under the age of 18 in certain dangerous jobs.
USA	The Family and Medical Leave Act (1993)	Requires employers of 50 or more employees to give up to 12 weeks of unpaid, job-protected leave to eligible employees for the birth or adoption of a child or for the serious illness of the employee or a spouse, child or parent.
USA	The Labor-Management Reporting and Disclosure Act (1959)	Deals with the relationship between a union and its members.
USA	Title VII of the Civil Rights Act (1964)	Prohibits harassment and discrimination in the workplace based on race, color, religion, sex and national origin
UK	The Employment Rights Act (1996)	Covers a variety of topics, such as employment contracts, unfair dismissal, family-friendly leave, and redundancy.
UK	The National Minimum Wage Act (1998)	Establishes a national minimum wage for employees and workers. The Employment Relations Act (1999) establishes rights at work for union recognition, derecognition, and industrial action.
UK	The Maternity and Parental Leave Regulations (1999)	Sets out the rights of employees to time off for maternity or paternity leave. The Equality Act (2010) is a comprehensive piece of legislation that protects individuals from unfair treatment inside and outside of the workplace, and promotes a fair and more equal society

12. Brief overview of legislation: occupational health and safety:

Table 12.1 sets out the key aspects of national legislation relevant to occupational health and safety in the Dominican Republic, USA and UK and their relevance to ESS2. A community health and safety plan has also been developed for the project and will be

implemented.

Table 12.1: National legislation relevant to occupational health and safety in sub-project countries

Country	Law	Relevance to ESS2
Dominican Republic	General Health Law (2001)	Defines the role of the state in relation to fulfilling citizen's rights to health.
Dominican Republic	Agreements of the International Labour Organization	The Dominican Republic Congress have ratified (and thus turned into national law) agreements of the International Labour Organization, including those related to occupational health and safety, discrimination, and harassment.
Dominican Republic	Law 87-01 on Social Security and Presidential Decree 548-03 which regulates national insurance for labor related injuries	All workers in the DR are legally entitled to compensation from a national insurance on labor related injuries. Social Security. Law 87-01 on the Social Security System requires employers and their employees to contribute to the system, which provides for three types of assistance: (a) health insurance, (b) old-age, disability and survival insurance (pension fund), and (c) insurance against occupational hazards.
USA	The Occupational Safety and Health Act (1970)	Mandates that all non-government employers provide employees with an environment free from recognized hazards, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions. Section 11(c) of the Act prohibits any employer from discharging, retaliating or discriminating against any employee because the worker has exercised rights under the act. These rights include complaining to the Occupational Safety and Health Administration (OSHA), seeking an OSHA inspection, participating in an OSHA inspection, and participating or testifying in any proceeding related to an OSHA inspection.
UK	The Health and Safety at Work Act (1974)	The primary piece of legislation covering occupational health and safety. The act confers on all workers a right to work in places where risks to their health and safety are properly controlled. It sets out the general duties that: employers have towards employees and members of the public; employees have to themselves and to each other; and certain self-employed have towards themselves and others.

13. Responsible staff:

Responsible staff for management and supervision of activities related to the LMP are listed in Table 13.1.

Table 13.1: Proposed allocation of responsibilities among sub-project staff members

Area	Function/individual
Engagement and management of project workers	For direct workers: IUCN Project Manager, Neil Cox For contracted GJ workers: Grupo Jaragua's Project manager, Andrea Thomen For contracted SSC CPSG workers: SSC CPSG Program Officer, Caroline Lees.
Occupational health and safety	For direct workers: IUCN Project Manager, Neil Cox For contracted GJ workers: Grupo Jaragua's Senior Administrative Officer, Miguel Abreu For contracted SSC CPSG workers: SSC CPSG Program Officer, Caroline Lees.
Training of workers	For direct workers: IUCN Project Manager, Neil Cox For contracted GJ workers: Grupo Jaragua's Project manager, Andrea Thomen For contracted SSC CPSG workers: SSC CPSG Program Officer, Caroline Lees.
Addressing worker grievances	IUCN Project Manager, Neil Cox Grupo Jaragua's Project manager, Andrea Thomen SSC CPSG Program Officer, Caroline Lees.

14. Implementation cost estimates:

The below table outlines those items or activities associated with the LMP. For staff with the responsibility of implementing safeguard policies, a percentage of their budgeted costs has been used.

Table 14.1: Implementation schedule and cost estimates for the lifetime of the sub-project.

Item	Cost Estimate (USD)
Direct workers' time in monitoring and implementing the LMP including training. Direct workers here include the: IUCN Project Manager (general oversight) Grupo Jaragua Project Manager (oversight for Grupo Jaragua workers) Field Coordinator (responsibility to ensure that the safeguard policies are implemented in the field) SSC CPSG Program Officer (responsibility to ensure that the safeguard policies are implemented) Grupo Jaragua Senior Administrative Officer (procurement of necessary equipment, insurance, etc.)	\$1,000
Field gear/Equipment for staff (headlamps)	\$125
Maintenance to ensure vehicle is safe (tires)	\$730
Insurance for vehicle	\$251

15. Policies and procedures:

No major labor-related risks are expected. However, the World Bank's provisions on Labor and Working Conditions shall apply. Any contracts will be consistent with the labor provisions outlined in the World Bank's Environmental and Social Framework. Mitigation

measures will be established by incorporating standardized clauses in the contract documents so that all workers are aware of the project's Environment and Social obligations. IUCN will ensure compliance with the clauses. These clauses will include non-tolerance of gender-based violence (GBV), sexual harassment and sexual exploitation and abuse (SEA), discrimination. Project workers will be employed on the basis of equal opportunity and there will be no discrimination as it relates to compensation, working conditions and terms of employment. All project workers will be given and receive training on the Code of Conduct as well as any OHS measures required under ESS2.

IUCN Human Resources Policy guidelines for salary, benefits, working hours, etc. of direct staff are included as a separate document as part of this proposal.

A copy of the workers' Grievance Redress Mechanism and Code of Conduct will be made available to all workers included as part of the project.

Grupo Jaragua does not have a human resources policy document.

16. Contracted workers:

Grupo Jaragua and SSC CPSG will adhere to the relevant national labor laws and occupational health and safety laws in Tables 2 and 3. Any contracts will be consistent with the labor provisions outlined in the World Bank's Environmental and Social Framework. Mitigation measures will be established by incorporating standardized clauses in the contract documents so that all workers are aware of the project's Environment and Social obligations. IUCN SSC CPSG and Grupo Jaragua will ensure compliance with the clauses. These clauses will include non-tolerance of gender-based violence (GBV), sexual harassment and sexual exploitation and abuse (SEA), discrimination. Project workers will be employed on the basis of equal opportunity and there will be no discrimination as it relates to compensation, working conditions and terms of employment. All project workers will be given and receive training on the Code of Conduct as well as any OHS measures required under ESS2.

A copy of the workers' Grievance Redress Mechanism and Code of Conduct will be made available to all workers included as part of the project.

17. Community workers:

No community workers are expected to be employed/engaged directly by IUCN Community workers are local staff from Grupo Jaragua (from Oviedo or Duvergé areas), as noted above.

18. Grievance mechanism:

The Grievance Mechanism for all Project staff is as follows:

The Project Managers will be the point of contact for all Grievances. Contact information (see Table 18.1) will be provided to workers upon signing of the contract.

Upon receipt of Grievances (not channeled through the project manager,) the staff will notify the Project Manager and/or Social Specialist within 24 hours of receiving the complaint. In the case of issues with project management staff, the Project Manager may be required to exclude themselves if the complaint directly involves them.

Grievances involving gender-based violence, sexual exploitation and abuse and sexual harassment will be handled as set out in the Section below.

All received grievances will be recorded in a grievance register within 24 hours of receipt by the Project Managers. The Project Managers will attempt to address and resolve the grievance within the established time frame of three-weeks upon receipt. In cases of matters which require more urgent attention, a period of a minimum of twenty-four hours and a maximum of fifteen days will be allotted for addressing and resolving the grievance.

Grievances can be made in person, by telephone call, or in writing. Grievances can be made anonymously. A dedicated email and telephone number will be provided for all Grievances. For grievances made via telephone or in person, grievances will be recorded in a grievance register within 24 hours of receipt by the Project Managers and the complainant asked to sign the same.

All workers will be made aware of employment contracts of the grievance mechanisms that are in place and what those consist of. Workers will have access to the following grievance information:

- The option of either verbal or written grievance complaint.
- Contact information for grievance submission
- Timelines for grievance response: minimum 24-hours, maximum 3-weeks.
- Grievance forms will be simple and easily available: the workers describe the actual grievance, allow the organization to track the investigation, conciliation, and remediation steps, and be available to all workers.
- The possibility to hold an open and a constructive meeting about a grievance with their immediate manager/supervisor.
- The right to appeal to another manager/supervisor against a decision made by their manager. If the workers are not satisfied and do not have confidence in those managing the grievances, they can escalate the matter. Staff can appeal to IUCN or directly to the Grievance Mechanisms of the Implementing Agency—Conservation International. IUCN staff/consultants can appeal directly to the Grievance Mechanisms of the Implementing Agency—IUCN.
- The workers' right to be accompanied by a fellow worker or support of her/his own choice when attending the meeting to discuss a grievance.
- The Ministry of Labour of the respective country or the National Courts are alternatives that the affected person (worker) can use.

The complainant will be informed in writing of the measures taken to address the grievance by the Project Manager if the complaint is against the project manager.

Although the desire is that workers' grievances will be solved by the project-worker-GM, it is possible that some issues cannot be resolved. In this last option case, the issue will be referred to the Ministry of Labour of the respective country for their action and pronouncement. The Ministry of Labour's ruling would be the final tier of the grievance mechanism.

If unresolved, either party may seek redress in the courts of the Country. Parties involved will be advised that they can directly contact the Project Office Ministry.

All received grievances received by the project shall be logged and filed.

Table 18.1: Contacts for grievance complaints

Title	Phone	Email	Physical Address
Manager IUCN-CI Biodiversity Assessment Unit	+1 (202)-984-7523	HRsupportUS@iucn.org	IUCN Washington D.C. Office 1630 Connecticut Ave., NW Suite 300 Washington, D.C. 20009 U.S.A.

Project manager, Grupo Jaragua	+1 809 472-1036	info@grupojaragua.org .do	Calle San Juan Bautista 69, Atala. Santo Domingo, Distrito Nacional Dominican Republic
Program Officer, SSC CPSG	+44 7376 743348	https://www.cpsg.org/ content/contact-us	Mayes Cottage, Groombridge, East Sussex, TN3 9SG UK

19. Grievance mechanism for independent consultants:

The Grievance Mechanism above for project staff is applicable to all Project workers including independent consultants. All independent consultants engaged to work on the sub-project will be provided a copy of the Grievance Mechanism for Project Staff at the time of contracting.

20. Addressing Gender Based Violence, Sexual Exploitation and Abuse and Sexual Harassment:

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

The Grantee will specify an individual who will be responsible for dealing with any SEA/SH issues, should they arise. A list of SEA/SH service providers will be kept available by the project. The Grantee should assist SEA/SH survivors by referring them to Services Provider(s) for support immediately after receiving a complaint directly from a survivor.

To address SEA/SH, the project will follow the guidance provided on the World Bank Technical Note "Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) in Investment Project Financing Involving Civil Works". This Grantee will follow the official WB definitions described on 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 monetarily, socially or politically from the sexual exploitation of another.

Sexual harassment (SH) is any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour 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.

Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) service provider is an organization offering specific services for SEA/SH survivors, such as health services, psychosocial support, shelter, legal aid, safety/security services, etc.

The survivor-centered 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 to promote the survivor's recovery and ability to identify and express needs and wishes, as well as to reinforce the survivor's capacity to make decisions about possible interventions.

SEA/SH grievances can be received through any of the available channels and will be considered as "High-profile grievances - that if not resolved promptly may represent significant risks to the environment or community". A list of SEA/SH service providers is available at the RIT's page: <https://canari.org/wp-content/uploads/2021/11/CEPF-II-GBV-Service-Providers-DR.pdf>.

Additionally, if an incident occurs, it will be reported as appropriate, keeping the anonymity and confidentiality of the complainant and applying the survivor-centered approach.¹ Any cases of SEA/SH brought through the Grantee will be documented but remain closed/sealed to maintain the confidentiality of the survivor. The CEPF will be notified as soon as the designated persons from the Grantee organization learn about the complaint.

If a SEA/SH related incident occurs, it will be reported through the Grantee, as appropriate and keeping the survivor information confidential. Specifically, following steps will be taken once an incident occurs:

ACTION 1: COMPLAINT INTAKE AND REFERRAL

If the survivor gives consent, the designated person responsible from the Grantee fills in a complaints form, excluding any information that can identify the survivor:

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

If the survivor does not want to provide written consent, her consent can be verbally received. If needed or desired by the survivor, the designated person responsible for the Grantee refers her/him to relevant SEA/SH service providers, identified in the mapping of SEA/SH service providers and according to preestablished and confidential referral procedures. The survivor's consent must be documented even if it is received verbally. The service providers will be able to direct survivors to other service providers in case the survivor wishes to access other services. The designated person responsible for the Grantee will keep the survivor informed about any actions taken by the perpetrator's employer. If the survivor has been referred to the relevant SEA/SH service providers, received adequate assistance, and no longer requires support; and if appropriate actions have been taken against the perpetrator or if the survivor does not wish to submit an official grievance with the employer, the designated person responsible from the Grantee can close the case.

¹ The survivor-centered 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 to promote the survivor's recovery and ability to identify and express needs and wishes, as well as to reinforce the survivor's capacity to make decisions about possible interventions.

ACTION 2: INCIDENT REPORTING

The designated person responsible for the Grantee needs to report the anonymized SEA/SH incident as soon as it becomes known, to the Executive Director who will in turn inform the CEPF.

Complaint Forms and other detailed information should be filed in a safe location by the designated person responsible for the Grantee. Neither the designated person responsible for the Grantee nor the Executive Director should seek additional information from the survivor.

SEA/SH incident reporting is not subject to survivors' consent but the designated person responsible from the Grantee needs to provide ongoing feedback to the survivor at several points in time: (1) when the grievance is received; (2) when the case is reported to designated person responsible from the Grantee and CEPF; (3) when the verification commences or when a determination is made that there is an insufficient basis to proceed; and (4) when the verification concludes or when any outcomes are achieved or disciplinary action is taken.

As long as the SEA/SH remains open the designated person responsible from the Grantee and/or Executive Director should update the CEPF on the measures taken to close the incident.

ACTION 3: GRIEVANCE VERIFICATION AND INVESTIGATION

Each SEA/SH incident should be verified to determine if it was related to the CEPF-funded project. The designated person responsible for the Grantee should form a SEA/SH verification committee comprised by her/him, one member of the Grantee organization, one member of a local service provider and a representative of the contractor (if relevant). The designated person responsible from the Grantee should notify the SEA/SH Committee of the incident within 24 hours of its creation. The SEA/SH verification committee will consider the SEA/SH allegation to determine the likelihood that the grievance is related to the project.

If after the committee review, SEA/SH allegation is confirmed and it is determined that it is linked to a project², the verification committee discusses appropriate actions to be recommended to the appropriate party—i.e., the employer of the perpetrator, which could be the designated person responsible from the Grantee or a contractor. The designated person responsible from the Grantee will ask contractors to take appropriate action. The committee reports the incident to the perpetrator's employers to implement the remedy/disciplinary action in accordance with local labor legislation, the employment contract of the perpetrator, and their codes of conduct as per the standard procurement documents.

For SEA/SH incidents where the survivor did not consent to an investigation, the appropriate steps should be taken to ensure the survivor is referred to/made aware of available services and that the project mitigation measures are reviewed to determine if they remain adequate and appropriate or if they require strengthening.

If the survivor is interested in seeking redress and wishes to submit an official complaint with the employer, or with entities in SVG legal system, the designated person responsible from the Grantee should provide linkages to the relevant institutions. Ensuring due legal process is up to the police and the courts, not the SEA/SH verification committee. Unlike other types of issues, the designated

² Project actors are: (a) people employed or engaged directly by the Grantee to work specifically in relation to the project (direct workers); (b) people employed or engaged through third parties (Project staff, subcontractors, brokers, agents or intermediaries) to perform work related to core functions of the project, regardless of location (contracted workers); (c) people employed or engaged by the Grantee's primary suppliers (primary supply workers); and (d) people employed or engaged in providing community labor such as voluntary services or participation in project activities and processes (community workers).

person responsible from the Grantee does not conduct investigations, make any announcements, or judge the veracity of an allegation.

Any cases of SEA/SH brought through the Grantee will be documented but remain closed/sealed to maintain the confidentiality of the survivor. Here, the GM will primarily serve to:

- Refer complainants to the SEA/SH Services Provider; and
- Record the resolution of the complaint

The Grantee will also immediately notify both the CEPF and the World Bank of any SEA/SH complaints **WITH THE CONSENT OF THE SURVIVOR.**

21. Disclosure:

CEPF requires that all direct and contracted workers be informed of the existence of the grievance mechanism and the measures put in place to protect them against any reprisal for its use, either at the time of recruitment or at the start of the sub-project, whichever is later.

CEPF also requires that all direct, contracted and community workers be provided with Conservation International's (CI's) Code of Ethics, and be informed that any violations of the Code of Ethics should be reported to CI via its Ethics Hotline at www.ci.ethicspoint.com

The code of ethics will be consistent with the code of conduct of the WB
[*enter name of Personnel*] has signed a contract with the Grantee for [*enter description of the Terms of Reference (ToR)*]. This assignment will be carried out at XXXXX. This contract requires you to implement measures to address environmental and social risks related to the sub-project, including the risks of sexual exploitation, sexual abuse, and sexual harassment.

Herewith, all persons are referred to as "Grantee's Personnel" and are subject to this Code of Conduct.

This Code of Conduct identifies the behavior that is required from all Grantee Personnel.

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

Grantee's Personnel shall:

1. carry out his/her duties competently and diligently;
2. acknowledge that adherence to this Code of Conduct is a condition of employment;
3. comply with this Code of Conduct and all applicable laws, regulations, and other requirements, including requirements to protect the health, safety and well-being of other Grantee's Personnel and any other person;
4. maintain a safe working environment including by:
 - a. ensuring that workplace equipment, and processes under each person's control are safe and without risk to health;
 - b. wearing required personal protective equipment when visiting construction sites and follow sub-project COVID-19 related protection guidelines, as described in the Stakeholder Engagement Plan (SEP), Labor Management Procedure (LMP), Environmental and Social Management Framework (ESMF) and plans (ESMPs), or other relevant instruments.;
 - c. using appropriate measures relating to chemical, physical and biological substances and agents; and

- d. following applicable emergency operating procedures.
5. report work situations that he/she believes are not safe or healthy and remove himself/herself from a work situation that he/she reasonably believes presents an imminent and serious danger to his/her life or health;
6. avoid any conflicts of interest (such that benefits, contracts, employment, or any sort of preferential treatment or favors, are not provided to any person with whom there is a financial, family, or personal connection);
7. respect reasonable work instructions (including regarding environmental and social norms);
8. protect and properly use property (for example, to prohibit theft, carelessness, or waste);
9. treat other people with respect, and not discriminate against specific groups such as women, people with disabilities, migrant workers or children;
10. not engage in Sexual Harassment, which means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature with Grantees or other Personnel;
11. not engage in Sexual Exploitation, which means 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;
12. not engage in Sexual Abuse, which means the actual or threatened 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 otherwise unacceptable behavior towards children, limiting interactions with children, and ensuring their safety in project areas).
14. not engage in any form of sexual activity with individuals under the age of 18, except in case of pre-existing marriage;
15. shall have access to a referral system for victims of Gender Based Violence/Sexual Exploitation and Abuse of employees and any individual that may be associated with the sub-project. Where such incident would have occurred, it should immediately be reported to the Employer or his/her designate who would ensure that the victim is referred to a service provider trained to handle GBV cases;
16. complete relevant training courses that will be provided related to the environmental and social aspects of the Contract, including on health and safety matters, Sexual Exploitation and Abuse (SEA), and Sexual Harassment (SH);
17. shall have access to a Grievance Redress Mechanism, which will afford effective remedies.
18. report violations of this Code of Conduct to the Employer under this project;
19. not retaliate against any person who reports violations of this Code of Conduct, whether to the Employer or the Project's Grievance Redress Mechanism; and,
20. the Grantee staff will follow the relevant requirements set out in LMP.

RAISING CONCERNS

If you observe any behavior that is believed may represent a violation of this Code of Conduct, or that otherwise concerns you, you should raise the issue promptly. This can be done in either of the following ways:

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

The person's identity will be kept confidential, unless reporting of allegations is mandated by the laws XXXX. Anonymous complaints or allegations may also be submitted and will be given all due and appropriate consideration. We take seriously all reports of possible misconduct and will

investigate and take appropriate action. We will provide warm referrals to service providers that may help support the person who experienced the alleged incident, as appropriate.

There will be no retaliation against any person who raises a concern in good faith about any behavior prohibited by this Code of Conduct. Such retaliation would be a violation of this Code of Conduct.

CONSEQUENCES OF VIOLATING THE CODE OF CONDUCT

Any violation of this Code of Conduct by Grantee Personnel may result in serious consequences, up to and including termination and possible referral to legal authorities.

FOR GRANTEE PERSONNEL:

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

Name of Grantee Personnel: [insert name]

Signature: _____

Date: (day month year): _____

Countersignature of authorized representative of the Employer:

Signature: _____

Date: (day month year): _____

ATTACHMENT 1: Behaviors constituting Sexual Exploitation and Abuse (SEA) and behaviors constituting Sexual Harassment (SH)

**ATTACHMENT 1 TO THE CODE OF CONDUCT FORM
BEHAVIORS CONSTITUTING SEXUAL EXPLOITATION AND ABUSE (SEA) AND BEHAVIORS
CONSTITUTING SEXUAL HARASSMENT (SH)**

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

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

- A 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 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 Grantee Personnel rapes, or otherwise sexually assaults a member of the community.
- A Grantee Personnel denies a person access to any project Site unless he/she performs a sexual favor.
- A 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

- Grantee Personnel comment on the appearance of another Grantee Personnel (either positive or negative) and sexual desirability.
- When a Grantee Personnel complains about comments made by another Grantee Personnel on his/her appearance, the other Grantee Personnel comment that he/she is “asking for it” because of how he/she dresses.
- Unwelcome touching of a 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.