

**The Republic of Uzbekistan State Committee on
Forestry**

Uzbekistan Resilient Landscapes Restoration Project

P174135

LABOR MANAGEMENT PROCEDURES

Tashkent, Uzbekistan
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1. INTRODUCTION

1.1. Project background and components and planned investments

The Project Development Objective (PDO) is to increase area under sustainable landscape management by rural communities in selected provinces in Uzbekistan, and promote collaboration among Central Asia countries on transboundary landscape restoration.

Component 1: Strengthen Institutions and Policies, and Regional Collaboration (US\$20.90 million from IDA; US\$1.10 million from PROGREEN). This component will finance consulting services, goods, training and workshops, and operating costs. Sub-component 1.1 will support the development of a policy, and support in establishing a legal, and institutional framework to restore and sustainably manage forest landscapes in Uzbekistan and enhance the capacities of key stakeholders in support of Uzbekistan's LDN and NDC targets. Sub-component 1.2 will promote collaboration among Central Asian countries on transboundary landscape restoration by setting up a Regional Landscape Restoration Platform for policy and strategy harmonization, and for addressing new emerging climate threats at the regional level, such as warming temperatures, shifting rainfall patterns, and increased biodiversity loss and droughts. *The regional spillovers of this component are related to cross-fertilization of knowledge and harmonization of policies, standards, technologies, and consistency in evaluation methods for transboundary landscape restoration across Central Asia countries.*

Sub-component 1.1: Strengthen Institutions and Policies (US\$17.10 million from IDA; US\$0.90 from PROGREEN). The sub-component will be implemented at the national level, focusing on SFF lands, PAs of various categories, and forested landscapes under other legal tenure categories/sectors. The targeted provinces will serve as pilots for policies and legislative measures and for implementation of pilot integrated land-use plans. The following five groups of activities will be supported:

- i. *Enabling policies and legal framework for FLR and management:* development of a unified policy for forest landscape management (forests, trees in landscapes, pasture/meadow management), harmonization of the legal framework on forests and landscape management through elaboration of a comprehensive Forest Code, reflecting the wider role of forests in landscapes, and development of a national strategic plan (a master plan and an action plan) for FLR and management.
- ii. *National Forest Monitoring System (NFMS) and Information and Communication Technology (ICT) platform for FLR and management:* setting up the first National Forest Inventory (NFI) on wider landscape assessment for informed and evidence-based decision-making on forest and landscape management and restoration, and developing a national, state-of-the-art NFMS. The NFI will be implemented by CF the with support of a technical implementation partner that will be chosen through a tender process. Furthermore, the CF will partner with the Korea Forest Service (KFS) that will provide support on ICT related aspects of forest restoration, bringing in good practice that has been developed in Korea and used world-wide with impressive good results. They will provide the know-how in the designing process of a state-of-the-art NFI NFMS/ICT platform and technologies to help increase green jobs including ecotourism, and use of disruptive technology in restoration efforts.
- iii. *Strengthening the scientific research base in forest landscape restoration:* conducting applied research in biophysical, silvicultural, and economic issues in support of resilient landscape management and livelihoods.
- iv. Human capacities for monitoring, planning, and implementation of FLR and management: financing on-the-job training of technical and operational staff on landscape restoration and developing educational curricula on FLR to be incorporated into the formal education curricula

of the Tashkent State Agrarian University (TSAU), which is the country's institution for forestry bachelor and master education. Training will be provided to female CF staff to become strong candidates for managerial positions at the central and leshoz levels.

- v. Refinement of LDN targets: reviewing Uzbekistan's stated LDN targets and refining them based on new information from the NFI/NFMS on the degradation status of the country, including submission of a revised communication document for government approval. The Bonn Challenge Barometer will be applied, which is a universally applicable, systematic framework for identifying, assessing, and tracking action on global restoration commitments.

The sub-component will be implemented in a phased manner during five-year project period. In the first two years of implementation, the Project will support the forest policy review process, harmonize legislative texts, prepare, launch, and implement the first NFI, operationalize the NFMS/ITC platform, develop an applied research agenda tailor-made to the needs of the Project, and outline the capacity building program. In the last 3 years of implementation, the NFI system will be fully put in place, the FLR Strategic Master Plan will be elaborated, the new Forest Code will be introduced, a functional FLR monitoring system will be in place, and necessary capacity development will be provided.

Sub-component 1.2: Strengthen Regional Collaboration (US\$3.80 million from IDA; US\$0.20 million from PROGREEN). The objective of this sub-component is to promote collaboration among Central Asian countries on transboundary cooperation and landscape restoration, given the critical need to address emerging threats at the regional level, including impacts of climate change. Activities supported under the sub-component will, inter alia, enable better governance and management of shared resources, exploit economies of scale related to regional tourism, and facilitate collective action to address these and other common goals. It will allow countries to come together to address challenges, find regional solutions for shared challenges faced by multiple countries, and thus promote global public goods. It will finance a Regional Exchange Platform that will host: (i) semi-annual meetings of RESILAND CA+ implementing entities to discuss program progress, (ii) annual fora for ministries responsible for forests, landscape restoration, and environment to discuss landscape management and restoration trends and actions, and (iii) annual fora for the broader cross-section groups of stakeholders engaged in landscape restoration, including non-government entities, prominent regional organizations, private sector, and development partners, to exchange on technologies and approaches to landscape restoration.

Sub-component 1.2 will support the implementation of several key regional activities identified by the ICSD in its 10-year Regional Environmental Program for Sustainable Development, including: (i) development of an MoU for facilitating border-crossing for ecotourism in PAs and unique natural sites shared between the countries, (ii) development of an MoU for using common modern methods of inventory of flora and fauna diversity, and ecosystem condition among transboundary corridors, (iii) development of a joint transboundary management plan for ecological corridors for migratory animals and transboundary cooperation agreements for addressing issues of protection of key species and habitats, including PAs from fires, invasive species, etc., (iv) development of a protocol for using nature-based solutions, including erosion control and tree planting along roads, to increase resilience of infrastructure; and (v) development of a joint protocol of activities on protection and preservation of sites listed as Key Biodiversity Areas and included in the UNESCO World Cultural and Natural Heritage List as well as potential "Peace Parks".

A regional online database will be established and hosted in the Regional Environmental Centre for Central Asia (CAREC, <http://centralasiacimateportal.org>) to store, host, and publish data and publications on sustainable landscape management and restoration. By participating in the regional exchange platform, governments will gain the necessary knowledge and networks needed to fulfill their national, regional, and global commitments on LDN, raise the level of ambition on their NDC mitigation

targets, undertake transboundary landscape restoration and management, and set up appropriate governance structures to sustain restoration efforts. The sub-component will be executed by CAREC, which will be contracted directly by the CF. CAREC may subcontract other entities for execution of specific activities as needed. The implementation of this sub-component will be phased by focusing the first 8 months of the Project on the establishment of an overarching governance structure composed of implementing entities of the RESILAND CA+ projects, and then begin to implement the sub-component work plan.

Component 2: Enhance Resilient Landscape Management and Nature-based Tourism (US\$76.00 million from IDA; US\$4.00 million from PROGREEN). This component will finance works, consulting services, non-consulting services, goods, training and workshops, and operating costs. Sub-component 2.1 will develop robust forest and tree-based intervention packages to deliver production, service values, and restoration leading to enhanced and sustainable forest landscapes in the project corridors. Sub-component 2.2 will promote sustainable land and natural resource management practices through sustainable nature-based tourism, along with the improved management of the Zaamin National Park and Zarafshan National Park. The regional spillovers of this component will be significant, i.e., improved connectivity and integrity of natural resource across borders (watersheds and biodiversity), increased resilience of key regional infrastructure, such as roads, railways and dams, and improved conditions for regional ecotourism development.

Sub-component 2.1: Enhance Tree-based Landscape Restoration and Management (US\$38 million from IDA; US\$2 million from PROGREEN). The main activities supported under this sub-component will include¹: (i) ecological site classification: development of a three-tier land electronic GIS-based unit classification system as a decision support tool, including for aligning species with site characteristics; (ii) production-oriented interventions with protective/restoration benefits; and (iii) ecosystem service-oriented interventions in support of rehabilitation, restoration² (including with assisted natural regeneration, slope stabilization measures in the mountainous regions and roadside tree planting) and protection, eco-structures, biodiversity, and ecohydrological connectivity. Interventions will be applied by the full range of relevant actors and stakeholders, taking account of the current and future environmental, social, and economic situation in each area as well as experience nationally and regionally from similar ecoregions.

Given the structural constraints of climate, soils, and topography, all restoration and tree-based interventions will aim to generate both production and service values concurrently, and where possible, allow flexible management to facilitate responses to future changes in physical growing conditions and/or changing demand for products and services. Involved actors' different levels of access to resources of land, finance, time, and skill levels will inform the type and scale of any intervention. Although tree planting will predominate interventions such as shelterbelts and orchards, mixed cropping systems will be preferred wherever possible. Landscape restoration activities, within reason of their scale, will include pastureland and attention will be given to improving pastures as well as bringing trees into these landscapes. Where appropriate sites exist, there may be some scope for plantations of timber, poles, posts and industrial wood, however, these will not be extensive, and opportunities will be taken to integrate these with other interventions, for e.g., major shelterbelts.

Rehabilitation of priority watersheds will be an important element. Restoration activities including tree

¹ Areas of [plantations](#) to be supported were selected using the new World Bank Rating System for Project Resilience¹, based on sites' climate projections, hazard exposures, impacts, and risk mitigation measures. Interventions will be prioritized according to the main drivers of degradation in each area and their relative impact.

² Using IUCN's ROAM (Restoration Opportunities Assessment Methodology): <https://www.iucn.org/theme/forests/our-work/forest-landscape-restoration/restoration-opportunities-assessment-methodology-roam>.

based interventions supported by the project are expected to have a positive impact on water balance in project areas as improved tree cover adds to the water retention capacity of soils. However, recognizing that water management deserves attention for landscape management, all activities will include a strong focus on hydrology to maximize water harvesting and minimize surface soil loss, flooding and siltation in existing water courses and reservoirs. The choice of species, and sites selection for tree based interventions will be guided by ecological site classification to ensure water use efficiency. Simple physical biological and mechanical measures to control grazing (fencing, fodder banks, rotational grazing etc. with community engagement) and fire management (firebreaks and fuel reduction measures also with community engagement) will be a considered as part of watershed restoration.

Restoration-related interventions will place emphasis on engaging women, youth, and other marginalized groups to increase and diversify their income opportunities, improve their participation in community driven restorative activities, and in decision-making structures. The private sector, including micro, small, and medium enterprises, will be encouraged to engage in the plantation of trees for commercial/productive purposes. The sub-component will include a strong focus on the use of both traditional and innovative technologies for restoration activities.

Within the project corridors, intervention areas will be confirmed during the preparation process, and forest and tree-based intervention packages will be developed with specific criteria to guide the selection for targeted sites. Currently used intervention models will be reviewed and revised as necessary in consultation with the CF and research/educational institutions to generate a suite of intervention options for various physical site types and users. Model nurseries to ensure supply of quality seedling stock for restoration activities will be supported, the scale and location (citing and centralized vs. decentralized) of which will be guided by specific criteria. Community involvement will be essential, particularly when there are significant human pressures on natural resources and is a key means of awareness generation and community engagement in natural resource management. Quality assurance procedures for seed collection and management of seed banks will also be supported.

Based on the integrated land use plans developed under sub-component 1.1, the Project will finance the upfront costs of a “green wager” program³ that: (i) provides for engagement of local organizations and communities to participate as daily wagers, or through community assistance programs, for activities that contribute directly or indirectly to restoration of corridor landscapes; and (ii) synergizes, strengthens, and expands opportunities for institutionalizing sustainable management of landscapes, and conservation work programs. Once the scope of activities has been agreed on with the government, a conceptual framework for the green wager program will be developed based on regional and global good practice examples and anchored in forest policy or equivalent strategy. Potential activities include: establishment of model nurseries and those leading to restoration of degraded forest lands that serve productive and protective purposes such as assisted natural regeneration, silvicultural measures, enrichment planting, reforestation and greening; establishment of agrosilvopastoral systems on degraded pasture lands; and introduction of food production systems, including horticulture and agroforestry/commercial plantations of fast growing nut/fruit/silk producing trees in the walnut-fruit forest belt and in agricultural zones (shelterbelts).

The sub-component will be implemented in a phased manner during the five-year project period. In the first 18-24 months of implementation, it will be implemented in select regions, districts, and villages/clusters together with preparatory activities for at scale implementation in years 3 to 5.

³ There is no universal definition of a green wager program. For the purpose of this project, the green wager program will provide livelihood opportunities to communities, especially youth and women, to enhance job creation and community engagement in afforestation, reforestation, and other greening activities for landscape restoration.

Sub-component 2.2: Enhance Protected Areas and Nature-based Tourism (US\$38 million from IDA; US\$2 million from PROGREEN). The main activities supported under the sub-component will be under the following three groups: (i) Protected Area management: improved protection and management of two selected PAs managed by the CF - Zaamin National Park (Jizzakh) and Zarafshan National Park (Samarkand)⁴; (ii) nature-based tourism investments, including visitor facilities and tourism promotion and planning for the above-mentioned national parks, along with other SFF lands, such as Bobotag and Uzun (Surkhandarya), Pop (Namangan), Qolgansir (Syrdarya), and Kitab and Shakhrisabz (Kashkadarya); and (iii) Training and technical assistance (TA) specifically related to the management of PAs and nature-based tourism.

The Project will support the construction of a new visitor center in both the Zaamin and Zarafshan National Parks during the first 18 months of the Project, in accordance with the management objectives, zones, and environmental requirements. The new visitor centers are expected to help attract, inspire, and educate a growing number of tourists in both parks. Other project investments in the Zaamin and Zarafshan National Parks will be defined in accordance with the updated Management Plans and are expected to include: (i) additional visitor facilities such as new or rehabilitated hiking trails, scenic viewpoints, observation platforms, picnic areas, and campgrounds; (ii) PA management infrastructure such as small park buildings (headquarters, ranger outposts, staff housing, etc.) and improved physical demarcation or signage; (iii) equipment that could include vehicles, field equipment, and office equipment; and (iv) incremental recurrent costs for PA management activities specific to project implementation, such as office and field supplies, field rations, fuel, support for park auxiliaries (such as community volunteers) if any, boundary maintenance, and equipment maintenance during the expected five-year project life.

The sub-component will promote environmentally sustainable forms of ecotourism, targeted both on domestic tourists and a potentially growing number of international visitors. These investments will take place within or adjacent to the above-mentioned SFF lands and national parks in Jizzakh, Samarkand, Surkhandarya, Namangan, Syrdarya, and Kashkadarya provinces. Activities will complement the ongoing World Bank-financed Medium-Size Cities Integrated Urban Development Project (MSCIUDP, P162929) by upgrading “gateway settlements”⁵ and creating rural-urban tourism corridors to realize increased and sustainable levels of tourist visitation. The types of investments that could be considered under this sub-component include, but are not limited to improved basic infrastructure (upgrading of gateway settlements, improvement of water supply and sanitation, power supply, internet connectivity, streets upgrading and accessibility), upgrading or construction of visitor centers, trail systems, picnic and camping areas, and appropriate recreational facilities that promote sustainable natural resource uses, mapping, connecting smaller settlements to trails to promote sustainable natural resources, diversify activities and potential for economic development, in combination with private sector engaging activities under the project. The sub-component will also finance tourism promotion activities focused especially on the planned project corridors, and tourism-related technical studies.

As a result of this sub-component, important biodiversity areas⁶ will be linked to restored degraded lands

⁴ Within the five-year project timeframe, it is hoped that these two PAs will qualify for the IUCN Green List of Protected and Conserved Areas (GLPCA), the first in Central Asia: <https://iucngreenlist.org/>.

⁵ For the purposes of Project interventions, the “gateway settlements” are defined as typical peripheral small towns or villages located in the areas adjacent to natural areas that share similar characteristics (economic, administrative, territorial development, natural resource management, and other). They function as entry points to nature-based touristic sites (natural habitat, forests, mountain trails, lakes/water reservoir-based and other natural or farm-based recreational areas); often provide accommodation, goods and services to eco-tourists, and have a significant mutual impact with the surrounding areas. The gateway settlements, as such, are integral parts of ecotourism value chains.

⁶ Jizzakh also includes key biodiversity area as classified under the Critical Ecosystems Partnership Fund (CEPF) <https://www.cepf.net>.

outside the PAs and create multi-functional “green corridors” that boost economic, social, and environmental connectivity.⁷ The preliminary selection of pilot areas and specific investments is being assessed and will be finalized during the appraisal stage and the first year of project implementation in consultation with the GoU. The MSCIU DP currently has an ongoing consultancy that will inform the development of new sustainable tourism destinations in Uzbekistan. Among other tasks that are relevant to the Project, the study will undertake a comprehensive situational analysis, then formulate a vision and outline strategies to develop these new destinations in an integrated manner; and identify a priority investment program and action plan to implement the vision and strategy. This is timely as the Project provinces of Surkhandarya and Kashkadarya are also included in the study. Findings and recommendations will inform the Project during preparation and early implementation stages and strengthen further collaboration between the two projects towards a sustainable nature-based tourism sector in Uzbekistan.

The sub-component will be implemented in a phased manner during the five-year project period to allow for on-the-ground investments to be carried out after key planning studies are completed. All new civil works within the project-supported National Parks will need to be consistent with the updated Management Plans for these sites. A visitor center in each of two project-supported National Parks will be undertaken in the first 18 months of the Project. Similarly, new tourism investments in and around SFF land will be based upon recent or updated strategic studies, technical designs, and management planning documents to help ensure their success and sustainability.

Component 3: Enhance Forest-based Livelihoods and Value Chains (US\$38 million from IDA; US\$2 million from PROGREEN). The component will finance consulting services, non-consulting services, enterprise development matching grants, training and workshops, and operating costs. The objective of this component is to incentivize communities within the corridors to engage in landscape restoration and management practices by enhancing resilient livelihoods and improving the incomes of beneficiaries in target areas. It will do so by providing financial and non-financial services to existing and new enterprises. The component will target beneficiaries primarily from low-income households and will include family enterprises, farmer/community groups, small entrepreneurs, and vulnerable members of communities, including women, youth, and persons with disabilities in villages. By supporting environment friendly economic activities in PAs to generate incomes, engaging women and youth from low-income households, and building strong community institutions, the component will promote green, inclusive, and resilient local economic development in target areas that link to and build on Component 2 investments, such as those in model nurseries, forest restoration, and eco-tourism. *The regional spillovers of this component will be increased resilience and reduced fragility of corridor communities’ NRM-based livelihoods. The component will comprise two sub-components:*

Sub-component 3.1: Community-led Resilient Livelihoods and Value Chains (US\$2 million from IDA; US\$2 million from PROGREEN). The main activities under this sub-component are formation and strengthening of livelihood groups and enterprises; carrying out market assessments to identify demand-driven livelihood activities; providing business training and supporting business plan development to form the basis of proposals for matching grants provided under sub-component 3.2; supporting the establishment of linkages and collaboration with commercial banks, private sector associations, and other development programs that provide credit-based financial services; and support infrastructure and digitalization for sustainability.

Technical assistance and capacity building support will be carried out under the sub-component that will

⁷ The IUCN World Commission on Protected Areas (WCPA) Transboundary Conservation (TBC) diagnostic tool will be applied to support by: (a) identifying key stakeholders, b) developing a joint vision, c) setting up common management objectives, d) identifying the most appropriate transboundary governance model, and e) helping with its establishment.

focus on three categories of livelihoods: (i) enhancing existing/current natural resource-based or linked livelihood activities: climate-smart forest livelihood activities, i.e., farm and non-farm income-earning activities; (ii) new types of livelihood activities: livelihood diversification for target villages to directly enhance the livelihood security for poor forest communities and reduce the pressure on forest and rangeland upon which these communities traditionally depend; and (iii) ecotourism or tourism-based livelihoods and local economic development activities. The Project will prepare a list of potential livelihood activities under each of the above categories based on a market assessment. Priority will be given to value addition of forestry and natural resource-related activities and promoting value chain development. The sub-component will support the costs of Technical Assistance Partners (TAPs—selected from NGOs or private providers), Community Business Agents (CBAs), and building public-private platforms for collaboration and partnerships to support community level enterprises.

Sub-component 3.2: Matching Grants for Enterprise Development (US\$36 million from IDA). This sub-component will establish a system of matching grants for enterprise development to provide working capital needed to start-up or expand livelihoods activities as identified in the business plans of community-level business enterprises, both individual and group-based. Matching grants will be awarded to approximately 1,800 small enterprises. The size of the matching grants will range from a maximum of US\$2,500 for an individual-based enterprise, and from US\$10,000 to US\$30,000 per group-based enterprises and will depend on the size and type of the proposed enterprise, the quality and viability of the business plan, and matching contributions made. Matching grants' proposals will be evaluated, reviewed, and approved by a committee formed under the CF. Approved matching grants will be provided in tranches. The TAP will help to set up and manage the matching grants mechanism in coordination with the PIU and community and local level stakeholders. Implementation of activities will be followed by business development support and promotion of linkages between community enterprises and markets/private sector, and support value addition and value chain development supported by sub-component 3.1.

The component will be implemented in a phased manner: in the first 18-24 months of implementation, the component will be implemented in select regions, districts, and villages/clusters adjacent to PAs in the project corridors where there is an overlap with existing World Bank-financed projects, such as the Rural Infrastructure Development Project (P168233) and the Enhancing Economic Opportunities for Rural Women Project (P171760), in order to leverage the community-level presence of these projects to facilitate rapid implementation of phase 1 activities described below. In the next 3 years, the component will be implemented in all the target areas. In both phases, the component will follow a two-track approach to support: (a) improvements or expansion of existing enterprises; and (b) formation of new group-based enterprises belonging to the poor and vulnerable. In phase 1, the component will initially support the first track by identifying and supporting existing enterprises which would not require long start-up periods, wherein the PIU will work with relevant regional agencies and ongoing enterprise support programs to provide 'light touch TA' from the start of implementation. Existing enterprises will be identified based on criteria that include relevance of enterprise's activities forest and landscape restoration practices and value addition, gender balance in enterprise ownership or employee composition, and others to be agreed and set forth in the Community Operations Manual. In parallel, during the first 6-8 months of implementation, the PIU will recruit national and regional level livelihood specialists, engage TAPs, CBAs, organize orientation workshops for local government officials and stakeholders, prepare the phase 1 implementation plan, conduct a baseline study/market assessment in target villages, and develop a preliminary Monitoring Information System (MIS) to monitor the component. From month nine onwards, the component will support both tracks by providing robust TA and business development support to both existing and new enterprises. A Community Operations Manual will be prepared to guide the implementation of the component, including component design, the

two-track approach, implementation modalities, and matching grants mechanisms.

While the implementation of this component will be informed by the experience of similar community development projects in Uzbekistan, including the above-mentioned two World Bank-financed projects, the methodology and approach for provision of matching grants to support community-level livelihoods activities will be informed by the Enhancing Economic Opportunities for Rural Women Project. The component will also leverage and complement ongoing World Bank operations in the targeted regions, including the Ferghana Valley Rural Enterprise Development Project (P166305). The component builds on the experience and lessons from relevant GoU programs as well, including the “Every Family is an Entrepreneur” (EFAEP) and the “Youth is Our Future” programs, that aim to boost self-employment and micro-entrepreneurship among women, vulnerable groups, and youth.

Component 4: Project Management and Coordination (US\$7.10 million from IDA; US\$0.90 from PROGREEN). Component 4 will finance consulting services, non-consulting services, goods, training and workshops, and operating costs. It will provide incremental operating costs and training to a PIU within the State Committee on Forestry - International Relations and Ecotourism Development (CF-IRED) and to province-level PIUs, as well as the operating costs of a National Steering Committee (NSC) and a Technical Expert Group. The PIU will carry out project management, coordination and reporting tasks, including preparation of annual work plans and budgets, procurement activities, financial management (FM) of project funds, hiring of external auditors, development and maintenance of a project communication program and grievance redress mechanism, and M&E and reporting. The PIU will also be responsible for ensuring project compliance with environmental and social standards, attention to gender aspects, and citizen engagement.

1.2. Purpose of the Labor Management Procedures

This project addresses the environmental and social aspects through the World Bank’s Environmental and Social Framework. One of the Standard – ESS2 relates to Labor and Working Conditions and expects the Borrowers to develop Labor Management Procedures (LMP). The LMP enables identify main labor requirements and risks associated with it and help the Borrower to determine the resources necessary to address labor issues. The LMP is a living document, which is initiated early in project preparation, and is reviewed and updated throughout development and implementation of the project. Accordingly, this document details out the type of workers likely to be deployed by the project and the management thereof.

2. OVERVIEW OF LABOR USE IN THE PROJECT

2.1. Type of Workers

ESS2 categorizes the workers into direct workers, contracted workers, community workers and primary supply workers. The LMP applies to project workers as defined by ESS2. The focus of this LMP is on directly employed in the PIU to perform project related tasks (*direct workers*) and staff. The labor of other workers (such as *community workers*, *contracted workers* and *primary supply workers*) are not expected.

Direct workers. The project will be implemented by the Project Implementation Unit (PIU) under the SCF which will be established for the management of the project on a daily basis and play a linkage role between the SCF and WB. Direct workers will comprise “specialists or technical consultants” – full-time or part-time by the PIU – under the project. Civil servants working in connection with the project will remain subject to the terms and conditions of their existing public sector employment agreement or arrangement, while other direct workers, such as technical consultants, will be employed under mutually agreed contracts with clear, written terms and conditions of employment.

2.2. Number of Project Workers

The precise number of workers who will be employed by the project is not yet known. Most workers will be employed by contractors, which will each determine their labor needs, and this will become known as and when the implementation gains ground. So, for the present, the number of workers to be involved by the PIU and in the rehabilitation works has been estimated based on experience gained from similar activities undertaken in Uzbekistan. The total number of workers to be engaged in project implementation tentatively will be about 829 who are directly involved in the project 660 male and 161 female.

The table below provides data on the basis of preliminary assessment at the time of preparing this LMP. *Data in the table below shall be updated by the PIU subsequently, after more precise data on engaged direct workers and contracted workers become known.*

Table 2.1: Project Workers

#	Name of District	Name of protected area	Type of workers	Number of project workers	
				Male	Female
1.	Jizzakh	Zaamin National Park	Direct workers	18	58
2.	Samarkand	Zarafshan National Park	Direct workers	13	31
3.	Surkhandarya	Bobotag state forestry	Direct workers	21	121
4.		Uzun state forestry	Direct workers	21	128
5.	Namangan	Pap specialized state forestry	Direct workers	21	88
6.	Syrdarya	Kolgansir state forestry - hunting	Direct workers	6	29
7.	Kashkadarya	Kitab state forestry	Direct workers	34	110
8.		Shakhrisabz specialized state forestry	Direct workers	27	83

2.3. Characteristics of Project Workers

Given the nature of the project, almost all of the workers will be skilled and professionals since the PIU will be established to carry out such key functions as coordination, fiduciary, monitoring and evaluation,

and reporting.

It is estimated that women would represent about 24 percent of the workforce, and those would likely be technical (engineering) and/or staff working in the operation offices and camps (maids, cooks, cleaners etc.). The expectation is that the majority of labor will be locally hired with the exception of a few skilled workers. Based on the experience under previous projects implemented by SCF, all workers will be over 18 and will be on average 35-45 years old.

2.4. Timing of Labor Requirements

The direct workers at PIU will generally be required full time and around the year for the project duration. Other experts/consultants will be hired on demand basis throughout the project period.

3. ASSESSMENT OF KEY POTENTIAL LABOR RISKS

The type of work to be carried out by direct and contracted workers does not entail high vulnerability to abuse of labor rights or Operational Health and Safety (OHS) risks. This section describes the following risks, based on available information:

Labor risks associated with contracted workers. Given the small-scale of project physical interventions and rehabilitations activities of SCF facilities, no major risks are envisaged. As the rehabilitation activities will involve some difficulty heavy work, persons under the age of 18 will not be allowed by the Project. All contractors will be required to have a written contract with their workers materially consistent with objective of ESS2.

Labor risks including Labor influx and associated Sexual Exploitation and Abuse/Sexual Harassment, and Child labor are considered low to negligent given that the PIU's adherence to the national labor code which prohibits above mentioned abuse of rights. Nonetheless, the contractors will be required in the contract to commit against the abuse of rights, PIU staff in charge of contractor supervision will monitor and report compliance.

Employment Risks. Workers will be hired by the PIU, either directly as project staff or indirectly as part of contracts with Consultants or service providers. The practice shows that civil works subcontractors do practice a labor contract with a lump-sum payment for a certain type of service or scope of work and where the duration of labor will be limited to several months.

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4. BRIEF OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS

4.1. Uzbekistan National Labor Legislation

Labor related legislation in Uzbekistan consists of the Constitution of the Republic of Uzbekistan, Labor Code, and other legal and regulatory instruments and international treaties supported by the Republic of Uzbekistan. Uzbekistan has ratified all of the eight fundamental international labor related conventions:

- C029 - Forced Labor Convention, 1930 (No. 29); 13 Jul 1992;
- C087 - Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87); 12 Dec 2016;
- C098 - Right to Organize and Collective Bargaining Convention, 1949 (No. 98); 13 Jul 1992;
- C100 - Equal Remuneration Convention, 1951 (No. 100); 13 Jul 1992;
- C105 - Abolition of Forced Labor Convention, 1957 (No. 105); 15 Dec 1997;
- C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111); 13 Jul 1992;
- C138 - Minimum Age Convention, 1973 (No. 138); Minimum age specified: 15 years; 06 Mar 2009;
- C182 - Worst Forms of Child Labor Convention, 1999 (No. 182);

Uzbekistan pursues a purposive policy of creating a legal framework for the protection of human rights and freedoms in accordance with international standards. Having joined the world community, the Republic has constitutionally sealed the priority of universally accepted norms of international law. As a fully-fledged member of the United Nations Organization, Uzbekistan accedes to international human rights acts thus assuming an obligation to comply with them and apply them in its state and legal practice. The universal significance of international human rights acts means that its provisions should be embodied in national legislation. The Main Law of the Republic of Uzbekistan includes all the provisions of the Universal Declaration of Human Rights.

The Constitution of the Republic of Uzbekistan (adopted on December 8, 1992) includes a chapter on Economic and Social rights of the citizens. According to it everyone is entitled to:

- “Have the right to work, free choice of work, fair conditions of labor and protection against unemployment in the procedure specified by law. Any forced labor shall be prohibited except for punishment under the sentence of a court or some other instances stipulated by law” (Chapter IX, Article 37);
- The right to rest is included in the Article 38: “Citizens, working on hire, shall be entitled to a paid rest. The number of working hours and paid labor leave shall be specified by law”;
- Social security in old age in the event of disease, disability, loss of breadwinner and in other cases stipulated under the law (Article 39);
- Have the right to skilled medical care (Article 40); and
- Equal rights of men and women is guaranteed by the law (Article 46).
- “Have the right, both individually and collectively, to submit applications and proposals, and to lodge complaints with competent state bodies, institutions or public representatives. Applications, proposals and complaints shall be considered in the procedure and within the time-limit specified by law” (Chapter VIII, Article 35).

The Labor Code of the Republic of Uzbekistan introduced on April 1, 1996 treats labor legislation with due account of the interests of the employees, employers and the state and fair and safe labor conditions and the protection of the labor rights and health of the workers. This Code governs employment relationships and other relations, directly related, directed to protection of the rights and freedoms of the parties of employment relationships, establishment of the minimum guarantees of the rights and freedoms

in the sphere of work. Article 6 of the Labor Code prohibits discrimination and guarantees that all citizens have equal rights to work; discrimination in labor relations is prohibited. Any differences, non-admission or preference, denial of employment, regardless of nationality, race, gender, language, religion, political beliefs, social status, education, property, leading to a violation of equality of opportunities in the field of labor, are prohibited. A person who considers that he has been subjected to discrimination at work may apply to the court for the elimination of discrimination and compensation for material and moral damage caused to him.

According to Labor Code, labor-management relations should be formalized in a fixed-term or temporary employment contract. The maximum length of a single fixed-term contract is 5 years (with the exception of few specific positions).

The Ministry of Employment and Labor Relations of the Republic of Uzbekistan is the main state institution responsible for labor, employment, and social protection policy making. The ministry is tasked with the development and regulation of labor market and ensuring employment of population, regulation of labor relations and labor protection, provision of social services for population and medical-social rehabilitation of persons with disabilities.

The supervision and monitoring of compliance with Labor Code requirements and protection of labor rights of citizens is implemented by the State Labor Inspection under the Ministry of Employment and Labor Relations, and its territorial subordinate structures according to the Statement on the State Labor Inspection, Attachment #3, Resolution of the Cabinet of Ministers #1066 of 31.12.2018 “On measures to improve the performance of the Ministry of Employment and Labor of Relations of Uzbekistan”.

Age of employment. Article 7 of the Labor Code states that Forced labor, i.e., forced to perform work under the threat of any punishment (including as a means of labor discipline) is prohibited. The right to work is permitted for persons aged 16 and older. The law allows hiring of students from secondary schools, secondary special, professional educational institutions as an internship to perform light work that does not harm their health and moral development, and does not interfere with the learning process, in their free time, provided that they are over the age of 15 with written consent by a parent or legal guardian (Article 77). No one under the age of 15 is allowed to work under the Labor Code.

Young people aged between 15 and 18 years old have the right to work based on the local legislations and have the same rights as adult workers with some benefits due to their age (Labor Code, Article 240). People under age of 18 can be employed only after medical examination and further until reaching the age of eighteen are subject to mandatory annual medical examination. People under age of 18 can be employed only for works which have no risk to their health, safety and moral, they are not allowed to lift and move heavy objects (Labor Code Article 241).

Employees aged 15-16 are allowed to work no more than 24 hours a week, and employees aged 16-18 are allowed to work no more than 36 hours a week. Students can be employed only when they are free of study, and their working time may not exceed half of the maximum working time set for the respective age groups, i.e. students aged 15-16 can work only 12 hours a week and students aged 16-18 allowed to work no more than 17.5 hours a week (Article 242).

Articles 49 and 51 of Administrative Code of Uzbekistan impose fines for violation of above-mentioned regulations on forced and child labor. The amended law on 23.08.2019 significantly increases fines for using administrative measures to attract employees to forced labor, which has been practiced previously in the country involving public workers, mostly teachers, health workers and students. The new law imposes fines ranging from 10 to 30 times the minimum wage for using such practices. If the same offence is committed repeatedly, responsible persons will face fines from 30 to 100 times the minimum wage, according to the ministry.

Wages and deductions. Contracts and collective agreements establish the form and amount of compensation for work performed. It is forbidden to pay in kind, except in cases established by the Government of the Republic of Uzbekistan (Labor Code Article 153). The Government establishes a minimum wage (Article 155). From September 2019, the minimum wage payment for a full-time position, cannot be less than 634,880 UZS⁸ (or \$67,4). In areas with adverse climatic and living conditions, district coefficients and allowances for wages are established. There is no established minimum wage for seasonal and daily workers (minimum payment for hour of work).

Employers are obligated to pay workers at least once per half-month (Article 161). Compensations for the payment delays can be included in the collective agreement. Employers also must pay for work-related damage to health or property and families are compensated in case of death. Deductions are allowed mainly for taxes and other obligatory payments set by the Government of Uzbekistan, as well as for specific reasons, but may not exceed 50 percent of the amount owed to the employee, and payment after deductions may not be less than the minimum rate determined by the government (Article 164).

Women. Nighttime work, overtime work, work on weekends and business trips for pregnant women and women with children under the age of 14 (with disabled children up to 16 years old), are allowed only with their consent. Herewith, recruitment of pregnant women and women with children under 3 years of age for night works is allowed only if there is a medical certificate confirming that such work does not threaten the health of the mother and child (Article 228).

Pursuant to the Presidential Decree PP - No.4235 of March 7, 2019, men have received the same package of rights related to the childcare since 1 May 2019, only one of the parents (male or female) can decide to take maternity leave. Additionally, the President ordered to revoke the prohibitions on the use of female workers. As a corollary, the list of the professions that excluded the females' presence has gained a recommendatory nature (amendment to Article 225).

Working hours. The standard work week is 40 hours, with less allowed for those under 18 and for women who have children up to 3 years old. The number of hours per day, and days per week, is established in the contract/agreement between the employer and employee. Employers must provide time off each workday for "rest and food", and also paid time off in case time is needed to cool off, to warm up, or to breastfeed children. Details of time off are established in contracts/agreements.

Leave. In addition to national holidays, employees have to receive at least 15 working days of paid leave per year, with workers under 18 years of age receiving at least 30 calendar days and disabled employees receiving 30 calendar days (Article 134-135). In addition, those who work in unhealthy and unfavorable working conditions receive an additional seven days and those who work in unfavorable climate conditions receive an additional eight days. Leave without pay may also be taken by certain groups of people and may also be covered in contracts. At termination of employment, employees are paid for unused leave, or they may use the leave as their last days of employment.

Women are provided maternity leave for up to 70 calendar days, and then are provided 56 days leave after giving birth, in case of complications or giving birth to 2 or more children up to 70 days, with benefits paid from the state social insurance (Article 233). Maternity leave is calculated in total and is paid in a lump sum, regardless of the actual number of days off before giving birth. After giving birth, a mother may take additional leave until the child is six months old, again paid by social insurance. She may take unpaid leave until the child is three years of age. Her position is guaranteed upon her return from all these types of leave.

⁸ Government Decree #775 of 16.09.2019

⁹<http://lex.uz/ru/docs/4230938>

Overtime work. Overtime compensation as specified in employment contracts or agreed to with an employee's trade union, which can be implemented in the form of additional pay or leave. The law states that overtime compensation should not be less than 200 percent of the employee's average monthly salary rate (broken down by hours worked). Additional leave time should not be less than the length of actual overtime work (Article 157).

Layoffs and Firing. The Labor Code and subordinate labor legislation differentiate between layoffs and firing. Employees can terminate their employment by filing two-week prior written notice or apply for leave without pay. Layoff or temporary leaves without pay can be initiated by an employer due to worsening of the economic situation as below. For firing (severance), the employer should personally give two months' advance notice in the case of corporate liquidation or optimization, two weeks' advance notice in the case of an employee's incompetence, and three days' advance notice in the case of an employee's malpractice or unacceptable violations. In case of severance caused by corporate liquidation or optimization, an employee should receive compensation, which should not be less than two average monthly salaries paid during their employment plus payment for unused leave (if another form of compensation was not agreed to in the employment contract).

Labor disputes. The general court system, where civil and criminal cases are tried, is responsible for resolving labor-related disputes. This can be done on a regional or city level. Formally, workers can file their complaints through the Prosecutor General's Office. The Ministry of Employment and Labor Relations should provide legal support to employees in their labor disputes.

Disputes may be adjudicated by commissions that are created "on a par with employer and agencies representing the interests of employee" (that is, with equal representation of employee/employees and employer), if such commissions are provided for in labor agreements/contracts (Article 262). Commissions must consider issues within 10 days. If the employer, employee, or their representatives disagree with decisions by a commission, or if the commission does not consider applications within 10 days, any of the parties may appeal to the courts, but that must be within 10 days of the decision (or no decision).

Enforcement of Labor Code is implemented by the State Labor Inspection under the Ministry of Employment and Labor Relations, and its territorial subordinate structures according to the Statement on the State Labor Inspection, Attachment #3, Resolution of the Cabinet of Ministers #1066 of 31.12.2018 "On measures to improve the performance of the Ministry of Employment and Labor of Relations of Uzbekistan".

4.2 The World Bank Environmental and Social Standards: ESS 2

The projects financed by the World Bank need to comply with the World Bank's Environmental and Social Framework (ESF), effective from October 2018, comprising, inter alia, the Environmental and Social Standards (ESS)¹⁰. The Framework specifies the mandatory requirements in the form of 10 standards that borrowers must apply.

One of those 10 standards is the Environmental and Social Standard 2 ("ESS2") which addresses labor and conditions. This standard recognizes the importance of employment creation and income generation in the pursuit of reducing poverty and inclusive economic growth. By treating workers fairly and ensuring safe and healthy working conditions, borrowers can promote sound worker management relations and enhance the development benefits of a project. Key objectives of the ESS 2 are to:

¹⁰ <https://www.worldbank.org/en/projects-operations/environmental-and-social-framework/brief/environmental-and-social-standards>

- Promote safety and health at work;
- Promote the fair treatment, nondiscrimination and equal opportunity of project workers;
- Protect project workers, including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with this ESS) and migrant workers, contracted workers, community workers and primary supply workers, as appropriate;
- Prevent the use of all forms of forced labor and child labor;
- Support the principles of freedom of association and collective bargaining of project workers; in a manner consistent with national law; and
- Provide project workers with accessible means to raise workplace concerns.

ESS2 applies to project workers including fulltime, part-time, temporary, seasonal and migrant workers. Where government civil servants are working in connection with the project, whether full-time or part-time, they will remain subject to the terms and conditions of their existing public sector employment agreement or arrangement, unless there has been an effective legal transfer of their employment or engagement to the project. ESS2 will not apply to government civil servants.

Under ESS2, borrowers are required to develop and implement written labor management procedures (“LMP”) applicable to the project. The purpose of the LMP is to facilitate planning for the project and help identify the resources necessary to address the labor issues associated with the project. The LMP help to (a) identify the different types of project workers that are likely to be involved in the project, and (b) set out the ways of meeting the requirements of ESS2 that apply to the different types of workers.

Project workers will be provided with information and documentation that is clear and understandable regarding their terms and conditions of employment. The information and documentation will set out their rights under national labor and employment law (which will include any applicable collective agreements), including their rights related to hours of work, wages, overtime, compensation and benefits, as well as those arising from the requirements of this ESS. This information and documentation will be provided at the beginning of the working relationship and when any material changes to the terms or conditions of employment occur.

4.2 Key Gaps Between National Legislation and World Bank ESS2

Table 4.1. Summary of World Bank Requirements and Key Gaps with Uzbekistan Legal Requirements

ESS & Topic	Major WB requirements	Key requirements/gaps in Uzbekistan legal framework	Principles to be followed by the Project
A. Working conditions and management of labor relations	<ul style="list-style-type: none"> - Written labor management procedures - Terms and conditions of employment - Non-discrimination and equal opportunity - Worker’s organizations - Elaborate Labor Management Plans 	<ul style="list-style-type: none"> - Written employment contract required, including procedures and employment conditions; - Non-discrimination and equal opportunity 	LMP developed for the project. Terms and conditions in the LMP are consistent with national law and WB requirements.
B. Grievance mechanism	<ul style="list-style-type: none"> - GRM should be in place for direct workers 	<ul style="list-style-type: none"> - No project specific GRM is warranted. - However, it is allowed to apply to: a) conciliation commission; b) Labor Inspection under the Ministry of Employment and Labor Relations; and c) Court. 	PIU will develop GRM for its workers (Direct workers) as per this LMP.
C. Category of workers -	<p>Specifies these following categories of workers:</p> <p>Direct workers</p>	No reference to Community, contractor and Primary Supply Workers	No community and contractor workers will be involved in the Project.

5. BRIEF OVERVIEW OF LABOR LEGISLATION: OCCUPATIONAL HEALTH AND SAFETY

5.1. Uzbekistan legislation requirements on Occupational Health and Safety

The main law of the Republic of Uzbekistan is **the Constitution of the Republic of Uzbekistan** dated December 8, 1992. Article 37 of the Constitution of Uzbekistan says that “each has the right to work, to free choice of work, fair terms of work and protection against unemployment under the law.”

More than 30 articles of the Labor Code are directly linked with issues of occupational safety and health. They include:

- occupational safety and health requirements (Article 211);
- ensuring safe and healthy labor conditions (Article 212);
- instruction and training in OHS matters (Article 215);
- regulation of working hours in hazardous occupations for workers performing special work and workers under 18 (Articles 116, 117 and 118);
- terms of recruiting invalids for various jobs (Article 220);
- providing workers with milk, medical preventative nutrition, means of individual protection and hygiene (Article 217);
- providing first medical aid to workers who have fallen ill at work (Article 221); and
- registration and investigation of accidents, supervision of labor conditions (Article 222) and others.

Occupational Health and Safety (OHS) legislation comprises the Law on Occupational Safety and Health, the Labor Code, the decrees of the President of the Republic of Uzbekistan, OHS standards, decisions of executive government agencies taken within their competence in the form of decrees, executive orders, regulations, directives, rules, etc.

The Law on Occupational Safety in Hazardous Production Facilities dated on August 25, 2006 sets down the legal, economic and social terms of ensuring safe exploitation of hazardous production facilities and is aimed at preventing accidents and building the capacity of enterprises to liquidate their aftermath.

Under the Law of the Republic of Uzbekistan On Occupational Health and Safety, the following are the main principles of the state OHS policy:

- priority of the life and health of the worker over the results of the enterprise activities;
- coordination of OHS activities with other areas of economic and social policy;
- establishment of uniform OHS requirements for all the enterprises irrespective of their form of ownership and management;
- ensuring environmentally safe labor conditions and systematic control of the environment in the workplace;
- supervision and monitoring of universal compliance with OHS requirements at enterprises;
- state participation in funding OHS;
- training of OHS specialists at higher and secondary specialized education institutions;
- providing incentives for the development and introduction of safe technology and means of protecting workers;
- wide scale use of the achievements of science, technology and the best domestic and foreign practices in the field of OHS;
- free provision of workers with special work clothes and footwear, individual protection means and medical preventative nutrition;

- mandatory investigation and registration of each occupational accident and occupational disease case and on that basis keeping the public informed
- about the levels of occupational accidents and diseases;
- social protection of the interests of the workers who have become victims of occupational accidents or diseases;
- all round support for the activities of trade unions and other nongovernmental associations, enterprises and individuals in the field of OHS; and
- international cooperation in dealing with OHS problems.

Articles 16, 17, 176 and 177 of the Labor Code describes the rights and responsibilities of the Employer and Employees regarding the Occupational Safety and Health, as shown in Table 5.1.

In accordance with the Constitution of the Republic of Uzbekistan, everyone has the right to work, to free choice of work, to fair working conditions and to protection from unemployment in the manner prescribed by law (Article 16).

Table 5.1: OHS Rights and responsibilities of Employer and Employees

Employee has right to:
<ol style="list-style-type: none"> 1. for remuneration for work not lower than the amount established by law for the first category of the Unified wage scale for wages; 2. for rest, provided by the establishment of the maximum duration of working hours, reduced working hours for a number of professions and jobs, the provision of weekly days off, holidays, as well as annual paid leaves; 3. on working conditions that meet safety and hygiene requirements; 4. for vocational training, retraining and advanced training; 5. to compensate for harm caused to his health or property in connection with work; 6. to join trade unions and other organizations representing the interests of employees and labor collectives; 7. for social security by age, in the event of disability, loss of a breadwinner and in other cases established by law; 8. to protect, including judicial, labor rights and qualified legal assistance; 9. defend their interests in collective labor disputes.
Responsibilities of Employees:
<ol style="list-style-type: none"> 1. The employee is obliged to conscientiously fulfill his labor duties, observe labor discipline, timely and accurately fulfill the legal orders of the employer, observe technological discipline, labor protection, safety and industrial sanitation requirements, and take good care of the employer's property. 2. The employee's labor duties are specified in the internal regulations, statutes and regulations on discipline, local acts adopted at the enterprise (collective agreements, instructions, etc.), an employment contract
Employer has right to:
<ol style="list-style-type: none"> 1. manage the enterprise and make independent decisions within the limits of their authority; 2. conclude and terminate individual labor contracts in accordance with the law; 3. require the employee to properly perform the work stipulated by the employment contract; 4. create, jointly with other employers, public associations to protect their interests and join such associations
Responsibilities of Employer:
<ol style="list-style-type: none"> 1. The employer is obliged to organize the work of employees, create working conditions provided for by legislative and other normative acts, an employment contract, ensure labor and production discipline, observe labor protection rules, be attentive to the needs and requests of employees,

improve their working and living conditions, conclude collective agreements in compliance with this Code.

2. The employer does not have the right to demand that the employee perform work that is not part of his job duties, the commission of actions that are illegal or endanger life and health, humiliate the honor and dignity of the employee or other persons.

In inspections of the State Sanitary and Epidemiological Authority (the Law on State Sanitary Supervision was dated on July 3, 1992), State Fire Inspection, the State Natural Resources Committee, the State Energy Supervision Authority and other bodies deal with OHS management within their frames of reference. The powers of inspections are determined by the Regulations approved by the corresponding ministries and agencies. Uniform application of labor legislation in the Republic is supervised by the Public Prosecutor's Office of the Republic of Uzbekistan (Article 9 of the Labor Code of the Republic of Uzbekistan).

The Cabinet of Ministers of the Republic of Uzbekistan effects overall control of OHS (Article 5 of the Law on Occupational Safety and Health). Under the Law on Occupational Safety and Health the Labor Code of the Republic of Uzbekistan enterprises are responsible for ensuring occupational safety and health requirements and officials violating such requirements or obstructing the activities of state supervisory and monitoring bodies are disciplined or prosecuted under criminal law.

In addition to the main legislation the Republic has national normative documents addressing the issues of occupational health and safety. They include the Sanitary Rules and Norms (SanPiN), State Occupational Safety Standards (GOST, SSBT), Construction Norms and Rules (SNiPs), standards of the content of harmful substances (maximum allowable concentrations and levels), normative methodological documents on individual issues setting forth concrete requirements to occupational safety in hazardous facilities, when manufacturing or applying various products, etc. In addition to state normative documents various sectors of industry enforce departmental and interdepartmental norms, requirements and rules of occupational safety and health.

The owner and employer of the organization shall be directly responsible for the occupational safety of employees in the workplace and for the application of regulations. They also shall be obliged to take the following measures in the workplace:

- obey all occupational safety standards, norms and regulations;
- protect the security of buildings, machinery, technological processes and equipment;
- provide healthy conditions in the workplace and use current public health standards;
- provide the necessary sanitary and cleanliness and provide treatment and prevention services;
- provide employees who work in a harmful or adverse environment with free therapeutic food, milk or other foodstuff equivalents;
- apply normal work and rest standards;
- provide employees with free work clothes, shoes and another necessary protective gear in the required condition and with normal, regular frequency;
- educate, instruct, and test the knowledge of employees on occupational safety standards and regulations and encourage them in occupational safety;
- include necessary occupational safety regulations in the collective contract and assume responsibility as defined in these regulations;
- provide a statistical report on the application of current occupational safety standards and working conditions; on measures taken to implement the
- standards and the results of activities to achieve these goals. The required information shall be provided at specific times and in specific forms determined by the relevant executive authorities.

6. THE WORLD BANK ENVIRONMENTAL AND SOCIAL STANDARD: ESS 2

The World Bank's stipulations related to labor are outlined in its Environmental and Social Standard 2 on Labor and Working Conditions (ESS2). This helps the Borrowers in promoting sound worker-management relationships and enhance the development benefits of a project by treating workers in the project fairly and providing safe and healthy working conditions. Key objectives of the ESS 2 are to:

- Promote safety and health at work;
- Promote the fair treatment, nondiscrimination and equal opportunity of project workers;
- Protect project workers, including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with this ESS) and migrant workers, contracted workers, community workers and primary supply workers, as appropriate;
- Prevent the use of all forms of forced labor and child labor;
- Support the principles of freedom of association and collective bargaining of project workers; in a manner consistent with national law; and
- Provide project workers with accessible means to raise workplace concerns.

ESS2 applies to project workers including fulltime, part-time, temporary, seasonal and migrant workers. Where government civil servants are working in connection with the project, whether full-time or part-time, they will remain subject to the terms and conditions of their existing public sector employment agreement or arrangement, unless there has been an effective legal transfer of their employment or engagement to the project. ESS2 will not apply to government civil servants.

Working conditions and management of worker relationships. The Borrower will develop and implement written labor management procedures applicable to the project. These procedures will set out the way in which project workers will be managed, in accordance with the requirements of national law and this ESS. The procedures will address the way in which this ESS will apply to different categories of project workers including direct workers, and the way in which the Borrower will require third parties to manage their workers.

Project workers will be provided with information and documentation that is clear and understandable regarding their terms and conditions of employment. The information and documentation will set out their rights under national labor and employment law (which will include any applicable collective agreements), including their rights related to hours of work, wages, overtime, compensation and benefits, as well as those arising from the requirements of this ESS. This information and documentation will be provided at the beginning of the working relationship and when any material changes to the terms or conditions of employment occur.

6.1. Key Gaps between National Legislation and ESS2

Table 6.1. Summary of World Bank Requirements and Key Gaps with Uzbekistan Legal Requirements

ESS & Topic	Major WB requirements	Key requirements/gaps in Uzbekistan legal framework	Principles to be followed by the Project
Working conditions and management of labor relations	Written labor management procedures - Terms and conditions of employment Nondiscrimination and equal opportunity Worker's organizations Elaborate Labor Management Plans including Contractor's ESMP warranted	Written employment contract required, including procedures and employment conditions No provision for Labor Management Plans.	LMP developed for the project. Terms and conditions in the LMP are harmonized with ESS2 and national law.
Grievance mechanism (GM)	GM should be in place for direct and contracted workers	No project specific GM is warranted. However, it is allowed to apply to: a) conciliation commission; b) Labor Inspection under the Ministry of Employment and Labor Relations; and c) court.	SCF will develop GM for its workers (Direct workers) as per this LMP. Contractors will develop C-LMP including provision to establish and maintain GM for their employees.
Category of workers	Specifies these following categories of workers: direct, contracted, community and primary supply workers.	No reference to Community and Primary Supply Workers.	No community workers will be involved in the Project. Screening and monitoring measures will be introduced for primary suppliers (if any) as per this LMP.
Minimum age of workers	Persons 14-18 are prohibited from work considered hazardous, that will interfere with their education or be harmful to their health or development (physical, mental, spiritual, moral, or social).	Employment permissible for 15 plus age, but for non-hazardous work, with limited hours, and guardian permission.	Provisions of National law will apply, no construction workers under 18 years. Workers between 15-18 years could be hired for office work with shortened working hours, during out of school time, and with guardian permission as per national legislation.

The SC and PIU will ensure that the above-mentioned gap will be covered by the project contractors. Each Contractor will have to follow this LMP and introduce their own Grievance Mechanism. Contractors

will not hire persons aged under 18 for working in the project activities.

The employment of project workers will be based on the principle of equal opportunity and fair treatment, and there will be no discrimination with respect to any aspects of the employment relationship, such as recruitment and hiring, compensation (including wages and benefits), working conditions and terms of employment, access to training, job assignment, promotion, termination of employment or retirement, or disciplinary practices.

7. RESPONSIBLE STAFF

The PIU will be directly supervised by the SCF and will report to responsible staff within the SCF appointed by the chairman. The PIU will be responsible for the overall management and implementation of the Project. S/he, on a daily basis, will coordinate the project activities including relations with direct employees, contractors and suppliers.

The human resources person assigned by the SCF and PIU's Social specialist will be responsible for the following within their responsibility area:

- Implementing these labor management procedures;
- Ensuring that contractors comply with this labor management procedure;
- Monitoring to verify that contractors are meeting labor and OHS obligations toward contracted and subcontracted workers as required by Uzbekistan legislation and ESS2;
- Monitoring contractors and subcontractors' implementation of labor management procedures;
- Monitoring compliance with occupational health and safety standards at all workplaces in line with the national occupational health and safety legislation;
- Monitoring and implement training on LMP and OHS for project workers;
- Ensuring that the grievance redress mechanism for project workers is established and implemented and that workers are informed of its purpose and how to use it;
- Have a system for regular monitoring and reporting on labor and occupational safety and health performance; and
- Monitoring implementation of the Worker Code of Conduct.

The Contractors (Consultants) will be responsible for the following:

- To obey requirements of the national legislation and this labor management procedure;
- Maintain records of recruitment and employment process of contracted workers;
- Communicate clearly job description and employment conditions to contracted workers;
- Have a system for regular review and reporting on labor, and occupational safety and health performance.

When contractor(s) are known, this labor management procedure can be updated to include additional details about companies, hired workforce etc., as necessary.

8. POLICIES AND PROCEDURES

As specified in the Labor Code, employment of project workers will be based on the principles of non-discrimination and equal opportunity. There will be no discrimination with respect to any aspects of the employment relationship, including recruitment, compensation, working conditions and terms of employment, access to training, promotion or termination of employment. The following measures will be followed by contractors and monitored by the SCF and PIU to ensure fair treatment of all employees:

- Recruitment procedures will be transparent, public and non-discriminatory, and open with respect to ethnicity, faith/religion, disability, sexuality and gender;
- Clear job descriptions will be provided in advance of recruitment and will explain the skills required for each post;
- All workers will have written contracts describing terms and conditions of work and will have the contents explained to them. Workers will sign the employment contract;
- The contracted workers will not be required to pay any hiring fees. If any hiring fees are to be incurred, these will be paid by the Employer (in this case, the “Employer” would be the contractor);
- Depending on the origin of the employer and employee, employment terms and conditions will be communicated in a language that is understandable to both parties;
- In addition to written documentation, an oral explanation of conditions and terms of employment will be provided to workers who may have difficulty understanding the documentation.

OHS Related Policies

- Conduction of induction trainings to all workers on OHS;
- Provision of adequate water and sanitation facilities at work places;
- Provision of separate toilet facilities for men and women;
- Provision of Personal Protection Equipment to workers, including to visitors;
- Emergency situation procedures;
- Accommodation provision;
- Accidents handling procedure;
- Grievance handling policies.

Monitoring

Monitoring of the above-mentioned measures will be conducted directly by PIU employees such as Project Manager, HR specialist and Lawyer, as well as by the contracted Consultants: Project Coordinators, Social Specialist, M&E Specialist and Regional Representatives.

9. AGE OF EMPLOYMENT

Uzbekistan law prohibits anyone under 18 from performing “unhealthy or heavy work” and there are special requirements for leave, work hours, and other conditions of employment (Article 241, Labor Code). It is expected that people to be hired within the project will be over 18.

SCF as the main Implementing Agency will ensure that no construction workers under 18 years are employed unless they are hired for office work. Based on the local legislation, workers between 15-18 years could be hired for office work with shortened working hours, during out of school time, and with guardian permission as per national legislation.

Contractors (including consultants) will be required to verify the identity and age of all workers. This will require workers to provide official documentation, which could include a birth certificate, national identification card, passport, or medical or school record. If a child under the minimum age is discovered working on the project, measures will be taken to immediately terminate the employment or engagement of the child in a responsible manner, taking into account the best interest of the child.

10. TERMS AND CONDITIONS

Terms and conditions of direct workers are determined by their individual contracts. Terms and conditions should include provisions set out in the “HR Regulations” approved by the Law of the Republic of Uzbekistan #ZRU-410 dated September 22, 2016 on introduction of amendments and additions to the law of the Republic Of Uzbekistan “On Labor Protection». Purpose of Law. The purpose of this Law is to regulate relations in the field of labor protection. Legislation on labor protection. Labor protection legislation consists of this Law and other legislative acts. If an international treaty of the Republic of Uzbekistan establishes rules other than those provided by the legislation of the Republic of Uzbekistan on labor protection, then the rules of the international treaty are applied.

Permanent project staff will have individual agreements (labor contract or service contract) with fixed monthly wage rates. All the recruiting procedures should be documented and filed in the folders in accordance to the requirements of labor legislation of the Republic of Uzbekistan.

The contractors’ labor management procedure will set out terms and conditions for the contracted and subcontracted workers. These terms and conditions will be in line, at a minimum, with this labor management procedure, Uzbekistan Labor Code and General Conditions of the World Bank Standard Procurement Documents.

11. GRIEVANCE MECHANISM

11.1. Grievance Mechanism Process

A Grievance Mechanism (GM) is a set of arrangements that enable local communities, employees, out-growers, and other affected stakeholders to raise grievances with the investor and seek redress when they perceive a negative impact arising from the investor’s activities. It is a key way to mitigate, manage, and resolve potential or realized negative impacts, as well as fulfill obligations under international human rights law and contribute to positive relations with communities and employees.

The main objective of a Grievance Mechanism (GM) is to assist to resolve complaints and grievances in a timely, effective and efficient manner that satisfies all parties involved. Specifically, it provides a transparent and credible process for fair, effective and lasting outcomes. It also builds trust and cooperation as an integral component of broader community consultation that facilitates corrective actions. Specifically, the GM:

- Provides affected people, employees and other stakeholders with avenues for providing feedback or making a complaint or resolving any dispute that may arise during the course of the implementation of projects;
- Ensures that appropriate and mutually acceptable redress actions are identified and implemented to the satisfaction of complainants; and
- Avoids the need to resort to judicial proceedings.

The project specific GM for the workers will be at two levels – one at the PIU level and the other in the SCF level. It should be emphasized that this GM is not an alternative/substitution to legal/judicial system for receiving and handling grievances. However, this is formed to mediate and seek appropriate solutions to labor related grievances, without escalating to higher stages. Having said that, all employees always have rights, according to Uzbekistan legislation, to access judicial/legal grievance management system.

The GRM for the current project takes into account the national legislation, the specificity of the project sites and results of public consultations. According to the Resolution 911 (16 November 2019) the Khokimiyats of the respective districts (cities) are obliged to notify owners of residential, production and other buildings, constructions and plantings on the made decision in writing for signature not later than six months prior to demolition, attaching to the notice copies of the relevant decisions of the khokims of districts (cities) and regions on the basis of the decision of the Cabinet of Ministers of the Republic of Uzbekistan on any land acquisition, demolition of residential, production and other buildings, constructions and plantings located in the land.

PIU WB will be responsible for establishment of GRM during the project affectivity and act as the GRM secretary to make sure that the GRM is operational to effectively handle environmental and social concerns of project affected persons. PIU will ensure that grievances and complaints on any aspect of the land acquisition, compensation, and resettlement are addressed in a timely and satisfactory manner. All possible avenues are made available to the APs to resolve their grievances at the project level. Under the proposed project level grievance mechanism, affected households may appeal any decision, practice or activity connected with the assessment or valuation of land or other assets, acquisition and compensation.

The proposing GRM will be discussed by PIU’s manager and safeguard specialist. PIU will ensure that grievances and complaints on any project aspect are addressed in a timely and satisfactory manner. PIU will maintain a comprehensive project-level grievance log and report on the number and status of complaints in progress reports to the World Bank please see Annex 1. The GM process is explained in Table 11.1 and Figure 11.1.

Table 11.1: Grievance Redress Mechanism and Levels

Level/Steps	Process
<p>Level 1- PIU representatives at regions, the working office of Contractor project district khokimiyat</p>	<p>The aggrieved person applies directly to the working office of the Contractor. PIU representative will be in charge of receiving and registering complaints, and PIU representative will collect and record information about received complaints from working Contractor offices on a weekly basis. ESMF coordinators in the PIU branches (for all project components) will have the same duties to collect complaints and to register them. PIU ESMF coordinators will be responsible for reporting about received complaints PIU representative and its resolving.</p> <p>The alternative entry point for complaints will be also khokimiyats due to their obligations defined by national legislation: (i) khokimiyats of the respective districts (cities) are obliged to notify owners of residential, production and other buildings, constructions and plantings on the made decision in writing for</p>

Level/Steps	Process
	signature not later than six months prior to demolition, (ii) there is a 1st deputy of khokim responsible for industry, capital construction communications and utilities, who is usually responsible for any issues/complaints regarding the construction and land allocation; After registration of received complaints, PIU WB sociologist will review nature/specificity of the complaint and will forward it to relevant party for resolving. In parallel, PIU WB sociologist will inform PIU in Tashkent about received complaint and further actions undertaken for its solution. Depending on nature of complaint it may go to Contractor, Land Cadaster, Makhalla or district branch of State Committee on Forestry. For example, complaints related to resettlement issues may be forwarded to Land Cadaster, hokimiyat and makhallas. In case of environmental issue, complaint will be forwarded to Contractor or State Committee on Forestry. PIU WB representatives will be assisted by SCF and PIU's Environmental Specialist in GRM implementation. At this level complaint should be resolved during 2 weeks.
Level 2 – PIU WB secretariat in Tashkent	<p>In case the grievance was not redressed on the first stage or applicant is not satisfied with the decision made/solution, s/he can submit the grievance directly to secretariat PIU WB in Tashkent. In accordance with established procedure, the secretariat of PIU WB will review the complaint and will forward complaints to respective department to made decision on its redress. In case the grievance is not related directly to the project, the further instance will be recommended to the applicant where s/he should apply for the decision making.</p> <p>In case, if the complaint is required more time and resources for resolution, the PIU WB may establish complaint handling team with following members such as representatives from secretariat PIU WB, district kokimiyat: cadastral department and makhalla or village assembly of Citizens or/and farmer's councils, or/and women association. All complaints will be resolved in 15 days, and in case additional details are required, a maximum of 30 days will be used to resolve and close the complaint with prior notification of complainant.</p>
Level 3- Economic Court	If the issue was not solved or the applicant is dissatisfied with the decision/resolution, the aggrieved person may submit grievance to Economic Court (Court of Law) where decision will be made in accordance with relevant national legislation. However, APs can approach the court of law at time during the grievance redressed process independent of GRM and the grievance mechanism should not impede access to the country's judicial or administrative remedies.

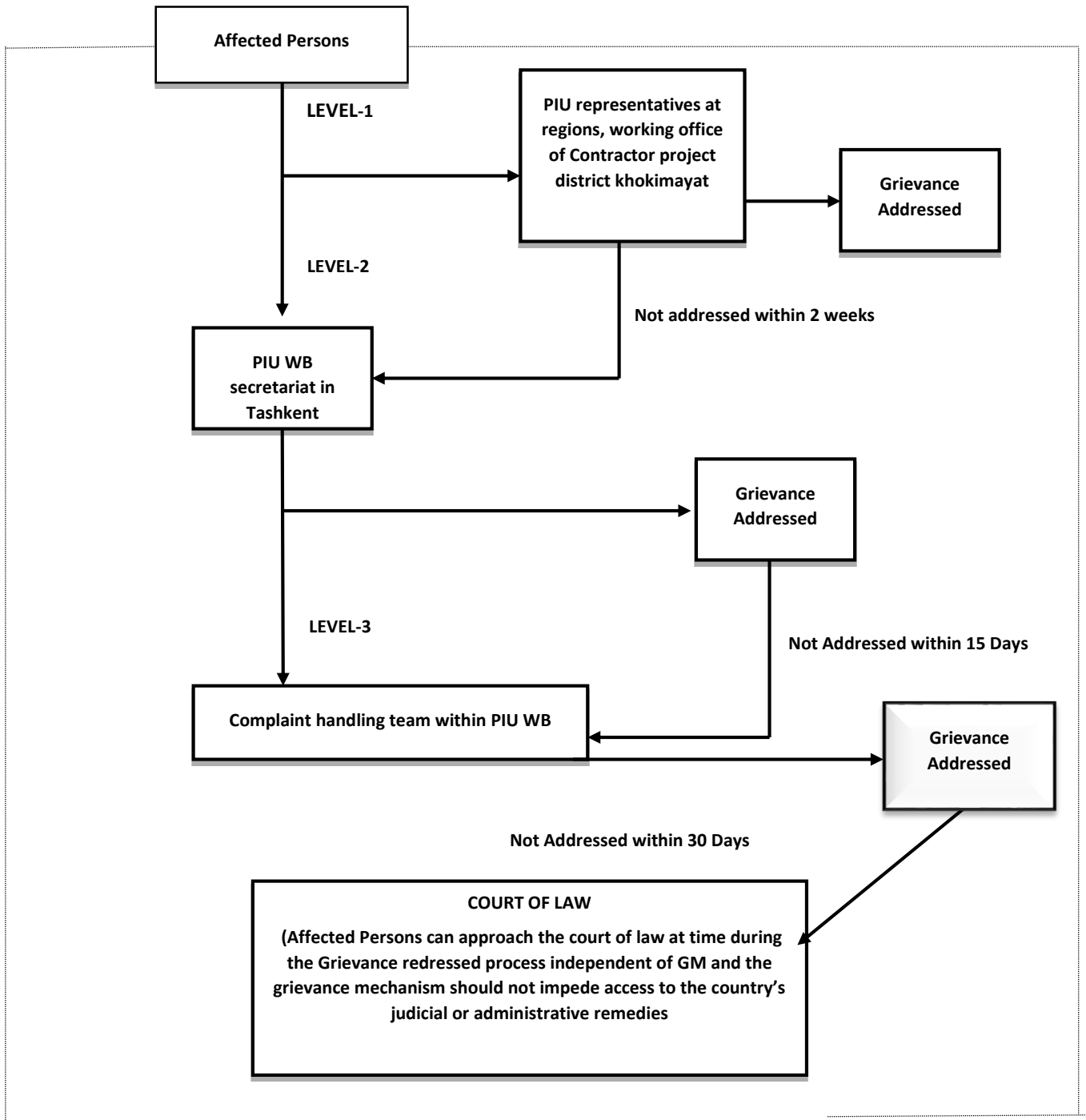
11.2. Records and Documentation

Most of grievances on land acquisition and resettlement issues are redressed at 1-2 levels. All grievances received from the population will be registered in a logbook¹¹ which should be available at all levels: at the site office of a contractor, of project area district please see Annex 2. Besides, there are also logbooks in project district khokimiyat where the grievances from the population are usually registered. Even so, the information on received by Contractor grievances and applications from the aggregated persons, and undertook measures should be submitted to the representatives of PIU on the project site for the

¹¹ The logbook should sequentially numbered and pages have been bound securely.

accounting all grievances. Thereafter the information on all received grievances will be collected at the PIU WB.

Figure 11.1: Grievance Redress Mechanism



11.3. Worker GM structure

PIU level: Social Specialist will serve as Grievance Focal Point (GFP) to file the grievances and appeals. S/he will be responsible to coordinate with relevant departments/organization and persons to facilitate

addressing these grievances. If the issue cannot be resolved at the PIU level within 7 working days, then it will be escalated to the SCF level.

SCF level: If there is a situation in which there is no response from the PIU level, or if the response is not satisfactory then complainants and feedback providers have the option to contact the Focal Person in Employment Department of the SCF directly to follow up on the issue.

GM will be accessible to all employees through various means (written, telephone, email etc). Grievance database to facilitate tracking, analysis, and monitoring logbook will be maintained in the PIU office.

The Project workers' grievance mechanism will not prevent workers to use judicial procedure.

Moreover, monitoring of work-related grievances will be carried out by the Human Resources Department of the SCF on quarterly basis. Assigned person from HR department will review received grievances and their resolution and prepare a short summary to be included in the quarterly progress report to WB.

11.4. World Bank Grievance Redress System

Communities and individuals who believe that they are adversely affected by a project supported by the World Bank may also complaints directly to the Bank through the Bank's Grievance Redress Service (GRS) (<https://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>). A complaint may be submitted in English, Uzbek or Russian, although additional processing time will be needed for complaints that are not in English. A complaint can be submitted to the Bank GRS through the following channels:

- By email: grievances@worldbank.org
- By fax: +1.202.614.7313
- By mail: The World Bank, Grievance Redress Service, MSN MC10-1018, 1818 H Street Northwest, Washington, DC 20433, USA
- Through the World Bank Uzbekistan Country Office in Tashkent: 107B Amir Timur Street, Block C, 15th floor, 100084, Tashkent, Uzbekistan, tashkent@worldbank.org, Tel. +998 71 120-2400

The complaint must clearly state the adverse impact(s) allegedly caused or likely to be caused by the Bank-supported project. This should be supported by available documentation and correspondence to the extent possible. The complainant may also indicate the desired outcome of the complaint. Finally, the complaint should identify the complainant(s) or assigned representative/s and provide contact details. Complaints submitted via the GRS are promptly reviewed to allow quick attention to project-related concerns.

In addition, project-affected communities and individuals may submit complaints to the World Bank's independent Inspection Panel, which will then determine whether harm occurred, or could occur, as a result of the World Bank's non-compliance with its policies and procedures. Complaints may be submitted to the Inspection Panel at any time after concerns have been brought directly to the World Bank's attention, and after Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank Inspection Panel, please visit www.inspectionpanel.org.

12. CONTRACTOR MANAGEMENT

Any contracts will include provisions related to labor and occupational health and safety as provided in the World Bank Environmental and Social Framework, Standard Procurement Documents and Uzbekistan legislation.

The PIU will use the Bank's 2017 Standard Procurement Documents for solicitations and contracts, and these include labor and occupational, health and safety requirements and will make reference to this LMP. The PIU shall ensure that the contractors are legitimate and reliable entities, and that any written labor procedures the contractors have in place are in compliance with this Procedure. As part of the selection process the PIU may review the following information:

- Information in public records, for example, corporate registers and public documents relating to violations of applicable labor law, including reports from labor inspectorates and other enforcement bodies;
- Business licenses, registrations, permits, and approvals;
- Documents relating to a labor management system, including OHS issues, for example, labor management procedures;

while during implementation of the Contracts the following shall be reviewed:

- Identification of labor management, safety, and health personnel, their qualifications, and certifications;
- Workers' certifications/permits/training to perform required work;
- Records of safety and health violations, and responses;
- Accident and fatality records and notifications to authorities;
- Records of legally required worker benefits and proof of workers' enrollment in the related programs;
- Worker payroll records, including hours worked and pay received;
- Copies of previous contracts with contractors and suppliers, showing inclusion of provisions and terms reflecting ESS2.

PIU will manage and monitor the performance of contractors in relation to contracted workers, focusing on compliance by contractors with their contractual agreements (obligations, representations, and warranties) and labor management procedures. This may include periodic audits, inspections, and/or spot checks of project locations and work sites as well as of labor management records and reports compiled by any contractors.

Labor management records and reports that may be reviewed would include: representative samples of employment contracts or arrangements between third parties and contracted workers, records relating to grievances received and their resolution, reports relating to safety inspections, including fatalities and incidents and implementation of corrective actions, records relating to incidents of non-compliance with national law, and records of training provided for contracted workers to explain occupational health and safety risks and preventive measures.

ANNEXES

Annex 1. Example of Grievance Form Registration

Grievance Form			
Grievance reference number (to be completed by GRM Focal Point):			
Contact details (may be submitted anonymously)	Name (s):		
	Address:		
	Telephone:		
	Email:		
How would you prefer to be contacted (check one)	By mail/post: <input type="checkbox"/>	By phone: <input type="checkbox"/>	By email <input type="checkbox"/>
Preferred language	<input type="checkbox"/> Uzbek	<input type="checkbox"/> Russian	<input type="checkbox"/> other _____
Provide details of your grievance. Please describe the problem, who it happened to, when and where it happened, how many times, etc. Describe in as much detail as possible.			
What is your suggested resolution for the grievance, if you have one? Is there something you would like khokimiyat or another party/person to do to solve the problem?			
How have you submitted this form to the project?	Website <input type="checkbox"/>	email <input type="checkbox"/>	By hand <input type="checkbox"/>
	In person <input type="checkbox"/>	By telephone <input type="checkbox"/>	Other (specify) <input type="checkbox"/>
Who filled out this form (If not the person named above)?	Name and contact details:		
Signature			
Name of Focal Point person assigned responsibility			
Resolved or referred to GRC1?	<input type="checkbox"/> Resolved	<input type="checkbox"/> Referred	If referred, date:

