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**DIGITAL MALAWI ACCELERATION PROJECT (P505095)**

**LABOUR MANAGEMENT PROCEDURES (LMP)**

**OCTOBER 2024**

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## List of Acronyms and Abbreviations

AIDS	Acquired Immunodeficiency Syndrome
CESMP	Contractor Environmental and Social Management Plan
CERT	Malawi Computer Emergency Response Team
CFP	Chance Find Procedure
CoC	Code of Conduct
DMAP	Digital Malawi Acceleration Project
EHS	Environmental, Health, and Safety
ESCP	Environmental and Social Commitment Plan
ESF	Environmental and Social Framework
ESHS	Environmental, Social Health and Safety
ESIRT	Environmental and Social Incident Reporting Toolkit
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Standards
GBV	Gender-Based Violence
GRM	Grievance Redress Mechanism
HIV	Human Immunodeficiency Virus
IAC	Inte-Agency Committee
ICT	Information and Communication Technology
ID	Identification
ILO	International Labour Organization
IXPs	Internet Exchange Points
JMP	Journey Management Plan
JSA	Job Safety Analysis
LAN	Local Area Network
LMP	Labour Management Procedures
MACRA	Malawi Communication Regulatory Authority
MAREN	Malawi Research and Education Network
MCERT	Malawi Computer Emergency Response Team
MDA	Ministries Departments and Agencies
MITA	Malawi Information Technology Authority
MoID	Ministry of Information and Digitization
NDS	National Data Strategy
NRB	National Registration Bureau
OHS	Occupational Health and Safety
PDO	Project Development Objective
PIU	Project Implementation Unit
PIU	Project Implementation Unit
PPDA	Public Procurement and Disposal of Assets Authority

PPE	Personal Protective Equipment
PPPC	Public Private Partnership Commission
PTWS	Permit to Work System
SADC	Southern African Development Community
SEA	Sexual Exploitation and Abuse
SEP	Stakeholder Engagement Plan
SH	Sexual Harassment
VAC	Violence Against Children
VAC	Violence Against Children
WHO	World Health Organization
WMP	Waste Management Plan

## Executive Summary

The Digital Malawi Acceleration Project (DMAP) is an initiative aimed at increasing digital connectivity, enhancing the use of digital services, and strengthening the capacity of the Government of Malawi to deliver digitally enabled services across the country. This transformative project addresses several challenges, such as low internet penetration, high service costs, and underdeveloped digital infrastructure, particularly in rural areas. The project is implemented by the Ministry of Information & Digitalisation (MoID) through the Public Private Partnership Commission (PPPC) and is financed by the World Bank. DMAP is expected to run for a period of six years from 2024 to 2030.

### Labour Management Procedures (LMP)

The DMAP's Labour Management Procedures (LMP) have been developed to identify and manage labour-related risks associated with the project's implementation. The LMP outlines the requirements for ensuring the fair treatment, safety, and well-being of all workers involved in the project. The document aligns with Malawi's national labour laws and the World Bank's Environmental and Social Framework (ESF), particularly Environmental and Social Standard 2 (ESS2) on Labour and Working Conditions and Environmental and Social Standard 4 (ESS4) on Community Health and Safety. The LMP complements the project's Environmental and Social Management Framework (ESMF) by providing detailed procedures for managing labour-related issues that were identified in the ESMF for DMAP.

### Key Labour Risks and Mitigation Measures

While the DMAP is not considered as high labour-intensive, project activities such as constructing telecommunication towers, installing fibre optics, and associated facilities such as access roads to towers and minor telecommunication infrastructure works present potential labour-related risks.

The LMP identifies and outlines measures to mitigate these risks, including:

- **Occupational Health and Safety:** Implement an Occupational Health and Safety (OHS) Management Plan, provide personal protective equipment (PPE), conduct regular safety training, and report procedures for accidents and incidents.
- **Gender-Based Violence (GBV) and Sexual Exploitation and Abuse (SEA):** The LMP incorporates measures to address potential GBV/SEA risks through training, community awareness campaigns, grievance mechanisms, and a Code of Conduct (CoC) for all workers.
- **Prevention of Child and Forced Labour:** Strict adherence to national laws prohibiting the employment of individuals under the age of 18 and regular community awareness of child labour regulations.

- **Labour disputes over terms and conditions of employment.** Strict adherence to Malawian labour laws and provisions of ESS2 as applied to all categories of project workers.

### **Workers Grievance Redress Mechanism (GRM)**

A key component of the LMP is the establishment of a Workers' Grievance Redress Mechanism (GRM) to provide a fair, transparent, and accessible means for all project workers to raise concerns or complaints. The GRM is designed to handle various grievances, including work conditions, wages, discrimination, and GBV/SEA. It ensures confidentiality and non-retaliation and promotes timely resolutions.

### **Roles and Responsibilities**

Implementing the LMP involves multiple stakeholders, including the DMAP's Environmental and Social Safeguards Specialists, contractors, service providers, and workers. Contractors are responsible for implementing the Code of Conduct and occupational Health and Safety measures and ensuring compliance with national labour laws. The DMAP safeguards team will monitor and evaluate the effectiveness of labour management practices, including conducting regular audits and assessments.

### **Monitoring and Reporting**

The LMP includes a Monitoring and Evaluation Framework designed to track compliance with labour laws and project-specific requirements. Regular assessments, audits, and performance indicators will be used to measure the effectiveness of labour management measures. Monthly, quarterly, and incident reports will be submitted to ensure transparency and facilitate continual improvement.

### **Consultations and Disclosure**

The LMP was developed through extensive consultations with stakeholders, including government departments, non-governmental organizations, and local communities. The document will be disclosed to the public and accessible via multiple channels including PPPC website to ensure inclusivity and transparency.

In conclusion, the LMP for DMAP provides a comprehensive framework to manage labour-related risks, promote safe working conditions, and safeguard the rights and wellbeing of all workers involved in the project. This aligns with the World Bank's requirements and Malawi's labour laws, ensuring the project is implemented responsibly and sustainably.



## **1.0 Introduction**

This document is a Labour Management Procedures (LMP) for the Digital Malawi Acceleration Project (DMAP). The DMAP is a transformative initiative designed to increase digital connectivity, improve the use of digital services, and bolster the Government of Malawi's capacity to deliver digitally enabled services across the country.

### **1.1 Background Information**

The DMAP aims to address Malawi's significant challenges in its digital landscape, such as low internet penetration, high service costs, and underdeveloped digital infrastructure, particularly in rural areas. The project will also address gaps in regulatory frameworks and strengthen the resilience of digital infrastructure to climate-related shocks. The World Bank finances the DMAP and is part of Malawi's broader efforts to achieve digital transformation, enabling sustainable economic growth, job creation, and improved service delivery. Aligned with Malawi's Information and Communication Technology (ICT) Sector Strategic Plan, the project's aims to achieve universal broadband access, improve government digital transformation, and promote digital literacy. DMAP will be implemented across all Malawi districts, including urban and rural areas.

The DMAP is not anticipated to be highly labour-intensive. However, certain activities, such as installing telecommunication towers and its associated facilities, fibre optics and Local Area Network (LAN) installations, software development, and technology hubs, will necessitate the recruitment and use of workers.

The LMP has been developed to manage labour-related risks under the DMAP, implemented by the Ministry of Information & Digitalisation (MoID) through the Public Private Partnership Commission (PPPC), and funded by the World Bank. The LMP outlines the project's approach to aligning with Malawi's national labour requirements and the World Bank's Environmental and Social Framework (ESF) objectives. Specifically, it addresses the requirements of Environmental and Social Standard 2 (ESS2): Labour and Working Conditions, and Environmental and Social Standard 4 (ESS4): Community Health and Safety. The LMP complements the project's Environmental and Social Management Framework (ESMF) by providing detailed procedures for managing labour-related issues identified in the ESMF. It has been developed following international best practices to ensure the project addresses labour-related risks and promotes the well-being of workers throughout its implementation.

### **1.2 Project Development Objectives**

The Project Development Objective (PDO) is to increase access to and inclusive use of the internet and improve the government's capacity to deliver digitally enabled services in

Malawi. This goal aims to enhance digital connectivity and improve the quality and availability of digital services to support broader development objectives in the country. The Project has four main components, twelve subcomponents, and 31 activities, as shown in Table 0-2.2.

**Table 0-2: Overview of Project Components**

<b>Component</b>	<b>Subcomponent</b>	<b>Activities</b>	
<b>Component 1:</b> Affordable Broadband and Secure Data Hosting	<b>Subcomponent 1.1:</b> <i>Rural Connectivity</i>	Expand broadband in rural areas.	
		Upgrade 2G to 4G/5G.	
		Close last-mile connectivity gaps for government institutions.	
	<b>Subcomponent 1.2:</b> <i>Education Sector Connectivity</i>	Connect to 1700 secondary schools and 500 primary schools.	
		Coordinate connectivity with renewable energy and digital skills training.	
		<b>Subcomponent 1.3:</b> <i>Regional Connectivity and Climate Resilience</i>	Address gaps in cross-border broadband links.
			Integrated planning of digital corridors for Southern Africa.
	<b>Subcomponent 1.4:</b> <i>Enhancing Data Hosting Capacity and Transition to Cloud Computing</i>	Support national data centre.	
		Enable cloud services.	
		Migrate government data to secure data centre.	
	<b>Component 2:</b> Interoperable and Secure Data Platforms	<b>Subcomponent 2.1:</b> <i>Next Generation Digital ID and Identity Verification Services</i>	Transition to cost-effective digital ID.
			Develop e-signatures.
Secure digital authentication services.			
<b>Subcomponent 2.2:</b> <i>Extending the Bomalathu Data Exchange Platform</i>		Onboard more government agencies to the platform.	
		Expand e-services portal.	
		Develop APIs for public and private sectors.	
<b>Subcomponent 2.3:</b> <i>Enhancing Policy and Regulatory Frameworks, operationalizing the Data Protection Authority and supporting the Government CERT</i>		Harmonize regional policy and regulatory frameworks.	
		Operationalize the Data Protection Authority (DPA).	
		Enhance cybersecurity resilience.	
<b>Component 3:</b> High-Impact Digital Services	<b>Subcomponent 3.1:</b> <i>Support to Tech Hubs and Sub-Grants for Digital Start-ups</i>	Expand support to tech hubs.	
		Provide sub-grants to digital start-ups.	
		Establish tech entrepreneur associations.	

Component	Subcomponent	Activities
and Productive Digital Usage	<b>Subcomponent 3.2: Participation in Regional Program on Device Affordability</b>	Reduce device costs.
		Develop e-waste management initiatives.
	<b>Subcomponent 3.3: Sectoral Deep Dives in Social Protection, Disaster Response, Financial Inclusion, and Land Management</b>	Digitize social protection services.
		Improve financial inclusion.
<b>Component 4:</b> Program Management	<b>Subcomponent 4.1: Establishment of Malawi Information Technology Authority (MITA).</b>	Operationalize the newly created MITA.
		Embed consultants in MITA for smooth transition.
	<b>Subcomponent 4.2: Program Coordination and Management</b>	Oversee program coordination.
		Manage procurement, FM, ESS, and other standard project management functions

### 1.3 Summary of Project Components and Subcomponents

A summary of the project components is described as follows:

#### **Component 1: Affordable Broadband and Secure Data Hosting**

This component focuses on expanding broadband coverage in rural areas to achieve universal mobile broadband, targeting marginalised and climate-vulnerable communities. It involves incentivising private sector investments through matching funds, upgrading 2G sites to 4G/5G, and installing Internet Exchange Points (IXPs) to improve connectivity. Additionally, it aims to close last-mile connectivity gaps for government institutions, including schools, through the Malawi Research and Education Network (MAREN), and enhance regional connectivity by addressing cross-border broadband links. The component also supports the national data centre, enabling cloud services, ensuring the safe migration of government data, and developing a National Data Strategy (NDS).

#### **Component 2: Interoperable and Secure Data Platforms**

This component is dedicated to enhancing digital Identification (ID) systems and data exchange platforms. It involves transitioning to a next-generation digital ID, developing e-signatures, and facilitating cross-border recognition of IDs within the Southern Africa Development Community (SADC) region. The component also seeks to extend the Bomalathu government data exchange platform, onboard more government agencies, and expand e-services. Additionally, it focuses on harmonising regional policies to support digital integration

and operationalising the Data Protection Authority, emphasising strengthening cybersecurity resilience through the Malawi Computer Emergency Response Team (MCERT).

### ***Component 3: High Impact Digital Services and Productive Digital Usage***

This component aims to boost digital skills, literacy, and entrepreneurship across Malawi. It expands support to tech hubs, provides sub-grants to digital start-ups, and facilitates the establishment of tech entrepreneur associations. Furthermore, the component addresses device affordability by supporting initiatives to reduce costs and manage e-waste. It also delves into key sectors such as social protection, financial inclusion, disaster response, and land management, promoting digital solutions to enhance efficiency and resilience.

### ***Component 4: Project Management***

This component supports establishing and operationalising the Malawi Information Technology Authority (MITA), ensuring a smooth transition from the existing e-government department. It also includes program management and coordination activities, covering procurement, financial management, and adherence to environmental and social safeguards. This ensures effective communication, monitoring, evaluation, and security throughout the project's implementation.

## **2.0 Rationale, Objectives, and Application of the LMP**

### **2.1 Rationale for the LMP**

Implementing DMAP is expected to involve several labour risks that could impact worker's and community health and safety. These risks include child labour, gender-based violence (GBV), Sexual Exploitation and Abuse (SEA), Sexual Harassment (SH), the spread of diseases such as HIV and AIDS, delayed wages, inappropriate use of migrant workers, and Occupational Health and Safety (OHS) issues, such as contractors failing to provide adequate personal protective equipment (PPE) to their workers, or workers not adhering to safety protocols. While these risks are well understood, they can be minimised, avoided, or managed effectively by applying this LMP. This LMP sets out measures to address potential labour-related challenges throughout the project's implementation. Full stakeholder involvement, including public and private sectors (e.g., labour officers at all levels), will be critical to monitor compliance with labour laws and the provisions of this LMP by contractors and other employers under the project. Contractors will be obligated to develop a code of conduct (CoC) and terms of employment for their workers, subject to verification by relevant authorities.

The Malawi Government emphasises the importance of sound worker-management relationships, fair treatment of workers, promotion of gender equality, prevention of

GBV/SEA/SH, and the provision of safe and healthy working conditions to maximise the project's development benefits.

## 2.2 Objectives of the LMP

The LMP aim to align with the objectives set out in ESS2 and the national labour laws, with the specific objectives to:

- Guarantee fair and equitable treatment for all workers involved in the project to prevent potential discrimination in employment, disparities in remuneration, GBV, and SEA/SH within the workplace.
- Reinforce the commitment of project management to sustainable project execution in compliance with the World Bank's ESS2 and national labour standards.
- Ensure the safety and well-being of all project workers, reminding project teams of their obligation to adhere to local labour legislation, safety standards, and industry best practices.
- Supply all project teams with information about workers' rights and responsibilities, as well as the obligations of employers, based on the relevant legal frameworks.

## 3.0 Overview of Labour Use on DMAP

### 3.1 Categories of project workers

The LMP applies to all Project workers, whether full-time, part-time, temporary, or migrant. The World Bank's ESF ESS 2 defined the project workers as:

- People employed or engaged directly by the Borrower (including the project proponent and the project implementing agencies) to work specifically in relation to the project (**direct workers**);
- People employed or engaged through third parties to perform work related to core functions of the project, regardless of location (**contracted workers**);
- People employed or engaged by the Borrower's primary suppliers (**primary supply workers**).
- People employed or engaged in providing community labour (**community workers**)

The implementation of the DMAP will engage only three types of project workers (1) direct, (2) contracted workers, and (3) primary supply workers.

**Direct workers:** This category of workers will include the staff for the PPPC. It also includes Project Implementation Unit (PIU) members as well as all technical persons under DMAP who work directly with other government ministries, departments, and agencies (MDAs). Direct workers will also include all other sub-project implementers such as the Malawi Research and Education Network (MAREN), the National Registration Bureau (NRB), Malawi

Communication Regulatory Authority (MACRA), and the Department of eGovernment. Other individual consultants with specialised skills may also be engaged to fill any capacity gaps that would be identified during project implementation.

While the civil servants are governed by the Employment (Amendment) Act of 2010 and a set of public service regulations and human resources manuals, the consultants will be governed by a set of mutually agreed contracts that will be reviewed and updated throughout the development and implementation of the project.

**Contracted Workers:** This category of workers includes those that will be awarded contracts to undertake works on behalf of DMAP. The contracted workers are likely to be engaged to undertake civil works associated with expanding broadband coverage in rural areas to achieve universal mobile broadband, last mile and education connectivity to public offices and education facilities respectively. Contractor workers may also include technology (tech) hubs who shall competitively receive seed funding to train youth in digital literacy, advanced digital skills (such as Artificial Intelligence (AI), drones), and digital entrepreneurship.

The contracted workers may comprise migrant workers that will be engaged only where skilled workers are not available in the project area.

**Primary supply workers:** As part of the environmental and social assessment, the project (on its own or through its contractors) will identify potential risks of child labour, forced labour, SEA/GBV issues, and serious safety issues which may arise in relation to primary suppliers. All primary suppliers will be formal businesses that are required to procure and produce materials subject to high standards. The suppliers will be vetted in regard to compliance with taxes, certification, licensing, and Public Liability Certificate. Only primary suppliers that meet the relevant requirements of this LMP will be engaged.

### **3.2 Number of Project Workers**

Approximately 549 project workers, including employees of PIU—project implementing partners, consultants, and contractors’ workers—are anticipated to be involved in various capacities during the project's implementation. The recruitment of the project workers will take into consideration of gender balance which requires the presence of at least 40 percent of each gender in the workforce. Table 3.2 provides an estimate of number of project workers required based on the categories of project workers.

**Table 3-2: An estimate of number of workers required by the project**

SN	Category of Workers	Estimated Number
1	Direct Workers	
1.1	PPPC	1
1.2	Project Implementation Unit (PIU)	20
1.3	Technical leads	10
1.4	MAREN	1
1.5	MACRA	1
1.6	Department of eGovernment	50
1.7	NRB	1
2	Contracted Workers	
2.1	Tech hubs	40
2.2	Last mile connectivity	150
2.3	Education sector Connectivity	250
2.4	Expanding broadband coverage	50
2.5	Migration of data from MDAs server rooms to the National Data Centre in Lilongwe, the disaster recovery site in Blantyre, and cloud computing resources.	25

### 3.3 Project-Specific Labour Categories

The specific labour categories will be involved in the following works:

- Project Planning, Supervision, and Management Activities:** This category will primarily involve skilled and competent labour with formal education or extensive experience. Project surveying, designing, engineering oversight, environmental and social compliance, and monitoring will require highly qualified professionals. Roles in this phase include surveyors, engineers, E&S compliance teams, monitoring and evaluation teams, certified drivers, and riggers for work-at-height operations. Skilled workers will also be needed to manage complex tasks associated with broadband tower construction and fibre-optic cable installation.

- **Construction of Broadband Towers and Installation of Telecommunications Infrastructure:** Building new broadband towers and setting up telecommunications infrastructure, including antenna installations and equipment shelters, will primarily require skilled labour. This includes certified technicians for tower assembly, electricians for wiring, and riggers for working at heights. These workers will adhere to strict safety protocols given the hazards associated with such construction activities. Contractors will ensure workers have the necessary training, certifications, and personal protective equipment (PPE).
- **Laying of Fibre-Optic Cables:** Laying fibre-optic cables involves trenching, hauling, and connecting cables to network infrastructure. This phase will combine skilled, semi-skilled, and unskilled labour. Skilled labour will include engineers, certified cable installers, and technicians responsible for managing and executing the cabling process. Semi-skilled and unskilled labourers, typically sourced from local communities, will assist in manual tasks such as trenching, excavation, loading, and offloading materials. These workers will receive basic training on manual handling and safety procedures to ensure a secure and safe working environment.
- **Installation of Local Area Network Equipment in Institutional Buildings (Schools, Offices, etc.):** The process begins with cabling, where network cables are run through walls, ceilings, and floors to connect routers, switches, and servers. This step demands careful planning to ensure the wires are routed efficiently and securely without compromising the building's structural integrity. Once cabling is completed, technicians proceed to mount the network devices. This involves securely fixing routers and switches to walls or racks to prevent movement or damage. Solar systems will be installed to power the network equipment in areas with inconsistent electricity supply. Skilled technicians will mount solar panels on rooftops or designated ground areas to harness solar energy. The process involves installing battery storage and inverters to store energy and convert it into a form usable by network devices.
- **Minor Construction Activities:** The project will also involve minor construction activities, especially for building small shelters to house network equipment and solar systems. With their expertise, skilled masons will lay concrete foundations, ensuring they are level and stable to provide the necessary support for the structures. Wall construction will involve using cement blocks, or prefabricated panels, with masons and general labourers building the walls to meet design specifications and ensure structural integrity. Carpenters will handle roof installation using metal sheets or tiles to protect the equipment from weather elements. Electricians will be responsible for running electrical wiring within these shelters and installing fixtures, switches, and circuit breakers to safely integrate the solar power systems. General construction labourers will support these tasks by handling materials, mixing mortar, carrying bricks or blocks, and assisting skilled workers.



### **3.4 Application of the LMP**

The LMP for the DMAP will complement the ESMF and it will be implemented alongside various plans, policies, and procedures to ensure the well-being and safety of all project workers. These include, but are not limited to, the Stakeholder Engagement Plan (SEP) Waste Management Plan (WMP), risk assessments, Journey Management Procedure (JMP), GRM Manual, and a specific workers' grievance redress mechanism that will cater to all categories of workers, including casual labourers. Other procedures such as the Chance Finds Procedure (CFP), recruit induction processes, Permit to Work System (PTWS), Job Safety Analysis (JSA), and hand tools inspection procedures will be developed to guide project teams during implementation effectively.

## **4.0 Assessment of Key Potential Labor Risks**

### **4.1 Project activities**

The DMAP encompasses various activities to enhance Malawi's digital infrastructure. These activities include initial field surveys to collect data on the proposed project sites and develop detailed design plans. After the design phase, ground verification is conducted to confirm the selected routes for installing network components. This step is crucial to ensure the infrastructure is compatible with each site's specific terrain and environmental conditions. Once a competent contractor is selected, final routing and design will be undertaken, ensuring the implementation aligns with the project's specifications and requirements. Once the design and routing are confirmed, the project moves into the installation phase. Skilled technicians and engineers play a pivotal role in this phase, as they are responsible for delivering and installing the hardware subsystems. According to the approved design plan, this phase involves transporting and installing essential network equipment, such as routers, servers, antennas, fibre-optic cables, and power supply systems. Their meticulous attention to technical details ensures these network elements' proper integration and functionality. A critical aspect of the project involves conducting thorough security verification for all network subsystems. This includes configuring the network to meet security standards, testing for potential vulnerabilities, and ensuring the system's resilience against unauthorised access or cyber threats. Each network element undergoes extensive testing and commissioning in line with the approved design, verifying its operational integrity and compliance with safety protocols. The commissioning process ensures the entire network infrastructure is fully functional and ready to provide reliable services to the targeted regions.

### **4.2 Key Labour Risks and Mitigation Measures**

Despite its benefits, implementing the DMAP presents several labour-related risks, particularly during the construction and operational phases. One of the most significant risks

is network infrastructure installation's potentially hazardous work environment. This includes working with heavy machinery, trenching for fibre-optic cable laying, operating at heights for tower installation, and handling electrical equipment, all of which pose risks of accidents and injuries to workers. Occupational safety concerns include slips, trips, falls, cuts, exposure to dust and chemicals, and noise pollution from machinery operations. To address these risks, contractors will develop and enforce an OHS Management Plan and ensure all workers receive appropriate training and PPE.

The project also recognises the heightened risks of GBV, SEA/SH that can arise during large-scale infrastructure projects. The presence of a predominantly male workforce near local communities, particularly in remote and underserved areas, can increase the likelihood of these risks. To ensure these labour risks are adequately managed, site teams through their Environmental, Social, Health and Safety (ESHS) lead will conduct site-specific risk assessments during toolbox talks and pre-job planning meetings. In line with the ESMF and generic risk assessment guidelines provided in Table 4-, these assessments will help identify potential hazards and determine the appropriate mitigation measures for each project site.

**Table 4-2: Potential Labour Risks, Descriptions, and Mitigation Measures**

SN	Potential Risks	Description	Mitigation Measures
1	Occupational Safety and Health Risks	Exposure to hazards such as slips, trips, falls, injuries from tools and machinery, electrocution risks, noise, dust, and chemical exposure.	Develop and implement an Occupational Safety and Health Management Plan (OHSMP).
			Develop and implement an Emergency Preparedness and Response Plan for emergency related to electrical fires and related emergencies.
			Provide appropriate Personal Protective Equipment (PPE) and enforce its use as per the EHS Guidelines.
			Conduct regular safety training, including first aid and safe handling of equipment.
			Appoint an Occupational Health and Safety Supervisor.
			Establish a procedure for reporting, investigating, and responding to accidents.
			Provide fully stocked first aid kits and trained personnel on-site.
			Use warning signs in high-risk areas.
			Comply with EHS Guidelines on Construction and Decommissioning.
2	Exposure to Harsh Weather Conditions	Working outdoors exposes workers to extreme weather conditions, leading to health risks such as heat stress.	Schedule work during cooler times of the day.
			Provide shaded rest areas and adequate hydration facilities.
			Develop a heat stress management plan.
			Train workers on recognising symptoms of heat stress and provide first aid.
			Provide proper and adequate PPE
3	Spread of Communicable Diseases	Risk of spreading diseases like COVID-19, HIV/AIDS, Cholera and other	Implement a Communicable Diseases Prevention Plan, including COVID-19 protocols.
			Provide PPE such as masks and gloves; enforce social distancing.

SN	Potential Risks	Description	Mitigation Measures
		infections among workers and the community.	<p>Install adequate sanitation and hygiene facilities, including handwashing stations and ensure their regular use.</p> <p>Conduct health awareness sessions on communicable diseases.</p> <p>Follow WHO and EHS Guidelines for managing communicable diseases.</p>
4	Non-compliance with Labour Laws	Contractors and workers might violate national labour laws and regulations, including employment terms, wages, and working hours.	<p>Develop and enforce a Code of Conduct for all workers.</p> <p>Conduct regular training on labour laws, workers' rights, and compliance requirements.</p> <p>Establish a Grievance Redress Mechanism (GRM) for workers to raise concerns.</p> <p>Monitor contractors' compliance with labour laws and ESS2 requirements.</p>
5	Influx of Migrant Workers	Risk of competition over local resources and potential social tensions arising from non-local workers.	<p>Prioritise the hiring of local unskilled labour.</p> <p>Implement a code of conduct for all workers to respect local customs and communities.</p> <p>Conduct regular community engagement to address potential tensions.</p>
6	Discrimination	Potential discriminatory practices in recruitment, employment, wage disparities, and exclusion of vulnerable groups.	<p>Ensure non-discriminatory recruitment practices, aligned with ESS2.</p> <p>Prepare and implement an action plan for implementation of national gender equality policy.</p> <p>Train staff on equal opportunity and non-discrimination principles.</p> <p>Establish a Grievance Redress Mechanism to handle complaints of discrimination.</p>
7			Develop a a combined GBV and SEA/SH Action Plan

SN	Potential Risks	Description	Mitigation Measures
	Risk of Gender-Based Violence (GBV) and SEA/SH	GBV and SEA/SH risks include inappropriate behaviour, exploitation, and harassment, particularly affecting women and vulnerable groups. SEA/SH incidents, such as sexual abuse or defilement, may occur, especially impacting community members, including underaged girls.	<p>Establish a Gender-Sensitive Grievance Redress Mechanism (GRM) that is responsive to GBV and SEA/SH complaints, with confidential reporting channels and protections for survivors.</p> <p>Conduct community and worker awareness campaigns on GBV and SEA/SH risks and prevention, emphasizing the consequences and support available</p> <p>Identify and map service providers in the project area that can offer support to GBV and SEA/SH survivors, including medical, psychological, and legal assistance</p> <p>Train workers on GBV and SEA/SH prevention, reporting procedures, and how to behave appropriately on and off work sites</p> <p>Create a robust Code of Conduct (CoC) for all project workers that includes clear, non-negotiable clauses related to GBV and SEA/SH</p> <p>Integrate GBV and SEA/SH considerations into broader community health and safety efforts</p>
8	Child Labour	Risk of employing underage workers in construction activities, potentially disturbing their education and health.	<p>Enforce national regulations prohibiting child labour.</p> <p>Verify the age of workers using national IDs.</p> <p>Conduct community awareness on child labour regulations.</p> <p>Implement strict monitoring to ensure compliance with ESS2.</p>
9	Risk of Contracting	Workers and communities may face an increased risk of contracting HIV/AIDS	<p>Conduct health awareness sessions on HIV/AIDS and STIs for workers and surrounding communities.</p> <p>Provide free access to condoms and distribute informational materials.</p>

SN	Potential Risks	Description	Mitigation Measures
	HIV/AIDS and STIs	and STIs due to project-related activities.	Establish partnerships with local health services for testing and counselling.
10	Labour Disputes and Employment Conditions	Potential disputes over working conditions, wages, benefits, and job security among workers.	<p>Develop clear employment terms and conditions in line with ESS2.</p> <p>Establish a transparent Workers' Grievance Redress Mechanism (GRM).</p> <p>Conduct regular communication and consultations with workers regarding employment conditions.</p>
11	Risk of Exposure to Traffic Accidents	Increased traffic and movement of construction vehicles pose a risk to workers and the community.	<p>Develop and implement a Traffic Management Plan aligned with EHS Guidelines on Road Safety.</p> <p>Conduct road safety awareness for workers and local communities.</p> <p>Use traffic control measures, including warning signs and barriers, around construction zones.</p>

## **5.0 Overview of Labour-related Legislation**

### **5.1 The Constitution of the Republic of Malawi (1995)**

The Constitution of the Republic of Malawi is the supreme law of the land. All other legislation or acts of government are valid to the extent of their consistency with the Constitution. Section 13 (a) of the constitution provide for Gender Equality. To obtain gender equality the constitution encourages full participation of women in all spheres of Malawian society on the basis of equal opportunities with men; the implementation of the principles of non-discrimination and such other measures as may be required; and the implementation of policies to address social issues such as domestic violence, security of the person, lack of maternity benefits, economic exploitation and rights to property.

Section 23 and 24 of the constitution provides for the rights of Children and Women respectively and section 27 (3) prohibits forced labour.

Section 31 of the constitution further provides that every person has the right to fair and safe labour practices and to fair remuneration. It also provides the right to form and join trade unions and it provides entitlement to fair wages and equal remuneration for work of equal value without distinction or discrimination of any kind, in particular on basis of gender, disability or race. DMAP will strive to comply with these constitution provisions in its operations.

### **5.2 Occupational Safety, Health and Welfare Act (1997)**

This Act regulates workplace conditions concerning employees' safety, health, and welfare. It outlines the responsibilities of both employers and workers in maintaining a safe work environment. Section 13(1) places an obligation on employers to ensure their employees' safety, health, and welfare, mandating the provision of appropriate Personal Protective Equipment (PPE) to workers who may be exposed to hazards. Conversely, employees must take reasonable care for their safety and that of others who might be affected by their actions or omissions at work.

In line with this Act, the DMAP requires all employers—including contractors, consultants, and primary suppliers—to provide adequate safety measures for their workers. Workers must be equipped with PPE during infrastructure installation, such as helmets, gloves, overalls, goggles, and safety boots. Additionally, workers will receive training and be informed about potential hazards and preventive measures.

### **5.3 Employment Act (2000)**

The Employment Act sets minimum employment standards to promote equity and industrial peace, which are essential for economic growth and social justice. The Act prohibits

employment discrimination based on race, sex, religion, nationality, disability, and other factors. It also prohibits forced and child labour.

DMAP will adhere to the provisions of this Act by ensuring that recruitment, training, and employment practices are non-discriminatory and equitable. It will also enforce the prohibition of child and forced labour across all project activities.

#### **5.4 Workers Compensation Act (2000)**

This Act compensates for injuries or illnesses contracted by workers during employment or for deaths resulting from such injuries or illnesses. Section 4(1) stipulates that employers are liable to pay compensation per the Act if a worker is injured during employment.

DMAP will ensure that all occupationally injured workers are compensated according to this Act. To ensure compliance, contractors and employers involved in the project will be sensitised to their obligations under this legislation.

#### **5.5 Labour Relations Act (1996)**

The Labour Relations Act promotes sound labour relations by protecting and promoting freedom of association, collective bargaining, and orderly dispute resolution. Part V of the Act outlines dispute settlement procedures and encourages internal mechanisms for handling workplace grievances before involving third parties.

DMAP will utilise a Workers' Grievance Redress Mechanism (GRM) to provide an avenue for reporting and resolving workplace grievances. Safety Committees, as required by Section 21 of the Occupational Safety, Health, and Welfare Act (1997), will be established at each site to facilitate dialogue and address labour-related concerns.

#### **5.6 Gender Equality Act (2013)**

The Gender Equality Act promotes equal opportunities, dignity, and empowerment for men and women. Section 7 requires workplaces to establish policies addressing sexual harassment, including grievance mechanisms for reporting such incidents. Employers are obligated to protect employees from sexual victimisation and false accusations.

DMAP will implement a workplace policy on sexual harassment alongside a parallel structure to the GRM to specifically address issues related to Sexual Exploitation and Abuse (SEA) and Gender-Based Violence (GBV). The project will incorporate training, counselling, and



independent advisory services to ensure confidentiality and support for victims.5.7 Child Care, Protection and Justice Act (2010).

This Act promotes childcare, protection, child justice and matters of social development of the child. The Act aims to eliminate child labour, protect children and young persons and provide for grounds of care and supervision of proceedings in the event of violence against children.

DMAP will ensure that all project workers are 18 years and above to avoid child labour and or potential violence against children at workplace.

Part II of the Act further presents the obligations of the members of the community with regards to Child care and protection. The Act stipulates that “If a member of the community believes on reasonable grounds that a child is physically, psychologically or emotionally injured, abandoned, or exposed, or is sexually abused, he/she shall immediately inform a chief, a police officer or a social welfare officer”. Through this project therefore, members of the surrounding communities will be sensitized on violence against children and the need to report such cases to responsible officers as stipulated in the act. This is to make sure that the activities implemented under DMAP project are child labour free.

### **5.6 Gender Policy (2015)**

The Gender Policy guides gender mainstreaming and empowerment initiatives to achieve equity and equality in Malawi. Policy Priority Area 7 addresses GBV, recognising it as a significant social well-being and development barrier. The policy mandates formulating and enforcing laws to eliminate GBV and improve access to services.

DMAP will mitigate GBV risks through mandatory training for workers on acceptable conduct toward local communities, with a focus on women. Contractors will be required to conduct regular awareness campaigns about national laws prohibiting sexual harassment and GBV. Furthermore, DMAP will ensure women are included in decision-making roles and have at least 30% representation in project committees.

### **5.7 National HIV and AIDS Policy (2003)**

The National HIV and AIDS Policy aims to prevent HIV/AIDS infections, reduce vulnerability, provide treatment and support, and mitigate its socio-economic impact. The policy highlights workplace discrimination against individuals with HIV/AIDS, advocating for their fair treatment.

DMAP may increase the potential for HIV/AIDS transmission due to job opportunities attracting a transient workforce. To address this, contractors will develop and implement an HIV and AIDS workplace policy, promoting awareness, prevention, care, and support for affected individuals.

## 5.8 International Labour Organization (ILO) and United Nations (UN) Conventions

Malawi is a signatory to various ILO and UN conventions, which have been incorporated into national labour legislation. These conventions include, but are not limited to, the following:

- ILO Convention 87 (Freedom of Association)
- ILO Convention 98 (Right to Organise and Collective Bargaining)
- ILO Convention 29 (Forced Labour)
- ILO Convention 138 (Minimum Age of Employment)
- ILO Convention 182 (Worst Forms of Child Labour)
- ILO Convention 100 (Equal Remuneration)
- ILO Convention 155 (Occupational Safety and Health)
- ILO Convention 190 (Violence and Harassment at Work)

DMAP will ensure compliance with these conventions, reinforcing its commitment to upholding fair labour practices, occupational safety, and worker welfare. Table 5-8 summarises critical provisions in Malawi's labour legislation relevant to DMAP implementation.

**Table 5-8: Relevant Provisions in the Labour Law**

Issue	Malawi Legislation
Fundamental Employee Rights	Labour Relations Act (1996) - Part II
Contractual Arrangements	Employment Act (2000) - Part V and VI
Working Hours	Employment Act (2000) - Part VI, Sections 36-37
Salaries and Wages	Employment Act (2000) - Part VII, Sections 50-55
Leave Provisions	Employment Act (2000) - Part VI
Retrenchment/Termination	Employment Act (2000) - Part V, Sections 28-31
Child Labour Prohibition	Employment Act (2000) - Part IV, Sections 21-24
Forced Labour Prohibition	Employment Act (2000) - Part II
Freedom of Association	Labour Relations Act (1996) - Part II
Dispute Resolution	Labour Relations Act (1996) - Part V
Safety Provisions	Occupational Safety, Health and Welfare Act (1997) - Part V and VI

Issue	Malawi Legislation
Health and Welfare	Occupational Safety, Health and Welfare Act (1997) - Part IV and VI

## 6.0 Responsible Staff

### 6.1 DMAP PIU

Overall responsibility for the implementation of this LMP rests with the Project Manager (PM) for the DMAP. The PM assumes the overall project management and coordination responsibilities, including compliance with safeguards requirements sanctioned by legal framework in Malawi and World Bank’s ESF, especially ESS2. However, PM will delegate the roles related to the implementation of this LMP to Social Safeguards Specialists (SSS). The SSS will collaborate with various national, district, and community stakeholders as outlined in the Stakeholder Engagement Plan (SEP). His/her responsibilities include:

- Preparing guidelines and necessary forms required for project implementation.
- Implementing LMP.
- Monitoring and reporting the implementation of site-specific labour management plans.
- Overseeing the enforcement of the Worker’s Code of Conduct.
- Building the capacity of all stakeholders, including contractors, consultants and service providers on labour management issues.
- Providing expert advice on labour management and compliance.
- Conducting regular reviews of employment and working conditions.
- Supervising contractors to ensure they manage their workers according to the terms of their contracts.
- Handling grievances that the Workers’ Grievance Redress Mechanism Committee (WGRMC) cannot resolve.
- Reporting on DMAP's progress to the World Bank.

### 6.2 Consultants

Consultants employed for the DMAP, particularly those responsible for Occupational Health and Safety (OHS), will:

- Monitor and minimise Environmental, Social, Health and Safety (ESHS) impacts.
- Review and approve method statements to ensure compliance with ESHS specifications in the project’s ESMP and relevant legislation.
- Oversee ESHS awareness training for all personnel during construction and maintenance activities.
- Ensure compliance with relevant ESHS legislation.
- Conduct internal reviews of the project’s Construction Environmental and Social Management Plan (CESMP) and submit changes to DMAP authorities for approval.

- Maintain and review the register of ESHS complaints to ensure appropriate corrective actions.
- Report all ESHS non-compliance to DMAP management.
- Conduct monthly ESHS performance monitoring and provide feedback on ESHS risks at site meetings.
- Compile monthly, quarterly, and final project ESHS reports.

### **6.3 Contractors**

Contractors engaged in DMAP are responsible for:

- Ensuring the protection of workers in line with national labour laws.
- Educating workers on their roles, including health and safety measures.
- Providing adequate and appropriate PPE to all workers.
- Maintaining records of recruitment and employment.
- Communicating terms and conditions of employment to all workers.
- Creating awareness among workers about the Grievance Redress Mechanism.
- Providing induction and regular training on labour protection requirements, including worker rights, job risks, and mitigation measures.
- Developing and implementing a Workers' Code of Conduct ensures all workers sign and understand it.
- Supervising workers' compliance with the Code of Conduct.
- Recording, processing, and reporting grievances.
- Reporting occupational accidents to relevant authorities.
- Enforce the CoC amongst workers

### **6.4 Service Providers**

Service providers in the project will be responsible for:

- Conducting training on HIV/AIDS, GBV, SH, Violence Against Children (VAC), SEA, and child labour for the Project Compliance Team.
- Preparing action plans for HIV/AIDS, GBV, SH, VAC, SEA, and child labour and monitoring their implementation.
- Conducting mobilisation and awareness campaigns for community members on these social issues and reporting incidents directly to the World Bank when necessary.
- Monitoring and preparing monthly and quarterly progress reports on implementing action plans.

### **6.5 Workers**

Each worker involved in the DMAP will be required to:

- Take reasonable care of their own health and safety and that of others.
- Wear PPE and follow safety protocols at all times.
- Comply with the ESMP in their work.
- Report accidents or unsafe conditions through established channels.
- Avoid intentional misuse of safety equipment.
- Comply with the CoC

## 7.0 Principles and Procedures

The DMAP is committed to ensuring that decisions related to the employment and treatment of project workers are made without any form of discrimination. Employment under DMAP will adhere to the principles of equal opportunity and fair treatment, ensuring no discrimination in recruitment, hiring, compensation, working conditions, training access, promotion, or disciplinary practices. This section outlines the central policies and procedures to be followed throughout the project's implementation. These procedures are not exhaustive and may be updated as needed.

DMAP operations will align with Malawi's Occupational Safety, Health and Welfare Act (1997), the Employment Act (2000), and relevant International Labour Organization (ILO) conventions. These principles and procedures are designed to ensure the non-discriminatory employment of project workers, including hiring, compensation, and access to training and promotions.

The following minimum requirements shall guide the recruitment and management of project workers under DMAP:

- **Transparent Recruitment:** Recruitment will be public, non-discriminatory, and open to all, regardless of ethnicity, religion, gender, disability, or other personal characteristics.
- **Official Application Process:** Applications will be considered only if submitted through official procedures established by DMAP.
- **Clear Job Descriptions:** Job descriptions outlining the required skills and responsibilities will be provided before recruitment.
- **Written Contracts:** All workers will receive written contracts detailing the terms and conditions of employment, which will be explained orally if necessary and signed by both parties.
- **Local Recruitment:** Unskilled labour will be preferentially recruited from local communities.
- **Termination Notices:** If applicable, a notice of termination will follow the requirements set by Section 29 of the Employment Act (2000).
- **No Hiring Fees:** Workers will not be required to pay hiring fees; if they are incurred, the employer (i.e., the contractor) will cover them.

- **Language and Clarity:** Terms and conditions of employment will be communicated in a language understood by both the employer and employee.
- **Age Restrictions:** All workers must be at least 18, and national IDs will be used to verify age.
- **Worker Code of Conduct:** Contractors must develop a Code of Conduct for all workers, which DMAP will review to ensure alignment with project standards.

### **7.1 Prohibition of Forced Labour and Child Labour**

DMAP strictly prohibits forced and child labour. Contractors, suppliers, and service providers will ensure no worker is forced to work under any form of duress, coercion, or limitation of freedom. Contractors ensure workers' rights to terminate their employment freely within the legal framework.

### **7.2 Occupational Safety and Health (OSH) Compliance**

DMAP is committed to:

1. Abide by national legislation, World Bank standards, and the World Bank Group Environmental, Health, and Safety (EHS) guidelines.
2. Promote active participation in OSH risk mitigation through skills training and awareness.
3. Strive to improve OSH management and performance continually.
4. Regular communication ensures that all workers know OSH's responsibilities.
5. Make this OSH policy available to all parties at DMAP facilities and sites.

DMAP will ensure that all its contractors designate a Safety, Health, and Environmental Representative at each workplace. This representative is responsible for:

- Identifying potential hazards.
- Investigating accidents in collaboration with the employer.
- Inspecting workplaces to ensure employee safety and health.
- Making safety and health recommendations to the employer or safety committee.
- Accompanying inspectors during workplace inspections.

### **7.3 Occupational Safety Measures for Contractors**

To prevent workplace accidents and injuries, contractors will:

1. Employ workers with relevant and adequate training for specialised roles
2. Provide OSH Training: Offer safety training to all employees involved in project activities.

3. Supply PPE: Ensure all workers can access PPE, such as masks, helmets, gloves, safety boots, and goggles.
4. Safety Equipment: Equip high-noise areas with ear protection and ensure the availability of first aid kits.
5. Access to Facilities: Provide access to toilets, potable water, and other necessary facilities.
6. Implement Waste Management: Follow proper waste disposal and pollution prevention protocols.
7. No PPE, No Pay Policy: Contractors must enforce PPE use through a strict "No PPE, No Pay" policy.

#### **7.4 Risk and Incident Reporting**

Contractors are required to:

- Report minor incidents to Project Management monthly.
- Report serious incidents or fatalities within 24 hours to DMAP and the World Bank.
- Log all incidents and accidents, incorporating them into regular monitoring and evaluation.

### **8.0 GBV, SH and SEA**

The implementation of DMAP is likely to result in an influx of people seeking employment opportunities from surrounding communities. This has the potential of increasing the risk of GBV, SH, and SEA in a context where GBV is already prevalent. Increased disposable income for workers and community members may also contribute to such incidents. This could occur when many contractor workers interact with local communities, leading to unsafe practices or forced relationships in exchange for favours. The DMAP will strictly prohibit GBV, SH, and SEA, whether they occur on work sites, in worker camps, or within local communities. DMAP will comply with the core principles of the Interagency Standing Committee (IAC) on SEA, incorporated into the UN Secretary General's Bulletin on SEA in 2003. This includes a zero-tolerance policy for SEA, an obligation to report incidents, and a strict prohibition of sexual activity with individuals under the age of 18.

Even though DMAP does not involve major civil works that typically increase GBV risks, the project acknowledges the possibility of increased demand for sex work, early marriages, and transactional sex due to economic changes in project-affected communities. Thus, preventive measures will be implemented to ensure community members' and workers' safety and well-being.

#### **8.1 Mitigation Measures**

Since DMAP is assessed to have low GBV risk, the following measures will be adopted to mitigate potential issues:

- **Incorporate GBV Assessment:** The project's ESMF and Environmental and Social Assessments will include an evaluation of GBV risks.
- **Community Awareness:** Engage in stakeholder consultations to inform affected communities about GBV risks and the project's stance on GBV, SH, and SEA.
- **Map Out Services:** Identify and establish links with local GBV prevention and response services within the project's area of influence using existing district structures.
- **Grievance Redress Mechanism (GRM):** Ensure the availability of an effective GRM with multiple channels for reporting complaints, including GBV-related grievances. The GRM will have a sensitive approach towards addressing GBV and SEA.
- **Clear Guidelines:** Define GBV requirements and expectations in bid documents, including the need for a Code of Conduct (CoC) addressing GBV. Contractors must ensure that all staff members understand and adhere to the CoC.
- **Sanitary Facilities:** At work sites, provide separate sanitary facilities and changing rooms for men and women, along with clear "GBV-free zone" signage.
- **Training and Awareness:** Conduct training and awareness programs for GBV, SEA, and SH workers. Contractors will be responsible for enforcing behavioural standards among their workforce.

## 8.2 Reporting and Handling GBV Incidents

- All GBV incidents will be treated as confidential and reported through established community and district-level structures while respecting the survivor centred approach principle.
- Each Grievance Redress Committee (GRC) will include GBV Champions, trained to handle GBV/SEA incidents sensitively.
- Community awareness initiatives will highlight the roles of GRCs and the availability of GBV Champions to support survivors.
- For Workers' GRCs, all employees will be made aware of the process for reporting GBV or SH concerns.
- The community members will be encouraged to report any criminal cases to the police, who will then involve district structures to ensure that survivors receive the necessary support.

To ensure a prompt response, all cases will be reported to the PIU within 24 hours.

## 9.0 Age of Employment

In line with the Employment Act (2000) of Malawi and the ILO Convention No. 138 on the minimum age for employment, the minimum age for entry into employment in Malawi is 18 years. Both legislations strictly prohibit the employment of individuals under this age. Although Section 21 of the Employment Act allows children between the ages of 14 and 18 to



engage in light work, it specifies that this work must not interfere with their education or harm their health, physical, mental, spiritual, moral, or social development.

However, the DMAP will not employ children under 18 in any project activities. The nature of DMAP's work, which includes the construction and installation of telecommunications infrastructure, is considered hazardous for young persons and thus falls outside the scope of "light work" as defined by the legislation. The project will use national identity cards to verify the ages of all workers to ensure compliance with this policy.

### 9.1 Procedure for Addressing Child Labour

In the unlikely event that a child is found to be employed within the DMAP, the following steps will be taken:

- **Immediate Removal:** Any identified underage workers will be immediately removed from their roles in the project
- **Reporting:** The incident will be reported to the relevant authorities, such as the Labour Office, which handles child labour issues, to ensure that appropriate action is taken against those responsible.

These conditions and procedures will be outlined in the Code of Conduct, which all contractors and workers will sign. This will make the conditions legally binding and enforceable. Contractors will ensure that no children are employed on the project.

DMAP is dedicated to promoting safe and fair labour practices. In addition to our zero-tolerance policy towards child labour, we will conduct regular community awareness-raising sessions to educate local communities about the prohibition and negative impacts of child and forced labour. This commitment to education and advocacy further reinforces our dedication to safe and fair labour practices, instilling confidence in our operations.

## 10. Terms and Conditions

The DMAP will not engage community labourers. Government civil servants who support the project will remain subject to the terms and conditions of their existing public sector employment agreements, as outlined in the Malawi Public Service Regulations (MPSR) and relevant government circulars. DMAP project staff and consultants will be governed by the current terms and conditions of their employment within their respective institutions. The following terms and conditions will guide the management of workers engaged by contractors under the project:

- **Minimum Age Requirement:** Workers involved in the construction and installation works must be at least 18 years of age, in compliance with the Employment Act and World Bank Environmental and Social Standard 2 (ESS2) on Labour and Working

Conditions. National Identity cards or other appropriate documentation will be used to verify the age of workers.

- **Fair Wages:** All workers can negotiate their wages, which must meet or exceed the government-set minimum wage. Wages will be determined relatively based on skills, experience, and job requirements.
- **Non-Discrimination:** There will be no discrimination regarding wages or other employment conditions based on race, colour, sex, language, religion, political or other opinion, nationality, ethnic or social origin, disability, property, birth, marital status, family responsibilities, or any other status. The employment relationship will be founded on the principles of equality and non-discrimination as per national labour laws and World Bank standards.
- **Timely Payment of Wages:** Wages will be paid at least every month, no later than the last working day of each month. Payment records will be maintained to ensure transparency and compliance with national regulations and World Bank requirements.
- **Written Contracts and Employment Terms:** During recruitment, contractors must clearly explain the working conditions before commencing work. As Section 27 of the Employment Act mandates, employers must provide all employees with a copy of the written particulars of employment, signed by both parties, within one month of employment. This written contract must outline the worker's role, working hours, wages, benefits, and other terms of employment.
- **Code of Conduct:** Violation of the Workers' Code of Conduct will be treated as misconduct and subject to disciplinary actions as specified in the contract and national labour laws. All workers and contractors must sign the Code of Conduct before beginning work, acknowledging their understanding of the project's labour standards, including respect for gender equality, sexual harassment prevention, and commitment to safe work practices.
- **Contractor Compliance:** To ensure full compliance with labour laws, contractors must furnish the PIU of DMAP with copies of all workers' written particulars of employment or employment contracts. Regular monitoring and audits ensure contractors adhere to these terms and conditions and align with World Bank standards.

## 11.0 Workers Grievance Redress Mechanism

The DMAP has established a comprehensive GRM to ensure all project workers, including contractors, have a fair and accessible means to lodge complaints or concerns. This mechanism aims to address grievances efficiently, transparently, and at no cost to the complainant while ensuring timely and satisfactory resolutions. The GRM will be communicated to all workers during the recruitment process and throughout the project's lifecycle.

The GRM will handle all types of grievances, including but not limited to work-related issues, labour practices, health and safety concerns, and incidents of discrimination. Criminal matters, however, will be referred to the appropriate authorities. Examples of Grievances Include:

1. Unfair dismissal from work.
2. Suspected corruption or theft.
3. Unsafe working conditions.
4. Non-compliance with environmental standards, such as poor waste management.
5. Payment of wages below the minimum set by national labour laws.
6. Delayed or non-payment of wages.
7. Excessive working hours or poor working conditions.
8. Child labour or forced labour.
9. Incidences of GBV, SH, and SEA.
10. Discrimination based on race, gender, ethnicity, or other factors.

### **11.1 Implementation of the GRM**

DMAP will establish a Workers' Grievance Redress Committee (WGRC) at each contractor level to facilitate the implementation of the GRM. The following shall constitute WGRC membership with at least 40% representation of each gender:

- Three (3) Contractor workers representatives including ESHS personnel
- One (1) Contractor representative
- District Labour Officer
- 

The chairperson and secretary will be chosen among the committee members, who shall serve in that capacity for the duration of project implementation works

### **11.2 GRM Process**

The GRM process consists of five key stages to ensure transparency and fairness:

#### **Stage 1: Complaint Uptake**

Workers can submit their complaints directly to the WGRC in person, via phone, email, or through drop boxes provided at workplaces. DMAP will also accept anonymous grievances to encourage open communication. Complaints can also be directed to the Project Manager at the PPPC office through the following contact details:

#### **Project Manager**

Public Private Partnership Commission (PPPC)  
2nd Floor, Livingstone Towers, Glyn Jones Road,  
P.O. Box 937, Blantyre, Malawi  
Phone: +265 1 824 282  
Email: [info@pppc.mw](mailto:info@pppc.mw)

#### **Mechanisms to Identify and Receive Grievances:**

1. **Direct contact:** Via phone, letter, email, social media, or in person at the site office. Anonymous grievances are accepted.
2. **WGRC Contact:** Workers present their complaints to the WGRC.
3. **Suggestion Boxes:** Available at contractor camps, engineering offices, and local government offices around the project area.
4. **Exit Interviews:** To gather feedback from employees about issues they may not have raised while employed.
5. **Information Table:** A regular information table at the work site where workers can ask questions or express concerns.

DMAP has established dedicated grievance uptake channels domiciled at PPPC as follows:

- A dedicated GRM Phone Number (+265999988870) with WhatsApp and Text facility.
- A dedicated GRM Toll-Free Number 3108 with voice functions.
- A dedicated email address ([digitalmalawigram@pppc.mw](mailto:digitalmalawigram@pppc.mw)).

#### **Stage 2: GRM Registry**

All grievances are logged in a secure and accessible registry system. The Workers' Grievance Log and Resolution Form (provided in disclosed GRM Manual, Appendix 1 and 2) document cases heard, closed, or referred. This ensures transparency and allows for monitoring and evaluation of the process.

#### **Stage 3: Investigation, Assessment, and Response**

Once a complaint is received, the WGRC will assess its relevance to the project and provide a resolution within 14 working days. If a complaint is unrelated to the project, the worker will be advised to seek redress through the appropriate channels. The complainant will be informed of the status and expected resolution timeframe for complex cases requiring longer investigation.

#### **Stage 4: Resolution and Closure**

If a resolution is reached and accepted by the complainant, they will sign the resolution section of the Grievance Log and Resolution Form, along with two WGRC members (the

Chairperson and Secretary). If the issue remains unresolved, the complainant may seek legal redress through civil courts.

### Stage 5: GRM Monitoring and Evaluation

The GRM will be evaluated periodically to ensure its efficiency and effectiveness. Regular monitoring will track the number of complaints received, resolved, and outstanding, allowing for necessary adjustments to be made. This evaluation will help assess the impact of the GRM on workers' concerns and the overall project.

### 11.3 Grievance Management Timeframe

Clear and realistic timeframes are essential for building trust in the GRM. The grievance management process will adhere to the following timeframes in Table 11-3.

**Table 11-3: Grievance Management timeframes**

Process	Time Frame
Acknowledge all grievances	Within one week of receiving the grievance
Initial resolution for a grievance	Within one week of receiving the grievance
Complex grievances (requiring extended investigation)	Within three weeks, with regular updates to the complainant
First review completion	Within two weeks of receiving the grievance
Second review completion	Within four weeks of receiving the grievance

### 11.4 Additional Considerations

- **Confidentiality:** The GRM ensures that all complaints are treated with privacy and susceptible issues like GBV, SH, and SEA.
- **Worker Sensitisation:** All workers will be sensitised on the use and purpose of the GRM during recruitment and throughout the project.
- **Non-Retaliation:** DMAP guarantees that workers can raise grievances without fear of retaliation or discrimination.

## 12.0 Contractor Management

Under the DMAP, contractors will carry out various construction activities, including building broadband towers and laying fibre-optic cables. To ensure fair competition and transparency, contractors will be selected following the guidelines set by the Public Procurement and Disposal of Assets Authority (PPDA) in Malawi. This process will include:

- Competitive Bidding: Conducted through transparent, open advertising to ensure a fair selection process.
- Shortlisting and Selection: Contractors will be shortlisted and selected based on their qualifications and compliance with project requirements.
- Contractual Signing: Formal agreements between the selected contractors and the implementing agency will be signed.

The DMAP will incorporate labour and working condition requirements into all contractual agreements. Contractors must develop a Contractor's ESMP and a comprehensive Code of Conduct for their workers to sign. These requirements will be explicitly included in the bid documents and the contract to ensure full compliance.

The PIU will ensure that subcontracting by the primary contractor is done with the consent of the DMAP implementing agency, which will monitor and evaluate contractor activities regularly in line with the DMAP Monitoring and Evaluation Framework. The project will also enhance awareness among workers about their rights and entitlements.

Moreover, contractors will be expected to:

- Monitor, Record, and Report: Keep detailed records and provide regular reports on labour management, including information on worker contracts, induction processes, working hours, remuneration, overtime, and compliance with collective bargaining agreements.
- Safety Management: Document recordable incidents, carry out root cause analyses, and report first aid cases, high potential near misses, and other occupational health and safety (OHS) issues. This will include revising job safety analyses, introducing new equipment or procedures, and conducting regular safety training.
- Track Worker Details: Maintain records of the workforce, including numbers, origin (local or expatriate), gender, age (ensuring no child labour), skill level (unskilled, skilled, supervisory, professional, management), and other relevant details.
- Training: Record dates, number of trainees, and training topics, ensuring ongoing capacity building.
- Security Risks: Identify and assess potential risks associated with project activities, including risks from external third parties.
- Worker Grievances: Document and address worker grievances, including dates of occurrence, nature of grievances, actions taken, resolution status, and follow-up steps. Grievances will be recorded in regular reports to the implementing agency.

## **12.1 Code of Conduct**

The Code of Conduct developed by contractors will aim to prevent and mitigate social risks related to project activities. This includes risks of GBV, SEA, (SH, child labour, forced labour, wage disputes, health risks (such as HIV/AIDS and COVID-19), and environmental issues. DMAP will require contractors to create a safe working environment, and this Code of Conduct will serve as a legally binding document that sets behavioural standards for all workers. Annex 3 provides a code of conduct for the contractor, and Annex 4 provides a code of conduct for every worker engaged by the contractor.

## **12.2 Incident reporting**

PPPC through the PIU for DMAP will report to the World Bank upon learning about the incident and trigger the Bank's Environmental and Social Incident Toolkit (ESIRT) in the event of:

- Fatality.
- Lost Time Injury.
- Acts of Violence/Protest.
- Sexual Exploitations and Abuse/ Sexual Harassment
- Disease Outbreaks.
- Forced Labor, and
- Others such as an incident requiring hospitalization and resulting in major and multiple injuries.

The PIU shall report the incident within 24 hours of its occurrence, followed by a detailed report to be submitted within 10 days. Thereafter, PIU shall ensure that corrective actions are completed adequately.

## **12.3 Primary Suppliers**

Primary suppliers under the DMAP will be responsible for providing materials, equipment, and other resources essential for the construction and operation of the project. The project acknowledges that managing the supply chain effectively is crucial to maintaining environmental, social, and safety standards. Therefore, primary suppliers must comply with the following:

- Compliance with Malawi's and International Standards: Primary suppliers are required to adhere to Malawi's labour laws, environmental regulations, and international best practices, including the World Bank Environmental, Health, and Safety (EHS) Guidelines.

- **Screening and Vetting:** New suppliers will undergo rigorous screening to ensure they meet standards regarding compliance with taxes, certification, licensing, workmen’s compensation, and other legal obligations. Suppliers must also declare any current or past litigations, including labour disputes or regulatory infractions.
- **Monitoring and Reporting:** Primary suppliers are expected to maintain records of their labour force, including worker contracts, working conditions, and any grievances. They are also required to report any accidents, incidents, or violations of labour laws to the implementing agency within 24 hours.
- **Prevention of Child and Forced Labour:** All suppliers must ensure that their workforce does not include individuals under the age of 18 or any forced labour practices. Regular audits will be conducted to ensure compliance.
- **Environmental and Social Risk Management:** Suppliers are required to assess and mitigate any environmental and social risks associated with their activities, including the handling of hazardous materials, waste management, and the protection of community health and safety.
- **Grievance Redress Mechanism (GRM):** Suppliers must establish a GRM for their workforce to ensure that any labour-related complaints or grievances are addressed promptly and fairly. Any unresolved grievances will be escalated to the project's main GRM.

The DMAP will regularly review the performance of primary suppliers through audits and inspections to ensure compliance with all project standards. Non-compliance may lead to penalties or termination of contracts.

### **13. LMP Performance Monitoring**

Monitoring is an ongoing process that provides stakeholders with detailed, timely information on the progress of project activities under DMAP. It involves tracking the implementation of the project to determine whether the outputs, timelines, and deliverables have been achieved as planned. The purpose is to identify any deviations or delays early on so that corrective actions can be taken promptly.

The DMAP will implement monitoring processes to:

- **Document** the effectiveness of management and mitigation measures;
- **Assess** actual impacts against predicted impacts;
- **Ensure** compliance with relevant legal requirements and World Bank standards.

Monitoring will cover all worker categories, including direct hires, casual labour, and contract workers. The process will involve the contractor's safeguards team, the supervising engineer, the District Labour Officer, and the DMAP safeguards team conducting desk-based reviews and field inspections to verify that mitigation measures are effectively implemented.



### 13.1 Assessments

The SSS for DMAP will supervise contractor's safeguards team, the supervising engineer and the District Labour Officer and lead periodic assessments to gauge the extent to which the commitments in this Labour Management Plan (LMP) are being met. Annex 1 and 2 provides the monitoring and evaluation framework and the OHS inspection checklist that will aid the assessments. The assessments will include conducting site inspections, monitoring grievance logs, and ensuring compliance with labour management practices. Findings from these assessments will be prioritised, disclosed, and addressed promptly.

### 13.2 Audits

To ensure adherence to the LMP and compliance with World Bank standards, the following audits will be conducted:

- **DMAP Social Safeguards Specialist** will lead the periodic audit of the contractor and suppliers to ensure compliance with the LMP.
- **Third-party Audits:** Where necessary, these specialists may also audit third-party facilities and providers to verify compliance with the project's Environmental and Social Management Plan (ESMP).
- **Independent Consultant Audits:** An independent environmental and social consultant engaged on behalf of DMAP may conduct periodic monitoring reviews to ensure that project activities align with the social and environmental controls specified in the ESMP.

### 13.3 Performance Indicators

Performance indicators are essential for measuring the effectiveness of mitigation and control measures outlined in this LMP. The indicators are divided into two categories:

- **Leading Indicators** help predict actions needed to prevent potential risks. Examples include the number of worker complaints regarding camp conditions, the quality of facilities..
- **Lagging Indicators:** These track issues that have already occurred, such as work stoppages due to poor camp conditions.

Other general performance indicators will be monitored, such as the number of workers trained, awareness activities conducted, and reported health and safety incidents. All performance indicators must be measurable against specified targets.

The monitoring and evaluation framework for the LMP is included in Annex 1 of this document and may vary depending on the project's phase. A detailed OHS checklist, which will be used during monitoring, is provided in Annex 2. Reports will be prepared as follows:

- **Monthly Reports:** Compiled by the contractor's safeguards team.
- **Quarterly Reports:** Prepared by the DMAP implementing agency and shared with the World Bank.
- **Incident Reports:** Generated as needed per the Environmental and Social Commitment Plan (ESCP) requirements.

#### **13.4 Training and Awareness**

A robust training and awareness programme is crucial for successfully implementing the LMP. Before developing this programme, a needs analysis will be conducted to identify specific training requirements. This analysis will evaluate the knowledge and skills of all individuals involved in project implementation. Regardless of the analysis outcome, the training and awareness programme will cover, at a minimum, the following areas:

- Occupational health and safety (OHS) practices.
- Grievance redress mechanisms (GRM) and procedures.
- Code of Conduct, including Gender-Based Violence (GBV) and Sexual Exploitation and Abuse (SEA) awareness.
- Child labour and forced labour policies.
- Procedures for incident reporting and response.

The training programme ensures that all project workers know their rights, responsibilities, and the necessary procedures to foster a safe, inclusive, and compliant working environment.

## 14.0 Public Consultations and Disclosure

### 14.1 Public Consultations

During the preparation of the LMP, consultations were conducted with a wide range of stakeholders, including some local councils. This inclusive approach ensures that the LMP reflects the needs and concerns of all affected parties. Key issues related to LMP discussed during consultations include stakeholders concerns about the GRM, sourcing of workforce for the project in local councils and risks of exposing under aged children to inappropriate content such as pornography. Annex 5 provides a stakeholder engagement report, highlighting only issues that were raised in relation to the LMP.

### 14.2 Disclosure

The LMP will be disclosed to all relevant stakeholders upon approval by the World Bank. Multiple methods will be used to ensure the information reaches all levels of stakeholders:

- **Community Level:** Public meetings in communities and work sites will disseminate information.
- **National and District Levels:** Meetings with representatives of relevant government ministries, departments, agencies, and committees will facilitate further dissemination.
- **Media and Online Platforms:** The LMP will be available through print and electronic media. Additionally, it will be posted on the official PPC website and the World Bank's website for public access.

## Annex 1: Monitoring and Evaluation Framework for the LMP

Objective	Indicators	Monitoring Methods	Frequency	Responsible Parties
Compliance with Labour Laws and LMP	Percentage of workers with signed contracts	Review of contracts and employment records	Quarterly	Contractors, DMAP Safeguards Team, District Labour Officer
	Number of workers aware of their rights	Surveys/interviews with workers		
	Compliance with working hours and wage regulations	Site inspections		
Occupational Health and Safety (OHS)	Number of safety incidents reported	Incident reports	Monthly	Contractors, Supervising Engineer, DMAP Safeguards Team
	Availability and use of PPE	Site inspections		
	Number of safety trainings conducted	Training records		
	Percentage of workers trained in OHS	Review of PPE distribution logs		
Grievance Redress Mechanism (GRM)	Number of grievances reported	Review of GRM logs	Monthly	Contractors, DMAP GRM Committee, District Labour Officer
	Number of grievances resolved	Interviews with workers		
	Average time taken to resolve grievances	Grievance committee meetings		
Child Labour and Forced Labour Prevention	Percentage of workers with age verification	Review of employee records	Quarterly	Contractors, DMAP Safeguards Team
	Number of workers trained on child labour policy	Site inspections		
		Training attendance sheets		
Gender Equality and GBV/SEA Awareness	Percentage of workers trained on GBV/SEA	Training records	Quarterly	Contractors, DMAP Safeguards Team, Gender Specialist
	Number of GBV/SEA incidents reported	Site inspections		
	Implementation of gender-sensitive hiring practices	GRM logs		
Worker Welfare and Conditions	Number of worker accommodation inspections	Site inspections	Monthly	Contractors, Supervising Engineer,

<b>Objective</b>	<b>Indicators</b>	<b>Monitoring Methods</b>	<b>Frequency</b>	<b>Responsible Parties</b>
	Compliance with worker welfare standards	Worker interviews		DMP Safeguards Team
	Availability of drinking water and sanitation facilities	Review of accommodation facilities		
Contractor Management and Reporting	Submission of monthly and quarterly reports	Review of contractor reports	Quarterly	DMP Safeguards Team, Supervising Engineer
	Number of audits conducted	Audits and assessments		
	Number of corrective actions implemented	Site inspections		
and Capacity Building	Number of workers trained on LMP topics	Training attendance sheets	Quarterly	Contractors, DMP Safeguards Team, Supervising Engineer
	Frequency of toolbox talks and awareness sessions	Review of training content		
		Feedback surveys		

## Annex 2: OHS Inspection Checklist

SN	Item	Yes	No	N/A	Comments/Observations
<b>1</b>	<b><i>Health and Safety Management</i></b>				
1.1	Is there an OHS policy in place and communicated to all workers?				
1.2	Are all workers provided with written contracts detailing OHS requirements?				
1.3	Are risk assessments conducted and updated regularly for all activities?				
1.4	Is an Emergency Response Plan (ERP) available and communicated to all workers?				
1.5	Is there an OHS supervisor appointed for each site?				
<b>2</b>	<b><i>Personal Protective Equipment (PPE)</i></b>				
2.1	Are workers provided with appropriate PPE (helmets, gloves, masks, safety shoes, etc.) for their tasks?				
2.2	Is the use of PPE enforced and monitored by the contractor?				
2.3	Is PPE in good condition and replaced when damaged or worn out?				
2.4	Are workers trained on the correct use of PPE?				
<b>3</b>	<b><i>Workplace Safety</i></b>				
3.1	Are warning signs and safety instructions visible in high-risk areas?				
3.2	Are first aid kits available and adequately stocked at the worksite?				
3.3	Is a trained first aider present at the site during working hours?				
3.4	Are emergency exits and escape routes clearly marked and unobstructed?				

SN	Item	Yes	No	N/A	Comments/Observations
3.5	Are fire extinguishers accessible, in good condition, and inspected regularly?				
3.6	Are hazardous materials (e.g., chemicals, fuels) stored safely and labelled correctly?				
3.7	Is there adequate lighting in all work areas, including night shifts if applicable?				
<b>4</b>	<b><i>Equipment and Machinery</i></b>				
4.1	Are all machines and equipment inspected and maintained regularly?				
4.2	Are moving parts of machinery guarded to prevent contact with workers?				
4.3	Are workers trained in the safe operation of equipment and machinery?				
4.4	Are all electrical installations checked and maintained by qualified personnel?				
<b>5</b>	<b><i>Worksite Conditions</i></b>				
5.1	Is the worksite clean, free from obstructions, and free of waste materials?				
5.2	Is potable drinking water available to all workers?				
5.3	Are sanitary facilities (toilets, washrooms) clean, well-maintained, and adequate in number?				
5.4	Is there proper waste disposal management in place at the site?				
5.5	Are safe practices for working at heights followed (e.g., use of harnesses, guardrails)?				
<b>6</b>	<b><i>COVID-19 and Infectious Disease Prevention</i></b>				
6.1	Are COVID-19 prevention guidelines (e.g., social distancing, mask-wearing) being followed?				
6.2	Are handwashing facilities with soap and water or hand sanitisers available at the worksite?				

SN	Item	Yes	No	N/A	Comments/Observations
6.3	Is regular temperature screening conducted for workers and visitors?				
6.4	Are workers trained on recognising COVID-19 symptoms and reporting procedures?				
<b>7</b>	<b><i>Training and Communication</i></b>				
7.1	Are toolbox talks conducted regularly to discuss OHS topics and site-specific risks?				
7.2	Have all workers received OHS induction and job-specific safety training?				
7.3	Are OHS policies and procedures communicated in a language understood by all workers?				
7.4	Is there a record of all training sessions, including attendance sheets?				
<b>8</b>	<b><i>Grievance Mechanism and Incident Reporting</i></b>				
8.1	Is a workers' grievance mechanism in place and accessible to all workers?				
8.2	Are incidents and near-misses recorded, reported, and investigated promptly?				
8.3	Is there a process for workers to report unsafe conditions without fear of reprisal?				
8.4	Are corrective actions taken to address identified OHS issues and documented?				



### **Annex 3: Contractor's CoC**

#### **Implementing Environmental, Social Health and Safety (ESHS) and Occupational Health and Safety (OHS) Standards**

##### **Preventing Gender-Based Violence (GBV) and Violence against Children (VAC)**

**(Name of contractor)** acknowledges that adhering to environmental and social health and safety (ESHS) standards, following the project's occupational health and safety (OHS) requirements, and preventing gender-based violence (GBV) and violence against children (VAC) is important. All forms of GBV or VAC are unacceptable, be it on the work site, the work site surroundings, at worker's camps, or the surrounding communities. The company considers that failure to follow ESHS and OHS standards or to partake in GBV or VAC activities constitutes gross misconduct and is grounds for sanctions, penalties or potential termination of employment. Prosecution of those who commit GBV or VAC may be pursued if appropriate.

**(Name of contractor)** agrees that while working on the project, every employee will:

- Attend and actively partake in training courses related to ESHS, OHS, HIV/AIDS, GBV and VAC as requested by the employer.
- Always wear personal protective equipment (PPE) in the correct prescribed manner when at the work site or in project-related activities.
- Take all practical steps to implement the organisation's environmental and social management plan (CESMP).
- Implement the OHS Management Plan.
- Adhere to a zero-alcohol policy during work activities, and refrain from the use of illegal substances always.
- Consent to a police background check.
- Treat women, children (persons under 18), and men with respect regardless of race, colour, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
- Not use derogatory language or behaviour towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- Not participate in sexual contact or activity with children—including grooming or contact through digital media. A mistaken belief regarding the age of a child is not a defence. Consent from the child is also not a defence or excuse.
- Not engage in sexual harassment—for instance, making unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature, including subtle acts of such behaviour, e.g., looking somebody up and down; kissing, howling or smacking sounds; hanging around somebody; whistling and catcalls; giving personal gifts; making comments about somebody's sex life; etc.
- Not engage in sexual exploitation—for instance, making promises or favourable treatment dependent on sexual acts—or other forms of humiliating, degrading or exploitative behaviour.

- Unless there is full consent<sup>1</sup> by all parties involved, every worker shall not have sexual interactions with members of the surrounding communities. This includes relationships involving the withholding or promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex—such sexual activity is considered “non-consensual” within the scope of this Code.
- Consider reporting through the GRM (Grievance Redress Mechanism) or to the manager any suspected or actual GBV or VAC by a fellow worker, whether employed by my employer or not, or any breaches of this Code of Conduct.

### Quality of products and services

**(Name of the contractor)** expects that products and services provided by each sub-contractor will be of the highest quality and will be fairly and reasonably priced so that **(Name of the contractor)** customers are served with the best value. In addition to any specific requirements in the agreement with **(Name of the contractor)**, products and services will meet or exceed applicable government standards, including environmental and safety standards.

### Health and Safety

**(Name of the contractor)** is dedicated to providing safe, injury-free working conditions and a healthy work environment. Compliance with this commitment is a condition of any Sub-Contractor engagement with **(Name of the contractor)**. Workplace safety: Each Sub-Contractor is responsible for ensuring that its Representatives complete all necessary safety training and perform work in conformance with all applicable safety rules, laws, standards and procedures, and for complying with and enforcing any additional **(Name of the contractor)** safety policies and procedures communicated to Sub-Contractor. Reporting injuries, damage and unsafe conditions In addition to any other legal reporting requirements, **(Name of the contractor)** and each Contractor must immediately report any occupational injuries, unsafe conditions or practices and damage to property occurring as a result of the **(Name of the contractor)/Sub-Contractor** or its Representative’s activities to any deserved entity.

### Alcohol and drug use

**(Name of the contractor)**’s commitment to providing a healthy and safe working environment is compromised by the consumption of alcohol and illegal drugs. While performing work for **(Name of the contractor)**, Employees, Subcontractors and Representatives must not consume, use or be impaired by alcohol or illegal drugs or be under the influence of prescription drugs that impair a person’s ability to perform work safely and efficiently.

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<sup>1</sup> Consent is the informed choice underlying an individual’s free and voluntary intention, acceptance or agreement to do something. No consent can be found when such acceptance or agreement is obtained using threats, force or other forms of coercion, abduction, fraud, deception, or misrepresentation. Following the United Nations Convention on the Rights of the Child, the World Bank considers that consent cannot be given by children under 18, even if the country's national legislation into which the Code of Conduct is introduced has a lower age. Mistaken belief regarding the child's age and consent from the child is not a defence.

## **Workplace violence**

Acts or threats of physical violence, intimidation and harassment will not be tolerated. Engaging in violence or threatening or intimidating behaviour may result in termination of the contract with **(Name of the contractor)** or removal of the Representative from **(Name of the contractor)** property, as deemed appropriate by **(Name of the contractor)**.

## **The Environment**

PPPC is committed to conducting its business in an environmentally responsible manner. **(Name of Contractor)** and Representatives will comply with all applicable environmental laws and regulations and operate in a way that minimize the negative environmental impact of the products and services.

## **Ethics**

**(Name of Contractor)** must operate within the highest standards of ethical conduct when dealing with REG, Representatives, PPPC employees, customers and the public. **(Name of Contractor)** will ensure that its actions, and those of its Representatives, comply with the letter and spirit of this Code.

## **Anti-corruption**

(name of contractor) and Representatives are committed to zero tolerance against corruption and shall not engage in any form of bribery, extortion, embezzlement or other corrupt practices.

## **Fair competition**

When conducting works **(Name of Contractor)** and Representatives shall uphold fair standards in recruiting and competition.

## **Confidentiality**

Confidential information includes information that is not known by the public and that may be harmful to the organization, its employees or its customers if disclosed. **(Name of the Contractor)** is committed to safeguarding and protecting its own confidential information and the personal information of its customers and employees. Sub-Contractor must maintain the confidentiality of information entrusted to it in accordance with its agreements with **(Name of the Company)** and applicable law. The obligation to protect **(Name of the Company)**'s confidential information continues even after the business relationship with **(Name of the Company)** ends.

## **Updates to Code and Disclaimer**

***(Name of the Contractor)*** reserves the right to amend and modify this Contractor Code of Conduct at its discretion. The provisions of the Code are not intended to change any obligations set forth in the Contractor's agreement with PPC and in the event of any conflict, the terms in the agreement with PPC will prevail.

## **Annex 4: Individual CoC in case of contractor**

### **Implementing Environmental, Social Health and Safety (ESHS) and Occupational Health and Safety (OHS) Standards**

#### **Preventing Gender-Based Violence (GBV) and Violence Against Children (VAC)**

I, \_\_\_\_\_, acknowledge that adhering to environmental, social, health and safety (ESHS) standards, following the project's occupational health and safety (OHS) requirements, and preventing gender-based violence (GBV) and violence against children (VAC) is important. All forms of GBV or VAC are unacceptable, be it on the work site, the work site surroundings, at worker's camps, or the surrounding communities.

The company considers that failure to follow ESHS and OHS standards or to partake in GBV or VAC activities constitutes acts of gross misconduct and are therefore grounds for sanctions, penalties or potential termination of employment. Prosecution of those who commit GBV or VAC may be pursued if appropriate.

I agree that while working on the project, I will:

- Attend and actively partake in training courses related to ESHS, OHS, HIV/AIDS, GBV
- and VAC as requested by my employer.
- Shall wear my personal protective equipment (PPE), in the correct prescribed manner at all times when at work or in project-related activities.
- Take all practical steps to implement the contractor's environmental and social management plan (CESMP).
- Implement the OHS Management Plan.
- Adhere to a zero-alcohol policy during work activities and refrain from the use of illegal substances at all times.
- Consent to a police background check.
- Treat women, children (persons under 18), and men with respect regardless of race, colour, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
- Not use language or behaviour towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- Not participate in sexual contact or activity with children—including grooming or contact through digital media. A mistaken belief regarding the age of a child is not a defence. Consent from the child is also not a defence or excuse.
- Not engage in sexual harassment—for instance, making unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature, including subtle acts of such behaviour, e.g., looking somebody up and down, kissing,

howling or smacking sounds; hanging around somebody; whistling and catcalls; giving personal gifts, making comments about somebody's sex life, etc.

- Not engage in sexual favours—for instance, making promises or favourable treatment dependent on sexual acts—or other forms of humiliating, degrading or exploitative behaviour.
- Unless there is full consent by all parties involved, I shall not have sexual interactions with members of the surrounding communities. This includes relationships involving the withholding or promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex—such sexual activity is considered “non-consensual” within the scope of this Code.
- Consider reporting through the GRM (Grievance Redress Mechanism) or to my manager any suspected or actual GBV or VAC by a fellow worker, whether employed by my employer or not, or any breaches of this Code of Conduct.

With regard to children under the age of 18:

- Wherever possible, ensure that another adult is present when working in the proximity of children.
- Not invite unaccompanied children unrelated to my family into my home, unless they are at immediate risk of injury or in physical danger.
- Not sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present if possible.
- Use any computers, mobile phones, or video and digital cameras appropriately, and never to exploit or harass children or to access child pornography through any medium (see also “Use of children's images for work related purposes” below).
- Refrain from physical punishment or discipline of children.
- Refrain from hiring children for domestic or other Labour which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury.
- Comply with all relevant local legislation, including Labour laws in relation to child Labour.

### **Use of children's images for work related purposes**

When photographing or filming a child for work related purposes, I must:

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

- Ensure file labels do not reveal identifying information about a child when sending images electronically.

## Sanctions

I understand that if I breach this Individual Code of Conduct, my employer shall take disciplinary action which could include:

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

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

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

Printed Name : \_\_\_\_\_

Title : \_\_\_\_\_

Date : \_\_\_\_\_

## **Annex 5. Report of stakeholders Consultations for the Preparation of ESS Documents on DMAP**

The Government of Malawi, through the Ministry of Information and Digitalization, and involvement of the Public Private Partnership Commission (PPPC), intends to implement the Digital Malawi Acceleration Project (DMAP) with support from the World Bank. DMAP is expected to run for a period of eight years from 2025 to 2033. The Project Development Objective (PDO) is to Increase access to and inclusive use of the internet and improve the government's capacity to deliver digitally enabled services. The project will be implemented throughout the country for some components, while other component locations will be identified at a later stage.

### **Stakeholder Engagement, Disclosure, and Consultations**

In consideration of the potential risks and impacts of the project on the environment and the communities around the project areas, and to ensure inclusive development and smooth implementation of the Project, different stakeholders will be engaged during preparation, implementation and closure phase of the project.

During the preparation phase, different environmental and social management Documents have been/are being prepared which require the input of different stakeholders to be fully approved by the World Bank. These documents include the Environmental and Social Management Framework (ESMF), Stakeholder Engagement Plan (SEP), Environmental and Social Commitment Plan (ESCP), Labour Management Plan (LMP), Resettlement Policy Framework (RPF). Among these documents, some have been disclosed on the World Bank's website.

The PPPC engaged a consultant to assist the development the Environmental and Social Management Framework (ESMF), Labour Management Plan (LMP) and Resettlement Policy Framework (RPF). As part of the document finalization process, the consultant scheduled stakeholder consultations at selected local councils (Chikwawa, Nsanje, Blantyre, Zomba, Dedza, Mchinji and Mzuzu) from 26th August to 6th September 2024. Among members present, the Social Safeguards Specialist from The World Bank accompanied by Safeguards and ICT personnel from PPPC.

### **Methodology**

A brief presentation was prepared by the consultant highlighting the overview of the Digital Malawi Acceleration Project, Social and Environmental potential risks and impacts, Environment and Social risk management procedures. The presentation was rendered to the members in the meeting and asked to provide their insights. The Environmental and Social Committee members from District Councils were involved in this activity to provide their input about the DMAP.



## Plenary

The consultations revealed that Local Councils have welcomed the project and are willing to be engaged at every phase. The following is the feedback that was obtained. The feedback includes other issues emanated from the preceding Digital Malawi Project (DIGMAP). Councils recommended that these other issues must be well addressed to avoid repeating them in the accelerator project. The table below shows the summary of feedback that include questions and suggestions.

### Summary of key issues raised by stakeholders

SN	Comments / Issues Raised	Responses to Stakeholders	Who Provided Response?	Addressed in the LMP
1	What measures have been put in place to ensure that grievances that might rise will be handled properly?	The project will institute a Grievance Redress Mechanism (GRM) for the project.	PPPC member	GRM Manual for DMAP is prepared. GRM is also included in the SEP and Workers GRM will be addressed in LMP. The project will also prepare RPF to guide land related issues.
2	Request for financial support for stakeholders involved in project screening and monitoring processes.	PPPC is flexible and willing to assist if stakeholders submit a budget.	PPPC member.	DMAP safeguards budget will include resources for screening and monitoring. This process will involve Environmental Officers in the Local Councils.
3	Request for details on how inappropriate content (e.g., pornography) will be blocked in schools.	Firewalls will be created to block access to inappropriate websites.	PPPC member.	Addressed in the ESMF under the Online Safety mitigation measure.
4	Will district councils be involved in project monitoring?	Yes, different sectors at the district level will take part in monitoring.	PPPC member.	Addressed in the LMP under implementation arrangements. District Labour Office will be involved.
5	Compensation for private land affected by tower construction.	Compensation procedures will follow Malawi's Lands Act and the World Banks ESS 5.	PPPC member.	The project has developed a RPF to guide compensation. The project will also constitute GRM at all levels to address any

SN	Comments / Issues Raised	Responses to Stakeholders	Who Provided Response?	Addressed in the LMP
				complaints including those related to compensation.
6	Emphasis on the inclusion of vulnerable groups, beyond women and children.	All vulnerable groups will be considered in assessments.	PPPC member.	Addressed in the section of risks and mitigation measures specific to disadvantaged and vulnerable groups.
7	Security concerns about potential vandalism of infrastructure (towers).	Security measures will be implemented to protect infrastructure.	PPPC member.	The towers will be guarded as is the case with other existing towers.
8	Will local people be prioritized for employment?	The contractors will be encouraged to engage casual labourers from communities where the project will be implemented.	PPPC	The LMP will include mitigation measures such as prioritising the hiring of local unskilled labour to address risk of labour influx.



Photos taken during the stakeholder’s consultation in Local councils

## **Conclusions**

Responses were given accordingly with the help from the consultant's team, PIU team and the social safeguards specialist from the world bank. Where Follow-up actions are required, the project will do the needful and update the public accordingly.