

Ministry of Transport of the Republic of Kazakhstan

JSC National Company "QazAvtoJol"

QAJ



**RECONSTRUCTION OF
A-27 ATYRAU-DOSSOR HIGHWAY PROJECT
KAZAAKHSTAN**

Labor Management Procedures

(Draft)

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Acronyms

| | |
|----------------------|---|
| AIIB | Asian Infrastructure Investment Bank |
| CoR | Committee of Roads |
| CSC | Construction Supervision Consultant |
| EHSGs | Environmental Health and Safety Guidelines |
| ESAP | Environmental and Social Action Plan |
| ESIA | Environmental and Social Impact Assessment |
| ESMP | Environmental and Social Management Plan |
| ESS | Environmental and Social Standard |
| GBV | Gender-based violence |
| GIIP | Good International Industry Practice |
| GRC | Grievance Redress Committee |
| GRM | Grievance redress mechanism |
| High Risk Activities | Activities where the use or failure of the Services would reasonably be expected to result in death, serious personal injury, or severe environmental or property damage. |
| HIRA | Hazard Identification and Risk Assessment |
| HIV/AIDS | Human immunodeficiency virus/ acquired immunodeficiency syndrome |
| IFC | International Finance Corporation |
| ILO | International Labor Organization |
| QAJ | QazAvtoJol |
| LMP | Labor Management Procedures |
| MENR | Ministry of Ecology and Natural Resources of Kazakhstan |
| MSDS | Material Safety Data Sheet |
| OHS | Occupational Health and Safety |
| PIU | Project Implementation Unit |
| PMT | Project Management Team |
| PPE | Personal protective equipment and clothing |
| RMD | Road Maintenance Department |
| RoK | Republic of Kazakhstan |
| SEA/SH | Sexual Exploitation and Abuse and Sexual Harassment |
| SOPs | Standard operating procedures |
| WB EHSGs | World Bank Group Environmental Health and Safety Guidelines |

Labor Management Procedures (LMP)

ATYARU- DOSSOR Highway Reconstruction Project Kazakhstan

1. Introduction

1.1 Background

Atyrau Region in Kazakhstan, formerly known as Guryev Region until 1991, is one of the 17 regions of Kazakhstan, in the western part of the country around the northeast of the Caspian Sea. Its capital is the city of Atyrau, with a population of 355,117; the region itself has a population of 681,241, of which Kazakhs make up about 90%. It is the second smallest region in Kazakhstan area of 118,600 square kilometers. It borders Russia (Astrakhan Oblast) to the west; fellow QAJakh regions Aktobe to the east; Mangystau to the south; and the West Kazakhstan Region to the north. The Ural River is the border between Asia and Europe and flows from Russia to the Caspian Sea through the region. Atyrau (together with [Aktau](#)) is Kazakhstan's main Harbor City on the [Caspian Sea](#), Atyrau at the [delta](#) of the [Ural River](#). Atyrau city is approximately 20 meters (66 feet) [below sea level](#). The city is considered to be located both in [Asia](#) and [Europe](#), as it is divided by the [Ural River](#). The city is a hub for the [oil-rich Caspian Depression](#); because of this, many oil wells have been drilled in the [Tengiz Field](#) and [Kashagan Field](#) areas. An [oil pipeline](#) runs from Atyrau to [Samara](#), where it joins the Russian pipeline system.¹

The Atyrau region, also known as Kazakhstan's oil capital, is a vital industrial hub where the oil and gas sector dominate the economy, as it accounts for 88% of total industrial output. Despite its economic importance and rapid development, the region faces significant transportation challenges, particularly in road infrastructure. Only 41.9% of the 1,117.6 km of republican roads are currently in good condition. The Atyrau-Dossor, (a town in the [Makat District](#) of the region) highway, a key transport artery critical to supporting the growing traffic from the National Industrial Petrochemical Technopark (FEZ NINT) is in urgent need of reconstruction.

1.2 Project Context --Atyaru-Dossor Road

The **Atyrau–Dossor Road**² in Kazakhstan plays a vital role in the country's transportation and economic infrastructure. Here's why it's considered important:

¹ [Uzen-Atyrau-Samara Oil Pipeline](#), Institute of Oil Transportation, accessed October 2017; [Uzen-Atyrau-Samara Oil Pipeline Report](#) | Wood Mackenzie

² [Technical assistance grant to prepare ESIA for the Reconstruction of the A-27 "Atyrau-Dossor" Highway Project in the Republic of Kazakhstan - OPEC Fund for International Development](#)

a) **Strategic Connectivity**

- It links **Atyrau**, a major oil-producing city, with **Dossor**, a key junction town that connects to other highways like the A33.
- This road forms part of broader routes that connect **Western Kazakhstan** to the **Caspian Sea port of Aktau**, facilitating trade and logistics.

b) **National Development Priority**

- The Atyrau–Dossor segment is included in Kazakhstan’s **2025 national road reconstruction plan**, which aims to upgrade over 13,000 km of roads across the country.³
- Its reconstruction is prioritized to improve **regional mobility**, reduce travel time, and support economic growth.

c) **Economic Significance**

- The road supports the **oil and gas industry**, which is central to Kazakhstan’s economy, by enabling efficient transport of equipment, personnel, and resources.
- It also boosts **local commerce** by connecting smaller towns to major urban centers and trade routes.

d) **International Relevance**

- As part of the **E40 European route**, it contributes to **transcontinental connectivity**, linking Europe with Central Asia.
- It’s a key segment in the **Center West Regional Development Corridor**, supported by international partners.

Thus, Atyrau–Dossor Road is a lifeline for regional development, international trade, and strategic mobility. In this context, this project aims to upgrade 86 km of the A-27 "Atyrau-Dossor" road to category I standards, directly aligning with President Tokayev's directives and multiple national development programs. With increasing freight and industrial activity, improving transport infrastructure is essential to ensuring regional connectivity, economic growth, and public satisfaction.

1.3 Project Information

The Roads Committee under the Government of the Republic of Kazakhstan, with financing from Asian Infrastructure Investment Bank (AIIB), is implementing the Reconstruction of A-27 Highway Atyrau-Dossor km 598-512 Section Project. A key component of this project includes reconstruction and upgrading (from 2- to 4- lanes) of an 86 km road section between the city of Atyrau and Dossor. The project scope includes the expansion and construction of dual carriageway with Category I-b, including approximately 152 culverts, 22 cattle underpasses, 4 bridges, 2 overpasses, 16 agricultural machinery overpasses, 1 interchange and 2 rest areas. The main goal of this investment project is to create a road infrastructure capable of meeting the needs of the economy and the population in high-quality and safe road transportation. A feasibility study based on preliminary road outline and EIA (as per the national requirements) have been prepared by Kazakhstan. Further, recognizing the

³ [Construction of 13 thousand km of motorways planned in Kazakhstan - Official Information Source of the Prime minister of the Republic of Kazakhstan](#)

need to ensure the environmental and social sustainability of the project interventions, an Environmental and Social Impact Assessment (ESIA) is undertaken. This assessment is to not only comply with the national laws and regulations of the Republic of Kazakhstan but also the environmental and social standards of the AIIB. It is in this context, AIIB enlisted two individual consultants to support Kazakhstan/ QAJ (the client) to prepare a comprehensive ESIA package,⁴ and relevant Environmental and Social instruments. One such instrument relates to Labor and Working Conditions Standard.

The Environmental and Social Standards (ESS) related to the Labor and Working Conditions expects the client to develop labor management procedures (LMP). This enables us to identify main labor requirements and risks associated with it and help the client to determine the resources necessary to address labor issues. By adopting a proactive approach, the LMP serves as a valuable tool for project managers and stakeholders to navigate the complex landscape of labor management, including local skilled and non-skilled workers. It aims to facilitate the smooth and efficient implementation of the project. The LMP provides a detailed description of the key national laws and regulations, as well as the objectives of the specific objectives of Environmental and Social Standard (ESS) on Labor and Working Conditions (ESS2) that are applicable to the project, and the relevant provisions under these regulations. This includes details on employment practices, safety standards, and any other regulatory requirements that directly influence the workforce.

The principal objective of this document is to provide a comprehensive analysis and legal provisions and procedure when hiring underage workers, the issues pertaining to forced labor, labor influx, gender-based violence (GBV), with a particular focus on sexual exploitation/harassment and abuse (SEA/SH) and trafficking, and occupational health and safety (OHS). The Project will generally prohibit the recruitment of children and practices of forced labor. It will primarily follow the national legislations, specifically the Labor Code, Article 4 which sets out the principles of labor legislation of the RoK, as well as the relevant provisions under the Labor Standard. Furthermore, it will arrange for awareness-raising activities and periodic monitoring to ensure that the standards set out in this procedure are followed.

2. Objectives of the Labor and Working Standards

AIIB's ESS1 Standard encompasses labor and working conditions requirements to provide a sound labor management relations system for Project workers, which include the following aspects that are consistent with relevant national law:

- Clear and understandable written terms of employment made available to Project workers in an accessible manner at the time of hiring and when any changes are made to the terms
- Timely payment for Project work
- Adequate periods of rest
- Timely written notice of termination of the working relationship
- Employment based on the principles of equal opportunity, fair treatment and nondiscrimination with respect to any aspect of the employment relationship

⁴ [Approval tender — Technical assistance grants to prepare ESIA for the Reconstruction of the A-27 "Atyrau-Dossor" Highway Project in the Republic of Kazakhstan — for Kazakhstan by OFID in Roads & Bridges, Civil Engineering sectors — Development Aid](#)

- Compliance with national law relating to workers' organizations and collective bargaining
- An accessible, understandable and transparent GRM for raising Project workplace concerns, including gender-related concerns, that:
 - a) does not impede access to other judicial or administrative remedies that might be available under law or through existing arbitration or mediation procedures, or substitute for grievance mechanisms provided through workers unions or collective agreements
 - b) involves an appropriate level of management and addresses concerns promptly, using an understandable and transparent process that provides timely feedback to those concerned, without any retaliation
 - c) is proportional to nature and scale and the potential risks and impacts of the Project
 - d) allows for confidential complaints to be raised and addressed, including GBV-related complaints
 - e) provides measures to protect against retaliation
- A suitable system designed to inform Project workers of the GRM at the time of hiring, and which is made easily accessible to them.
- Reflect the above requirements, as applicable, in the procurement documentation for the Project.

The compliance with the Labor and Working Conditions Requirements shall be such that they do not contravene the local Laws. The mode of contracting being DBM, the Contractor shall specify the terms and conditions of employment in accordance with Code. These shall include, but not be limited to, the following: specific wages, hours, and other provisions that apply to the project; the maximum number of hours that can be worked on the project; and any collective agreements that apply to the project. Where relevant, the document provides a list of agreements and describes the key features and provisions as well as some other specific terms and conditions.

The LMP further reflects on other specifics such as to fulfil the above objectives. The LMP is a living document, which is initiated early in project preparation, and is reviewed and updated throughout development and implementation of the project. Accordingly, this document details the type of workers likely to be deployed by the project and the management thereof.

3. Scope and Structure of the LMP

The engagement of labor will be planned as an integral part of the project's environmental and social assessment and project design and implementation. This report has 10 chapters. This chapter viz., Chapter 1 served as Introduction. Objectives of the Labor and Working Standards are discussed in Chapter 2. This is followed by Scope and Structure of LMP in Chapter 3. In the next Chapter 3, an overview of the labor use, in particular quantum of labor required, and the type of labor thereof are presented in Chapter 4. An assessment of key potential labor risks is discussed in Chapter 5. Key QAJ labor legislative provisions, and their comparison with that of AIIB Standard are discussed in Chapter 6. Institutional and implementation arrangements follow next in Chapter 7. Next, in Chapter 8, policies and procedures, including Labore Management Procedures are discussed. Grievance Redress Mechanism and Monitoring & Evaluation are discussed in Chapters 9 and 10 respectively.

4. Overview of Labor Use in the Project

4.1 Project Workers and Requirements

4.1.1 Quantum of Labor

The exact number of laborers required for the Atyrau–Dossor Road construction depends on several factors including:

- **Project Scope:** Total length and width of the road, number of lanes, and whether it includes bridges, culverts, or drainage systems.
- **Construction Phases:** Earthwork, subgrade preparation, base and surface layers (e.g., bituminous or concrete), and finishing works.
- **Availability and mobilization of physical and human resources.**
- **Timeline:** Shorter deadlines require more labor to meet targets.
- **Machinery vs Manual Work:** More mechanization reduces manual labor needs.

The estimated quantity of project employees is based on the thumb rule applied for estimating labor needs⁵ as well as the experience gained from other road construction projects in QAJakhstan. Peak daily requirement could be about 600 workers and duration being 8-9 months (actual construction phase). During periods of winter downtime, this number will be reduced due to a reduction in the amount of work due to weather conditions to 300 personnel required to ensure winter maintenance and active continuance.

As the project is through (Design, Build and Maintain) DBM mode, it is envisaged that project will encompass the following categories of workers: direct workers, contracted workers, and primary supply workers. Community workers are not relevant. Resources/contracts are expected to be exclusively managed by direct workers. Communities will have no role in procurement and management of any contracts; though, community members are expected to be employed as community labor, which will be governed by the Contractors Management Plans.

The LMP applies to all Project workers whether full-time, part-time, temporary, seasonal or migrant workers. The LMP is applicable, as per AIB's ESS1 to the Project:

- People employed or engaged directly by the client to work specifically in relation to the Project, recruited in accordance with the normal recruitment procedures of contractual staff in public service.
- People employed or engaged by contractors perform work related to core function of the project.
- People working in borrow pits, quarry sites and construction materials suppliers in general.

4.1.2 Direct workers

Direct Workers are those people employed or engaged directly by the Implementing Agency to work specifically in relation to the project. These workers will be independent consultants hired specifically to work in relation to the project and be integrated into the project implementation unit (PIU) which

⁵ [THUMB RULE FOR CIVIL WORKS LABOR PRODUCTIVITY | PPTX | Woodworking | Arts and Crafts](#)

is yet to be established housed by the Borrower (MoT) and its Committee of Roads (CoR). The precise number of personnel required for the PIU, along with their qualifications, experience and competencies, is yet to be determined. Similarly, the specific job positions and responsibilities of these personnel are yet to be defined. However, it is anticipated that the personnel will be divided into the following categories: project management, environmental and social specialists, financial specialists, procurement specialists, administrative services, etc.

In the event that government civil servants are engaged in the project, on a full-time or part-time basis, they will remain subject to the term and conditions of their existing public sector employment agreement or arrangement, unless there has been an effective legal transfer of their employment or engagement to the project. Such transfer will be conducted in accordance with all legal requirements and transferred workers will be subject to all requirements of this LMP. The Labor and Working Conditions Requirements will not apply to such government civil servants, except for the provisions of paragraphs 17 to 20 (Protecting the Work Force) and paragraphs 24 to 30 (Occupational Health and Safety).

4.1.3 Contracted and Workers Hired by Sub-Contractors

These are the People employed or engaged by third parties to perform work related to core of the project, regardless of location.

Contract workers: it is planned that the project will engage qualified drivers and operators for the Contractor's special equipment, quantum of which depends upon the workload and construction cycle. A contract will be concluded with these persons through a company with which an outsourcing agreement will be drawn up. However, the Contractor will continuously monitor the employer's compliance with labor standards and obligations through observation, questioning, inspections of working and rest conditions, safety issues and the implementation of guaranteed measures as specified in the labor legislation of the RoK.

The project will make arrangements for the engagement of expatriate labor and for the housing, health, welfare and repatriation of the same.

Based on the requirement, the Contractors will hire contracted workers based on their level of skills and project needs. If agreed with the Project Management Team, sub-contracts of the work could be given. Sub-contractors recruited may supply laborers as per the agreed terms and conditions. It is the responsibility of the Contractor to maintain accurate records of the time worked by each employee engaged on the project, regardless of the employee's method of payment (hourly or salary), the class of work in which they are employed and the wages paid.

The project will also maintain proper records for each employee engaged, their gender, the categories of employment in which deployed, whether as a casual or permanent employee, and the wages (and allowances if any), paid in accordance with RoK regulations. These records shall be made available at any time for inspection by authorized lender representative or authorized representative of the government. The Contractor will produce, if required, other records that may be necessary to provide evidence of their compliance with the requirements of this paragraph

Timing of labor requirements: Contracted workers are eligible to work for a contract period fixed by the Project Implementation Team and then recruited by the Contractor. Their contracts will be renewed, if required, based on satisfactory services.

4.1.4 Primary supply workers

Worker employed or engaged by a primary supplier, providing goods and materials to the project, over whom a primary supplier exercises control for the work, working conditions, and treatment of the person. Primary suppliers are those suppliers who, on an ongoing basis, provide directly to the project goods or materials essential for the core functions of the project. The Client and Contractor needs to consider risks and impacts associated with the primary suppliers as required by ESS1 and will address such risks and impacts in a manner proportionate to the Borrower's control or influence over its primary suppliers.

The project should be in line with the following steps:

- The PIU shall identify potential risks of child labor, forced labor, and serious safety issues which may arise in relation to primary suppliers. Environmental and Social assessment identifies, to the extent possible, the types of goods and materials to be obtained from primary suppliers. The supply may be local in nature or come from other parts of the country or from outside the country. Where potential child labor, forced labor, and serious safety risks are identified or are prevalent or known to exist in a specific sector, industry, or region in connection with the supply of such goods and materials, a mapping exercise should be conducted to identify possible suppliers and the extent to which they may present such risks.
- Where it is not possible to identify specific primary suppliers, the assessment should consider general industry labor issues and risks associated with the supply of such goods and materials. It is also useful to periodically update the assessment of potential risks that may arise with respect to the project's primary suppliers during project implementation. Tracking suppliers' performance will help to determine whether procedures and mitigation measures are being implemented appropriately and provide feedback on performance and any new areas of risk.
- Where appropriate, specific requirements on child labor, forced labor, and work safety issues are included in all purchasing orders and contracts with suppliers.
- Where there is a significant risk of child labor or forced labor in relation to primary suppliers, the PIU will require the primary supplier to identify such risks.
- The LMP defines roles and responsibilities for monitoring primary suppliers. Where cases of child or forced labor are identified, the project will require the primary supplier to take appropriate steps to remedy the situation. Where such options are not feasible (i.e., suppliers are unwilling or do not demonstrate commitment), the project will seek alternative suppliers.

Based on the requirement in some components of the civil works, primary supply workers will be recruited by the suppliers as required. It will be ensured (and monitored periodically by the PIU) that no children under the minimum age established in the LMP are recruited as workers. Furthermore, it will be ensured that workers are not subject to 'forced labor' in any manner. The LMP establishes clear policies against forced labor that needs to be established by each contractor, proper training for Managers and employees to be conducted on recognizing and preventing forced labor, the regular audits to be conducted to ensure compliance with anti-forced labor policies, the documentation of workers to be verified to ensure they are not victims of human trafficking during hiring and regular audits. Registered suppliers are subject to regular review.

The review is carried out twice annually and requires PIU representative to visit the supplier's premises. The Project Implementation Unit will be responsible for making sure that these standards

are followed strictly. Continuous monitoring of working conditions to detect any signs of forced labor to be carried out by PIU. If any deviation is identified the PIU will act as prescribed in the contract/agreement following the LMP. In addition to regular monitoring, an industry-specific risk assessment shall be performed as part of the ESIA and/or sub-project ESIA assessment and to understand whether there are risks of child and forced labor.

4.1.5 Foreign Workers

Contractor shall ensure required assistance, for obtaining the work permit in accordance with RoK Legislation (Labor Code, Article 26, Prohibitions and restrictions for conclusion of employment contract and employment), shall ensure access to the required information, training, workers' grievance redress mechanism (GRM), etc., as well as provide language assistance, if required. Contracts/Agreements will be concluded with foreign specialists, taking into account the legal framework and migration policy of the Republic of Kazakhstan. The Contractor could have options to hire through their internal HR department and/or through intermediate agencies with legal permits in Kazakhstan. The contractors shall be responsible for the work permits as well as repatriation of these workers following employment termination (both voluntarily and involuntarily) and/or other circumstances.

Timing of labor requirements: Foreign workers, hired by the contractor and subcontractors, are eligible to work for a contract period based on their manning plans. Their contracts will be renewed/extended, if required, based on satisfactory services and the civil work's needs.

4.2 Child Labor and Forced Labor

Child Labor. In order to protect children from jeopardy to their health, safety and morals, take all measures required so that children under the age of 18 are not employed for work under the Project. However, if the laws or regulations of the Member in whose territory the Project is located provide, in conformity with the International Labor Organization's Minimum Age Convention, 1973, that children at least 16 years of age may be employed for such work on condition that their health, safety and morals are fully protected and that they have received adequate specific instruction or vocational training in the relevant branch of activity, such children may be employed, but only in conformity with these laws and regulations. In such cases of employment of children under the age of 18 under the Project, conduct an appropriate risk assessment, together with regular monitoring, of their health, safety, working conditions and hours of work.

Forced Labor. Take all measures required in connection with the Project so that no work or service not voluntarily performed is exacted by an individual under threat of force or penalty (including any kind of forced or compulsory labor, such as indentured labor, bonded labor or similar labor-contracting arrangements, or labor by trafficked persons). Assess the risks of forced labor under the Project, and if applicable, include measures in the ESMP (or other Bank-approved document) to address such risks in accordance with this Section.

If cases of child labor or forced labor are identified, take immediate steps to correct them, to prevent similar occurrences in the future, and to facilitate the rehabilitation of victims.

5. Assessment of Key Potential Labor Risks

5.1 Universal List of Risks

The universal list of risks common to similar development projects is presented in Table 1. They may or may not occur in this project. However, these measures be taken should any of the risks listed occur. The table depicts a summary of the potential risks and impacts related to labor and working conditions, together with mitigation measures to avoid, eliminate or reduce associated impacts. These are integrated into the overall project management and find a place in the Environmental and Social Management Plan (ESMP). The monitoring of risks is determined by the QAJ as well as contractors and supervisors and shall form a part of the overall project monitoring.

Table 1: Key Labor Risks

| Sl No | Activity Sphere | Impacts & Risks | Mitigation Measures |
|-------|---|---|---|
| 1 | Selection and Recruitment of Direct Workers | Perception of unfair recruitment and selection practices vitiating the work atmosphere within and outside the project boundaries. | <ul style="list-style-type: none"> • A precise, widely disseminated and transparent policy and selection process. • Maximize work opportunities for local citizens. • Enhance local employees' skills base through training and development programs. • Women to be given opportunities in employment |
| 2 | Child Labor & Forced Labor | Increased health and safety risk to workforce, potential non-compliance with national labor laws, and reputational risk to Project. | <ul style="list-style-type: none"> • The risk of child labor will be mitigated through certification of laborers' age. This will be done by using legally recognized documents such as the National Identification Card, and Birth Certificate. • Awareness-raising sessions will be conducted regularly to sensitize prohibition and negative impacts of child and forced Labor. |
| 3 | Likely presence of migrants or seasonal workers includes risks associated with Labor influx | Conflict, unrest and security related issues crop up. | Client and Contractor to develop platforms for regular interface with the local communities and provide for their issues and concerns shouldering corporate social responsibility. |
| 3 | Conditions of employment – what people earn/benefits. | Differential remuneration and rewards cause unrest affecting productivity. | Policy and procedure displaying/ ensuring the following: <ul style="list-style-type: none"> • Contract arrangements and content • Equal pay for equal work • Performance Reviews • Process for pay increases. • An effective employee complaints/ grievance process |
| 4 | Sexual harassment and sexual exploitation and abuse (SH/SEA) | Workers away from home on the construction job are typically separated from their family and | <ul style="list-style-type: none"> • Prepare and enforce code of conduct for all the workers. |

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| | | act outside their normal sphere of social control. This can lead to inappropriate and criminal behavior, such as sexual harassment of women and girls, exploitative sexual relations, and illicit sexual relations with minors from the local community. These can impede the pace of project implementation and reputational risk to the Client, Borrower and AIIB. | <ul style="list-style-type: none"> • SEA/SH awareness programs targeted at workers. • Sensitization on what constitutes SH/SEA and the penalties made known • An effective, inclusive and accessible Grievance Redress Mechanism be in place ensuring confidentiality and anonymity. • All criminal cases should be documented and handed over to Police. |
| 5 | Labor relations– Worker Engagement & Conflict Resolution | Workers embark on various forms of industrial action. They take matters into their own hands, which results in violence and conflict that affects workplace harmony | <ul style="list-style-type: none"> • Workers to be informed of the policy and procedures during induction training. • Plan for refresher courses, as appropriate • Female grievance officers are made available to female members of the workforce. |
| 6 | Transport of equipment and personnel to site. | Bad drivers, poor road conditions could lead to accidents | <ul style="list-style-type: none"> • Ensure that drivers have relevant permits • Non-authorized people should not be allowed at the workplace • Contractors should have an accident log to record all these occurrences |
| | Equipment damage that could cause injuries to workers | Absenteeism, Stoppage of Work and loss of productivity | <ul style="list-style-type: none"> • Use competent personnel to manage equipment • Carry out routine equipment inspection and maintenance |
| | Road accidents due to poor road conditions, incompetent drivers, bad drivers, black spots, | | <ul style="list-style-type: none"> • Routine inductions for project teams • Make use of Journey movement plan (JMP) with known journey managers. • Ensure that drivers are trained in defensive driving. • Provide for routine vehicle inspections and servicing |
| | Injury to people, machines, Equipment damage, Environmental pollution | | Provide personal protective equipment and train personnel for the use of PPE |
| | Injuries to personnel excavating the trenches and third parties passing by (pinch points, bruises, entanglement) | | <ul style="list-style-type: none"> • Awareness sessions on powered tools, excavations to project implementation staff • Provide for appropriate PPE and enforce PPE usage. Also provide reflector jackets for visibility/safety of workers • Barricade off areas to be excavated and utilize warning signs understandable by the host communities to reduce on spectators. |

| | | | |
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| | | | <ul style="list-style-type: none"> • Carry out community/ stakeholder awareness programs including in schools that are in proximity of project sites • Provide for rest breaks to reduce the stress exposed to workers during project execution • Contractor should have a sound PPE policy approved by the project management team • Provide fully stocked first aid kits and trained first aiders for project teams in the field. • Ensure that contractors have known functioning phone contacts for medical personnel or facilities where project staff can be taken for medical treatment |
| 7 | Worker accommodation building specifications (camps). | <p>-Accommodation is considered sub-standard which leads to discontent amongst the residents and concerns about perceived health risks as well as public health risks.</p> <p>-Workers have low morale and perceive their welfare is not of concern, which in turn affects motivation and productivity.</p> | <p>Build camps to the camp specifications for production accommodation (In accordance with the Order of the Ministry of Public Health of Republic of Kazakhstan dated July 26, 2022 # KP ДСМ-67). In addition, the benchmarks of the IFC Guidance Notes on “Workers’ accommodation: processes and standards”, will be followed. In the event of new construction, the following Construction phase plans will be applied as necessary:</p> <ul style="list-style-type: none"> • Minimum Health Requirements for Project Execution • Minimum health requirements for women-employees, including a female nurse in the camp • Minimum Camp Specifications for Operations Accommodation including separate sanitation/hygiene spaces for women’s • Contractor’s Occupational Health and Safety Plan including women’s health • Emergency Response Plan • Security Management Plan. |
| 8 | Camp management practices. | Residents do not live in harmony and the potential for conflict rises. Residents do not know how to complain or make a grievance. | <ul style="list-style-type: none"> • Ensure that the contractor is used to managing camps, they must have a proven track record. • Implement an induction program to be attended by all residents that covers at least the following: <ul style="list-style-type: none"> ○ Camp rules and regulations ○ Code of conduct ○ Camp grievance mechanism ○ Camp disciplinary procedure ○ Complaints system for food, dining, housekeeping and maintenance ○ Camp committee system |

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|----|--|--|--|
| | | | <ul style="list-style-type: none"> ○ Community relations and cultural awareness ○ Health, safety and security |
| 9. | Retrenchment, or otherwise of the laborers currently managing the existing road. | Some apprehension exists on the continuance, or otherwise, of the laborers currently managing the existing road. | <ul style="list-style-type: none"> ● Expect most laborers to be continued in one or the other capacity. ● This will find a place in the LMP which shall form a part of the contractor's bidding document. ● In the unlikely event of retrenchment, livelihood assistance shall be extended by Kazakhstan. |

5.2 Occupational Health and Safety (OHS) related Risks

Occupational health aims to promote and maintain the highest degree of physical, mental and social well-being of workers in all occupations. OHS is essential for: (i) Reducing accidents and downtime; (ii) Ensuring contractor accountability; and (iii) Protecting both workers and surrounding communities. Key Components of OHS include

- **Hazard Prevention:** Identifying and mitigating risks like chemical exposure, machinery accidents, or ergonomic strain.
- **Health Promotion:** Encouraging wellness through mental health support, fitness programs, and healthy work-life balance.
- **Legal Compliance:** Ensuring workplaces meet national and international safety standards.
- **Workplace Culture:** Fostering a safety-first mindset through training, leadership, and accountability.

In this project Hazard Identification and Risk Assessment (HIRA) will be conducted by the Contractor when preparing C-ESMP on OHS management plan. It is also essential that risk assessments are reviewed and updated based on feedback from workers, incidents investigations and changes in site conditions to ensure ongoing safety during road construction activities. The first step in the risk management process is to identify the hazards associated with construction work. Examples of hazards include, but are not limited to:

Physical Hazards:

- Working around Mobile equipment
- Noise
- Illumination
- Rotating and Moving Equipment
- Vibration
- Electrical
- Welding / Hot Work
- Industrial Vehicle Driving and Site Traffic
- Working Environment Temperature
- Ergonomics, Repetitive Motion, Manual Handling
- Working at Heights

- Traffic accidents (including accidents with construction machineries and accidents with livestock)
- Collapse of trenches
- Confined space entry
- Falling objects, for example tools, debris and equipment
- Lifting and Rigging activities

Chemical Hazards

- Fire and Explosions
- Chemical burns and intoxication
- Soil Contamination
- Non-qualified employees/Short-term employees

The HIRA shall be conducted by the Contractor to control Hazards. The following provides a guideline for the selected contractor(s) when conducting an OHS risk assessment prior to the start of the construction works, which shall be revisited on a periodic basis by their respective OHS coordinator. There are three steps used to manage health and safety at work:

- Hazard Identification
- Assess the Risk (Risk Assessment)
- Make the Changes (Risk Control)

Further details about these are available in a separate writeup under ESIA.

5.3 Personal Protective Equipment (PPE)

Road construction and maintenance personnel, as well as landscaping workers maintaining vegetation in the rights-of-way, are exposed to a variety of physical hazards, principally from operating machinery and moving vehicles but also working at elevation on bridges and overpasses. Other physical hazards arise owing to exposure to weather elements, noise, work in confined spaces, trenching, contact with overhead power lines, falls from machinery or structures, and risk of falling objects. Given this probable event occurring, proper PPE needs to be provided by the Contractor for each type of activities as per risk assessment and MSDS by seasons. Appropriate PPEs may have to be provided to withstand severe cold weather to carry outdoor activities. The minimum of PPE provided shall comply with Order of the Minister of Health and Social Development of the Republic of Kazakhstan dated December 8, 2015 № 943. Registered with the Ministry of Justice of the Republic of Kazakhstan on December 29, 2015 № 12627, [as well as Environmental, Health, and Safety Guidelines](#)⁶. It may also be noted that PPE provides additional protection to workers exposed to workplace hazards in conjunction with other facility controls and safety systems. Thus, this is considered as a last resort protection. Table 2 presents general examples of occupational hazards and types of PPE available for different purposes.

Special considerations shall be paid into the provisions of PPE for women, especially as the project seeks to absorb women into the workforce. Inclusive PPE needs to be the main consideration when

⁶(<https://www.ifc.org/content/dam/ifc/doc/2000/2007-toll-roads-ehs-guidelines-en.pdf>).

it comes to workplace safety. When women wear PPE that is made for the opposite sex and fits poorly, they could experience a wide range of risks and consequences. Similarly sized PPE often do not account for physical differences in women's body shapes. There could be safety hazards, including potential fatality, if PPE is not properly fitted. Further, apart from such safety hazards, the discomfort as a result of ill-fitted PPE could distract women from tasks at hand and even prompt them to avoid wearing PPE and expose them to risks. Contractors should maintain a directory of PPE manufacturers and suppliers on hand, identify a wide selection of size ranges for PPE, keep appropriate size ranges in stock, and ensure direct accessibility, as required.

In addition, contractors shall ensure they make the following PPE options available:

- a) Maternity PPE catered to pregnant workers.
- b) High-visibility clothing for workers of all heights.
- c) Safety gloves and footwear for workers who require extra small and extra-large sizes.
- d) PPE tailored to workers who use wheelchairs or have limb differences.
- e) PPE for workers with particular cultural or religious needs (e.g., equipment that coordinates with a Muslim woman's hijab)

Table 2: The Minimum PPE Recommended List

| Particulars | Workplace Hazards | Suggested PPE |
|-------------------------|--|--|
| Eye and face protection | Flying particles, molten metal, gases or vapors, light radiation | Safety glasses with side-shields, protective shades, etc. |
| Head protection | Falling objects, inadequate height clearance, and overhead power cords | Safety helmets for top and side impact protection. |
| Hearing protection | Noise, ultra-sound | Hearing protectors (ear plugs or earmuffs). |
| Foot protection | Falling or rolling objects, points objects. Corrosive or hot liquids | Safety shoes and boots for protection against moving and falling objects, liquids and chemicals. |
| Hand protection | Hazardous materials, cuts or lacerations, vibrations, extreme temperatures | Gloves made of rubber or synthetic material (Neoprene), leather, steel, insulation materials, etc. |
| Body / leg protection | Extreme temperatures, hazardous materials, biological agents, cutting and laceration | Insulating clothing, body suits, aprons etc. of appropriate materials |
| Respiratory protection | Dust, fogs, fumes, mists, gases, smokes, vapors | Facemasks with appropriate filters for dust removal and air purification (chemical, mists, vapors and gases). Single or multi-gas personal monitors, if available |
| | Oxygen deficiency | Portable or supplied air (fixed lines). On-site rescue equipment. |
| High visibility vest | Traffic, vehicle, lack of proper illumination | Industrial clothes and high visibility vests shall have light reflective tapes. |

6. Brief Overview of Labor Legislation

Labor Code of the Republic of Kazakhstan (dated November 23, 2015 with the last updated become valid on January 1, 2024) is the fundamental legislative act aimed at regulating all labor issues arising in the Republic of Kazakhstan.⁷⁸ This Code governs employment relationships and other relations, directly related, directed to protection of the rights and freedoms of the parties of employment relationships, establishment of the minimum guarantees of the rights and freedoms in the sphere of work. The Code lays out a structured framework for employment relations, emphasizing both worker protections and employer responsibilities. Here are the key elements that define its legislative approach.

6.1 Core Principles of Kazakhstan's Labor Code

- **Employment Contract Requirement**
Labor relations must be formalized through a written employment contract. This contract outlines duties, compensation, working hours, and other conditions.
- **Minimum Wage Guarantee**
The Code establishes a legally mandated minimum monthly wage for unskilled labor under normal working conditions.
- **Working Time and Rest Periods**
It regulates standard working hours, overtime, shift work, and mandatory rest periods. There are provisions for annual paid leave and other types of leave (e.g., maternity, sick leave).
- **Occupational Safety and Health**
Employers are obligated to ensure safe working conditions, provide protective equipment, and comply with health standards. Heavy and hazardous work is specifically defined and regulated.
- **Social Partnership Framework**
The Code promotes cooperation between employees, employers, and the state through collective agreements and social dialogue mechanisms.
- **Non-Competition Clauses**
Employment contracts may include non-compete terms to prevent employees from engaging in activities that could harm the employer's interests.
- **Dispute Resolution Mechanisms**
Labor disputes can be resolved through mediation commissions or other reconciliation procedures. The Code outlines steps for handling both individual and collective disputes.
- **Public and State Oversight**
Compliance is monitored by state labor inspectors and public associations. Employers must adhere to labor laws, and any contract terms that worsen employee conditions compared to the law are deemed invalid.

⁷ [Labor code of the Republic of Kazakhstan - "Adilet" LIS](#)

⁸ [Microsoft Word - ENG Labor Code of the Republic of Kazakhstan.doc](#)

6.2 Key Legal Provisions on Worker Protection in National Labor Laws -

1. Fair Compensation

- **Minimum Wage Laws:** Prevent exploitation by ensuring workers receive baseline income.
- **Equal Pay Provisions:** Mandate equal remuneration for equal work, regardless of gender or background.
- **Timely Payment Rules:** Require employers to pay wages on time and without unauthorized deductions.

2. Safe Working Conditions

- **Occupational Safety Standards:** Define employer responsibilities for health and safety (e.g., protective gear, ventilation, hazard training).
- **Working Hours Regulation:** Cap daily and weekly hours, mandate rest breaks, and regulate overtime pay.
- **Special Protections:** For hazardous industries like mining or construction, laws often require stricter compliance and regular inspections.

3. Job Security and Stability

- **Contractual Clarity:** Employment contracts must clearly outline duties, compensation, and termination conditions.
- **Unlawful Termination Protections:** Workers can't be fired without due process or valid reason.
- **Layoff and Retrenchment Rules:** Require notice periods, severance pay, and sometimes government approval.

4. Social Security and Benefits

- **Provident Fund & Pension Schemes:** Ensure long-term financial security.
- **Maternity and Paternity Leave:** Protect family life and health, especially for women.
- **Health Insurance & ESI:** Provide medical coverage for workers and their families.

5. Freedom of Association

- **Right to Unionize:** Workers can form or join trade unions to collectively bargain.
- **Protection Against Retaliation:** Employers can't penalize workers for union activities.

6. Grievance Redressal

- **Dispute Resolution Mechanisms:** Labor courts, tribunals, trade unions, and conciliation boards help resolve conflicts.
- **Internal Committees:** Worker complaints can be escalated to the Corporate Complaint Redressal Groups. For issues like sexual harassment, organizations must have formal complaint mechanisms.

In the Current Project, given the DBM mode, the responsibility rests to a large extent on the Contractors:

- Contractors provide safe working conditions.
- Local workers are paid fairly and treated with dignity.
- Communities benefit from employment without being exploited.

Contractor needs to refer to official sources of RoK legislation to track up-to-date versions of RoK Laws and Regulations.⁹

Kazakhstan's Labor Code lays out a structured framework for employment relations, emphasizing both worker protections and employer responsibilities. Here are the key elements that define its legislative approach:

6.3 Gap Analysis

Table 3: Key Gaps Between Kazakhstan Labor Laws and that of AIIB & GIIP

| Area | Kazakhstan Labor Code | AIIB & GIIP | Gap/Concern/ Measures |
|---|---|--|--|
| Child & Forced Labor | Prohibited, but enforcement mechanisms are limited | Strict prohibition with mandatory monitoring and reporting | Kazakhstan lacks robust enforcement and grievance mechanisms. |
| Child labor and minimum age: The labor management procedures will specify the minimum age for employment or engagement in connection with the project, which will be the age of 14 unless national law specifies a higher age. | <p>Labor Code of Republic of Kazakhstan Article 31. The employment contract may be concluded with:</p> <ul style="list-style-type: none"> • citizens who have reached the age of fifteen years, if they obtained a basic secondary, general secondary education in organization of secondary education. • pupils who have reached the age of fourteen, to perform | <p>The minimum age of employment is 14 years, under special conditions.</p> <p>For the works in connection for the project that is likely to be hazardous, the requirements of the minimum age are 18 years old.</p> | <p>Minimum age of 18 will be used for this project due to the nature of the works required, which could be hazardous. RoK legislation requirement on the minimum age (18) will be applied.</p> |

⁹ [Labor Code of the RoK.pdf; https://adilet.zan.kz/](https://adilet.zan.kz/)

| Area | Kazakhstan Labor Code | AIB & GIIP | Gap/Concern/ Measures |
|------|--|------------|-----------------------|
| | <p>work when they are free from their studies, which does not cause harm to health and does not impede the learning process.</p> <p>Article 26. Prohibitions and restrictions for conclusion of employment contract and employment: it is not allowed to enter into an employment with citizens who have not reached the age of eighteen, for heavy work, the work with harmful and (or) dangerous working conditions, as well as for positions and works that provide for the full material responsibility of the employee for failure to ensure the safety of property and other valuables of the employer, as well as for work that can harm their health and moral development (gambling, work at night entertainment facilities, production, transportation and trade of alcoholic beverages, tobacco products, drugs</p> | | |

| Area | Kazakhstan Labor Code | AIB & GIIP | Gap/Concern/ Measures |
|--|---|---|--|
| | psychotropic substances and precursors). | | |
| <p>Forced labor: Forced labor, which consists of any work or service not voluntarily performed that is exacted from an individual under threat of force or penalty, will not be used in connection with the project. This prohibition covers any kind of involuntary or compulsory labor, such as indentured labor, bonded labor, or similar labor-contracting arrangements. No trafficked persons will be employed in connection with the project.</p> | <p>Labor Code Article 7.</p> <p>Forced labor is prohibited</p> <p>Forced labor means any work or service required from a person under the threat of any punishment, for which this person did not volunteer his services.</p> | <p>Same – No Difference</p> | <p>No Gaps. However, a practical implementation of the legal provisions stipulated in the Labor Code and other related laws, need to be ensured.</p> <p>The project will require robust supply chain monitoring, supplier audits, worker empowerment programs and collaboration with stakeholders to ensure compliance with labor standards and human rights.</p> <p>Mitigating forced labor in supply chains shall include:</p> <ul style="list-style-type: none"> • Supplier Audits: Regular audits to assess compliance with labor standards and identify potential risks of forced labor. • Supplier Contracts: Including clauses that explicitly prohibit the use of forced labor and outlining |
| <p>Freedom of Association</p> | <p>Recognized, but union activity can be restricted in practice.</p> | <p>Strong protection for unionizing and collective bargaining</p> | <p>Practical barriers to union formation and collective action in Kazakhstan.</p> |

| Area | Kazakhstan Labor Code | AIB & GIIP | Gap/Concern/ Measures |
|---|---|---|--|
| <p>Grievance Mechanisms</p> <p>Grievance mechanism</p> <p>A grievance mechanism will be provided for all direct workers and contracted workers (and, where relevant, their organizations) to raise workplace concerns</p> <p>QAJ</p> | <p>In Kazakhstan, the grievance mechanism is primarily regulated by the Labor Code, which outlines procedures for addressing complaints and disputes between employers and employees. Specifically, Chapter 19 of the Labor Code covers the resolution of labor disputes, including the process for lodging grievances, mediation, and arbitration.</p> <p>Absence of legal definition and enforcement mechanisms</p> | <p>RoK legislation, unlike that of AIB / GIIP, does not cover grievance mechanism related to GBV, including SEA/SH. By Kazakhstan Law GBV is equated to disorderly conduct as per Crime Code.</p> | <p>The Bank requires the Client/ implementing agency to establish and maintain a GRM for contracted Project workers under the Project to address workplace concerns and reflect this in the tender documents for contracted Project workers.</p> <p>GRM shall be easily accessible, understandable and transparent for raising Project workplace concerns, including gender-related concerns, and providing feedback to the complainant without any retaliation.</p> <p>It will: (a) not impede access to other judicial or other remedies that might be available under law or through existing arbitration or mediation procedures, or substitute for mechanisms provided through workers unions or collective agreements; and (b) allow for confidential complaints to be raised and addressed, including GBV/ SEA/SH-related complaints.</p> <p>All Project workers shall be appraised of the GRM and the need to sign-off on the Code of Conduct at the time of hiring.</p> <p>Training and Awareness: Provide training to all employees and contractors</p> |

| Area | Kazakhstan Labor Code | AIIB & GIIP | Gap/Concern/ Measures |
|------|-----------------------|-------------|---|
| | | | <p>on recognizing and preventing gender-based violence and harassment Including information on reporting procedures and support resources.</p> <p>Support Services: Arrange support services such as counseling, legal assistance, and medical support for victims of gender-based violence.</p> <p>Ensure confidentiality and sensitivity in handling reports and providing support.</p> <p>Safe Reporting Mechanisms: Establish confidential and accessible reporting mechanisms for victims of gender-based violence to report incidents without fear of retaliation. Ensure these mechanisms are well-publicized and responsive.</p> <p>Investigation and Accountability: Conduct prompt and thorough investigations into reports of gender-based violence. Hold perpetrators accountable for their actions through appropriate disciplinary measure</p> <p>Monitoring and Evaluation: Regularly monitor and evaluate the effectiveness of mitigation measures through surveys, focus</p> |

| Area | Kazakhstan Labor Code | AIIB & GIIP | Gap/Concern/ Measures |
|--|--|--|---|
| | | | groups, and other feedback mechanisms. Use this information to make improvements and adjustments as needed. |
| Non-Discrimination & Equal Pay | Addressed in law, but implementation is uneven | Advocate proactive measures and enforcement thereof. | Requires proactive measures to ensure fair treatment and equal opportunity Enforcement and monitoring of discrimination claims are weak |
| Contracted & Supply Chain Workers | QAJ law does not extend protections to supply chain labor. Limited oversight of labor conditions for subcontractors and suppliers | LWC requirements apply to primary supply workers. | QAJ Apply standards to direct, contracted, and primary supply workers |
| Occupational Health & Safety Occupational health and safety measures will be applied to the project. This will take into account the General EHSGs and, as appropriate, the industry specific EHSGs and other GIIP. | Regulated, with recent reforms proposed for risk assessment and digital mapping. | Preventive Approaches and Effective Implementation and Monitoring are the key hallmarks. | Kazakhstan is to improve in practical implementation, specially preventive approaches. Attention to the following is essential: Risk Assessment, Compliance Training, Safety Policies & Procedures, Safety Equipment and Personal Protective Equipment (PPE), Work Site Inspections, Emergency Preparedness, and Worker Participation. |

| Area | Kazakhstan Labor Code | AIIB & GIIP | Gap/Concern/ Measures |
|--------------------------------------|--|--|---|
| Sexual Harassment Protections | Not clearly defined in current law; reforms are underway | Requires clear policies, complaint procedures, and employer accountability | Absence of legal definition and enforcement mechanisms until reforms are passed. For the project, the GBV/SEA/ SH addressal issue shall find a place in the CESMP. |

Key Implications of the Gap Analysis

- **Client/ Contractors to expand the boundaries beyond the national laws** to meet the requisite international standards and practices.
- **Need to develop and maintain a Management System** that is consistent with and proportionate to the scope of work, including measures and procedures to address all the gaps / issues identified.
- **Enlist the services of qualified personnel**, define explicitly the role and responsibilities, and arrange for their capacity building as appropriate.
- **Enable and empower the personnel to function without fear and / or prejudice.**
- **Monitoring and reporting systems** must be established to assess the compliance and provide for mid-course adjustments as deemed necessary.
- **Community engagement and transparency** are critical to gain local trust and acceptability.
- **Develop reporting protocol to document and disseminate report on** occupational incidents, diseases, and incidents in accordance with Article 187 of Labor Code of RoK.
- **Ensure emergency prevention** and preparedness and response arrangements to emergency situations including and not limited to workplace accidents, workplace illnesses, flooding, fire outbreak, disease outbreak, labor unrest and security.
- The Client/ Contractor to establish an organic link with **hospitals and clinics** in the project area to ensure, at the least, basic care and emergencies. A list of hospitals and clinics are presented below.
- Contractors to include the **budgetary requirements** for OHS and other associated measures in their respective bids.

Hospitals

Here's a curated list of hospitals and clinics located in **Atyrau** and near the **Atyrau–Dossor Road corridor**, which may be relevant for assessing healthcare access. Most facilities are available in Atyrau. [Clinic in Dossor](#) is noted as a local facility accessible for basic care and emergencies. It

would be good for the QAJ Atyrau Regional Office/Contractor to establish an organic link and/or enter into a MOU with some of these for the project duration.

| Hospital | Address | Specialties |
|---|--------------------------------|--|
| International Clinic Interteach | 98A Vladimirkaya St, Atyrau | Multispecialty; English-speaking staff |
| International SOS Atyrau | 55 Aiteke Bi St, Atyrau | Emergency, general medicine, public health |
| Mediker Zhaiyk Atyrau | 10A Sebastopol St, Atyrau | General practice, pediatrics |
| Prospekt Medical Caspian | 82 Abulkhair Khan Ave, Atyrau | General and specialty care |
| Eye Hospital | Kozhakayeva St 196, Atyrau | Ophthalmology |
| Oblystyq Aurukhana (Regional Hospital) | Admiral Vladimirsky St, Atyrau | Public hospital; general care |
| Doctor-Plus Atyrau | M. Temirkhanov St 12A, Atyrau | Private clinic |

7. Responsible Staff

The construction works for the Project – Atyrau-Dossar (ATDS) highway road expansion will require a number of employees for its various works, the details which will be clearer during the works. The overview of responsible staff and oversight mechanisms will be described in further detail in the ESIA. The following chart presents the main institutions and their responsibilities for this project. (Table 4).

Table 4: Project Level Institutional Arrangements

| Nº | Responsible Agencies | Functions of project participant | Responsibilities of the project participant |
|-----------|-----------------------------|--|--|
| 1 | Committee of Roads (CoR) | Coordination of activities on creation and development of a network of public highways of regional and district significance. Realization of investment and social policy in the road sector | Exercises general control over the project implementation according to the concluded contracts for reconstruction, consulting services, as well as compliance with the deadlines of strategic documents envisaging the project implementation. Control over the effective utilization of project assets. |

| | | | |
|---|---|---|---|
| 2 | JSC “NC ‘QAJAvtoZhol’ (National Operator of highways of republican and international importance) | The authorities of the National Operator include the implementation of budget investment projects for the development of a network of public roads of international and republican importance on the basis of the state assignment. | General management of the project, including technical, legal financial aspects. Control over design, construction, reconstruction, repair, maintenance of highways of international and republican importance, development of roadside service facilities along the highways, etc. To implement the project, the staff will include specialists in environmental and social development, responsible for environmental and social risk management, supervising the preparation of ESF tools together with external consultants. Monitoring and reporting will be carried out. |
| | QAJ Atyrau Regional Office | Pivotal role in ensuring that infrastructure projects in the Atyrau Region of Kazakhstan meet rigorous standards for safety, compliance, and performance. | Key role and responsibilities include: (i) quality assurance oversight; (ii) quality control implementation; (iii) documentation and reporting, including preparation of compliance and quality performance reports, and reporting incidents (if any) with root cause analysis; (iv) stakeholder coordination and resolving issues at local levels; (v) capacity building and training; and (vi) support to strategic corridors – corridor diagnostics and settlement level assessments |
| 3 | Project Implementation Unit (PIU) | Improvement of project implementation efficiency, support Committee of Roads activities in the management of large construction projects. | Overall project management, including technical, legal, E&S and Financial aspects. Overall responsibility for the implementation of the LMP, including coordination with the civil work contractors and CSCs. |
| 4 | Construction Supervision Consultant (CSCs) | Evaluation and control of quality of work, materials used, coordination of engineering solutions, including adjustment of design solutions, if necessary, or if required to improve the performance contract. | Quality control of technical decisions made, E&S including aspects related to labor and working conditions, OHS, as required under the LMP. |

| | | | |
|---|--|--|---|
| 5 | <p>General Contractor – contracting construction organization</p> <p>Construction organization that will perform construction works. To be determined on the basis of competitive tender for the procurement of goods and services</p> | Implementation of construction works | Performance of quality works/services as per their respective contracts, including ensuring safe working practices, zero accidents and fatality requirements, management of labor and working conditions as required under the LMP. |
| | Project Management Consultants | Stationed at the project /site level and support QAJ's central and regional offices. | All aspects related to project management including Environmental and Social as well as Labor. |
| 6 | Committee of Labor and Social Protection of the Ministry of Labor and Social Protection of the Population of the Republic of Kazakhstan (external to the project) | Formation and realization of state policy, implementation of inter-sectoral coordination and state management in the field of labor, including occupational safety and health; employment; Social security, including pensions and compulsory social insurance; social protection of persons employed in jobs with harmful working conditions. | Ensuring compliance with legislation, norms, and standards of the Republic of Kazakhstan. Periodic labor inspection and compliance assessment with regards to the Labor Code. |
| 7 | Migration Service Committee of the Ministry of Internal Affairs of the Republic of Kazakhstan (external to the project) | Issuing and (or) extending permits for employers to hire foreign labor, as well as intra-corporate transfers | Compliance with legislation, norms, and standards of the Republic of Kazakhstan |
| 8 | Local executive authorities (external to the project) | Exercise of State authority in the regions | Permits, document processing, etc. |

Specific details of roles and responsibilities of individual entities are depicted below.

Committee of Roads

- **Policy Implementation**
Develops and enforces national road policies, standards, and regulations.
- **Project Oversight**
Acts as the implementing agency for major road construction and rehabilitation projects, including those funded by international financial institutions like the World Bank ADB and AIIB.
- **Budget Administration**
Manages the road sector budget, including financing for national operator **QAJAvtoZhol** and transfers to regional authorities for local road development.
- **Quality Control**
Oversees Road quality through technical supervision, field inspections, and the **National Center for the Quality of Road Assets**, which monitors construction standards and warranty compliance.
- **Toll Road Management**
Introduces and operates toll roads, ensuring financial sustainability and service quality.
- **Contractor Accountability**
Enforces performance guarantees from contractors including bank guarantees and warranty obligations. If defects arise during the warranty period, contractors must repair at their own expense—or the state may invoke the guarantee.

For **Atyrau–Dossor Road project**, the Committee:

- Ensures that the technical standards are met.
- Coordinates with the regional branches and service providers.

Monitors social and environmental compliance for reporting to AIIB

QazAutoJol NC JSC (QAJ), **as a joint stock company (JSC)**, plays a pivotal role in Kazakhstan’s transport infrastructure as the **national operator for international and national highways**. Its functions span technical, operational, and strategic domains, all aimed at ensuring safe, efficient, and sustainable road travel across the country. It is the trust manager of toll roads.

The Core Functions of QAJ include:

1. **Road Network Management – (i)** Oversees **construction, reconstruction, repair, and maintenance** of over 25,000 km of roads; and **(ii)** Ensures compliance with national standards and technical specifications.

2. **Toll Road Operations** --Implements and manages **closed, hybrid, and open toll collection systems**.
3. **Roadside Services Development**
4. **Digital & Intelligent Transport Systems** – (i) Provides digital mapping and real-time updates via the **Sapar app** and (ii) **Develops** software for **access control and vehicle registration** in residential and commercial zones.
5. **Environmental and Economic Stewardship**
6. **Stakeholder Coordination including** Interface with international financing institutions for large-scale projects.

QAJ will have overall responsibility for the project. This consists of preparation, implementation, and financing of activities including E&S measures such as livelihood restoration, land acquisition and resettlement, establishing project SEP, and overseeing the LMP. In addition, QAJ will be responsible for any interagency coordination with relevant government offices. QAJ will exercise its functions through the Project Implementation Unit (PIU), which in turn will be responsible for project execution and overseeing day-to-day project activities at rayon/subproject levels. Coordination with relevant parties in the LMP will be led by the PIU on behalf of QAJ. The PIU will be responsible for consolidating reporting as well as monitoring corrective actions (as applicable), with technical support from the CSCs.

In QAJ's ESAP, QAJ put forward certain commitments pertaining to Organizational Structure. In it QAJ, is to establish an organizational structure (project implementation team) with qualified staff to support management of E&S risks including at least one Environmental, one Social/Gender Specialist, one Social / Resettlement Specialist, one OHS, Road Safety Engineer, and one Community Liaison Officer responsible for ensuring full compliance with the ESSs, ESAP and relevant instruments. They will be supported by the specialists who will be a part of the Supervision Engineer. This organizational structure is to be maintained as necessary throughout Project implementation.

QAJ Atyrau Regional Office plays a pivotal role in ensuring that infrastructure projects in the Atyrau Region of Kazakhstan meet rigorous standards for safety, compliance, and performance. Key role and responsibilities include: (i) quality assurance oversight; (ii) quality control implementation; (iii) documentation and reporting, including preparation of compliance and quality performance reports, and reporting incidents (if any) with root cause analysis; (iv) stakeholder coordination and resolving issues at local levels; (v) capacity building and training; and (vi) support to strategic corridors – corridor diagnostics and settlement level assessments.

QAJ Autoservice Unit—whether part of a regional Quality Assurance and Quality Control (QAJ) office or a dedicated technical wing—typically focuses on ensuring that **vehicle-related services, maintenance, and inspections** meet safety, performance, and compliance standards.

Project Management Consultant

Project management consultant (PMC) will carry out the duties related to monitoring the social and environmental safeguards documents including LMP. Its representative shall be a member of the GRC at project and central level. The PMC team will include a full-time designated social safeguard

specialist (engaged for at least the first year of Project implementation) to be responsible overseeing the implementation. In particular, the PMC will:

- Participate in public consultation and disclosure activities;
- Collaborate with CoR/QAJ to supervise the compliance, and coordinate grievance redress on regional level.

Civil Works Contractors

The Civil Works Contractors will be selected based on procurement guidelines of the AIIB and Government of Kazakhstan. Depending on the parceling of lots, these Contractors may be international or local contractors depending on the construction lot budgets as has been normally applied in previous projects. The contractors will be expected to be responsible for implementing most, if not all, the measures recommended in the ESMP/ ESAP to address environmental and social impacts. Accordingly, a contractor will incorporate the following measures in their respective C-ESMPs:

- Designate a full-time Environment, Social, Health and Safety Officer/s the contracted works (with assistants).
- Prepare and submit a site-specific ESMP for review by the CSCs for approval by the QAJ and the AIIB and other project documents if required (LMPs, SEP, etc.); other specific ES management plans may be required which will all be annexes to the ESMPs.
- Provide sufficient funding and human resources for implementation of the ESMP.
- Ensure proper and timely implementation of required pre-construction and construction mitigation measures as listed in the ESMP.
- Implement additional environmental and/or social mitigation measures as necessary, consistent with the grievance redress system and complying with other measures outlined in the RPF/ RAP, SEP, LMP and ESIA.
- Ensure compliance with Labor Laws and Regulations:
 - Ensure adherence to national labor laws, regulations, and industry standards.
 - Stay updated with changes in labor legislation and implement necessary adjustments promptly.
- Fair Employment Practices:
 - Implement non-discriminatory hiring practices.
 - Provide equal employment opportunities regardless of gender, age, ethnicity, or nationality.
- Employment Contracts:
 - Issue clear and comprehensive employment contracts to all workers, detailing terms of employment, wages, working hours, and benefits.
 - Ensure contracts are written in a language understood by the workers.
- Wages and Benefits:
 - Pay workers fair wages on time, in accordance with legal requirements and contractual agreements.
 - Provide statutory benefits such as social security, health insurance, and pensions.
- Working Hours and Overtime:
 - Regulate working hours in compliance with labor laws, including rest breaks and days off.
 - Compensate workers for overtime work as per legal and contractual standards.
- Health and Safety:
 - Implement robust occupational health and safety policies and practices.

- Conduct regular safety training sessions and drills.
 - Provide necessary safety equipment and ensure its proper use.
 - Establish emergency response procedures and first aid facilities on-site.
- Working Conditions:
 - Ensure a safe and healthy working environment.
 - Maintain hygienic and adequate living conditions for workers, especially for labor (both foreign and nationals) housed on-site.
- Training and Development:
 - Provide job-specific training to enhance skills and productivity.
 - Offer continuous professional development opportunities.
- Grievance Mechanism:
 - Ensure prompt and fair resolution of grievances without retaliation.
- Social Protection:
 - Ensure access to social protection programs for all workers, including health care and social insurance.
 - Support workers in accessing these services as needed.
- Monitoring and Reporting:
 - Conduct regular audits and assessments of labor management practices.
 - Maintain accurate records of employment, wages, working hours, and training.
 - Report labor management performance to relevant authorities and stakeholders.
- Legal Compliance for Foreign Workers:
 - Ensure all foreign workers have valid work permits and visas.
 - Comply with immigration laws and regulations related to the employment of foreign labor.
- Conflict Resolution:
 - Address and resolve labor disputes promptly and fairly.
 - Mediate between management and workers to maintain harmonious labor relations.
- Ethical Conduct:
 - Promote ethical labor practices and discourage any form of exploitation or abuse.
 - Adhere to principles of transparency, accountability, and respect for human rights.

The Contractors will be responsible that the following measures are in place (to be incorporated as in their respective contracts):

- Employ or appoint qualified social, labor and occupational safety experts to prepare and implement project specific labor management procedure, occupational health and safety plans, and to manage subcontractor performance.
- Develop labor management plan and occupational health and safety plan as part of the Construction ESMPs which will apply to contracted and sub-contracted workers. These procedures and plans will be submitted to the Supervision Consultant for review and approval before the contractors mobilize for the design stage.
- Contractors will supervise their subcontractors' implementation labor managements procedures and occupational health and safety plans.
- Maintain records of recruitment and employment process of contracted workers.
- Clearly communicate the job description and employment conditions to contracted workers.
- Develop, and implement workers' grievance mechanism and address the grievance received from the contracted and sub-contracted workers.
- Have a system for regular review and reporting on labor, and occupational safety and health performance.
- Deliver regular induction (including social induction) and HSE training to employees.

- Ensure that all contractor and sub-contractor workers understand and sign the Code of Conduct prior to the commencement of works.

The **Supervision Consultant** will be assigned responsibility (to be included in their scope of work in line with the project's ESMP):

- Implement this labor management procedure with third parties.
- Ensure that civil works contractors comply with these labor management procedures and also prepare occupational health and safety plans before mobilizing to the field.
- Ensure the contracts with the contractors are developed in line with the provisions of this LMP and the project's ESMF.
- Monitor to verify that contractors are meeting labor and OHS obligations toward contracted and subcontracted workers as required by Kazakhstan law and respective contracts between Borrower and the contractors.
- Monitor contractors and subcontractors' implementation of labor management procedures.
- Monitor compliance with occupational health and safety standards at all workplaces in line with Kazakhstan occupational health and safety legislation.
- Monitor and implement training on LMP and OHS for project workers.
- Ensure that the grievance redress mechanism for project workers is established and implemented and that workers are informed of its purpose and how to use it.
- Have a system for regular monitoring and reporting on labor and occupational safety and health performance.
- Monitor implementation of the Worker Code of Conduct.

The Supervision Consultant will oversee labor and safety performance on a regular basis, on behalf of the Employer (QAJ). The ESMP for each Sub-Project will require the Supervision Consultant to employ qualified experts for such oversight and to report on performance to the PIU on a monthly basis.

External government agencies that will be engaged as part of the overall implementation of the LMP due to their respective mandates include:

Committee of Labor and Social Protection oversees and is responsible for the following:

- Labor Rights Protection:
 - Ensure compliance with labor laws and regulations.
 - Monitor and enforce fair labor practices, including proper wages, working hours, and conditions.
- Health and Safety Standards:
 - Conduct regular inspections to ensure construction sites adhere to safety regulations.
 - Provide guidelines for emergency preparedness and response plans.
- Employment Regulations:
 - Oversee the employment of local and foreign workers.
 - Ensure all workers have the necessary legal documentation and permits.
 - Address issues related to employment contracts, termination, and dispute resolution.
- Social Security and Benefits:
 - Ensure workers pensions benefits and health insurance are included in the workers' contract.

- **Monitoring of Working Conditions:**
 - Conduct regular assessments of working conditions on construction sites.
 - Participate in the GRM for workers and assist and grievances related to working conditions and labor rights.
- **Social Protection Programs:**
 - Ensure that socially disadvantaged groups having adequate skills needed for the project have equal opportunities in employment.
- **Community Engagement:**
 - Facilitate communication between construction companies and local communities.
 - Address social impacts of road construction on local communities, including displacement and resettlement issues.
- **Conflict Resolution:**
 - Mediate (within the GRM to be established by the contractors) disputes between employers and employees.
 - Provide legal assistance and support in resolving labor-related conflicts.
- **Reporting and Compliance:**
 - Maintain records and reports on labor and social protection compliance.
 - Ensure transparency and accountability in labor practices and social protection measures.

Migration Service Committee oversees and is responsible for the following:

- **Regulation and Oversight of Foreign Workers**
 - Monitor and regulate the employment of foreign workers of road construction contractor.
 - Ensure all foreign workers have valid work permits and visas.
 - Oversee the compliance of employers with immigration laws and regulations.
- **Issuance of Work Permits and Visas:**
 - Process and issue work permits and visas for foreign workers employed by road construction contractor.
 - Ensure the timely renewal of permits and visas to prevent illegal employment.
- **Monitoring of Working and Living Conditions:**
 - Inspect the working and living conditions of foreign/regional workers to ensure they meet legal standards.
 - Address issues related to housing, health, and safety for foreign/regional workers.
- **Enforcement of Labor Rights:**
 - Ensure that foreign/regional workers receive fair wages and benefits as per Kazaakh labor laws.
 - Protect foreign/regional workers from exploitation and abuse by employers.
- **Coordination with Employers:**
 - Work closely with construction companies to ensure the proper documentation and legal employment of foreign/regional workers.
 - Provide guidance to employers on compliance with immigration laws and the rights of foreign/ regional workers.
- **Conflict Resolution:**
 - Mediate disputes between foreign/ regional workers and employers.
 - Provide support and legal assistance to foreign/ regional workers in case of conflicts or violations of their rights.
- **Health and Safety Compliance:**

- Ensure that foreign/ regional workers are working in safe environments and have access to necessary healthcare services.
- Monitor compliance with health and safety regulations specifically for foreign workers on construction sites.
- Data Collection and Reporting:
 - Maintain accurate records of all foreign/regional workers employed by contractor.
 - Report on the status and conditions of foreign/regional workers to relevant government bodies.
- Coordination with Other Government Agencies:
 - Collaborate with the Ministry of Labor and Social Protection, local authorities, and other relevant agencies to ensure comprehensive oversight and support for foreign/regional workers.

After the bidding process is completed and the Contractors are known, this labor management procedure shall be updated to include additional details about companies, as necessary.

8. Policies and Procedures

This section outlines main policies and procedures to be followed during construction phase of the project. In doing so, it identifies the functions and/or individuals within the project responsible for:

- engagement and management of project workers
- engagement and management of contractors/subcontractors
- occupational health and safety (OHS)
- training of workers
- addressing worker grievances
- addressing discrimination at work including hiring practices.

This section will be updated and amended as needed, after construction contracts are awarded.

8.1 Contractor Management

The tendering process for contractors will require that they demonstrate their capability in undertaking/ addressing issues related to the Labor & Working Conditions Standard, which will be a key determinant in the assessment processes. The Contractor will also need to substantiate the same with the past record on compliances and highlight any awards or recognition received for excellence in performance.

The client will use the AIIB's Standard Procurement Documents for solicitations and contracts, and these include Labor and occupational, health and safety requirements. As a part of the process to select DBM contractors who will, in turn, engage contracted workers, the client and/or the supervision consultant may review the following information as related to the Candidate Contractor.

- Information in public records like corporate registers and public documents relating to violations of applicable labor law, including reports from enforcement bodies where the past work has been undertaken by the Candidate
- Business licenses, registrations, permits, and approvals as well as memberships of relevant associations
- Documents relating to a labor management system, including OHS issues and labor management procedures prepared earlier

- Personnel/ staff, their qualifications, and certifications
- Workers' certifications/permits/trainings
- Records of safety and health violations (if any), and responses; accident and fatality records and notifications to hierarchical authorities
- Worker payroll records, including hours worked and pay received
- Copies of previous contracts with contractors and suppliers, showing inclusion of provisions and terms reflecting the Labor Standard.

The contracts with selected contractors will include provisions related to Labor and occupational health and safety. Further, the contractor will be requested to prepare Contractor's code of conduct. Sample contractor's Code of conduct is provided in **Annex 1**.

Once selected, prior to starting any civil works, the Contractor shall prepare, consult upon and implement a site-specific Labor Management Plan (LMP) including Occupational Health and Safety Plan (OHS Plan) as part of the C-ESMP. This comprises: (i) health and safety policy commitment endeavor along with the role and responsibilities of each worker; (ii) safety management plan; (iii) training and certification records to show completion of all mandatory training as of date; (iv) work / activity breakdown structure and management chart thereof; (v) risk assessments; and Safety Equipment and PPG; (vi) GBV / SEA/SH prevention and control.

8.2 Hiring

The contractor shall accord preference to employ local staff if feasible and available with the required qualifications and experience. To get a census of the availability, the Contractor may resort to the following:

- a) The Contractor shall interact with local Akimats that has updated information on unemployed people from the nearest villages(rayon).
- b) Use official source "Public Employment Center" of Karaganda and Ulytau regions, as well as Regional Akimats,
- c) Use official internet resources: hr.enbek.kz, hh.kz to publish employment opportunities.
- d) All information about project will be published on official QAJ site, any company has access to the portal.

If the required personnel are not available locally, the contractors may source their workforce outside of Kazakhstan.

8.2.1 Unbiased & Non-Discriminatory Selection

The project should promote fair treatment, non-discrimination and equal opportunity for project workers. The employer will ensure that the selection process for project workers is unbiased, and that the requirements set are not directly or indirectly discriminatory. The project workers will be recruited and assessed on the basis of their competence and professional achievements. Due consideration shall be given to women and persons with disabilities to the extent feasible. No person under the age of 18 will be employed or engaged for hazardous work on the project.

All project workers will perform work or provide services under conditions set in their engagement/employment contract or agreement in return for remuneration. Their status must be clearly defined in line with the national law. Any form of disguised employment shall not happen.

All project workers are entitled to fair treatment and protection from sexual harassment and sexual exploitation and abuse at work. Towards ensuring this, the grievance mechanism should be in place to enable the project worker to air grievances and be informed on the actions taken subsequently in relation to his/ her grievances, without prejudice to his/her right to seek judicial protection. In line with the respect for the principle of free association and collective bargaining, any worker may join a trade union or any other worker organization without being singled out for the same. Illegal and anti-social behavior as well as non-compliance with the stated Standards shall invite suspension and termination.

8.3 Labor Management Plan

The Contractors will prepare a labor management plan in line with this LMP and seek approval from the Client. The Plan shall be premised on a broad set of principles and procedures as described below.

Terms and Conditions of Appointment.

- Applications for employment will be considered in accordance with the application procedures established by the contractors and agreed with the Client.
- Clear job descriptions will be provided in advance of recruitment and will explain the skills required for each post.
- All workers will have written contracts describing terms and conditions of work and will have the contents explained to them. Workers will sign the employment contract. Terms and conditions of employment will be available at work sites.
- Unskilled labor will be preferentially recruited locally.
- Employees will be informed at least one month before their expected release date of the coming termination.
- Depending on origin of the employer and employee, the contracts will be developed in corresponding language understandable for both parties.
- Foreign workers will require residence permit, which will allow them to work in Kazakhstan.
- The Contractor/sub-contractors must ensure that all project workers sign employment contracts and Code of Conduct agreements.

Gender. Deliberate efforts shall be directed to providing gender balance with specific attention to women in the project's areas of operation. In all available job offers, females shall be encouraged to apply and some jobs specifically earmarked for female employees. These shall include but not be limited to flag personnel, stores management, and field supervision among others.

Worker accommodations including collective work camps shall be provided with good hygiene standards, with fresh drinking water, clean beds, restrooms and showers, clean bedrooms, good illumination, lockers, proper ventilation, safe electrical installation, fire and lightening protection, separate cooking and eating areas. There will be separate facilities provided for men and women.

Hygiene and health related aspects of the project shall include (i) provision of hand washing soap and sanitizer where available and bathing facilities; (ii) proper human waste management including

provision of adequate number of toilet facilities; (iii) medical emergency points and readily accessible first aid kits as well as ambulance; and (iv) helpline points, displayed prominently at a right place.

Insurance All project staff shall have insurance including but not limited to workman's compensation as stipulated in the employment contracts and labor law provided. Best practice also calls for medical insurance or MOUs with credible medical service providers in the operation area to cater for illnesses during project implementation.

Security All personnel shall be provided with appropriate security during project implementation, and this shall be in collaboration with state security agencies like State Police and private security firms where applicable.

Timing of Labor Requirements All workers shall work for 8 hours a day during the day starting at 8:00AM with a one-hour lunch break and ending at 4PM. Night-time operations shall be conducted on a need only basis after activity-specific risk assessment, toolbox talks and appropriate permit to work approval for this as a non-routine operation. This shall enable proper hazard identification and provision of mitigation measures. This caters mainly for works in such settings where daytime work has a potential to disrupt routine activities in the area. Teams working at night will have rested during the daytime. For workers engaged in heavy work, work with harmful and (or) dangerous working conditions, the reduced working hours are established - not more than 36 hours per week according to the List of industries, workshops, professions and positions, the list of heavy work, work with harmful and (or) dangerous working conditions.

Incident management and investigation. To reduce the risk of incidents resulting from human error as an underlying factor, project teams shall be provided with awareness sessions on incident reporting, management and preventive actions provided (detailed in the ESMP). Emphasis shall be on emergencies like injury, accidents with a lot of emphasis on near misses and Lost Time Incidents among others as per incident management plan. Any severe injury (requiring off-site medical care) or fatality incident shall be immediately reported to the client and to the Bank (in accordance with Rules for Collecting and Analyzing Incident Reports, Articles 187-189 of Labor Code of Kazakhstan) within 24 hours with basic information and a detailed incident report including the following will be submitted as soon as possible, ideally within 10 working days: a) root cause analysis and b) corrective action plan on: (i) immediate mitigation measures in case of continuing danger (e.g. fencing, signboard, guards) (ii) compensation to the affected family based on a clear rationale (iii) risk assessment and correct application of ESHS management procedures, and (iv) Medium- and long-term mitigation measures including enhancement of safety measures, audits, and additional training. The Contractor will comply with RoK Labor Code which outlines the compensation to workers in case of injury and occupational diseases incurred during the course of employment.

No to Alcohol and Drugs. The Contractor will follow the Subpoint 9, point 1, Article 52 of Labor Code of RoK. Law of the Republic of Kazakhstan dated July 10, 1998, N 279. on narcotic drugs, psychotropic substances, their analogs and precursors and measures to counteract their illicit trafficking and abuse. The Contractor shall recognize and respond to workplace safety threats that are a consequence of drugs and alcohol and maintain a safe, drug- and alcohol-free workplace for all employees and sub-contractors who work at project sites. The Contractor will not import, sell, give, barter or otherwise dispose of any alcoholic liquor or illegal drugs and substances, or permit or conduct any such importation, sale, gift, barter or disposal by its employees, labor or sub-contractors.

If warranted, the Contractor will provide or arrange to undertake drug and alcohol procedures as stipulated.

The Contractor shall perform checks according to laws and regulations for protection of privacy. Checks shall be carried out only after receiving the consent of the person concerned, after they have signed the appropriate agreement and the procedures have been explained to them. Drivers and special machinery operators may be required to undergo daily checks, before/after the shift; the remaining personnel will be subject to random controls. A refusal to submit to these checks will be reported to the Human Resources Department for any further actions to be taken. Employees will not be allowed to work if tested positive.

Overseeing. The Supervision Consultant/ PIU will review and approve contractors' safety plans and procedures S/he also shoulders the responsibility to supervise and conduct periodic checks and assessments cover compliance with the stipulated standards, accidents, violations of rules, recommendations, and progress of ongoing corrective actions. The PIU will include in the contract(s) as requirement for contractors to report on issues such as number of accidents rates, near misses, severity rates, number of recurring non-compliances, violations of rules, fatalities and serious injuries.

The construction contractor will develop and implement their Code of Conduct and submit it to supervision consultant for review and approval. The Code of Conduct will reflect the company's core values and overall working culture. The content of the Code of Conduct could be formulated based on the drafting made in the World Bank Standard Bidding Documents.

HIV/ AIDS Policy. The Contractor shall plan for addressing HIV/AIDS in accordance with the ILO's Code of Practice which recognizes HIV/AIDS as a workplace issue and goes beyond raising awareness to include non-discrimination, confidentiality, care and support. The contractor will also need to follow the applicable QAJ policy on HIV/AIDS. Accordingly, the contractor will arrange for its employees to attend an HIV awareness program provided to be conducted during the employee's normal working hours. An expert facilitator / intermediary shall be deployed for this purpose.

Training Workers. The Contractors are required to, at all times, have a qualified OHS person on the staff who will shoulder the responsibility to impart training to the staff as and when required. The staff are obligated to participate in such trainings which are designated mandatory by the Labor Code, and as stipulated in the Contractor's contract. Individual worker's code of conduct to be adhered to is presented in **Annex 2**.

9. Grievance Mechanism

Kazakhstan's Constitution¹⁰ contains a provision that a person, his rights and freedoms are the highest value, and therefore the right of everyone to judicial protection of his rights and freedoms is guaranteed, and the Labor Code of Kazakhstan not only enshrines the provisions governing the procedure for the consideration and resolution of labor disputes, but also provides for the protection of labor rights as the main goal and principle of labor law. Accordingly, the Ministry of Labor and Social Development (MLSP) shoulder the responsibility to mediate conflicts that arise in the

¹⁰ [Labor Disputes in Kazakhstan: Results of Legal Regulation and Future Prospects](#)

workplace. It encourages constructive communication between the parties involved, helping them reach a mutually agreeable solution. This proactive approach not only reduces the burden on formal legal systems but also promotes a cooperative labor environment and speedy resolutions. Additionally, local labor inspection bodies play a crucial role in dispute resolution as they are responsible for monitoring compliance with labor laws and regulations. They investigate complaints and provide recommendations to resolve issues related to working conditions, wage disputes, and unfair treatment. By addressing grievances at the local level, labor inspection bodies can effectively mitigate potential disputes before they escalate into larger conflicts. Other government agencies, such as the Agency for Civil Service Affairs, also contribute by ensuring that state employees have access to appropriate dispute resolution mechanisms. Furthermore, the judicial branch, particularly labor courts, serves as a final arbiter for unresolved disputes, handling cases that require formal legal intervention.

The key assumption is that collective bargaining serves as a crucial preventive measure against labor disputes as it fosters a cooperative atmosphere between employers and employees. The legal framework governing collective bargaining in Kazakhstan is primarily articulated in the Labor Code, which stipulates the rights and responsibilities of trade unions and employers during the negotiation process. Besides collective bargaining, individual grievances galore a lot at the grassroots/ project level. The complaints need to be addressed promptly and transparently, and without retribution to the complainant and that the process of receipt, investigation, and resolution are fair, consistent and respectful. These in view, the project adopting a DBM mode, the Contractor and the Project play a major role in addressing, especially, individual grievances. The Contractor's Project Management System, with support of an environmental and social consultant, will ensure an effective dispute management system.

The workers grievance mechanism will include:

- a procedure to receive grievances such as comment/complaint form, suggestion boxes, e-mail, a telephone hotline;
- stipulated timeframes to respond to grievances;
- a register grievance record and track the timely resolution of grievances;
- a responsible department to receive, record, and track the resolution of grievances.
- The workers' grievance mechanism will be described in staff induction training provided to all project workers. The mechanism will be based on the following principles:
 - The process will be transparent and allow workers to express their concerns and file grievances.
 - There will be no discrimination against those who express grievances, and any grievances will be treated confidentially.
 - Anonymous grievances will be treated equally as other grievances whose origin is known.

Individual Grievance Procedure

The project will have a Workers' Grievance Procedure which should be known and explained to the workers. Such procedure should at least:

- Specify to whom the workers should lodge grievance
- Refer to time frames in the LMP to allow grievance to be dealt with expeditiously
- Allow the person to refer the grievance to a more senior level within the organization, if it is not resolved at the lowest level.

All the contractors who will be engaged in the project will be required to produce their Grievance Redress Mechanism (GRM) as a requirement for tender which at a minimum comply with these requirements. In addition, good international practice recommends that the procedures be transparent, is confidential, adheres to non-retribution practices and includes right to representation. After they are engaged, they will be required to produce proof that each worker has been inducted and signed that they have been inducted on the procedure. The worker GRM will include directions on how the issues/complaints are raised, the procedure for fact finding, the composition of the parties involved in the redress system and the procedure to deal with issues that are not resolved through the GRM. In the case of Individuals, s/he may choose one of their representatives to put forward her/his case to the Contractor. If the issue is not resolved at the lowest level, it may be graduated to the higher levels.

Collective Grievances and Disputes resulting from the negotiations of Collective agreements.

The workers may choose their representative (s) to place the case on the Table. If the issue is not resolved at the lowest level, the workers may as well take their issues to PIU to address before escalating up. Before this, the SPIU through the Environmental and Social Specialist Safeguards will be alerted. Necessary investigations will be conducted, and the contractor will be duly appraised. The matter will be referred to the Labor inspector only if the SPIU and workers representatives fail at amicable settlement.

Gender-based Violence, Sexual Exploitation and Abuse and Sexual Harassment (GBV/SEA/SH)

All GBV/ SEA/SH-related complaints should be kept confidential by the person/persons receiving the complaint, and immediately report to the Client, AIIB and local authorities. Immediate actions should be taken that is consistent with the wishes and choices, rights and dignity of the complainant. The complainant should be appraised fully in simple language on next steps for (processing) complaints and the likely consequences, the timelines and the support services available such as to enable informed decisions.

The recording of incidence should be restricted to the nature of complaint and as described by the complainant. Nature of the perpetrator's association with the project too ascertained. The complainant should decide on whether they would like to be referred to the grievance committee and the further processes.

Safety & Well-Being: The safety of the survivor shall be ensured at all times including during reporting, investigation, and the provision of victim assistance. Those involved in the management of complaints will need to consider potential dangers and risks to all parties (including the survivor, the complainant if different, the subject of the complaint, and the organizations involved) and streamline ways to prevent additional harm in all the complaint handling process.

Survivor-Centered Approach: All prevention and responses action will need to balance the respect for due process with the requirements of a survivor-centered approach in which the survivor's choices, needs, safety, and wellbeing remain at the center in all matters and procedures. As such, all actions taken should be guided by respect for choices, needs, rights and dignity of the survivor, whose agency and resilience must be fostered through the complaint process.

Accessibility and non-discrimination: The mechanism must be accessible to all potential complainants and sufficient information must be given on how to access it, making the complaints process accessible to the largest possible number of people. This includes identifying and instituting various entry points that are both gender and context sensitive. To facilitate incidents reporting and avoid stigmatization, reports from third parties (witnesses, people suspicious or aware of an incident, etc.) must also follow accountability protocols.

Local Help. The client/ contractor may choose to seek the help of a local service provider to provide facilitation services. Since the Kazakhstan's regulatory provisions require mandatory reporting on SEA/SH involving children, the GRM focal point (Social Development Consultant at the PIU) could refer the case to the GBV service provider for proper reporting while ensuring the best interest of the child is being respected.

Grievance process for non-labor related issues involving project workers. These relate to issues cropping up as a result of: (i) worker vs worker; (ii) local community vs a worker; and (iii) worker vs local community. The PIU's Social Development Consultant shall act as a nodal point and draw remedial measures as appropriate.

Establishment of a GRM: Grievance Redress Mechanism (GRM) will be implemented to ensure that all complaints from workers are dealt with appropriately, with corrective actions being implemented, and the complainant being informed of the outcome. This is separate from the project GRM. This essentially comprises establishing Grievance Redress Committees (GRC) at various levels.

Table 5: Grievance Redress Mechanism

| Committee | Description |
|--|---|
| Level -1: Contractor Level GRC | Composed at the Contractor Level and easily accessible to workers. This committee will comprise of worker representatives (male and female) and Contractor Consultant, supervision consultant and site engineer. One of them, preferably supervision consultant, be designated as the Member Secretary. This committee will be expected to report to the specific PIU |
| Level-2 PIU & Contractor Level GRC | This committee shall comprise of PIU members including the Project Directors/representative, Social Specialist among others. If the complainant does not accept the solution offered by the PIU & Contractor, then the complaint is referred to the Labor Inspection level |
| Level - 3: Labor Inspection Level | The Labor Inspection level GRM will be required to intervene in grievances beyond the PIU level resolution. |

The Grievance Redress Committees (GRC) will be responsible for:

- Receiving complaints from the workers, log them and carry out verification

- Provide hearing and resolution
- Refer complaints to higher levels if not resolved Expectation

As Grievances are aired: When workers present a grievance, any of the followings is or are expected from the project management/channel of grievance resolution:

- Acknowledgement of their grievance
- An honest response to questions/issues brought forward
- An apology, adequate compensation; and
- Modification of the conduct that caused the grievance and some other fair remedies.

The Grievance Redressal process, a sequence of activities that will occur, is presented in **Annex 3**.

10. Performance Monitoring and Reporting

LMP performance monitoring is a continuous assessment that aims at showing all stakeholders with detailed early information on the progress or delay of the ongoing assessed activities planned under the project. It is an oversight of the activity's implementation stage where the project is and the extent to which implementation is reached. Its purpose is to determine if the outputs, deliveries, and schedules planned have been reached so that action can be taken to correct the discrepancies as quickly as possible. Processes for monitoring, assessment and audit are undertaken deploying qualified personnel to: (i) document the implementation and effectiveness of management and mitigation measures; (ii) assess actual impacts against predicted impacts; and (iii) demonstrate compliance with applicable legal and other requirements. Performance indicators to assess the control and mitigatory measures are to be formulated and agreed upfront with the Contractor and for its regular reporting. Labor contractor's compliance monitoring can be developed based on **Annex 4**.

Annex 1: Contractor's Code of Conduct

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

Preventing Gender-Based Violence (GBV), Sexual Exploitation & Abuse and Sexual Harassment (SEA/SH) and Violence against Children (VAC)

1. (Name of contractor) acknowledges 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) encompassing SEA/SH 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/ SEA/SH or VAC activities, constitute 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.

2. (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, SEA/SH and VAC as requested by employer.
- Shall wear personal protective equipment (PPE), in the correct prescribed manner, at all times when at the work site or engaged in project related activities.
- Take all practical steps to implement the organization'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 the age of 18), and men with respect regardless of race, color, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
- Not use language or behavior 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. Mistaken belief regarding the age of a child is not a defense. Consent from the child is also not a defense 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 behavior, 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 favors, for instance, making promises or favorable treatment dependent on sexual acts—or other forms of humiliating, degrading or exploitative behavior.

- Unless there is the full consent¹¹ 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.

3. 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.

4. 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).

5. Workplace safety

Each Sub-Contractor is responsible for ensuring that its Representatives complete all necessary safety training and per formwork 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.

6. 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 MINICT or any deserved entity.

¹¹ Consent is defined as 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 through the use of threats, force or other forms of coercion, abduction, fraud, deception, or misrepresentation. In accordance with the United Nations Convention on the Rights of the Child, the World Bank considers that consent cannot be given by children under the age of 18, even in the event that national legislation of the country into which the Code of Conduct is introduced has a lower age. Mistaken belief regarding the age of the child and consent from the child is not a defense.

7. 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, Sub-Contractors 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 in a safe and efficient manner.

8. Workplace violence

Acts or threats of physical violence, intimidation and harassment will not be tolerated. Engaging in violence or threatening or intimidating behavior 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).

9. Compliance

(Name of Contractor) and Representatives will comply with all applicable environmental and social laws and regulations and operate in a way that minimizes the negative impact of the products and services.

10. Ethics

(Name of Contractor) must operate within the highest standards of ethical conduct when dealing with all the stakeholders including the local communities. (Name of Contractor) will ensure that its actions, and those of its Representatives, comply with the letter and spirit of this Code.

11. 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.

12. Fair competition

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

13. 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 QAJ and in the event of any conflict, the terms in the agreement with QAJ will prevail.

Annex 2: Individual Code of Conduct

Environmental, Social Health and Safety (ESHS) and Occupational Health and Safety (OHS) Standards & Preventing Gender-Based Violence (GBV), Sexual Exploitation & Abuse and Sexual Harassment, and Violence Against Children (VAC)¹²

I, _____, acknowledge that adhering to environmental and social policy and labor standards, following the project's occupational health and safety (OHS) requirements, and preventing gender-based violence (GBV), Sexual Exploitation & Abuse and Sexual Harassment, and violence against children (VAC) is important. All forms of GBV, SEA/SH and 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 these standards, or to partake in GBV, SEA/SH or VAC activities, constitute acts of gross misconduct and are therefore grounds for sanctions, penalties or potential termination of employment. Prosecution of those who commit these may be pursued as 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, SEA/SH, and VAC as requested by my employer.
- Wear my personal protective equipment (PPE), in the correct prescribed manner, at all times when at the work site or engaged in project-related activities.
- Take all practical steps to implement the contractor's environmental and social management plan (CESMP) including OHS Management Plan.
- Adhere to a zero-alcohol/ drug 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 the age of 18), and men with respect regardless of race, color, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
- Not use language or behavior 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. Mistaken belief regarding the age of a child is not a defense. Consent from the child is also not a defense 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

¹² Source: Labor Management Procedures, Rwanda Digital Acceleration Project, Rwanda, 2021.

sexual nature, including subtle acts of such behavior, 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 seeking sexual favors—for instance, making promises or favorable treatment dependent on sexual acts—or other forms of humiliating, degrading or exploitative behavior.
- Not have sexual interactions with members of the surrounding communities unless there is full consent by all parties involved. 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, SEA/SH 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 inviting 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 labor, 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 labor laws in relation to child Labor.

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, videos and DVDs 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 and 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 behaviors that could be construed as GBV, SEA/SH or VAC. Any such actions shall be a breach of 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, SEA/SH 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: _____

Name: _____

Title: _____

Date: _____

Annex 3: Typical Grievance Redress Process¹³

The process of grievance redress will start with registration of the grievance(s) to be addressed, for reference purposes and to enable progress updates of the cases.

1. The aggrieved worker files a complaint (oral/ written) with the Grievance Redress Committee (GRC).
2. Complaint Log: Record the date(s) the complaint was reported with details about the complainant ascertained.
3. Grievance Log and Registration (template attached) are completed and uploaded onto the project database.
4. The officer receiving the complaint (GRC) will ensure that each complaint has an individual reference number and is appropriately tracked, and recorded actions are completed
5. Date information on proposed corrective action sent to complainant (if appropriate), the date the complaint was closed out and the date response was sent to complainant.
6. The Contractor level Grievance committee will act on it within 10 working days of receipt of grievances.
7. If no amicable solution is reached, or the worker does not receive a response within 15 working days, he/she can appeal to the PIU level GRC, which should act on the grievance within 15 working days of its filing

These timelines are further illustrated in Table 6

Table 6: Procedure in Resolving Grievances

| Step | Process | Description | Completion Time frame | Responsible Department/ Person-in-Charge |
|------|---|--|-----------------------|--|
| 1 | Receipt of complaint | Document date of receipt, name of complainant, nature of complaint, inform the PIU | 1 day | Secretary to GRC at Contractor level |
| 2 | Acknowledgement of grievance | By letter, email, phone, messenger | 1 day | Focal point of Contractor |
| 3 | Screen and Establish the Merit of the Grievance | Visit the site; listen to the | 3-5 days | Contractor level GRC |

¹³ Source: Labor Management Procedures- TRANSPORT RESILIENCE AND CONNECTIVITY ENHANCEMENT PROJECT (P500565), QAJakhstan, 2024.

| | | | | |
|---|--|---|-----------------------------------|----------------------|
| | | complainant/community; assess the merit | | |
| 4 | Implement and monitor a redress action | Where complaint is justified, redress the issue | 10 days from receipt of complaint | Contractor level GRC |
| 5 | If not solved in 15 days, escalate to PIU level GRC | Review the redress steps and conclusions, provide intervention solution | 15 days of receiving of complaint | PIU level GRC |
| 6 | If not solved in 15 days, escalate to Labor Inspection level GRC | Review the redress steps and conclusions, provide intervention solution | As per established procedure | Labor Inspector |

Channels for Raising Complaints:

The Labor GRM should provide multiple channels to raise grievances of the workers. The Contractor will be required to provide a dedicated phone number for call, a number of SMS/text message, WhatsApp, E-Otinish, "Union of Crisis Centers" (NGOs) contacts. An email address and a focal point and physical address to register complaints. This must be well circulated to workers and posters and other dissemination material must be made visible in worksites. The Project GRM channels will be used when complaints will be lodged beyond the Contractor level GRC. The complaints can be raised by the aggrieved individual or his representative (individual or organization) openly and / or anonymously. The Contractor will ensure that they are handled with such privacy and candor as deemed appropriate.

After the workers are employed, they will be required to produce proof that each employee has been inducted and signed that they have been oriented to the GRM procedure. For recording and documentation purposes, the following Grievance Log and Grievance Tracker should be systematically completed by Project Management, reported on in the monthly reports and be available for any necessary audit.

Table 7A: Complaint form

| | | |
|--|--|--------------------------------|
| Complaint Form | | |
| Grievance Number | | Copies to forward to: |
| Name of the recorder | | (Original) Receiver Party |
| District/ Sector/Cell | | (Copy)- Responsible Party |
| Date | | |
| INFORMATION ABOUT GRIEVANCE | | |
| Define the Grievance | | |
| INFORMATION ABOUT THE COMPLAINANT | | Forms of Receive |
| Name-Surname | | Phone line |
| Address | | Community/Information meetings |
| Village/ Cell | | Mail |
| Sector/ District | | Informal |
| Signature of Complainant | | Other |

Grievances Closure Form

Grievance Number:.....

Define immediate action required:.....

Define long term action required (if necessary).....

Verification of corrective action and sign off

| Corrective action taken | Due date |
|-------------------------|----------|
| | |
| | |

Responsible Party

Notes: This part will be filled in and signed by the complainant when he/she receives the compensation or file is closed out

Complainant:.....

Name and signature.....

Date

Representative of Responsible Party

Title, Name and Signature..... Date:.....

Table 7B: Grievance Registration Form

| Grievance form | | |
|---|---|---|
| Date/Time | Date (dd/mm/yyyy): | Time (24 hr format): |
| Name and Contact Details of Complainant | | <input type="checkbox"/> The Complainant required his/her name not to be disclosed to public. <input type="checkbox"/> This is an anonymous grievance. |
| Information about Representative(s) of the Complainant (if applicable) | | |
| Supporting Documents Provided: | <input type="checkbox"/> Photograph(s): <input type="checkbox"/> Voice Recording: <input type="checkbox"/> Documents: <input type="checkbox"/> Others (please specify) | |
| Brief Description: (What happened? Who was involved? Who did it happen to?) | | |

After the workers are employed, they will be required to produce proof that each employee has been inducted and signed on being oriented on GRM procedures. For recording and documentation purposes, the following templates on Grievance Registration and Grievance Log/ Tracker be used and used. This helps with reporting and for audits, if required.

Annex 4: Labor Contractor Compliance Quarterly Reporting**Sample Format**

| I. PROJECT DATA | | |
|------------------------|---|--|
| 1.1 | Name of Project | |
| 1.2 | Duration | |
| 1.3 | Start Date | |
| 1.4 | Estimated Completion Date | |
| 1.5 | Location | |
| 1.6 | Name and Contact Information (email/phone) of Contractor | |
| 1.7 | Name and Contact Information (email/phone) of all sub-Contractors | |
| 1.8 | Type of activities (project description) | |

| II. LABOR PROFILE | | | | | |
|--|------------------------------|---|----------------------|---------------------|----------------------|
| <i>This data is to be collected for each individual laborer working on the project, including temporary labor, labor hired through sub-contractors or labor contractors / groups</i> | | | | | |
| 2.1 | Number of laborers by sex | <i>Male</i> | | <i>Female</i> | |
| | | | | | |
| 2.2 | Number of laborers by skill | <i>Skilled</i> | | <i>Semi-skilled</i> | <i>Unskilled</i> |
| | | | | | |
| 2.3 | Number of laborers by origin | <i>Local (same or adjoining district)</i> | | <i>Other state</i> | <i>Other Country</i> |
| | | | | | |
| 2.4 | Number of laborers by age | <i>14-18</i> | <i>18-25</i> | <i>25-50</i> | <i>Above 50</i> |
| | | | | | |
| 2.5 | Source of labor | <i>Contractor</i> | <i>Subcontractor</i> | <i>Independent</i> | <i>Other</i> |
| | | | | | |

| III. WAGES | | | | |
|-------------------|--|----------------|---------------------|------------------|
| 3.1 | Amount of wages paid (men) | <i>Skilled</i> | <i>Semi-skilled</i> | <i>Unskilled</i> |
| | | | | |
| 3.2 | Amount of wages paid (women) | <i>Skilled</i> | <i>Semi-skilled</i> | <i>Unskilled</i> |
| | | | | |
| 3.3 | Rate of wages below, equal to or more than Minimum Wage? | | | |
| 3.4 | Frequency of payment (daily/weekly/monthly) | | | |
| 3.5 | Deductions made, if any (with details) | | | |
| 3.6 | Mode of Payment (cash / Bank transfer / cheques) | | | |
| 3.7 | Is overtime paid, and if so, at what rate? | | | |
| 3.8 | Is Overtime Register maintained at work-spot as per Form IV of Minimum Wages Central Rules | | | |
| 3.9 | Is Muster maintained at work-spot as per Form V of Minimum Wages Central Rules | | | |
| 3.10 | Is Register of Wages maintained at work-spot as per Form X of Minimum Wages Central Rules | | | |

| | | |
|------|--|--|
| 3.11 | Is Labor provided with Wage Slip as per Form XI of Minimum Wages Central Rules | |
| 3.12 | How many hours in the working day? | |
| 3.13 | How many leaves in a week does the labor get? | |

| IV. MAINTENANCE OF OTHER LABOR RECORDS | | |
|--|--|--|
| 4.1 | Is a copy of photo ID of each laborer kept with the employer? | |
| 4.2 | Is verification of qualifications / experience for all semi-skilled and skilled labor done? If so, by which documents? | |
| 4.3 | Is contact information of labor's next- of-kin kept for each laborer? | |
| 4.4 | How many laborers are local vs outside | |
| 4.5 | Code of Conduct signed (number) | |

| V. FACILITIES | | | | | |
|---------------|--|--------|---------------------|----------|---|
| 5.1 | Details of labor camps | Number | Perman ent/Temp. | Location | Distance from nearest village/habitation |
| | | 1... | | | |
| | | 2... | | | |
| 5.2 | Type of housing in labor camp on leased land (temporary shelters / raw (kuchcha) /pukka (permanent) | | | | |
| 5.3 | Is there any housing on public land like roadsides, open fields and other spaces? | | | | |
| 5.4 | Is there any housing in rented accommodation in residential areas? If so, who is it rented by? | | | | |
| 5.5 | How many laborers have families on/near worksite? | | | | |
| 5.6 | Is drinking water available on site and at the campsite? | | | | |
| 5.7 | Are latrines and urinals provided on site and at the campsite? | | | | |
| 5.8 | Are First Aid facilities provided on site? | | | | |
| 5.9 | Does a doctor visit the worksite / campsite regularly? | | | | |
| 5.10 | Is there a tie-up with a hospital or dispensary near the worksite / campsite | | | | |
| 5.11 | Is winter clothing/rainwear provided? | | | | |
| 5.12 | Is there a provision for a crèche/nursery? | | | | |
| 5.13 | Is there a facility for cooking / canteen facility for all labor? | | | | |
| 5.14 | Are leisure activities / facilities available for all labor | | | | |

| | | |
|------|---|--|
| 5.15 | Is transport to and from the worksite provided to labor? | |
| 5.16 | Is there a mechanism in place for addressing grievances within the workplace? | |

VI. SUPERVISION BY LABOR OFFICIALS

| | | |
|-----|---|--|
| 6.1 | Has the worksite / campsite been inspected by a labor official? | |
| 6.2 | How many times has the worksite / campsite been inspected by a labor official since commencement of work? | |
| 6.3 | What documents were inspected by labor officials? | |
| 6.4 | What documents were maintained and which ones were not? | |
| 6.5 | What directions were given by labor officials? | |
| 6.6 | What is the mode of compliance with such directions? | |
| 6.7 | Are you facing any legal proceedings on labor issues in Labor Court/ Commissioner for Employees' Compensation/ Other? | |

VII. ACCIDENTS, EMERGENCIES AND INCIDENTS

| | | |
|------|---|--|
| 7.1 | What is the nature of accidents / emergencies usually occurring at a worksite like yours? | |
| 7.2 | Is a functioning First Aid available at the campsite / worksite? | |
| 7.3 | Is functioning fire-fighting equipment available at the campsite / worksite? | |
| 7.4 | Which is the nearest doctor / clinic / dispensary? | |
| 7.5 | Which is the nearest hospital? | |
| 7.6 | Which is the nearest Police Station? | |
| 7.7 | Are details of nearest doctor / clinic / dispensary / hospital / Police station available and prominently displayed at worksite / campsite? | |
| 7.8 | What is the system of informing next of kin? | |
| 7.9 | Do you have Insurance coverage? | |
| 7.10 | What is your familiarity with accident reporting procedures? | |
| 7.11 | What is your familiarity with police reporting procedures? | |
| 7.12 | Has an Internal Complaints Committee been constituted and other appropriate measures undertaken at the workplace as per the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013? | |

| VIII. HEALTH AND SAFETY | | |
|-------------------------|---|--|
| 8.1 | Have you established a Safety Committee at workplace? | |
| 8.2 | Have you appointed Safety Officer at workplace? | |
| 8.3 | Have you developed a Health and Safety Policy tailored specifically for the project? | |
| 8.4 | Have you completed the Hazard Identification and Risk Analysis (HIRA) on your side? | |
| 8.5 | Are you implementing measures for fire safety at the workplace, including the installation of fire extinguishers? | |
| 8.6 | Is a functioning First Aid available at the campsite / worksite? | |
| 8.7 | Have you provided a sufficient amount of personal protective equipment to all employees? | |
| 8.8 | Have you conducted a safety audit at the site? | |
| 8.9 | Have you created a comprehensive plan for responding to emergencies and ensuring preparedness? | |
| 8.10 | Have you placed warning indicators and safety barriers at the workplace? | |
| 8.11 | Are you taking steps to maintain the secure and orderly arrangement of construction materials at the sites? | |
| 8.12 | What procedures are followed to inform the authorities regarding an accident or incident? | |
| 8.13 | Do you provide safety training to the workers? | |
| 8.14 | Have you carried out a mock drill in relation to emergency procedures? | |

Table 8: Grievance Log

| № | Status | Details of Complaint | | | | | Resolution | |
|---|--------|----------------------|------|-------------|-------------------|-----------------|-----------------|--------------|
| | | Name | Date | Description | Method of contact | Contact Details | Action Proposed | Action Taken |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

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