

## LABOUR MANAGEMENT PROCEDURES



Solomon Islands Community Access and Urban Services Enhancement II  
(P181295)

Version: Final Draft (4<sup>th</sup> June 2024)

## 1. Introduction

The Community Access and Urban Services Enhancement II (CAUSE II) is being supported with World Bank (WB) financing and will be implemented by Honiara City Council (HCC) and the Ministry of Infrastructure Development (MID) in partnership with the Ministries of Lands, Housing and Survey (MLHS), Provincial Government and Institutional Strengthening (MPGIS), Environment, Climate Change, Disaster Management and Meteorology (MECDM), the Provincial Authorities of Guadalcanal (GPG), Malaita (MPA) and Western (WPA), and their respective town councils from 2024-2030.

This Labour Management Procedure (LMP) has been prepared to meet the national requirements as well as WB Environmental and Social Standard 2 (ESS2) (Labour and Working Conditions) objectives. It is supported by the Environmental and Social Commitment Plan (ESCP), Environmental and Social Management Framework (ESMF), Stakeholder Engagement Plan (SEP), Project Operational Manual (POM) (to be developed) and other specific plans that have been or will be prepared for the Project.

This LMP aims to ensure proper working conditions and training, including occupational health and safety (OHS) and protection from sexual exploitation and abuse (SEA), and sexual harassment (SH), gender based violence (GBV), child endangerment and violence against children (VAC) behaviours, for all workers under CAUSE II, including community workers.

This LMP will be finalized and disclosed within 30 days of the effective date of the Financing Agreement for the Project. Disclosure will include publication on the CAUSE website<sup>1</sup>.

### 1.1 Project Description

The Project Development Objective (PDO) of CAUSE II is to improve access to climate resilient infrastructure and services, enhance economic inclusion, and strengthen the capacity of national and local authorities to deliver services in targeted urban centers.

The main project activities include disaster and climate resilient public infrastructure works; climate resilient community infrastructure; skills development and work experience for project participants; capacity building; institutional strengthening; and technical studies. Component 1 aims to deliver critical municipal infrastructure and services such as climate resilient transport and access infrastructure, public amenities and economic facilities (e.g. markets and green spaces), stormwater drainage and small, protective coastal infrastructure (jetties, revetment), amongst others. Component 2 aims to improve essential community level infrastructure, such as feeder roads, drainage, pedestrian infrastructure, and waste management services. Component 3 aims to improve beneficiaries work readiness and provide direct access to employment opportunities. Component 4 is expected to improve efficiencies in management and maintenance.

The general types of project activities can be summarized into the following general activities which will be assessed and screened for their environmental and social risks:

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<sup>1</sup> <https://causesi.net/>

**Table 1 – Summary of Proposed Project Activities**

<b>Project Activity</b>	<b>Description</b>
<b>Disaster and climate resilient public infrastructure works (Component 1)</b>	Activities including but not limited to constructing or rehabilitating: <ul style="list-style-type: none"> <li>(i) Bridges;</li> <li>(ii) Drainage structures (e.g. culverts);</li> <li>(iii) Roads (DBST<sup>2</sup>/Concrete);</li> <li>(iv) Shoreline protection structures e.g. seawalls.</li> <li>(v) Markets and green spaces.</li> </ul>
<b>Climate resilient community infrastructure (Component 2)</b>	Activities including but not limited to: <ul style="list-style-type: none"> <li>(i) Construction and rehabilitation of buildings (including markets);</li> <li>(ii) Construction and rehabilitation of foot bridges;</li> <li>(iii) Construction and rehabilitation of jetties;</li> <li>(iv) Construction and rehabilitation of drainage infrastructure;</li> <li>(v) Road rehabilitation;</li> <li>(vi) Road maintenance (vegetation control, pothole/edge repair, cleaning and clearing of road drainage etc.);</li> <li>(vii) Construction of pedestrian infrastructure (e.g., footpaths and Jacob’s ladders);</li> <li>(viii) Solar powered LED lighting along pathways;</li> <li>(ix) Installation of handrails and resting places along pathways;</li> <li>(x) Public space improvements and beautification;</li> <li>(xi) Creek/stream cleaning and waste removal;</li> <li>(xii) Waste management services (e.g. waste collection, waste traps in streams etc.).</li> </ul>
<b>Skills development and work experience for project participants (Component 3)</b>	Activities including but not limited to: <ul style="list-style-type: none"> <li>(i) Literacy and numeracy skills training,</li> <li>(ii) Work readiness and skills training; and</li> <li>(iii) Support and referral services.</li> </ul>
<b>Capacity building (Components 2 and 4)</b>	<ul style="list-style-type: none"> <li>▪ Capacity building of MID and its provincial PWDs for locally based infrastructure construction and maintenance (Component 2)</li> <li>▪ Capacity building of national and sub-national authorities to better manage urbanization, informality, disaster and climate risks, and infrastructure provision (Component 4).</li> </ul>
<b>Institutional strengthening (Component 4)</b>	Provision of tools and equipment e.g. for improved urban management, for modernizing SIG’s Integrated Land Information System (ILIS), testing equipment for MID’s Materials Laboratory, and emergency maintenance machinery and tools.
<b>Technical studies (Component 4)</b>	Technical studies in support of Components 1 and 2.

The Project will be implemented in the fastest growing urban centers in the country – Honiara City, urban and peri-urban areas of Guadalcanal, Malaita (Auki), and Western (Gizo, Noro, and Munda) (Figure 1). These areas are the most densely populated, comprising 30 percent of the total Solomon Islands population (equating to about 215,000 of 720,000). They also share similar development challenges: a growing number of informal settlements, inadequate infrastructure and services, and

<sup>2</sup> double bituminous surface treatment pavement aka chip seal.

high unemployment rates. Additional provincial townships (e.g., Taro/Mainland in Choiseul Province and Kirakira in Makira Province), not covered in the original CAUSE I, will be considered at the Project’s Mid-Term Review. Subject to financing, the necessary design work to scope out and develop the Makira Provincial and Choiseul Provincial townships will be investigated.

**Figure 1 – Map of the Solomon Islands Provinces<sup>3</sup>**



## 1.2 Objective of the LMP

This LMP aims to ensure proper working conditions including:

- Promoting safety and health at work.
- Promoting fair and equitable labour practices for the fair treatment, non-discrimination and equal opportunity of workers engaged under CAUSE II.
- Protect all categories of project workers, including vulnerable workers such as women.
- To prevent the use of all forms of forced and child labour.
- To protect project workers’ rights and ensure the management and control of activities that may pose labour related risks.

<sup>3</sup> <https://www.worldatlas.com/maps/solomon-islands>, accessed 26/3/2024

- To provide project workers with accessible means to raise workplace concerns.

The LMP will identify and assesses potential labour risks and impacts on the project workers and describe how they will be mitigated. The LMP is a living document and will be reviewed and updated throughout development and implementation of the Project. This LMP will be updated based on the approved activities for CAUSE II. The Project Management Unit (PMU) Environmental and Social Officer will update the LMP and will be reviewed and cleared by the WB Environmental and Social Specialists.

## 2. Overview of Labour Use on the Project

### 2.1 Categorization of the Workforce

WB ESS2 categorizes project workers into four categories:

- **Direct workers:** People employed or engaged directly to work specifically in relation to the Project.
- **Contracted workers:** People employed or engaged by third party contractors to perform work related to core function of the Project, regardless of location.
- **Primary supply workers:** People employed or engaged by the primary suppliers.
- **Community workers:** People employed or engaged in providing community labour.

The CAUSE II project workforce is expected to include: i) direct workers including government staff and consultants engaged; ii) contracted workers employed or engaged through third parties (i.e. training and service providers), including contractors that will carry out the civil works; iii) primary supply workers; and iv) community workers employed or engaged in providing community labour.

Details of the project workers likely to be involved in the project are provided in the following sections.

#### 2.1.1 Direct Workers

Direct workers on the Project will include:

- Staff assigned to the PMU established for CAUSE I and to be maintained for CAUSE II (e.g., roles covering project co-ordination, training, design, M&E, financial management, procurement specialist, media and communications, E&S oversight, and engineering oversight).
- Staff assigned to CAUSE II from the provincial governments.
- Consultants to the PMU.

Most direct workers will be required for the duration of the CAUSE II Project, with consultants to the PMU being engaged on an ad hoc basis as required.

#### 2.1.2 Contracted Workers

Contracted workers will mainly be construction workers hired by contractors or subcontractors to complete the small-scale civil works activities. Contracted workers on the Project may include labourers, trades people, machinery operators, truck drivers, etc. Contracted labour requirements are likely to be known when project implementation commences. This LMP will be updated once this information is made available.

Contracted staff will be subject to the LMP. Contractors will also be required to ensure that any subcontractors hired also adhere to the LMP.

Contracted workers will be required for the duration of construction of small-scale civil works activities. However, each worker may only be required for several weeks or months.

### 2.1.3 Primary Supply Workers

Primary suppliers will typically be required for small-scale civil works activities to be supported by CAUSE II. They include local suppliers of construction materials (e.g., aggregates, timber, cement, roofing iron, piping, electrical supplies, etc.) and equipment (e.g., machinery, tools, etc.).

Where contractors source materials or equipment directly from primary suppliers on an ongoing basis, the workers engaged by such primary suppliers are deemed "primary supply workers", as defined in WB ESS2. The number and type of primary suppliers will be determined at the project implementation stage. The timing of use of primary supply workers will cover the duration of construction of the small-scale civil works activities. The number of primary supply workers associated with the Project will be estimated during the implementation phase. It is possible that there may not be any workers who fit the definition of primary supply workers, depending on supply and contracting arrangements.

### 2.1.4 Community Workers

The project expects to use community workers to support the construction of small-scale infrastructure and other activities under Component 2. The total number of community workers on the project is likely to be in the order of 4,700 under component 2 (approximately 265,000 labour-days) with high possibility that these workers will be rehired for further engagements once trained. The work conditions must adhere to the same age verification process and OHS guidelines established for contracted workers.

## 2.2 Summary of Labour Requirements

A summary of the Project labour requirements, including estimated number of workers and duration, is provided in Table 2 below.

**Table 2 Summary of Labour Requirements**

Type of project workers	Project components	Characteristics of project workers	Timing of labour requirements	Indicative number of workers
Direct workers	All components	Technical staff forming the PMU and in the provincial governments.  International and national specialist consultants.	Duration of project	20 to 30
Contracted workers	Components 1 and 2	Construction workers hired by contractors or subcontractors to complete small-scale civil works including labourers, trades people, machinery	Duration of construction of small-scale civil works; however, each worker may only be required for	Approximately 2 to 30 per activity, averaging approximately 10.

		operators, truck drivers, etc.	several weeks or months.	
Primary supply workers	Components 1 and 2	Workers engaged by local suppliers of construction materials and equipment.	Duration of construction of small-scale civil works.	To be determined during implementation.
Community workers	Component 2	Community workers to complete small-scale civil works.	Duration of construction of small-scale civil works.	In the order of 4,700 to be confirmed during implementation.

### 3. Assessment of Key Potential Labour Risks

The Project will demonstrate high standards of human resource management and adhere to Solomon Islands national labour and OHS legislation and international instruments including International Labour Office conventions ratified by Solomon Islands.

The understanding and management of OHS risks at worksites in the Solomon Islands is generally poor and this exacerbates the risks of accidents and exposure to hazardous materials. As such, there will need to be an emphasis of worker safety and risk mitigation (e.g., use of Personal Protective Equipment (PPE), worker training, supervision, provision of appropriate tools, scaffolding for working at heights, etc.). Traffic safety in the Solomon Islands is also an issue with roads often being poorly maintained and vehicles not always equipped with standard safety features. Direct workers (e.g., PMU staff) may travel between provinces most likely via boat, and there is a need to ensure that the vessel is equipped with appropriate safety equipment (e.g., life jackets, first aid kit, GPS tool, and radio).

Contractors and suppliers who will employ project workers are likely unfamiliar with the labour and working condition requirements and there is a risk that such requirements will not be met. There is a need to ensure that contractors, suppliers, and their project workers are provided with information relating to labour and working conditions and understand the workers grievance mechanism. There is also a risk of child labour being engaged for project activities and this will require particular attention. Contractors and suppliers may use children for economic reasons and and/or not verify the ages of potential workers.

Vulnerable and disadvantaged people (e.g., women, children, and persons with disabilities) may be subject to increased risk of exclusion from employment opportunities under the Project. Lack of equal pay for equal work for men and women is also a risk. Sexual harassment, child endangerment, and other forms of abusive behaviour by workers will also have the potential to compromise the safety and wellbeing of the vulnerable groups of workers and local communities, while adversely affecting project performance. This will also include potential sexual exploitation or harassment in recruitment or retention of skilled or unskilled female workers supported under the project.

The most significant risks to worker health, safety and well-being are summarized in **Table** below.

**Table 3 Key Labour Risks**

Project activity	Project component	Key labour risks
General administration and implementation (project co-ordination, hiring of consultants, monitoring and reporting, financial management, audits, E&S management, training, design, M&E, financial management, procurement, communications, and engineering oversight).	All Project Components	<ul style="list-style-type: none"> <li>• Risk of travel-related incidents when visiting subproject sites and provincial offices, including motor vehicle accidents, and boating accidents.</li> <li>• Risk of psychological distress, fatigue, and stigma due to the nature of their work.</li> <li>• Risk of exposure to (and spread of) communicable disease e.g. COVID-19, through travel between provinces when visiting subproject sites and provincial offices.</li> <li>• Exposure to construction-site related risks when visiting activities under construction (see following row).</li> </ul>
Construction works associated with small-scale civil works.	Components 1 and 2	<ul style="list-style-type: none"> <li>• Risks of workplace accidents, particularly when operating construction equipment, when working at height, and when handling heavy equipment and materials.</li> <li>• Risks from exposure to hazardous substances (dust, cement, chemicals used in construction, etc.)</li> <li>• Terms of employment (employment period, working hours, remuneration, tax and insurance payments etc.) are not secured by contractual agreements.</li> <li>• Workers suffer discrimination and lack of equal opportunity in employment.</li> <li>• Use of child labour that contravenes national legislation and international conventions ratified by Solomon Islands.</li> <li>• Workers exposed to SEA/SH, GBV, child endangerment, and/or Violence Against Children (VAC) behaviours.</li> </ul>
Transportation of construction materials, equipment,	Component 1	<ul style="list-style-type: none"> <li>• Road traffic accidents expose workers to hazardous materials.</li> <li>• Risk of travel-related incidents when transporting materials and equipment including motor vehicle accidents and boating accidents.</li> <li>• Risks of accidents when handling heavy equipment and materials.</li> <li>• Risk of exposure to (and spread of) communicable diseases e.g. COVID-19, through travel.</li> </ul>



## 4. Overview of Labour Legislation

### 4.1 National Requirements

The principal legislations governing labour management in the Solomon Islands include:

- Labour Act 1978 (Revised Edition 1996) that provides an overarching framework for labour legislation, establishing standards in relation to:
  - Days and Hours of Work
  - Payment of Wages
  - Written Contracts of Employment
  - Maternity Leave
  - Child labour
  - Care of workers
  - Termination of employment
- Trade Unions Act (Revised Edition 1996), which regulates the registration, leadership and operation of trades unions in Solomon Islands.
- Workmen’s Compensation Act (Revised Edition 1996) makes provision for compensation to workmen injured at work in Solomon Islands. It also includes occupational diseases.
- National Provident Fund Act (Revised Edition 1993) requires employers to pay contributions for any employee under a contract of service or apprenticeship.
- Unfair Dismissal Act (Revised Edition 1996) provides a remedy for employees who may be unfairly dismissed and establishes right of referral to the Trade Disputes Panel.
- Safety at Work Act (1982) (Revised in 1996) designed to establish safe systems of work to eliminate or minimize the risks to health, safety and welfare. Under the Safety at Work Act, employer has the duty to:
  - Ensure the health, safety and welfare of all employees including part- and full-time workers, temporary workers, and work experience people.
  - Inform, instruct, and supply relevant information to all employees.
  - Ensure that all plant, machinery and systems of work are safe and without risk to health and safety.
  - Ensure that the premises are safe to use and that all hazardous processes are either eliminated or adequately controlled.
  - Ensure that adequate training is supplied to staff where applicable.
  - Ensure freedom from discrimination, harassment, bullying or violence in the workplace.
  - Ensure the health and safety of others who are not employed by employer but may be affected by their undertaking, for example visitors or contactors.

### 4.2 International Conventions on Labour

In addition, Solomon Islands has ratified the following International Labour Organisation (ILO) Conventions:

- C029 - Forced Labour Convention, 1930

- C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948
- C098 - Right to Organise and Collective Bargaining Convention, 1949
- C105 - Abolition of Forced Labour Convention, 1957
- C111 - Discrimination (Employment and Occupation) Convention, 1958
- C138 - Minimum Age Convention, 1973
- C182 - Worst Forms of Child Labour Convention, 1999

### 4.3 Gender

The Gender Equality and Women’s Development (GEWD) Policy 2016 – 2020 is the overarching policy framework for achieving gender equality and women’s human rights in Solomon Islands. SIG has in addition adopted other national and international frameworks and commitments such as the Convention on the Elimination of All forms of Discrimination against Women (CEDAW) and the Sustainable Development Goals (SDGs) are also fundamental to the purpose of the GEWD Policy. The Policy places the promotion of gender equality at the heart of the government’s mission and recognizes that continuing to invest in women’s empowerment is vital to achieving gender equality, including improved economic status of women, and recognizes the need to work to address attitudinal and institutional barriers to gender equality.

### 4.4 Requirements of WB ESS2

The requirements of ESS2 cover the following areas: (a) working conditions and management of worker relationships; (b) protecting the workforce; (c) workers' access to a grievance mechanism; and (d) OHS measures.

Working conditions and management of worker relationships include requirements that:

- Project workers are provided with clear terms and conditions of employment, consistent with national legal requirements.
- The principles of non-discrimination and equal opportunity are applied to project workers, and vulnerable project workers are protected.
- The rights of workers to form workers' organisations, consistent with national law, are respected.

Protecting the workforce requirements include:

- Provisions to prevent the employment of children below the age of 14 or the national legal minimum, whichever is higher, and restrictions on the employment of children under 18;
- Prevention of forced labour; and
- Requirement for direct and contracted workers to have access to a grievance mechanism. The grievance mechanism for contracted workers must be provided by the direct employer and is separate from the project grievance mechanism.

OHS requirements must address:

- Identification of potential hazards to project workers, particularly those that may be life-threatening.
- Provision of preventative and protective measures, including modification, substitution or elimination of hazardous conditions or substances.
- Training of project workers and maintenance of training records.
- Documentation and reporting of occupational accidents, diseases, and incidents.

- Emergency prevention preparedness and response arrangements to emergencies.
- Remedies for adverse impacts, including occupational injuries, deaths, disabilities, and disease.

## 4.5 Gap Analysis and Measures

Common employment practice in the Solomon Islands frequently varies from the provisions of the Labour Law, which are not widely known or understood. For example, OHS measures may not be linked to bidding documents to make it a contractual obligation for contractors. Other gaps between the common practice of the national labour legislation and the World Bank ESS2 requirements may include:

- No clear enforcement mechanism for the existing rules on non-discrimination and equal opportunity. It is not clear that quotas for the employment of people with disabilities are set as required by the law and / or enforced in practice.
- Although the law guarantees workers' rights to unionise, labour unions, that are prominent in the public sector (including Provincial Governments), are not common in other sectors.
- Employment of children is a risk and there is a need for heightened focus on age verification, OHS and grievance mechanisms in relation to child labour.
- Enforcement of safety standards is weak, especially in informal sectors and in the construction industry.
- Despite employers' legal liability for workplace accidents, construction workers may not be covered by insurance.

Project measures will need to close the gaps between national labour legislation and ESS2 and also include measures to enforce compliance with national labour legislation where these are consistent with ESS2. Furthermore, when there are differences between national labour legislation and ESS2, the more stringent provisions will be applied. Annex 3 provides further information about gaps between common practice and ESS2 requirements, including terms and conditions of employment.

## 5. Roles and Responsibilities for Project Labour Management

### 5.1 Project Management

A PMU, based in Honiara and jointly managed by HCC and MID, was established for CAUSE I and will continue to implement and oversee the CAUSE II project. The PMU will work closely with the dedicated staff based in the provinces who will be trained on the Project's processes.

The PMU will be responsible for Project management, implementation and coordination with other government ministries and stakeholders. The Project Manager, supported by PMU Environmental and Social Officer, will be responsible for the following within their responsibility area:

- Implementing this LMP with respect to Direct Workers (e.g., PMU staff and other positions directly funded by the Project).
- Ensuring that the grievance mechanism (GM) for Project workers is updated and continues to be implemented and that workers are informed of its purpose and operation.
- Have a system for regular monitoring and reporting on labour and occupational safety and health performance; and data collection, monitoring, and analysis of the LMP as part of the Project's M&E activity.

## 5.2 Contractor Management

The day-to-day oversight of contractors will be the responsibility of the Provincial Engineers, who will undertake this role in conjunction with the Provincial Coordinators, and under the direction of the Provincial Secretary. They will be responsible for:

- Ensuring that contractors and primary suppliers comply with their responsibilities under this LMP (see Section 5.3).
- Monitoring to verify that contractors and primary suppliers are meeting labour and OHS obligations toward contracted workers as required by national legislation and ESS2.
- Monitoring contractors and primary suppliers' implementation of this LMP.
- Monitoring compliance with OHS standards at contractor workplaces in line with the national OHS legislation.

## 5.3 Contractors

Contractors are responsible for management of their workers or subcontracted workers in accordance with their responsibilities under this LMP, which will be supervised as described above.

Contractors will be responsible for the following, and this will be specified in their contracts:

- To obey requirements of the national legislation (including any emergency regulations) and this LMP.
- Maintain records of recruitment and employment process of contracted workers including criminal record and verbal referee checks on whether an individual has been accused, charged, arrested or convicted of a criminal offence relating to child exploitation and abuse.
- Communicate clearly job description and employment conditions to contracted workers.
- Provide workers with evidence of all payments made, including benefits and any valid deductions (and provide copies to the Provincial Treasurer for record keeping).
- Maintain records regarding labour conditions and workers engaged under the Project, including contracts, registry of induction of workers including Code of Conduct, hours worked, remuneration and deductions (including overtime).
- Maintain records of training/induction dates, number of trainees, and topics.
- Assign a designated safety officer, conducting training on and implementing OHS measures and measures, recording safety incidents, results of root cause analysis<sup>4</sup>, and implementation of remedial and preventive activities required (for example, revised job safety analysis, new or different equipment, skills training, etc.). Incident reporting requirements are further detailed in the ESMF.
- Maintain records of recruitment and employment of contracted workers (including subcontractors) with age verification to avoid child labour.
- Provide induction and regular training to contracted workers on environmental, social, and occupational health and safety issues, including SEA/SH, GBV, child endangerment and VAC issues.
- Require Primary Suppliers to identify and address risks of child labour, forced labour and severe safety issues, and risks of equity and discrimination for primary supply workers.
- Implement the GM for workers, maintaining records of any worker grievances including occurrence date, grievance, and date submitted; actions taken and dates; resolution (if any) and date; and follow-up outstanding.

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<sup>4</sup> Process of discovering the root cause of an incident to identify appropriate measures from preventing the incident from reoccurring.

- Ensure that all contractor and subcontractor workers understand and sign the Code of Conduct (Annex 2) before the commencement of works, take all other measures to address risks of SEA/SH, GBV, child endangerment, VAC, and supervise compliance with such measures.
- Remove individuals that they consider pose a risk to a child’s safety or well-being.
- Establish a system for regular review and reporting on labour, and OHS performance.
- Supervise their subcontractors' adherence to these requirements.

## 5.4 Monitoring and reporting

The PMU will monitor implementation of the LMP and report on activities and outcomes in the semi-annual project reports. Reporting will include:

- Awareness-raising materials produced, and training undertaken.
- Outcomes of recruitment of direct project workers by age group, gender, and ethnicity.
- Summary reports on the worker GM which shall be prepared by the Provincial Coordinator.
- Records of OHS incidents. Incident reporting requirements are detailed in the ESCP.

## 5.5 Implementation support

Project activities associated with the small-scale civil works present the most significant labour-related risks associated with the Project. CAUSE I has been operational since 2018, however, the application ESS2 is new, and it is unlikely that staff (or contractors) will be familiar with the requirements.

The WB will provide implementation support and additional technical specialists will be hired as needed to ensure quality of implementation and drawing upon global experiences. Support will include:

- Implementation Support Missions, which will occur every six months and will include visits to randomly selected subproject sites to assess and physically verify the work financed by the Project.
- Capacity building and coordination, which will include training (including on the WB ESF) and support to be delivered prior to Project effectiveness and during implementation.
- Interim technical discussions and field visits.
- Periodic procurement post reviews.

## 5.6 Summary of Labour Management Responsibilities

A summary of the responsibilities for labour management is provided in **Table 4**.

**Table 4: Summary of Labour Management Responsibilities**

Key issues	Direct workers	Contracted workers	Primary supply workers	Community Workers
<b>Hiring and managing individual project workers</b>	PMU	Contractor/subcontractor(s).	n/a (outside the scope of ESS2).	PMU
<b>OHS</b>	Direct workers will follow OHS measures when visiting construction sites.	Contractor/subcontractor(s) to implement OHS measures on construction sites.	Contractor to require the primary supplier to identify/address child labour/forced labour and serious safety risks.	Community workers will implement OHS measures on construction sites.
<b>Child labour and forced labour</b>	The contract for direct workers does not allow child labour and forced labour.	The contract for contracted workers does not allow child labour and forced labour.		The contract for community workers does not allow child labour and forced labour.
<b>Training</b>	PMU /Construction and Supervision consultants.	Contractor/Subcontractor(s)	n/a (outside the scope of ESS2.)	PMU /Construction and Supervision consultants (where applicable).
<b>Code of conduct</b>	The contract for direct workers will address relevant risks.	The contract for contract workers will address relevant risks.		The contract for community workers will address relevant risks.
<b>Grievance mechanism</b>	PMU to implement for Direct Workers.	Contractor(s) to implement for Contracted Workers.		PMU to implement for community Workers.
<b>Monitoring and reporting</b>	PMU to monitor and report to WB.	Contractor(s) to monitor and report to PMU who will monitor and report to WB.	Contractor(s) to monitor and report to PMU who will monitor and report to WB.	PMU to monitor and report to WB.

## 6. Project Labour Policies and Procedures

The project will apply the following policies and procedures to address the key labour risks identified in Section 4.

### 6.1 Terms and Conditions of Employment

Terms and conditions of direct workers are determined by their individual contracts. Recruitment procedures will be documented and filed in accordance with the requirements of national labour legislation and the ESS2. A standard forty hours per week employment should be practiced. Requirements and conditions of overtime and leave entitlements are agreed as part of individual contracts.

The PMU will ensure that contractors are aware of, and comply with, labour management and OHS policies and procedures outlined in this LMP.

Example terms and conditions of employment are provided in Annex 4.

## 6.2 Age of Employment

Solomon Islands has ratified both the ILO Minimum of Age Convention (C138) and the ILO Worst Forms of Child Labour Convention (C182). The minimum age of employment for this Project will be 18 years due to the hazardous working conditions. To ensure compliance, all employees will be required to produce a Tax Identification Number (TIN) as proof of their identity and age and this requirement is included in the bid evaluation form. Contractors and subcontractors will be required to receive approval for the specific procedures they will use to verify the ages of job applicants. The PMU will require all community workers to provide proof that they are over 18 years of age.

## 6.3 Anti-Discrimination

The employment of project workers under the project will be based on the principle of equal opportunity and fair treatment, and there will be no discrimination concerning any aspects of the employment relationship, such as recruitment and hiring, terms of employment (including wages and benefits), termination and access to training. To address the risk of exclusion of vulnerable groups such as women and persons with disabilities from employment opportunities, the project will encourage the contractor to employ such groups as part of their unskilled workforce. The contractor will also be required to comply with the national Labour Code on gender equality in the workplace, which will include the provision of maternity leave and nursing breaks and sufficient and suitable toilet and washing facilities, separate from men and women workers where and when it is possible. The contractor will also be required to enable safety in the workplace to address potential sexual exploitation or harassment in recruitment or retention of skilled or unskilled female workers supported, and potential discrimination along ethnic lines under the project.

## 6.4 Occupational Health and Safety

The OHS measures of the Project are based on the requirements of the relevant sections of ESS2. The OHS measures will be designed and implemented to address:

- identification of potential hazards to project workers.
- provision of preventive and protective measures, including modification, substitution, or elimination of hazardous conditions or substances.
- training of project workers and maintenance of training records.
- documentation and reporting of occupational accidents, diseases, and incidents.
- emergency prevention and preparedness and response arrangements to emergencies.
- remedies for adverse impacts such as occupational injuries and fatalities.

In the event of an incident the PMU shall report to the Bank as soon as becoming aware of such incidents and inform the relevant government authorities (where available) in accordance with national reporting requirements. Corrective actions shall be implemented in response to project-related incidents or accidents. The PMU or, where relevant the contractor, will be required to conduct a root cause analysis for designing and implementing further corrective actions.

## 6.5 Workers' Rights to Refuse Unsafe Work Environments

Workplace processes will be put in place for Project workers to report work situations that they believe are not safe or healthy. Project workers can remove themselves from a work situation which they have reasonable justification to believe presents an imminent and serious danger to their life or health or at risk of SEA/SH or GBV. Project workers who remove themselves from such situations will not be required to return to work until an investigation has been conducted and necessary remedial action to correct the situation has been taken. Project workers will not suffer retaliation or otherwise be

subject to reprisal or negative action for such reporting or removal. In the event of retaliation, the worker should submit a formal grievance which will be taken very seriously.

## 6.6 Sexual Exploitation and Abuse, Sexual Harassment, Gender Based Violence, Child Exploitation and Abuse

Solomon Islands has ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). By ratifying CEDAW, it has made a commitment to ensure that the principles of equality are adhered to and that discriminatory practices including sexual exploitation and abuse and sexual harassment are abolished. Provisions to prevent SEA/SH, GBV, child endangerment, and VAC are included in the Code of Conduct (Annex 2) for Project staff and for contracted workers in line with relevant international standards and national legislation.

## 6.7 Labour influx

Given the small number of workers required for each subproject and availability of local labour, the risk of labour influx is low. Nevertheless, the project will contractually require the contractor to preferentially recruit unskilled labour from the local communities.

## 6.8 Incident and Accident Notification

The contractor will promptly notify the PMU on any incidents and accidents within 24 hours that may have an impact to the project, adverse impact to the environment, cultural heritage, communities, the public and workers or are related to SEA/SH, GBV, child endangerment, and/or VAC,

## 6.9 Monitoring and Reporting

The contractor shall report to the PMU Resident Engineer and the Environmental and Social Officer on the status of implementation of the above policies and procedures on a monthly or quarterly basis. The PMU will then report on labour and OHS performance in a six-monthly report to the WB.

## 6.10 Workers' Grievance Management

The nature of workers workplace concerns is different to general grievances related to the Project. For example, typical workplace grievances include demand for employment opportunities; labour wages rates and delays of payment; disagreement over working conditions; and health and safety concerns in the work environment.

A GM for worker's was developed and used under CAUSE I. The GM for CAUSE II will continue to use the same processes as for CAUSE I and operates per the key steps below:

1. Step 1– Resolution by Field Staff
2. Step 2– Resolution by Local Leaders
3. Step 3– Involvement of Project Managers
4. Step 4– Referral to Implementing Agencies
5. Step 5– Involvement of Bank Staff

The Worker's GM will continue to be publicised to workers, easily accessible, and measures will be in place to protect workers against reprisal for its use. The Worker's GM can be used to raise workplace related concerns including about the terms of employment, rights at work, unsafe or unhealthy work situations and others.



The Worker's GM is not an alternative or substitute for the legal system for receiving and handling grievances and does not preclude access to other judicial or administrative remedies that might be available under the law or through existing arbitration procedures. While all employees always have the right to access the legal system, the purpose of the GM is to provide an accessible and practical means to mediate and seek appropriate solutions, wherever possible.

The Worker's GM will have sensitive approach to SEA/SH and GBV related cases to avoid the risk of stigmatisation, exacerbation of the mental or psychological harm and potential reprisal. Where SEA/SH or GBV related cases are reported to the GM, they should immediately be referred to the appropriate service providers, such as medical and psychological support, emergency accommodation, and any other necessary services. They should also be reported to the PMU, who can advise on relevant service providers. Data on GBV cases should not be collected through the Worker's GM unless operators have been trained on the empathetic, non-judgmental, and confidential collection of these complaints. Only the nature of the complaint (what the complainant says in her/his own words) and additional demographic data, such as age and gender, can be collected.

Information relating to availability of GM its institutional set up, timings and procedure for receiving complaints, mechanism of handling complaints, maximum time limits for redressal of complaints and escalation level for unresolved cases and resolution thereof will be disseminated to the workers on a regular basis. It is important to note that workers submitting their grievances should not in any way be retributed against.

Some of the GM dissemination avenues are;

- During induction training for new workers.
- During toolbox meetings/briefings by work supervisors.
- During periodic tail gate sessions, to review and refresh site protocols on safety procedures at work.
- Through pictorial illustrations and posters in local language installed at prominent places like entry/exit points, canteen, entertainment areas, health camps sites etc.
- During awareness campaigns for safety at work and response to Emergency Response Plans.
- Awareness and briefing on community safety, while at work.

The GM is included in more detail in the CAUSE II SEP. The steps and responsibilities will continue to be refined by the PMU prior to implementation of CAUSE II to ensure the steps remain relevant for CAUSE II and are consistent with ESS2. Included in the six-monthly reports will be the number of workers complaints received and resolved.

## Annex 1: Abbreviations and Acronyms

<b>CAUSE</b>	Community Access and Urban Services Enhancement Project
<b>E&amp;S</b>	Environmental and Social
<b>ESCP</b>	Environmental and Social Commitment Plan
<b>ESF</b>	World Bank Environmental and Social Framework
<b>ESMF</b>	Environmental and Social Management Framework
<b>ESS</b>	Environmental and Social Safeguards
<b>GBV</b>	Gender Based Violence
<b>GM</b>	Grievance Mechanism
<b>HCC</b>	Honiara City Council
<b>ILO</b>	International Labour Organization
<b>IPF</b>	Investment Financing Project
<b>LMP</b>	Labour Management Procedures
<b>MID</b>	Ministry of Infrastructure and Development
<b>MLHS</b>	Ministry of Lands, Housing and Survey
<b>MOFT</b>	Ministry of Finance and Treasury
<b>OHS</b>	Occupational Health and Safety
<b>PDO</b>	Project Development Objective
<b>PMU</b>	Project Management Unit
<b>POM</b>	Project Operational Manual
<b>PPE</b>	Personal Protective Equipment
<b>SEA</b>	Sexual Exploitation and Abuse
<b>SEP</b>	Stakeholder Engagement Plan
<b>SH</b>	Sexual Harassment
<b>SIG</b>	Solomon Islands Government
<b>VAC</b>	Violence Against Children
<b>WB</b>	World Bank

## Annex 2: Guidelines on Code of Conduct for Contractor’s Workers

### Guidelines on Code of Conduct<sup>5</sup>

1. A satisfactory Code of Conduct will contain obligations on all project workers (including subcontractors’ workers) that are suitable to address the following issues, as a minimum. Additional obligations may be added to respond to concerns of the municipality, the location and the project sector or specific project requirements.
2. The Code of Conduct should be signed by each worker to indicate that they have:
  - received a copy of the code;
  - had the code explained to them;
  - acknowledged that adherence to this Code of Conduct is a condition of employment; and
  - understood that violations of the code could result in severe consequences, up to and including dismissal, or referral to legal authorities.

If more appropriate for the workers, the Code of Conduct should be translated into the local language.

3. The contractor should conduct continuous awareness-raising and training activities to ensure that workers abide by the Code of Conduct (such as through toolbox talks). The contractor should also ensure that local communities are aware of the Code of Conduct and enable them to report any concerns. Such training materials could be incorporated into the training delivered by the PMU E&S Officer for distribution to all contractors through regular training.
4. The issues to be addressed include:
  - Compliance with applicable **laws, rules, and regulations** of the jurisdiction.
  - Compliance with applicable **health and safety requirements** (including wearing prescribed personal protective equipment (PPE), preventing avoidable accidents and a duty to report conditions or practices that pose a safety hazard or threaten the environment.)
  - The use of **illegal substances**.
  - **Non-Discrimination** (for example based on family status, ethnicity, race, gender, religion, language, marital status, birth, age, disability, or political conviction).
  - **Interactions with community members** (for example to convey an attitude of respect and non-discrimination).
  - **Sexual harassment** (for example to prohibit the use of language or behaviour, in particular towards women or children, that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate).
  - **Gender based violence** (for example any violent behaviour towards women or girls).
  - **Violence or sexual exploitation and abuse** (for example the prohibition of the exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour).
  - **Protection of children from exploitation and abuse** (including prohibitions against abuse, defilement, or otherwise unacceptable behaviour with children, limiting interactions with children, and ensuring their safety in project areas).
  - **Sanitation** requirements (for example, to ensure workers use specified sanitary facilities provided by their employer and not open areas).

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<sup>5</sup> Refer also to WHO Code of Ethics and Professional Conduct for guidance ([https://www.who.int/about/ethics/code\\_of\\_ethics\\_full\\_version.pdf](https://www.who.int/about/ethics/code_of_ethics_full_version.pdf))

- Avoidance of **conflicts of interest** (such that benefits, contracts, or employment, or any sort of preferential treatment or favours, are not provided to any person with whom there is a financial, family, or personal connection).
- **Respecting reasonable work instructions** (including regarding environmental and social norms).
- **Protection and proper use of a property** (for example, to prohibit theft, carelessness, or waste).
- Duty to report violations of this code.
- **No retaliation against workers** who report violations of the code, if that report is made in good faith.

**Template on Code of Conducts**

Note: The template on the Workers Code of Conduct will also be integrated into the bidding/contractual document. The template should be further refined by the contractor so that it is specific to their scope of work and operating environment.

DO:	DO NOT:
<ul style="list-style-type: none"> <li>◆ USE THE TOILET FACILITIES PROVIDED – REPORT DIRTY OR FULL FACILITIES</li> <li>◆ CLEAR YOUR WORK AREAS OF LITTER AND BUILDING RUBBISH AT THE END OF EACH DAY – use the waste bins provided and ensure that litter will not blow away.</li> <li>◆ REPORT ALL FUEL OR OIL SPILLS IMMEDIATELY &amp; STOP THE SPILL FROM CONTINUING.</li> <li>◆ SMOKE IN DESIGNATED AREAS ONLY AND DISPOSE OF CIGARETTES AND MATCHES CAREFULLY. (Littering is an offence.)</li> <li>◆ CONFINE WORK AND STORAGE OF EQUIPMENT TO WITHIN THE IMMEDIATE WORK AREA.</li> <li>◆ USE ALL SAFETY EQUIPMENT AND COMPLY WITH ALL SAFETY PROCEDURES.</li> <li>◆ PREVENT CONTAMINATION OR POLLUTION OF STREAMS AND WATER CHANNELS.</li> <li>◆ ENSURE A WORKING FIRE EXTINGUISHER IS IMMEDIATELY AT HAND IF ANY “HOT WORK” IS UNDERTAKEN e.g. welding, grinding, gas cutting etc.</li> <li>◆ REPORT ANY INJURY OF WORKERS OR ANIMALS.</li> <li>◆ DRIVE ON DESIGNATED ROUTES ONLY.</li> </ul>	<ul style="list-style-type: none"> <li>◆ REMOVE OR DAMAGE VEGETATION WITHOUT DIRECT INSTRUCTION.</li> <li>◆ MAKE ANY FIRES.</li> <li>◆ POACH, INJURE, TRAP, FEED OR HARM ANY ANIMALS – this includes birds, frogs, snakes, etc.</li> <li>◆ ENTER ANY FENCED OFF OR MARKED AREA.</li> <li>◆ DRIVE RECKLESSLY OR ABOVE SPEED LIMIT</li> <li>◆ ALLOW WASTE, LITTER, OILS OR FOREIGN MATERIALS INTO THE STREAM</li> <li>◆ LITTER OR LEAVE FOOD LYING AROUND.</li> <li>◆ CUT TREES FOR ANY REASON OUTSIDE THE APPROVED CONSTRUCTION AREA</li> <li>◆ BUY ANY WILD ANIMALS FOR FOOD.</li> <li>◆ USE UNAPPROVED TOXIC MATERIALS, INCLUDING LEAD-BASED PAINTS, ASBESTOS, ETC.</li> <li>◆ DISTURB ANYTHING WITH ARCHITECTURAL OR HISTORICAL VALUE</li> <li>◆ USE FIREARMS (EXCEPT AUTHORIZED SECURITY GUARDS)</li> </ul>

<ul style="list-style-type: none"> <li>◆ PREVENT EXCESSIVE DUST AND NOISE</li> <li>◆ TREAT COMMUNITY MEMBERS WITH RESPECT</li> </ul>	<ul style="list-style-type: none"> <li>◆ BE UNDER THE INFLUENCE OF ALCOHOL OR ILLICIT DRUGS DURING WORK HOURS AND/OR ON SITE</li> <li>◆ WASH CARS OR MACHINERY IN STREAMS OR CREEK</li> <li>◆ DO ANY MAINTENANCE (CHANGE OF OILS AND FILTERS) OF CARS AND EQUIPMENT OUTSIDE AUTHORIZED AREAS</li> <li>◆ DISPOSE TRASH IN UNAUTHORIZED PLACES</li> <li>◆ BURN or BURY TRASH</li> <li>◆ HAVE CAGED WILD ANIMALS (ESPECIALLY BIRDS) IN CAMPS</li> <li>◆ WORK WITHOUT SAFETY EQUIPMENT (INCLUDING BOOTS AND HELMETS)</li> <li>◆ CREATE NUISANCES AND DISTURBANCES IN OR NEAR COMMUNITIES</li> <li>◆ HARASS, EXPLOIT, ABUSE, ENDANGER OR HARM COMMUNITY MEMBERS, INCLUDING WOMEN OR CHILDREN</li> <li>◆ ALLOW CHILDREN OR YOUTH ONTO PROJECT SITE</li> <li>◆ USE RIVERS AND STREAMS FOR WASHING CLOTHES</li> <li>◆ DISPOSE INDISCRIMINATELY RUBBISH OR CONSTRUCTION WASTES OR RUBBLE</li> <li>◆ SPILL POTENTIAL POLLUTANTS, SUCH AS PETROLEUM PRODUCTS</li> <li>◆ COLLECT FIREWOOD</li> <li>◆ DO EXPLOSIVE AND CHEMICAL FISHING</li> <li>◆ USE LATRINES OUTSIDE THE DESIGNATED FACILITIES</li> </ul>
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## Annex 3: Gap Analysis of the National Labour Legislation and ESS2

ESS2 requirement	National labour requirements	Comment on gap and practice	Project measures
<b>Terms and Conditions of Employment</b>	See Annex 4	<p>Less formal enterprises may not be aware of these rules.</p> <p>Unlikely that employment cards could be obtained for any type of temporary worker</p>	<p>Project direct workers will have clear terms and conditions of employment.</p> <p>Contractors to be required to comply with Labour Law provisions.</p>
<b>Non-Discrimination and Equal Opportunity</b>	<p>All genders are entitled to equal employment opportunities with exception of women in mining.</p> <p>Women are to be paid at the same rate as their male counterparts within an organization's pay structure.</p>	No clear enforcement mechanism	<p>Non-discrimination and equal opportunity to be applied to the employment of direct project workers.</p> <p>Fair and non-discriminatory employment practices to be required for contracted workers. Where contractors hire workers from the beneficiary community, disadvantaged and vulnerable community members are to have equal access to opportunities.</p>
<b>Rights to Organise</b>	Rights to Organise	Labour unions are prominent in the public sector (including Provincial Governments) but not common in other sectors.	GM will be available to workers who are denied their right to organize.
<b>Prevention/restriction of child labour</b>	Various provisions for children of certain ages to work legally in certain industries.	Employment of children working alongside parents in agricultural labour is known to occur.	The minimum age of employment for this Project will be 18 years due to the hazardous working conditions.
<b>Prevention of forced labour</b>	Provisions related to forced labour are included in the constitution and penal code.	Debt bondage is known to occur	Any kind of forced labour, including debt bondage, prohibited. Project to monitor and report including notification on any incident within 48 hours.
<b>Grievance Mechanism</b>	Mechanisms exist in the government sector	The legislation does not guarantee workers' access to a grievance mechanism. Small companies (e.g., small construction contractors)	Project to establish and operationalise a project worker grievance mechanism. The project will monitor and report on the implementation of the mechanism,

		unlikely to have such mechanisms in place	
<b>Identification of potential hazards and provision of preventive and protective measures</b>	Comprehensive legislation relating to OHS	Enforcement of safety standards is weak, especially in informal sectors and in the construction industry	Health and safety risk assessment procedure to be established. Occupational Health and Safety (OHS) strategy established for direct project workers. Workplace safety measures for contracted workers under Environment, Social, Health and Safety Specification (ESHS)
<b>Training of workers and maintenance of training records</b>	Safety training not specifically mentioned		Appropriate safety training for workers to be provided
<b>Documentation and reporting of occupational accidents, disease, and incidents</b>	Not clear	ESS2 requires reporting procedures	All workplace health and safety incidents to be recorded in a register, required by ESHS
<b>Emergency Preparedness</b>	Not specifically mentioned		All worksites to utilize the CAUSE II health and safety template, including emergency plans (ESHS)
<b>Remedies for adverse impacts</b>	Provisions exist for the payment of compensation for death or incapacity resulting from accident and for occupational diseases	No or minimal number of construction workers insured	All Construction workers will be required to be insured for occupational hazards (ESHS).  Consultants' insurance is assumed to be embedded into the negotiated rates.

## Annex 4: Example of Employment Terms and Conditions

1. **Direct workers.** The terms and conditions for direct workers will be governed by the Standard World Bank Consultancy, which sets higher standards than the National Labour Code.
2. **Contracted workers.** Chapter 4 on Overview of Labour Legislation provides the guiding legislation on employment terms and conditions for contracted workers.
3. **Provision of the written individual contract of employment.** A written individual contract of employment shall be provided to workers that specify the following: (a) name of workers; (b) address, occupation, age and sex of workers; (c) employer's name and address; (d) nature and duration of the contract; (e) hours and place of work; (f) remuneration payable to the worker; (g) procedure for suspension or termination of a contract. Depending on the origin of the employer and the employee, employment terms and conditions will be communicated in a language that is understandable to both parties. In addition to written documentation, an oral explanation of conditions and terms of employment will be provided to workers who may have difficulty understanding the documentation.
4. **Notice for termination of the contract.** Either of the contracting parties may terminate a contract of employment by giving written notice under (a) not less than ten days in the case of manual workers, or (b) not less than 30 days (about 4 and a half weeks) in the case of non-manual workers. No notice is needed if the contract duration does not exceed one month.
5. **Minimum Wages.** While the mechanism to set the official minimum wage as prescribed by *the Labour Code (para/Article 91)* is not currently functioning, the market rate is available for each job type in a different locality. The fair market rate will be identified and applied to the Project workers.
6. **Hours of Work.** The regular hours of work of a project worker shall not exceed 8 hours a day or 48 a week (Labour Code, Article 104). Hours worked more than the regular hours of work shall not exceed 12 hours a week and shall entitle a worker to a proportionate increase in remuneration.
7. **Rest per week.** Every worker shall be entitled to one day's rest each week, which should typically fall on Sunday (Article 108). It shall consist of at least 24 consecutive hours each week. Workers shall also be entitled to a rest day on public holidays recognised as such by the State.
8. **Annual leave.** Workers shall be entitled to 12 to 16 days (about 2 and a half weeks)' leave with pay for every year of continuous service (Art. 111). An entitlement to leave with pay shall usually be acquired after a full year of continuous service.
9. **Maternity leave.** A female worker shall be entitled, on presentation of a medical certificate indicating the expected date of her confinement, to 6 months of maternity leave (Art 157). During maternity leave, the female employee is entitled to maternity benefits as regulated in the Law on Social Insurance.
10. **Deductions from remuneration.** No deductions other than those prescribed by the Code (Article 101) or regulations made thereunder, or any other law or collective Labour agreement shall be made from a worker's remuneration, except for repayment of advances received from the employer and evidenced in writing. The contractor shall not demand or accept from workers any cash payments or presents of any kind in return for admitting them to employment or for any other reasons connected with the terms and conditions of employment.



11. **Death benefit.** In case of death of a worker during his or her contract of employment, the employer shall pay to his or her heirs an amount equivalent to 30 months' wages (Art. 145).
12. **Medical treatment of injured and sick workers.** It shall be the duty of the employer to arrange at his or her own expense for the conveyance to the nearest hospital of any injured or sick worker who can be so conveyed and who cannot be treated on the spot with the means available (article 144).
13. **Collective Agreements.** A collective agreement is an agreement relating to terms and conditions of work concluded between the representatives of one or more trade unions, on the one hand, and the representatives of one or more employers, on the other hand. Where collective agreements exist between the employer and project workers, such agreements will be applied, where relevant.