

ESS2 - Labour and Working Conditions



CANARI serves as CEPF's regional implementation team for the Caribbean Islands Biodiversity Hotspot.

Labour Management Procedures

16 February 2023

CEPF Grant 112857

Durrell Wildlife Conservation Trust

Conserving the Saint Lucia racer and strengthening regional capacity for racer conservation

Saint Lucia

LMP Outline

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Grant Summary

- 1. Grantee organization:** Durrell Wildlife Conservation Trust
- 2. Grant title:** Saint Lucia Racer: catalyst for capacity development, stability, and engagement
- 3. Grant number:** 112857
- 4. Grant amount (US dollars):** \$251,187.80
- 5. Proposed dates of grant:** 1 April 2023 – 31 March 2026
- 6. Countries or territories where sub-project will be undertaken:** Saint Lucia
- 7. Date of preparation of this document:** February 2022

8. Summary of the sub-project:

Guidance:

This section should be approximately 4-5 sentences summarizing the overall sub-project.

This project aims to address two primary “conservation needs” paramount to the continued successful conservation and management of Saint Lucia’s endemic wildlife. Firstly, to secure the population of the most threatened species in country and the worlds most threatened snake, the Saint Lucia racer (*Erythrolamprus ornatus*, CEPF Priority species 23), which now survives only on Maria Major, an arid 9.4-hectare islet off the Southeast coast of Saint Lucia. It is believed the population is less than 50 adult individuals. Secondly, to enhance the regional cooperation between the Saint Lucia National Trust and Environmental Awareness Group, Antigua and Barbuda to help both organisations advance racer conservation goals.

Project Details

9. Overview of labour use on the sub-project:

Guidance:

This section should describe the main types of workers who will be employed or engaged on the sub-project, as follows:

The majority of workers engaged during this project using funds from CEPF will be employed by Durrell Wildlife Conservation Trust and Saint Lucia National Trust.

In addition to those workers receiving funds from the project, several activities will involve and be supported by workers from the Saint Lucia Government’s Forestry Department. Staff from Environmental Awareness Group (EAG) in Antigua will also be engaged in the project under Component 2 on biosecurity reviews and training and inter-island exchanges. These workers will not be receiving funds from CEPF.

Number of Project Workers:

Guidance:

The total number of workers to be employed on the sub-project, and the different types of workers: direct workers; contracted workers; and community workers. Where numbers are not yet firm, an estimate should be provided.

In total 13 persons will be receiving funds from CEPF to be employed on the project. Six of these will be from Durrell, three in-country and three remote (UK and Jersey). The remaining seven persons will be from Saint Lucia National Trust (SLNT) who will be involved in helping coordinate SLNT's involvement in activities and supporting actions on Maria Major and other offshore islands.

The table below provides information on the workers to be employed on the project and receiving funds from CEPF.

Table 9.1: Staff positions and status

Staff Positions	Type <i>(direct / contracted / community)</i>	Gender	Place of work <i>(remote / office / field)</i>	Status	
				<i>(full time / part-time)</i>	<i>(current staff / to be hired)</i>
Caribbean Programme Manager (Durrell)	Direct worker	Male	Saint Lucia (Field/Office)	Full-time	Current staff
Lead Racer Technician (Durrell)	Direct worker	Male	Saint Lucia (Field/Office)	Full-time	Current staff
Caribbean Programme Officer (Durrell)	Direct worker	Female	Saint Lucia (Field/Office)	Full-time	Current staff
Field Programmes Manager (Durrell)	Direct worker	Male	UK (Remote)	Full-time	Current staff
Development and Impact Manager (Durrell)	Direct worker	Female	UK (Remote)	Full-time	Current staff
Head of Herpetology (Durrell)	Direct worker	Male	Jersey (Remote)	Full-time	Current staff
Director (SLNT)	Direct worker	Female	Saint Lucia (Office)	Full-time	Current staff
Conservation Manager (SLNT)	Direct worker	Male	Saint Lucia (Office)	Full-time	Current staff
Conservation Assistant (SLNT)	Direct worker	Female	Saint Lucia (Field/Office)	Full-time	Current staff
Rangers x 4 (SLNT)	Direct worker	Male x 4	Saint Lucia (Field)	Full-time	Current staff

Characteristics of Project Workers:

Guidance:

To the extent possible, a broad description and an indication of the likely characteristics of the project workers e.g. local workers, national or international migrants, female workers, workers between the minimum age and 18, etc.

Durrell and SLNT are both equal opportunity employers. Durrell is committed to committed to creating a workplace where our people can thrive. We value equality of opportunity at all levels and welcome applications that reflect the diverse communities that we are part of.

Durrell's direct workers consist of four men and two women. Within Saint Lucia, two staff are overseas nationals and one is Saint Lucian. For SLNT, there are five men and three women all of whom are Saint Lucian nationals. All direct workers are over the age of 18 and have authorisation to work within the country in which they are normally based.

Timing of Labour Requirements:

Guidance:

The timing and sequencing of labour requirements in terms of numbers, locations, types of jobs and skills required.

The table below provides an estimated schedule of labour requirements needed for the implementation of the sub-project.

Table 9.2: Timing of labour requirements

Category of workers	Quarter from project start											
	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11	Q12
1. Direct workers												
1.1 Staff	X	X	X	X	X	X	X	X	X	X	X	X
1.2 Consultants												
1.3 Volunteers and interns												
2. Contracted workers												
3 Community workers												

Contracted Workers:

Guidance:

The anticipated or known contracting structure for the sub-project, with numbers and types of contractors/subcontractors and the likely number of project workers to be employed or engaged by each contractor/subcontractor.

As the project currently stands we do not anticipate needing to recruit any contracted workers to undertake work in relation to the CEPF project components. Should the need arise to hire any contracted workers they will be recruited on specific contracts relevant to the project.

10. Legal and regulatory framework:

The below tables outlines the relevant laws and acts that are applicable to this sub-project's labour management plan.

Table 10.1: Legal and institutional framework: Terms and conditions

Act	Description
Saint Lucia	
Labour Code of Saint Lucia (2006; amended)	Establishes fundamental principles of employment, including with regards to terms and conditions, occupational health and safety, equal opportunities and industrial relations. The code prohibits employment of children and young persons below the minimum school leaving age.
Education Act (1999)	Sets the minimum school leaving age at 15.
Equality of Opportunity and Treatment in Employment and Occupation Act (2000)	Provides for protection against unlawful discrimination on grounds of race, sex, religion, colour, ethnic origin, family responsibilities, pregnancy, marital status, or age, and places restrictions on work and employment of minors.
Minimum Wages Act (1999; amended)	Establishes process for setting minimum wages for workers in particular sectors or industries.
Employees Occupational Health and Safety Act (1985)	Covers all aspects of occupational health and safety, including providing for preventive health measures, protective devices and equipment.
United Kingdom	
The Employment Rights Act (1996)	Covers a variety of topics, such as employment contracts, unfair dismissal, family-friendly leave, and redundancy.
The National Minimum Wage Act (1998)	Establishes a national minimum wage for employees and workers. The Employment Relations Act (1999) establishes rights at work for union recognition, derecognition, and industrial action.
The Maternity and Parental Leave Regulations (1999)	Sets out the rights of employees to time off for maternity or paternity leave. The Equality Act (2010) is a comprehensive piece of legislation that protects individuals from unfair treatment inside and outside of the workplace, and promotes a fair and more equal society
Jersey	
Employment (Jersey) Law (2003)	Covers a variety of topics, such as employment contracts, unfair dismissal, family-friendly leave, redundancy, maternity and parental leave.

Table 10.2: Legal and institutional framework: Occupational Health and Safety

Act	Description
Saint Lucia	
Public Health (Communicable and Notifiable Diseases) Regulations (1978; amended)	Provides a list of communicable diseases that must be notified to the competent authorities under the Public Health Act.

Act	Description
Saint Lucia Labour Code (2006)	Under Part four, Divisions 1-4 provides for preventative health measures, protective devices and equipment, medical examinations, notification of employment injuries and diseases, training, etc. This Act obligates the employer to ensure the safety and health of all employees and to mitigate risk of exposure to any hazards in the work environment. Division three of the Code clearly outlines the procedures to be followed in relation to notification of accidents, occupational diseases and other diseases. Division four specifically speaks to the responsibilities of employers, employees and other persons in adhering to health and safety regulations. The Code also clearly outlines the circumstances where employees may refuse to work on health and safety grounds and the procedures for how such matters should be addressed.
Public Health Act (1975)	Consolidates regulations for public health, including on the prevention, treatment, limitation and suppression of disease.
Employees (Occupational Health and Safety) Act 1985.	Covers all aspects of occupational health and safety, including preventive health measures, protective devices and equipment, medical examinations and the notification of employment injuries.
United Kingdom	
The Health and Safety at Work Act (1974)	The primary piece of legislation covering occupational health and safety. The act confers on all workers a right to work in places where risks to their health and safety are properly controlled. It sets out the general duties that: employers have towards employees and members of the public; employees have to themselves and to each other; and certain self-employed have towards themselves and others.
Jersey	
The Health and Safety at Work (Jersey) Law (1989)	The primary piece of legislation covering occupational health and safety. The act confers on all workers a right to work in places where risks to their health and safety are properly controlled. It sets out the general duties that: employers have towards employees and members of the public; employees have to themselves and to each other; and certain self-employed have towards themselves and others.

11 Policies and procedures:

Guidance:

This section should describe policies and procedures for managing each category of sub-project staff, in accordance with national labour and employment law and ESS2.

All direct workers with Durrell abide by the following policies and procedures:

DWCT Employee Handbook
 DWCT Code of Conduct Policy
 DWCT Safeguarding Policy

Code of Conduct, Safeguarding and Whistleblowing policies will be down streamed to project partners and contract workers will be required to abide by these policies whilst undertaking work for Durrell.

12. Contracted workers:

Guidance:

This section will describe how the requirements of national labour and employment law and ESS2 will be incorporated into grant agreements and/or service contracts with third parties who will employ or engage contracted workers.

Durrell and SLNT will adhere to the relevant national labour laws and occupational health and safety laws in Tables 2 and 3. Any contracts will be consistent with the labour provisions outlined in the World Bank's Environmental and Social Framework. Contracted workers will be provided with copies of relevant Durrell policies (as annexes to contract) which they will be expected to abide by.

13. Community workers:

Guidance:

This section will describe how the requirements of ESS2 will be complied with in regard to community workers employed or engaged to work on the sub-project.

No community workers will be recruited as part of the project.

Mitigation of risks and impacts

14. Anticipated key potential labour risks:

Guidance:

This section should identify key potential labour risks related to the sub-project, assess each risk against criteria of probability and severity, and describe in detail all risks rated as moderate, substantial or high. Risk may include, for example:

- *The conduct of hazardous work, such as working at heights or in confined spaces, use of heavy machinery, or use of hazardous materials.*
- *Likely incidents of child labour or forced labour, with reference to the sector or locality.*
- *Likely presence of migrants or seasonal workers.*
- *Risks of labour influx or gender-based violence.*
- *Possible accidents or emergencies, with reference to the sector or locality.*
- *General understanding and implementation of occupational health and safety requirements.*

Please fill out the below table according to your project.

The below table identifies potential and anticipated impacts and risks from the proposed sub-project based on the activities.

Table 14.1: Anticipated key potential labour risks from the proposed project

Key labour risk	Description	Risk probability (low / medium / high)	Level of Risk (low / medium / high)
Contraction/transmission of COVID19	Potential risk during joint field, work, training sessions, inter-island exchanges and outreach events	Medium	Low
Natural hazards such as hurricanes, earthquakes, flooding, strong winds at sea.	Saint Lucia is susceptible to hurricanes and tropical storms and is likely over the course of the project	Low	High
Discrimination/Sexual harassment	Discrimination and/or sexual harassment of staff by colleagues from within same or partner organisations	Low	Low
Use of child labour	None within this project	Low	Low
Workplace injury	Potential risk of injury during fieldwork on Maria Major or whilst undertaking maintenance of facility	Medium	Medium
Accidents (e.g., road traffic accidents), health emergencies (e.g., acute illness)	Road travel to and from project sites; boat travel to Maria Major	Medium	High

15. Mitigation measures:

Guidance:

This section will describe the measures that will be taken to mitigate all risks rated as moderate or above. Mitigation measures will be presented following the mitigation hierarchy, which requires that risks are anticipated and avoided where possible. Where avoidance is not possible, risks should be minimized to acceptable levels. Any risks that remain following avoidance and minimization should be mitigated. Risks identified in Table 15.1 below should match those risks identified in Table 15.1. Responsible parties identified in Table 15.1 should match those identified in section 16.

The below table outlines the proposed mitigation measures for those risks identified in the section above.

Table 15.1: Mitigation measures for anticipated negative impacts

Key labour risk	Mitigation Measures	Responsibility
Contraction/transmission of COVID19	Follow local COVID-19 guidance when planning community surveys or public awareness events. Provide staff with appropriate PPE as necessary. All persons advised to self monitor for Covid-19	Caribbean Programme Manager

	symptoms and alert DWCT staff in the event that they feel unwell	
Natural hazards such as hurricanes, earthquakes, flooding, strong winds at sea.	Emergency response plans for all Durrell's work sites in Saint Lucia are currently being updated. Local weather advice and warnings will be monitored. In the event of hurricane or other severe weather warnings in Saint Lucia, project staff will follow local guidance and procedures. Project activities on Maria Major will not be undertaken whilst there is risk to safety from hurricanes and / or severe weather. At all times dynamic risk assessments will be undertaken in the event of adverse weather conditions prior to commencing field work.	Caribbean Programme Manager
Discrimination/Sexual harassment	Durrell has a zero-tolerance policy towards this and all staff and contracted workers are required to abide by Durrell's Safeguarding policy. In case of any reported or suspected incidents these will be investigated by Durrell's Global Safety and Risk Manager and Director of Field Programmes	Caribbean Programme Manager; Field Programmes Manager
Use of child labour	Not anticipated	-
Workplace injury	Project protocols according to safe working practices will be adhered to and field teams will have appropriate equipment to deal with any injuries inc. first aid kits, mobile and or satellite phones for contacting emergency services as required. Durrell has an internal incident reporting procedure where staff can log incidents, accidents and near misses relating to this project. Significant incidents will be investigated by the Global Safety and Risk Manager and recommendations shared with staff and relevant stakeholders.	Caribbean Programme Manager
Accidents (e.g., road traffic accidents), health emergencies (e.g., acute illness)	Ensure all Durrell vehicles are maintained and have up-to-date insurance policies. Use of vehicles by Durrell staff follow Durrell's organisational policies and Drivers of Durrell vehicles will follow the Motor Vehicle and Road Traffic (Driving Code) Regulations 2006 at all times. For boat travel to offshore islands, use known boat operators. All passengers to wear life jackets when travelling on boat. Check weather forecast prior to travel and undertake a dynamic risk assessment in the event of adverse weather conditions. Undertake a visual inspection of the boat prior to departure.	Caribbean Programme Manager

Implementation of the Plan

16. Responsible workers:

Guidance:

This section identifies the functions and/or individuals within the sub-project responsible for (as relevant):

- *Engagement and management of project workers.*
- *Engagement and management of contractors/subcontractors.*
- *Occupational health and safety.*
- *Training of workers.*
- *Addressing worker grievances.*

The below table identified those staff and project workers responsible for the implementation of the LMP.

Table 16.1: Responsible staff and workers for the implementation of the LMP

Position	Activities	Estimated time (%)
Caribbean Programme Manager (Durrell)	All (Durrell)	2
Global Safety and Risk Manager (Durrell)	Occupational health and safety; Addressing worker grievances (Durrell)	2
Field Programmes Manager (Durrell)	All (Durrell)	1
Director of Field Programmes (Durrell)	Addressing worker grievances (Durrell)	0.5
Director (SLNT)	All (SLNT)	1
Conservation Manager (SLNT)	Engagement and management of project worker; Occupational health and safety; Training of workers (SLNT)	2

17. Implementation schedule and cost estimates:

Guidance:

For the mitigation and monitoring measures in sections 14 and 16, this section will provide: (a) an implementation schedule for measures that must be carried out as part of the sub-project, showing phasing and coordination with overall sub-project implementation plans; and (b) the capital and recurrent cost estimates and sources of funds for implementing the LMP should be included. Costs can include budget staff time based on the estimated time in Table 18.1 and any other budgeted equipment or activities that relate to the implementation of this plan.

The below table outlines the anticipated schedule and budget for the implementation of the LMP.

Table 17.1: Implementation schedule and cost estimates

Activity	Estimated schedule	Estimated budget (USD\$)
Management oversight	April 2023 – March 2026	6,500
Safety and field equipment	April 2023 – March 2026	1,600

Durrell vehicle maintenance and insurance (2 vehicles)	April 2023 – March 2026	7,800
Durrell staff phone credit	April 2023 – March 2026	2,160

Stakeholder engagement and feedback

18. Grievance mechanism:

Guidance:
 This section will describe how a mechanism will be provided for all direct workers and contracted workers (and, where relevant, their organizations) to raise workplace concerns. The mechanism must: be made easily accessible to such workers; address concerns promptly, using an understandable and transparent process that provides timely feedback to those concerned in a language they understand, without any retribution; and operate in an independent and objective manner. Please describe how you will put in place a grievance mechanism that meets these requirements.

The RIT has provided a sample Grievance Mechanism below. If you do not have one in place for your organization you may modify the sample below.

Every direct project worker or independent consultant has the right to work in a safe, positive environment free of discrimination, harassment, and other illegal or unethical behaviour. With this right comes the responsibility to act in accordance with DWCT’s employment policies, core values, Code of Conduct, and Safeguarding Policy. DWCT also have a Whistleblowing policy, the details of which will be shared with contractors and consultants.

A copy of DWCT’s Grievance Policy/procedure for can be found below.

Grievance Policy & Procedure

We recognise that from time to time you may wish to seek redress relating to matters where you feel you have been unfairly/unreasonably treated during the course of your employment.

In this respect, our policy is to encourage free communication to ensure that any questions and problems arising during such times can be aired and, where possible, resolved fairly, quickly and to the satisfaction of all concerned in an informal way.

Informal Procedure

A range of informal actions can often resolve the grievances. Such actions will depend on the individual circumstances of the grievance. Possible actions include, but are not limited to:

- Discussing the issue with the person against whom the grievance is made. You may find that the other person was not aware of your grievance and together; you can resolve the issue directly;
- Discussing the matter with your Manager who may:
 - o facilitate a meeting between the parties in an attempt to resolve the issue and move forward;
 - o recommend discussion, counselling or mediation with HR; or
- Any other agreed informal action.

If you feel unable to approach your Manager or the grievance is related to your Manager, you should speak to HR directly.

In circumstances where the informal procedure is not appropriate, and/or the grievance is sufficiently serious, the grievance may be escalated directly to the formal procedure.

It should be noted that where the matter constitutes an appeal against a disciplinary decision, this is not the appropriate process and it should be taken up in accordance with our separate Disciplinary Appeals Procedure.

Formal Procedure - Stage 1

To lodge a formal grievance you must put your complaint in writing headed "formal grievance" together with your desired outcome and send it to your Manager (or Head of Department) in confidence.

Your Manager will arrange a formal grievance meeting with you within five (5) working days following the receipt of your letter to consider the matter. A work colleague or an employee association member may accompany and represent you at any formal part of this process.

At the meeting, you will be asked to explain the grievance and how you believe it can be resolved. After any appropriate investigation and due consideration by your Manager, HR will inform you in writing of the decision. This will be provided within seven (7) working days following the meeting and will set out what action (if any) is intended to resolve the grievance.

You have the right to appeal this decision by escalating the matter to Stage 2 within five (5) working days of the receipt of the outcome letter.

Formal Procedure - Stage 2

If the matter is still not resolved, is sufficiently serious, or you are dissatisfied with the Stage 1 outcome, you may raise the grievance in writing with HR. HR will escalate the matter to the appropriate senior individual for consideration.

HR will arrange a formal grievance meeting with you in writing within ten (10) working days. A work colleague or employee association member may accompany and represent you at this meeting. If further investigation is required, it will be undertaken following the meeting.

At the meeting, you will be asked to explain the grievance, why attempts to resolve it have not (or will not) succeed and how you believe it can be resolved. After due consideration by the senior individual, HR will inform you in writing of the decision. This will be provided within seven (7) working days following the meeting and will set out what action (if any) is intended to resolve the grievance.

You have the right to appeal this decision by escalating the matter to Stage 3 within ten (10) working days of the receipt of the outcome letter.

Formal Procedure – Stage 3 (Appeal)

If your grievance is not upheld, you have the right of appeal.

Appeals, outlining the grounds on which the appeal is being made, must be lodged in writing to the person specified in the outcome of grievance letter. Appeals must be received within five (5) working days of the receipt of the letter. In exceptional circumstances this period may be extended.

The purpose of the appeal is not to repeat the investigation or the grievance hearing(s) but to focus on specific factors and mitigating circumstances that may have received insufficient consideration in previous meetings, such as new evidence becoming known. You must provide a full written statement of your case including the grounds upon which the appeal is presented or resisted, with copies of any documents you intend to use in evidence.

If an appeal is not granted, you will receive a letter detailing why the appeal has not been granted. This decision is final.

Appeals that are granted will be heard within four (4) weeks of receipt of the letter requesting the appeal however, this period may be extended in exceptional circumstances.

A member of the senior management team will normally hear appeals and will include HR, wherever possible. A work colleague may accompany and represent you at this meeting. If further investigation is required, it will be undertaken prior to the meeting.

The decision from this meeting will be communicated in writing no later than five (5) working days after the appeal hearing.

This decision will be final.

Outcome of a Grievance - Whilst any employee who has raised a grievance will be told whether the allegations have been upheld or otherwise, they will not be advised of any disciplinary action taken against another employee. Any matters of discipline relating to the findings being upheld following a grievance investigation will be dealt with as a separate issue and again confidentiality will be maintained.

19. Addressing Gender-Based Violence:

Guidance:

You will also need to make special provisions for grievances related to gender-based violence (GBV), due to the need for complaints to be handled by persons with specialist training and adopting a survivor-centered approach. You will be provided with the contact details of a GBV service provider in the sub-project country, and will be required to include them in your grievance mechanisms. Survivors of GBV will have the option of contacting the GBV service provider directly, who will, in-turn, inform the CEPF Secretariat, with the express consent of the survivor. Please read through the required text from the World Bank. You may add any other context specific text for your project.

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

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

To address SEA/SH, the project will follow the guidance provided on the World Bank Technical Note "Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) in Investment Project Financing Involving Civil Works". This Grantee will follow the official WB definitions described on the Technical Note as shown below:

Sexual Abuse (SEA) is an actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions

Sexual Exploitation (SE) refers to any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

Sexual harassment (SH) is any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment.

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

The survivor-centered approach is based on a set of principles and skills designed to guide professionals—regardless of their role—in their engagement with survivors (predominantly women and girls but also men and boys) who have experienced sexual or other forms of violence. The survivor-centered approach aims to create a supportive environment in which the survivor's interests are respected and prioritized, and in which the survivor is treated with dignity and respect. The approach helps to promote the survivor's recovery and ability to identify and express needs and wishes, as well as to reinforce the survivor's capacity to make decisions about possible interventions.

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

Additionally, if an incident occurs, it will be reported as appropriate, keeping the anonymity and confidentiality of the complainant and applying the survivor-centered approach.¹ Any cases of SEA/SH brought through the Grantee will be documented but remain closed/sealed to maintain the

¹ The survivor-centered approach is based on a set of principles and skills designed to guide professionals—regardless of their role—in their engagement with survivors (predominantly women and girls but also men and boys) who have experienced sexual or other forms of violence. The survivor centered approach aims to create a supportive environment in which the survivor's interests are respected and prioritized, and in which the survivor is treated with dignity and respect. The approach helps to promote the survivor's recovery and ability to identify and express needs and wishes, as well as to reinforce the survivor's capacity to make decisions about possible interventions.

confidentiality of the survivor. The CEPF will be notified as soon as the designated persons from the Grantee organization learn about the complaint.

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

ACTION 1: COMPLAINT INTAKE AND REFERRAL

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

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

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

ACTION 2: INCIDENT REPORTING

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

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

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

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

ACTION 3: GRIEVANCE VERIFICATION AND INVESTIGATION

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

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

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

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

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

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

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

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

20. Disclosure:

Guidance:

CEPF requires that all direct and contracted workers be informed of the existence of the grievance mechanism and the measures put in place to protect them against any reprisal for its use, either at the time of recruitment or at the start of the sub-project, whichever is later. Please include the below text and ensure that any Code of Conduct or Code of Ethics your organization uses is in keeping with the World Bank's Code of Conduct below.

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

The code of ethics will be consistent with the code of conduct of the WB:

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

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

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

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

Grantee's Personnel shall:

1. carry out his/her duties competently and diligently.
2. acknowledge that adherence to this Code of Conduct is a condition of employment.
3. comply with this Code of Conduct and all applicable laws, regulations, and other requirements, including requirements to protect the health, safety and well-being of other Grantee's Personnel and any other person.
4. maintain a safe working environment including by:
 - a. ensuring that workplace equipment and processes under each person's control are safe and without risk to health.
 - b. wearing required personal protective equipment when visiting construction sites and following sub-project COVID-19-related protection guidelines, as described in the Stakeholder Engagement Plan (SEP), Labour Management Procedure (LMP), Environmental and Social Management Framework (ESMF) and plans (ESMPs), or other relevant instruments.
 - c. using appropriate measures relating to chemical, physical and biological substances, and agents; and
 - d. following applicable emergency operating procedures.
5. report work situations that he/she believes are not safe or healthy and remove himself/herself from a work situation that he/she reasonably believes presents an imminent danger to his/her life or health.
6. avoid any conflicts of interest (such that benefits, contracts, employment, or any sort of preferential treatment or favours, are not provided to any person with whom there is a financial, family, or personal connection).

7. respect reasonable work instructions (including regarding environmental and social norms).
8. protect and properly use property (for example, to prohibit theft, carelessness, or waste).
9. treat other people with respect, and not discriminate against specific groups such as women, people with disabilities, migrant workers, or children.
10. not engage in Sexual Harassment, which means unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature with Grantees or other Personnel.
11. not engage in Sexual Exploitation, which means any actual or attempted abuse of a position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.
12. not engage in Sexual Abuse, which means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
13. protect children (including prohibitions against sexual activity or abuse, or otherwise unacceptable behaviour towards children, limiting interactions with children, and ensuring their safety in project areas).
14. not engage in any form of sexual activity with individuals under the age of 18, except in case of pre-existing marriage.
15. shall have access to a referral system for victims of Gender Based Violence/Sexual Exploitation and Abuse of employees and any individual that may be associated with the sub-project. Where such an incident would have occurred, it should immediately be reported to the Employer or his/her designate who would ensure that the victim is referred to a service provider trained to handle GBV cases.
16. complete relevant training courses that will be provided related to the environmental and social aspects of the Contract, including health and safety matters, Sexual Exploitation and Abuse (SEA), and Sexual Harassment (SH).
17. shall have access to a Grievance Redress Mechanism, which will afford effective remedies.
18. report violations of this Code of Conduct to the Employer under this project.
19. not retaliate against any person who reports violations of this Code of Conduct, whether to the Employer or the Project's Grievance Redress Mechanism; and,
20. the Grantee staff will follow the relevant requirements set out in LMP.

RAISING CONCERNS

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

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

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

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

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

CONSEQUENCES OF VIOLATING THE CODE OF CONDUCT

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

FOR GRANTEE PERSONNEL:

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

Name of Grantee Personnel: [insert name]

Signature: _____

Date: (day month year): _____

Countersignature of an authorized representative of the Employer:

Signature: _____

Date: (day month year): _____

ATTACHMENT 1: Behaviours constituting Sexual Exploitation and Abuse (SEA) and behaviours constituting Sexual Harassment (SH)

ATTACHMENT 1 TO THE CODE OF CONDUCT FORM

BEHAVIORS CONSTITUTING SEXUAL EXPLOITATION AND ABUSE (SEA) AND BEHAVIORS CONSTITUTING SEXUAL HARASSMENT (SH)

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

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

- A Grantee Personnel tells a member of the community that he/she can get them jobs related to the work site (e.g., cooking and cleaning) in exchange for sex.
- A Grantee Personnel that is connecting electricity input to households says that he can connect women headed households to the grid in exchange for sex.
- A Grantee Personnel rapes, or otherwise sexually assaults a member of the community.
- A Grantee Personnel denies a person access to any project Site unless he/she performs a sexual favour.
- A Grantee Personnel tells a person applying for employment under the Project that he/she will only hire him/her if he/she has sex with him/her.

(2) **Examples of sexual harassment in a work context**

- Grantee Personnel comment on the appearance of another Grantee Personnel (either positive or negative) and sexual desirability.
- When a Grantee Personnel complains about comments made by another Grantee Personnel on his/her appearance, the other Grantee Personnel comment that he/she is “asking for it” because of how he/she dresses.
- Unwelcome touching of a Grantee or Employer’s Personnel by another Grantee Personnel.
- A Grantee Personnel tells another Grantee Personnel that he/she will get him/her a salary raise, or promotion if he/she sends him/her naked photographs of himself/herself.