**Government of the Republic of Albania**

LABOR MANAGEMENT PROCEDURES

**“Albania Clean and Resilient Environment for Blue Sea”**

**(****CARE4BlueSea)**

**Prepared by:**

**Implementing Agencies**

**Ministry of Tourism and Environment (PMT)**

**National Agency for Water Supply Wastewater and Waste Infrastructure (PCU)**

**April 2023**

Table of Contents

[ACRONYMS AND ABBREVIATIONS 3](#_Toc125545572)

[Labor Management Procedures / CARE4BlueSea 4](#_Toc125545573)

[Executive Summary in English 4](#_Toc125545574)

[1. INTRODUCTION 9](#_Toc125545575)

[1.1 Project Context 9](#_Toc125545576)

[1.2 Labour Management Procedures scope and objectives 10](#_Toc125545577)

[2. OVERVIEW OF LABOR USE ON THE PROJECT 11](#_Toc125545578)

[3. ASSESSMENT OF KEY POTENTIAL LABOR RISKS 13](#_Toc125545579)

[4. BRIEF OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS 14](#_Toc125545580)

[5. BRIEF OVERVIEW OF LABOR LEGISLATION: OCCUPATIONAL HEALTH AND SAFETY 15](#_Toc125545581)

[6. RESPONSIBLE STAFF 16](#_Toc125545582)

[7. POLICIES AND PROCEDURES 18](#_Toc125545583)

[8. AGE OF EMPLOYMENT 20](#_Toc125545584)

[9. TERMS AND CONDITIONS 21](#_Toc125545585)

[10. GRIEVANCE MECHANISM 23](#_Toc125545586)

[11. CONTRACTOR MANAGEMENT 24](#_Toc125545587)

[12. COMMUNITY WORKERS 25](#_Toc125545588)

[13. PRIMARY SUPPLY WORKERS 25](#_Toc125545589)

[14. ANNEXES 27](#_Toc125545590)

[Annex 1: Grievance Submission Form 27](#_Toc125545591)

[Annex 2: Grievance Register 29](#_Toc125545592)

[Annex 3: Minutes of Disclosure Meetings during the appraisal phase 30](#_Toc125545593)

# ACRONYMS AND ABBREVIATIONS

|  |  |
| --- | --- |
| AKUM  CARE4BlueSea  DCM  E&S  EU | National Agency for Water Supply Wastewater and Waste  Clean and Resilient Environment for Blue Sea” Project  Decision of council of Ministers  Environmental and Social  European Union |
| ESF | Environment and Social Framework |
| ESS  ESS2 | Environmental and Social Standards  Environmental and Social Standard 2 on Labor and Working Conditions |
| ESS4  FM  GoA  GM  GRM  IBRD  ILO  IAs  LMP | Environmental and Social Standard 4 on Community Health and safety  Financial Management  Government of Albania  Grievance Mechanism  Grievance Redress Mechanism  International Bank for Reconstruction and Development  International Labor Organization  Implementing Agencies  Labor Management Procedures |
| MoFE  MoTE  OHS | Ministry of Finance and Economy  Ministry of Tourism and Environment  Occupational Health and Safety |
| PDO | Project Development Objectives |
| PMT  PCU | Project Management Team  Project Coordination unit |
| SWM | Solid Waste Management |
| SH  UN  WBG | Sexual Harassment  United Nations  World Bank Group |

**Labor Management Procedures / CARE4BlueSea**

## Executive Summary in English

***Introduction***

The Government of Albania (GoA) has identified the south of Albania as a priority for regional development. The priority status comes from the area’s unique natural resources and cultural heritage assets and its potential to further develop tourism as a driver of local, regional, and national economic growth. The Ionian coastline and the southern hinterland that includes the Vjosa River and delta offer an appealing tourism value proposition in terms of pristine coastlines, rivers, mountains, protected areas and cultural heritage. However, for the tourism product to remain attractive in terms of offering ‘blue seas’ and ‘clean rivers’, public services such as waste management and water sanitation must be provided to sustain the quality of the region’s assets. Himara, Saranda and other tourist centers along the coast are facing issues related to municipal waste management, particularly associated with increased tourism and plastic litter. To maintain the natural attributes of the Vjosa River along its entire course and thus its value as tourist attraction, and status as a nationally and internationally important protected area, water pollution needs to be managed, particularly from wastewater and non-point sources.

***Project Description***

The **Project Development Objective** is to reduce pollution, from land-based sources into the aquatic environment selected areas of the South-West Coastal Belt[[1]](#footnote-1) of Albania. The focus on pollution reduction and prevention measures will include investments in grey and green infrastructure and in human capital for behaviour change to address: (i) improved and integrated management of municipal waste – including plastic waste – to move towards a more circular economy in the Vlora South-Gjirokaster Waste Zone and; and (ii) water pollution from point sources, specifically untreated sewage, and non-point sources (NPS), such as sediment and runoffs from manure in the Vjosa River Basin.  The proposed operation is designed to reduce environmental impacts and to enhance the resilience of aquatic resources through improved solid waste management and sanitation services, and the implementation of approaches that prevent non-point source pollution runoffs. Additional climate benefits will be derived by steering the transition of waste management systems towards more circularity.

The project is structured into three components as follows:

**Component 1: Promote Integrated and Circular Approaches for Protection of Landscapes and Water Resources**

*Sub-component 1.1: Institutional support for sustainable performance, enhanced monitoring and transition to circular economy*

*Sub-component 1.2: Environmental-Performance Based Investments for local pollution prevention*

*Sub-component 1.3: Behavioral change support and dissemination for scaling up*

**Component 2**: ***Reduce Water Pollution in the Vjosa River.*** This component will support activities to reduce the adverse impacts of point source pollution from untreated municipal wastewater and stormwater runoffs and from non-point source pollution that pose significant threats to aquatic ecosystems and the environment.

*Sub-component 2.1: Expansion of sanitation infrastructure*

*Sub-component 2.2: Improved sanitation facilities and management*

*Sub-component 2.3: Non-point source pollution prevention*

**Component 3. Project Management, Monitoring and Evaluation**

This component will finance project management and other incremental costs; procurement of consultants, training, and equipment; financial management (FM) and reporting; monitoring and evaluation (M&E) studies and surveys; and knowledge management as well as activities necessary to ensure compliance with the World Bank Environmental and Social Framework (ESF).

***Labour Management Procedures scope and objectives:***

The LMP sets out the terms and conditions for employment or engagement of workers on the project and specifies the way in which project workers will be managed, in accordance with the requirements of national law and the World Bank standards (ESS2). The procedures address the way in which both standards will apply to different categories of project workers including direct workers, and the way in which third parties will manage their workers compliant to this document.

The LMP seeks to achieve the following specific objectives:

* Establish arrangements to appropriately manage and protect the OHS and welfare of workers including both employees and contractors and others who may be exposed to risks associated with the CARE4BlueSea project activities;
* Ensure that employees understand their rights in relation to labour and working conditions;
* Allow employees to exercise their right to freedom of association and collective bargaining;
* Provide employees and contractors with a grievance mechanism for them to raise concerns, complaints and grievances and to receive feedback on the response and any associated corrective action;
* Prevent discrimination in hiring, remuneration, access to training, on the grounds of race, national or social origin, birth, religion, disability, gender, sexual orientation, union membership, political opinions and age and promote equal opportunities;
* Manage disciplinary practices and grievances in a manner that treats affected individuals with respect and dignity and without threat, abuse or ill-treatment;
* Ban the use or support of child, forced or compulsory labour in direct operations and in the supply chain.

The provisions of this Labour Management Procedure (LMP) shall be included in the conditions of contract of the bidding documents and all associated costs, where relevant including the Bill of Quantities (BOQ). All the CARE4BlueSea sub-projects contractors must follow and comply with the LMP while employing labours for different works within their areas of implementation. The LMP will be reviewed continually during implementation and adequate measures and procedures to manage negative impacts will be put in place.

***OVERVIEW OF LABOR USE ON THE PROJECT***

The legal framework of the government of Albania guiding Labor and Working Conditions is with a few minor shortcomings, strongly compliant with the ESS2 as Albania is signatory to the International Labor Organization (ILO) and United Nations (UN) Conventions informing the ESS2.

The LMP applies to project workers as defined by ESS2. The CARE4BlueSea project will include different categories of workers, who will be engaged in different activities. Direct project workers will be PMT and PCU employees and consultants, whereas contracted workers and primary supply workers are going to be hired by the contractors and subcontractors to carry out the activities and works foreseen under the CARE4BlueSea project.

It is expected that the Project will engage the following categories of **project workers,** As defined under ESS2:

***Direct workers.*** Direct workers are the independent consultants hired specifically to work in relation to the project, integrated into the project management team (PMT) within the Ministry of Tourism and Environment (MoTE) and Project Coordination Unit (PCU) within National Agency for Water Supply Wastewater and Waste (AKUM).

***Contracted workers****:* Contracted workers will be engaged or employed by third parties’ i.e. contractors, sub-contractors[[2]](#footnote-2) and service providers/consultants needed for project implementation and these imply professionals and support staff provided by the Contractor or Consultants or by any Sub-Contractor or Sub-Consultants assigned to perform the Services or any part thereof.

**Primary supply workers**: The Project will require the procurement of a substantial amount of materials and goods.

**Community workers:** will not be engaged on the project.

***ASSESSMENT OF KEY POTENTIAL LABOR RISKS***

***Project activities***: The main project activities are the construction and investments to improve sanitation services such as the construction of seven wastewater/sludge treatment plants (centralized or semi-centralized), expansion of existing sewer systems and the provision of individual sanitation solutions (septic tanks). Apart the above mentioned, the projects in its components has proposed spatial integration of activities at local level to support the enabling policy, regulations, and institutional capacity for an integrated management of Albania’s Blue Economy assets.

***Key Labor Risks:*** It is assessed that key labor risks would be associated with health and safety risks related to the construction activities such as exposure to physical and biological hazards during construction activities such as: The conduct of hazardous work such as working at heights or in confined spaces, use of heavy machinery, or use of hazardous materials, exposure to chemicals (as paints, silicone and liquid bitumen etc..), trip and fall hazards, exposure to construction airborne agents (dust, silica, noise), exposure to electrical hazards from the use of tools and machinery, such as cable plugs, cords, hand tools, etc… lifting of heavy structures, environmental hazards (snakes, wasps, bees, etc..). Some other potential labour risks and impacts associated with the project apart the above mentioned include unfair recruitment and selection practices which could discriminate against women and vulnerable groups, exploitative wages, Occupational Health and Safety risks from poor work safety culture, accidents/incidents, lack of provision of PPEs and enforcement of usage, forced and child labor, Gender-Based Violence (GBV), and workplace sexual harassment especially for newly recruited workers.

As the construction activities will involve hazardous work, persons under the age of 18 will not be employed by the Project. There would be no cases of labor influx situations in the localities, as the project is engaging local workers. Albanian OHS legislation is harmonized with ILO conventions, while the country is making continuous efforts to align with the relevant EU requirements and standards. Nevertheless, given moderate to substantial OHS risks (including working at height, working under water, working with heavy machinery, etc.), in addition to national regulation, OHS impacts will be mitigated by the application of relevant provisions.

**GRIEVANCE MECHANISM**

Contracted parties should demonstrate their willingness to implement these mechanisms, even if such requirement is not prescribed by any law of the domicile country. The Supervision Consultant will monitor the contractors’ recording and resolution of grievances, and report these to PMT/PCU in their monthly progress reports.

The workers grievance mechanism will be described in staff induction trainings, which will be provided to all project workers. The mechanism will be based on the following principles:

* The process will be transparent and allow workers to express their concerns and file grievances.
* There will be no discrimination against those who express grievances and any grievances will be treated confidentially.
* Anonymous grievances will be treated equally as other grievances, whose origin is known.
* Management will treat grievances seriously and take timely and appropriate action in response.

Information about the existence of the grievance mechanism will be readily available to all project workers (direct and contracted) through notice boards, the presence of “suggestion/complaint boxes”, and other means as needed.

## INTRODUCTION

## Project Context

The Government of Albania (GoA) has identified the south of Albania as a priority for regional development. The priority status comes from the area’s unique natural resources and cultural heritage assets and its potential to further develop tourism as a driver of local, regional, and national economic growth. The Ionian coastline and the southern hinterland that includes the Vjosa River and delta offer an appealing tourism value proposition in terms of pristine coastlines, rivers, mountains, protected areas and cultural heritage. However, for the tourism product to remain attractive in terms of offering ‘blue seas’ and ‘clean rivers’, public services such as waste management and water sanitation must be provided to sustain the quality of the region’s assets. Himara, Saranda and other tourist centers along the coast are facing issues related to municipal waste management, particularly associated with increased tourism and plastic litter. To maintain the natural attributes of the Vjosa River along its entire course and thus its value as tourist attraction, and status as a nationally and internationally important protected area, water pollution needs to be managed, particularly from wastewater and non-point sources.

The **Project Development Objective** is to reduce pollution, from land-based sources into the aquatic environment selected areas of the South-West Coastal Belt[[3]](#footnote-3) of Albania. The focus on pollution reduction and prevention measures will include investments in grey and green infrastructure and in human capital for behaviour change to address: (i) improved and integrated management of municipal waste – including plastic waste – to move towards a more circular economy in the Vlora South-Gjirokaster Waste Zone and; and (ii) water pollution from point sources, specifically untreated sewage, and non-point sources (NPS), such as sediment and runoffs from manure in the Vjosa River Basin.  The proposed operation is designed to reduce environmental impacts and to enhance the resilience of aquatic resources through improved solid waste management and sanitation services, and the implementation of approaches that prevent non-point source pollution runoffs. Additional climate benefits will be derived by steering the transition of waste management systems towards more circularity.

**PDO Level Indicators**

**Key results toward the specific PDO will be measured with the following indicators:**

1. Solid waste that is treated or safely managed (percentage)
2. Wastewater flows from urban agglomerations safely treated (percentage)
3. Nutrients pollution filtered and avoided (percentage).

**Project Financing and Timeline:** The total estimated project financing from the International Bank for Reconstruction and Development (IBRD) is US$ 80 million. The project duration is expected to be six years with implementation period from April 2023 to April 2029.

## Labour Management Procedures scope and objectives

The Project needs to comply with the World Bank’s Environmental and Social Framework (2018) (ESF) comprising the Environmental and Social Standards (ESS). In response to the commitment of the GoA to comply with the ESF, the Implementing Agencies (IAs) Ministry of Tourism and Environment (MoTE) and National Agency for Water Supply Wastewater and Waste (AKUM), has developed these Labor Management Procedures (LMP), laying out the Project’s approach to meeting the objectives of World Bank ESS 2: Labor and Working Conditions.

The LMP sets out the terms and conditions for employment or engagement of workers on the project and specifies the way in which project workers will be managed, in accordance with the requirements of national law and the ESS2. The procedures address the way in which both standards will apply to different categories of project workers including direct workers, and the way in which third parties will manage their workers compliant to this document.

The LMP seeks to achieve the following specific objectives:

* Establish arrangements to appropriately manage and protect the OHS and welfare of workers including both employees and contractors and others who may be exposed to risks associated with the CARE4BlueSea project activities;
* Ensure that employees understand their rights in relation to labour and working conditions;
* Allow employees to exercise their right to freedom of association and collective bargaining;
* Provide employees and contractors with a grievance mechanism for them to raise concerns, complaints and grievances and to receive feedback on the response and any associated corrective action;
* Prevent discrimination in hiring, remuneration, access to training, on the grounds of race, national or social origin, birth, religion, disability, gender, sexual orientation, union membership, political opinions and age and promote equal opportunities;
* Manage disciplinary practices and grievances in a manner that treats affected individuals with respect and dignity and without threat, abuse or ill-treatment;
* Ban the use or support of child, forced or compulsory labour in direct operations and in the supply chain.

The provisions of this Labour Management Procedure (LMP) shall be included in the conditions of contract of the bidding documents and all associated costs, where relevant including the Bill of Quantities (BOQ). All the CARE4BlueSea sub-projects contractors must follow and comply with the LMP while employing labours for different works within their areas of implementation. The LMP will be reviewed continually during implementation and adequate measures and procedures to manage negative impacts will be put in place.

## OVERVIEW OF LABOR USE ON THE PROJECT

The legal framework of the government of Albania guiding Labor and Working Conditions is with a few minor shortcomings, strongly compliant with the ESS2 as Albania is signatory to the International Labor Organization (ILO) and United Nations (UN) Conventions informing the ESS2.

The LMP applies to project workers as defined by ESS2. The CARE4BlueSea project will include different categories of workers, who will be engaged in different activities. Direct project workers will be PMT and PCU employees and consultants, whereas contracted workers and primary supply workers are going to be hired by the contractors and subcontractors to carry out the activities and works foreseen under the CARE4BlueSea project.

It is expected that the Project will engage the following categories of **project workers,** As defined under ESS2:

***Direct workers.*** Direct workers are the independent consultants hired specifically to work in relation to the project, integrated into the project management team (PMT) within the Ministry of Tourism and Environment (MoTE) and Project Coordination Unit (PCU) within National Agency for Water Supply Wastewater and Waste (AKUM). These workers are engaged through the standard form of Contracts for Consultancy services provided by the World Bank. The PMT and PCU have managerial, administrative and coordination roles. They will be hired under individual contracts, with different time inputs (full-time or part-time), who will be assigned specific tasks and will have specifically defined responsibilities and services process essential for the core functions of the project.

***Contracted workers****:* Contracted workers will be engaged or employed by third parties’ i.e. contractors, sub-contractors[[4]](#footnote-4) and service providers/consultants needed for project implementation and these imply professionals and support staff provided by the Contractor or Consultants or by any Sub-Contractor or Sub-Consultants assigned to perform the Services or any part thereof.

The contractual and legal relationship between the third parties and MoTE and/or AKUM will be established through contracts awarded in line with the standard procurement procedures and bidding documents of the World Bank for specific project activities which have a standard wording for labor and working conditions requirements. Each Sub-Project will be subject to a competitive open tendering procedure both for works and supervision services (although the scope of one supervision service contract may cover multiple construction contracts.) Due to the size of the contract, their scattered locations, required qualification to carry out design activities, it is expected that contracts will be awarded to well-known reputable predominantly national companies or international companies who have already established their operation in Albania and obey by and operate under the Albanian regulatory framework including Labor and Occupational Health and Safety (OHS) laws. Should Contracts be awarded to multiple entities forming a Joint Venture or association alike each company shall be bound by these LMP.

**Primary supply workers**: The Project will require the procurement of a substantial amount of materials and goods. Primary suppliers will be engaged for the continuous procurement of all goods and materials essential for Project implementation. All primary suppliers must be formal businesses who procure and produce materials subject to high standards. Workers engaged by primary suppliers for procuring said goods and materials are defined as primary supply workers. As part of the procurement of such essential materials from primary suppliers, the contractor will assess if significant risk of child labor or forced labor, and of safety risks, exist, and if so, take appropriate steps to remedy them.

Since the Albania national framework is fully aligned with ESS2 and ILO[[5]](#footnote-5) standards the risk of child labor and forced labor in relation to primary suppliers is minimal. Hence, major risks that can occur are in respect with accidents in road or in work or health issues in regard with the application of existing legislation. This can be mitigated through standard bidding documents which have provisions concerning the respective issue.

**Community workers:** will not be engaged on the project.

Community members will not be engaged. Only contracted companies will be engaged for any works.

***Number of Project Workers***:

At appraisal time, we cannot point the exact number of employees but can give a list of Project’s components that has been agreed. The list will be further refined during negotiation and implementing stage. Assessment of the number of project workers to be engaged in the project is based on the client previous experience.

***Direct workers.*** The number of each PMT and PCU personnel is estimated between 10 - 15, along with the job positions and responsibilities such as: Project Management, Environmental and Social Specialists, Sub-Project Coordinators, Financial Specialist, Procurement Specialists, Administrative services etc.

**Contracted workers:** Contracted workers would be hired under design, supply, Installation, construction and supervision. Each contractor might need engagement of multiple subcontractors. The subcontractors’ workforce will be also considered as contracted workers.

The number of contracted workers is not yet firm, but based on recent experience, it is estimated that the total number of workers working on each construction site could range between 40-100 workers involved in civil engineering / construction works (depending on the sub-project activities) and additional 10-40 persons involved in the supervision of works. Since the Project envisages the works on the SWM investments, The construction of seven wastewater/sludge treatment plants (centralized or semi-centralized), Expansion of existing sewer systems and Individual sanitation solutions (septic tanks) the total number of contracted workers during project implementation could range from 300 to 500 workers overall or about 20 to 40-50 workers per site in average per day.

**Primary supply workers:** The Project will require the procurement of a substantial amount of materials and goods. Primary suppliers will be engaged for the continuous procurement of all goods and materials essential for Project implementation. All primary suppliers must be formal businesses who procure and produce materials subject to high standards. Workers engaged by primary suppliers for procuring said goods and materials are defined as primary supply workers. As part of the procurement of such essential materials from primary suppliers, the contractor will assess if significant risk of child labor or forced labor, and of safety risks, exist, and if so, take appropriate steps to remedy them

Since the Albania national framework is fully aligned with ESS2 and ILO[[6]](#footnote-6) standards the risk of child labor and forced labor in relation to primary suppliers is minimal. Hence, major risks that can occur are in respect with accidents in road or in work or health issues in regard with the application of existing legislation. This can be mitigated through standard bidding documents which have provisions concerning the respective issue.

**Community workers:** Given the nature of the project and the country context, community workers, as defined in EES2, are highly unlikely to be engaged on the project

## ASSESSMENT OF KEY POTENTIAL LABOR RISKS

This section describes the following, based on available information:

***Project activities***: The main project activities are the SWM investment and the investments to improve sanitation services such as the construction of seven wastewater/sludge treatment plants (centralized or semi-centralized), expansion of existing sewer systems and the provision of individual sanitation solutions (septic tanks). Apart the above mentioned the projects in its components has proposed spatial integration of activities at local level to support the enabling policy, regulations, and institutional capacity for an integrated management of Albania’s Blue Economy assets.

***Key Labor Risks:*** It is assessed that key labor risks would be associated with health and safety risks related to the construction activities such as exposure to physical and biological hazards during construction activities such as: The conduct of hazardous work such as working at heights or in confined spaces, use of heavy machinery, or use of hazardous materials, exposure to chemicals (as paints, silicone and liquid bitumen etc..), trip and fall hazards, exposure to construction airborne agents (dust, silica, noise), exposure to electrical hazards from the use of tools and machinery, such as cable plugs, cords, hand tools, etc… lifting of heavy structures, environmental hazards (snakes, wasps, bees, etc..). Some other potential labour risks and impacts associated with the project apart the above mentioned include unfair recruitment and selection practices which could discriminate against women and vulnerable groups, exploitative wages, Occupational Health and Safety risks from poor work safety culture, accidents/incidents, lack of provision of PPEs and enforcement of usage, forced and child labor, Gender-Based Violence (GBV), and workplace sexual harassment especially for newly recruited workers.

As the construction activities will involve hazardous work, persons under the age of 18 will not be employed by the Project. There would be no cases of labor influx situations in the localities, as the project is engaging local workers. Albanian OHS legislation is harmonized with ILO conventions, while the country is making continuous efforts to align with the relevant EU requirements and standards. Nevertheless, given moderate to substantial OHS risks (including working at height, working under water, working with heavy machinery, etc.), in addition to national regulation, OHS impacts will be mitigated by the application of relevant provisions.

## BRIEF OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS

Various laws, policies and code of practices are applicable to the implementation of this LMP. These laws and policies are aligned with the international standards, namely ILO Conventions and EU Directives, as the terms, conditions and instruments proposed in the international conventions and directives are incorporated into the national labour legislation.

**Employment Terms**

Various laws, policies and code of practices are applicable to the implementation of this LMP. These laws and policies are aligned with the international standards, namely ILO Conventions and EU Directives, as the terms, conditions and instruments proposed in the international conventions and directives are incorporated into the national labour legislation.

The Constitution of the Republic of Albania (recently updated with Law No. 76/2016, date 22.7.2016) guarantees the right to work, free choice of occupation, availability of work positions under equal conditions, respect of person’s dignity at work, safe and healthy working conditions, necessary protection at work, limited working hours, daily and weekly interval for rest, paid annual holiday, fair remuneration for work done and legal protection in case of termination of working relations.

The Law Labour Code of Albania (as amended in 2003) is the main legislation that guides labour practices in Albania. The terms and conditions provided by this Law includes ban to direct or indirect discrimination regarding employment conditions and choice of candidates for performing a specific job, conditions of labour and all the rights deriving from the employment relationship, education, vocational training and specialization, job promotion and cancelling an employment contract for reasons of sex, birth, language, race, color of the skin, age, pregnancy, health condition, and/or disablement, ethnic origin, religion, marital status, family obligations, sexual orientation, political or other belief, social background, financial status, membership in political organizations, trade unions, or any other personal characteristic. The Law guarantees the employee’s right to corresponding earnings, compensations and refund of expanses, entitlement to training and professional development, provision of safety and health at work, health-care protection, personal integrity protection, personal dignity, and other rights in the event of illness, reduction or loss of work ability and old age, including financial benefits in course of temporary unemployment, as well as the right to other forms of protection. Women in course of pregnancy and childbirth, parents with a child under three years of age or in need of special care and minors (younger than 18) are given special protection. Harassment and sexual harassment are prohibited. The Law sets out the conditions for employment (including the minimum age for employment), specifies what information an employment contract must contain, and defines fixed term (definite period of time) employment, part time employment, remote work (outside the Employer’s premises) and work without established employment relationship (service supply contract, temporary and seasonal work, supplementary work). It stipulates maximum hours of work, overtime, break during working day, daily and weekly rest and leave entitlements (annual leave, sick leave, and maternity leave). The Law lays out the framework for retrenchment and termination of the employment relationship, provides for freedom of association and collective bargaining and guarantees the right to judicial protection.

The rights stemming from the employment relationship are further elaborated by the Law no. 10383, dt. 24.2.2011 "On compulsory insurance of health care", the law No. 7870, dated 13.10.1994 on Health insurance in the republic of Albania. These laws specify contributions, benefits and entitlements covering all employees and extending the entitlement to social security, retirement, disability, injury and health insurance to those who work without the established working relationship.

## BRIEF OVERVIEW OF LABOR LEGISLATION: OCCUPATIONAL HEALTH AND SAFETY

law no. 10 237, dated 18.2.2010 on Health and Safety at Work is the key legislative act in this area. It regulates the implementation and improvement of occupational safety and health for persons involved in working processes or found in work environments, in order to prevent injuries at work, occupational diseases and work-related illnesses. The employer must ensure that measures have been taken to provide a safe and healthy workplace and work environment for any employee (any person working or undertaking training at the employer, regardless of their employment status) to work. The Law stipulates the obligations and responsibilities of the employer in relation to ensuring safety and health at work (general obligations, special obligations and training for employees) and assessing and mitigating labour-related risks and hazards, provides for appointment of persons responsible for ensuring labour compliance and creating a safe working environment, and determines preventive measures for ensuring occupational safety and health. It also regulates the rights and obligations of employees, the way of organizing the task of occupational safety and health, provision of the first aid at the workplace, the possibility of selecting representatives among the employees for occupational safety and health, obligations of the employer related to keeping records, information exchange and cooperation with relevant institutions, the issue of the professional exam and licensing, the competence of the Occupational Safety and Health Administration. The present law applies the following:

* The Directive of the European Council 89/391/EEC, dated 12 July 1989 “On the introduction of measures to encourage improvements in the safety and health of workers at work”;
* The Directive of the European Council 94/33 EEC, dated 22 July 1994 “On the protection of young people at work,” article 6; and
* The Directive of the European Council 92/85 EEC “On the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding".

Summarized Albanian legislation on health and safety and the relevance to the project are highlighted in the table below.

**Table 1: Legislation on health and safety**

| Legislation | Overview |
| --- | --- |
| Law No. 10237/2010  (18/02/2010) | “On Safety and Health at Work” - This law regulates the framework of health and safety in the workplace and determines the roles of each party subject to the law. |
| Law No. 9863/2008 | The State Sanitary Inspectorate aims to protect workers from the impacts of adverse working conditions, such as exposure to toxic substances, radiation, unworkable noise, vibrations, unfavorable microclimate, and controls the level of occupational diseases and accidents as a result of adverse conditions. |
| Law No. 10433/2011 (16/06/2011) | “On Inspection in the Republic of Albania” |
| DCM No. 562/2013  (3/07/2013) | Decision of the Council of Ministers concerning the approval of the regulation on minimum safety and health requirements for the workplace. |
| DCM No. 312/2010  (5/5/2010) | “On safety in site construction” sets the rules of safety for construction activities. |
| Decision No. 692/2001 (13/12/2001) | “On special measures on safety and health protection at work” |
| DCM No. 842/2014 (3/12/2014) | “For the health and safety and protection of the employee from noise risks in the working places” requires the employer to assess the noise levels at the working place and ensure the protection of its workers |

## RESPONSIBLE STAFF

MoTE through PMT carries out the function of the Project Management Team and AKUM through PCU carries out the function of the Project Coordination Unit during the implementation of the projects. The Project will be implemented under direct supervision and management of the PMT and PCU, with overall management and supervision of MoTE.

The Heads of MoTE coordinates with PMT and PCU respective Management Board and supervision consultant in monitoring and management of the projects.

The head of MoTE and AKUM will be responsible for respective direct workers labour management (PMT/PCU).

The Social Consultant of PMT and PCU will be assigned responsibly to:

* Implement this Labour management procedure
* Ensure the contracts with contractors are developed in line with provisions of this LMP.
* Monitor to verify that the contractors are meeting labour and OHS obligations toward contracted and subcontracted workers as required by Albanian law and respective contracts between MoTE/AKUM and the constructors.
* Monitor the contractor’s implementation of labor management plan
* Monitor compliance with occupational health and safety standards at all workplaces in line with Albanian occupational health and safety legislation
* Monitor and implement training on LMP and OHS for project workers
* Ensure that the grievance redress mechanism for project workers is established and implemented and that workers are informed of its purpose and how to use it.
* Have a system for regular monitoring and reporting on labor and occupational safety and health performance
* Monitor implementation of the Worker Code of Conduct

The Supervision Consultant will oversee labor and safety performance on a daily basis, on the behalf of the Employer (MoTE, AKUM).

The contractor has to implement human resources for the workforce in accordance with the requirements of the Albanian law. These policies should be clear, understandable and available for employees to review and should focus on:

* Establishing and maintaining healthy relations regarding worker/manager in the construction
* Promoting fair treatment, non-discrimination and equal opportunities for all employees
* Upholding Albanian Labour Law, basic principles and regulatory standards further described in the Labour Code of the Republic of Albania
* Protecting the health and safety of workers and promoting in particular, healthy working conditions on the Project site.
* Employ or appoint qualified social, labor and occupational safety experts to prepare and implement project specific labor management procedure, occupational health and safety plans, and to manage subcontractor performance.
* Develop labor management procedures and occupational health and safety plan which will apply to the contracted workers. These procedures and plans will be submitted to the Supervision Consultant for review and approval before the contractors mobilize for the design stage
* Communicate clearly job description and employment conditions to contracted workers
* Develop, and implement workers’ grievance mechanism and address the grievance received from the contracted and sub-contracted workers
* Have a system for regular review and reporting on labour, and occupational safety and health performance
* Deliver regular induction (including social induction) and Health Safety and Environmental training to employees
* Ensure that all contractor and sub-contractor workers understand and sign the Code of Conduct prior to the commencement of works

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

## POLICIES AND PROCEDURES

This section outlines main policies and procedures to be followed during construction phase of the project. This section will be updated and amended as needed, after construction contracts have been awarded.

The policies adopted for the project will contribute to the achievement of ESS2 objectives and are in line with the GoA Policies.

The project promotes fair treatment, non-discrimination and equal opportunity of project workers. Any and every Employer to direct or contracted workers, will ensure that the selection process for project workers is bias-free, and that the requirements set are not directly or indirectly discriminatory. The project workers will be recruited and assessed on the basis of their competence and professional achievements. Gender, birth, language, race, color of the skin, age, pregnancy, health condition, and/or disablement, ethnic origin, religion, marital status, family obligations, sexual orientation, political or other belief, social background, financial status, membership in political organizations, trade unions, or any other personal characteristic unrelated to inherent job requirements cannot be ground for making any decision regarding employment and the employment relationship. However, third parties are encouraged to take a gender sensitive approach and make reasonable accommodation to make it possible for persons with disabilities to take part in the project. Provided that project workers are expected to be established experts, no person under the age of 18 years will be employed or engaged for work on the project.

All project workers will perform work or provide services under conditions set in their engagement/employment contract or agreement in return for remuneration. Their status must be clearly defined in line with the national law. Any form of disguised employment will not be acceptable. For short term and part time workers, the agreement on work should foresee the possibility of providing some rights typical of the employment relationship (refund of travel expenses, leaves, etc.).

All project workers are entitled to fair treatment and protection from harassment and sexual harassment and abuse at work. The contracted part must install mechanisms that will protect the project worker from incidence of mistreatment. If it happens anyway, the grievance mechanism should be in place to enable the project worker to file grievances to a competent person within the company/institution and be informed on the actions taken subsequently in relation to his grievances, without prejudice to his/her right to seek judicial protection. If a third party does not have an affective grievance mechanism, they may follow the guidelines in section 10 to design and install such mechanism.

Adherence to law and good practice and a high level of integrity is expected from all participants in the project. The Borrower should make it clear in tender documentation that non-compliance with the national legislation, particularly the legislation regarding terms and conditions of employment, labor rights and occupational health and safety, may constitute the ground for termination of the contract with a contracted party and exclusion of that party from the project.

The following measures will be developed by the contractors and monitored by PMT and supervision consultant to ensure fair treatment of all employees:

* As per Labor Code requirements, recruitment procedures will be transparent, public and non-discriminatory with respect to ethnicity, religion, sexual orientation, disability, gender, and other grounds included in the Labor Code
* Applications for employment will be considered in accordance with the application procedures established by the contractors.
* Clear job descriptions will be provided in advance of recruitment and will explain the skills required for each post.
* All workers will have written contracts describing terms and conditions of work and will have the contents explained to them. Workers will sign the employment contract. Terms and conditions of employment will be available at work sites.
* Unskilled labor will be preferentially recruited from the affected communities, settlements and municipalities.
* Employees will be informed at least two months before their expected release date of the coming termination. If more than 50 workers will be terminated within any three-month period, the Contractor will prepare a retrenchment plan for review and approval by the Supervision Consultant
* The contracted workers will not pay any hiring fees. If any hiring fees are to be incurred, these will be paid by the Employer (‘Contractor’).
* Depending on origin of the employer and employee the contracts will be developed in corresponding language understandable for both parties.
* In addition to written documentation, an oral explanation of conditions and terms of employment will be provided to workers who may have difficulties with understanding the documentation.
* While communication language related problems are not expected, attention should be given to ensuring coordination between different contractors and means to address any language differences.
* Foreign workers will require residence permit, which will allow them to work in Albania.
* will include in contracts that all contractor (and subcontractor) personnel must be of the age of 18 years or more.

If accommodations, other than collective work camps are provided for workers, Contractors will ensure that they are provided in good hygiene standards, with fresh drinking water, clean beds, restrooms and showers, clean bedrooms, good illumination, lockers, proper ventilation, safe electrical installation, fire and lightening protection, separate cooking and eating areas. There will be separate facilities provided for men and women.

Supervision Consultant (on behalf of the PMT/PCU) will conduct periodic supervision of contractor’s OHS performance, including site visits, at least monthly. These supervisions will cover compliance with above mentioned standards, accidents, violations of golden rules, recommendations, and progress of ongoing corrective actions. The PMT and PCU will include in the contract(s) as requirement for contractors to report on issues such as number of accidents rates, near misses, severity rates, number of recurring non-compliances, violations of Golden rules, fatalities and serious injuries; and penalties for non-compliance.

The supervision consultant will review and approve contractors’ safety plans and procedures.

The PMT/PCU will inform the Bank promptly about any incident or accident related to the project which has, or is likely to have a significant adverse effect on the environment, the affected communities, the public or workers (labor, health and safety, or security incident, accident or circumstance) as soon as reasonably practicable, but no later than five calendar days after the occurrence of the event. Such events can include strikes or other labor protests, serious worker injuries or fatalities, project-caused injuries to community members or property damage the PMT/PCU will prepare a report on the event and the corrective action and submit to the Bank within 30 calendar days of the event.

The contractors will be required to provide the periodic information on the performance in terms of labor, occupational health and safety issues. The information will be included in the construction contractor’s monthly report and will be reviewed by the supervision consultant’s team.

In addition, the contractor shall report to PMT/PCU about any inspections and audits carried out by the respective ministries – Ministry of Labor and Social Welfare. The findings of the labor audits will be presented to PMT and the Bank at request.

## AGE OF EMPLOYMENT

Albania has adopted ILO conventions on child labour and incorporated them in the legal system. The minimum age of employment is 15, but the employment relationship with persons under the age of 18 can be established with a consent in writing of a parent provided that work to be performed does not put at risk their health, integrity or education. A person under 18 years of age must present a medical certificate attesting that he/she is capable of performing the activities related to the specific job, and that such activities do not harm his/her health.

As contractors are expected to employ or engage highly qualified, experienced and competent project workers, it is understood that no one under the age of 18 will be employed or engaged. If any contractor employs or engages a person under the age of 18 years, that contractor will not only be terminated and excluded from the project but will also be reported to the authorities (Labour Inspectorate).

No other restrictions regarding the age of employment will be imposed. The age of workers will not be used as a criterion in deciding on hiring and promoting project workers or terminating their contracts. The contractors will be required to verify the identify and age of all workers. This will require workers to provide official documentation, which could include a birth certificate, national identification card, passport, or medical or school record.

## TERMS AND CONDITIONS

The terms and conditions of employment in Albania are governed by the provisions of the labor code of the republic of Albania, while occupational health and safety is guided by the Law no. 10 237, dated 18.2.2010 and DCM No. 312 on the approval of the yard safety regulation.

ON SAFETY AND HEALTH AT WORK.

A project worker may be employed or engaged for work on the project only after negotiating, signing, and receiving a copy of an employment contract or engagement agreement which contains information required by the provisions of the of the labor code.

The project worker can be employed on a permanent (open-ended contract) or temporary (fixed-term contract) basis, or can be engaged without establishing the employment relationship on the basis of an agreement. In either case, the project worker will be registered in the Central Registry of Compulsory Social Insurance, in accordance with the national legislation of the Republic of Albania. If the project worker is employed / engaged in his/her domicile country other than Albania, he/she will be registered in accordance with the national legislation of that country. In case of self-employed project workers, the evidence of registration in the Central Registry of Compulsory Social Insurance or a corresponding foreign body has to be presented.

The terms and conditions of employment or engagement of the project worker must meet the following standards:

The project worker should in advance be clear about the job he/she is going to do and the wage/salary/fee he/she is going to receive.

The project worker will be paid on a regular basis, at least once a month, or, if so agreed, upon the completion of specific activities, in accordance with the employment contract or engagement agreement.

The project worker will work 8 or fewer hours a day, with payment of overtime.

Any work longer than 8 hours is considered overtime work and the project worker should receive extra payment for the hours of overtime work. In any case, the project worker cannot work more than 12 hours a day.

The project worker is entitled to a daily rest of at least 11 hours within 24 hours.

The project worker is entitled to a weekly rest of at least 24 consecutive hours.

Average weekly hours of work in a six-month period cannot exceed 40 hours.

The project worker is entitled to annual, sick, maternity and family leave, as required by the national legislation. Where the national legislation does not stipulate entitlement to leaves on any ground (i.e. temporary or seasonal work), the contracted party will provide the project worker, at his/her request, with a reasonable period of leave taking into consideration all the circumstances.

An employment contract or engagement agreement, except in case of permanent employment, ends on the date of its expiry, unless both parties have agreed otherwise. In case of an early termination, a written notice will be submitted at least 15 days in advance. The termination of employment contract and payment of any related entitlements will be done in compliance with the national legislation.

The third party will assess the risk related to specific jobs. In conformity with the national legislation. The third party will be responsible for taking preventive and protective measures to ensure a safe and healthy work environment and informing the project worker on all the relevant issues and conditions affecting his/her health and safety at work. The project worker will respect regulations relating to safety and protection of life and health at work in order not to put in danger his life and health or life and health of others.

The third party will make effort to establish mechanisms that will prevent discrimination, harassment, sexual harassment and abuse at work and ensure equal treatment and equal opportunity for all. The service providers working in Albania should follow the procedure laid out by the national legislation regulating the area of discrimination, harassment and equal opportunity.

Project workers have the right to form or join union or other organizations of their choosing and to bargain collectively, in accordance with the national legislation. The employer (third party) will not interfere with the worker’s right to choose the organization or opt for an alternative mechanism to protect their rights regarding working conditions and terms of employment.

The project worker will be able to raise his/her grievances using the grievance mechanism defined in section 10.

## GRIEVANCE MECHANISM

In the country of Albania, the grievance mechanism is not applicable and MoTE and AKUM does not have GRMs that direct workers, but the national legal framework provides judicial protection of employees in case of unfair or unlawful employment relationship practices instead. Any employee may refer to trade union or other representative labor organization for help in handling any disciplinary or grievance action. The Employer should not prevent any project worker from seeking assistance or advice in such situations. The Labor Code of the Republic of Albania Law no. 7961 dated 12.07.1995, updated by law no. 9125 dated 29.07.2003 disputes, allows for settlement of both individual and collective grievances and claims arising from the employment relationship and work situations without referring to judiciary through mediation of mediators and arbiters and agreement of the parties involved. On the contrary, the Albanian legislation relating to prevention of discrimination, sexual harassment and abuse at work and combating corruption is much more specific and is aligned with the above stated requests laying out clear procedures to be followed in any case of discriminatory actions, unjust treatment or concerns over non-compliance with the law.

The above stated mechanisms provided by the Albanian legislation are considered as minimum standard to be achieved in addressing labour dissatisfaction and perceived maltreatment. Any third party employing and engaging contracted workers are expected to design and implement grievance mechanisms that will be aligned or surpass this standard ensuring an easy access to protective measures and effective remedial actions in work situations that may give rise to grievances and disputes.

For direct workers employed or engaged by MoTE and AKUM, a special GM should be conceived and housed by the PMT/PCU. This GM shall both serve as workplace and dispute resolution instrument for direct workers and contracted workers in case that no GM exists with the third parties employing or engaging them. Grievance mechanisms should address workplace concerns specifying procedures as to whom a project worker should lodge the grievance, the time frame for receiving a response or feedback and steps to refer to a more senior level, while allowing for transparency, confidentiality and non-retribution practices

The mechanism should foresee the procedure that at least:

* Specifies to whom the employee should lodge the grievance;
* Refers to the time frame allowed for the grievance to be dealt with;
* Allows the employee to refer to a more senior level within the organization if the grievance is not resolved at the lower level;
* Includes right to representation;
* Guarantees non-retribution practice;
* Does not impede access to other judicial or administrative remedies that might be available under the law or through existing arbitration/dispute resolution procedures, if the grievance is not resolved within the organization;
* Provides for anonymous complaints to be raised and addressed.

The project worker is entitled to give suggestions, remarks and information regarding health and safety at work. He/she may refuse to work if his/her life or safety is endangered or if appropriate measures for provision of health and safety at work are not in place. The project worker may express his/her concern or raise grievances to the appointed OHS officer or through the workers’ representative in the Health and Safety Council if such exists in the company.

Contracted parties should demonstrate their willingness to implement these mechanisms, even if such requirement is not prescribed by any law of the domicile country. The Supervision Consultant will monitor the contractors’ recording and resolution of grievances, and report these to PMT/PCU in their monthly progress reports.

The workers grievance mechanism will be described in staff induction trainings, which will be provided to all project workers. The mechanism will be based on the following principles:

* The process will be transparent and allow workers to express their concerns and file grievances.
* There will be no discrimination against those who express grievances and any grievances will be treated confidentially.
* Anonymous grievances will be treated equally as other grievances, whose origin is known.
* Management will treat grievances seriously and take timely and appropriate action in response.

Information about the existence of the grievance mechanism will be readily available to all project workers (direct and contracted) through notice boards, the presence of “suggestion/complaint boxes”, and other means as needed.

## CONTRACTOR MANAGEMENT

The PMT/PCU will use the Bank’s 2018 Standard Procurement Documents for solicitations and contracts, and these include labor and occupational, health and safety requirements.

As part of the process to select design and build contractors who will engage contracted workers, PMT/PCU and/or the supervision consultant may review the following information:

• Information in public records, for example, corporate registers and public documents relating to violations of applicable labor law, including reports from labor inspectorates and other enforcement bodies;

• Business licenses, registrations, permits, and approvals;

• Documents relating to a labor management system, including OHS issues, for example, labor management procedures;

• Identification of labor management, safety, and health personnel, their qualifications, and certifications;

• Workers’ certifications/permits/training to perform required work;

• Records of safety and health violations, and responses;

• Accident and fatality records and notifications to authorities;

• Records of legally required worker benefits and proof of workers’ enrollment in the related programs;

• Worker payroll records, including hours worked and pay received;

• Copies of previous contracts with contractors and suppliers, showing inclusion of provisions and terms reflecting ESS2.

The contracts with selected contractors will include provisions related to labor and occupational health and safety, as provided in the World Bank and Albanian law.

The Supervision Consultant will manage and monitor the performance of Contractors in relation to contracted workers, focusing on compliance by contractors with their contractual agreements (obligations, representations, and warranties). This may include periodic audits, inspections, and/or spot checks of project locations or work sites and/or of labor management records and reports compiled by contractors. Contractors’ labor management records and reports may include: (a) representative sample of employment contracts or arrangements between third parties and contracted workers; (b) records relating to grievances received and their resolution; (c) reports relating to safety inspections, including fatalities and incidents and implementation of corrective actions; (d) records relating to incidents of non-compliance with national law; and (e) records of training provided for contracted workers to explain labor and working conditions and OHS for the project.

## COMMUNITY WORKERS

Under the project is not foreseen to have volunteer employees. If they are included at some point of the project it will be preceded with the laws of the Albanian Labor Code.

## PRIMARY SUPPLY WORKERS

The primary suppliers shall be existing and licensed companies;

Requirement for official approval or valid operating license; Producer of asphalt, concrete and the stone aggregate quarry has to present a proof of conformity with all national environmental and H&S legislation. These sectors are not known to involve significant risks of child labor and forced labor. If fill material is needed, then local quarries also would be considered primary suppliers. These sectors are also not known to involve significant risks of child labor and forced labor. Except for the local quarries, it is expected, that the primary suppliers will be international companies. In instances where local suppliers would be engaged, contractors shall be required to carry out due diligence procedure to identify if there are significant risks that the suppliers are exploiting child or forced labor or exposing worker to serious safety issues. In instances where foreign suppliers would be contracted, contractors will be required to inquire during their procurement process whether the supplier has been accused or sanctioned for any of these issues and also their corporate requirements related to child labor, forced labor, and safety. If there are any risks related to child and forced labor, and safety identified, the PMT/PCU will prepare the procedures to address these risks.

## ANNEXES

## Annex 1: Grievance Submission Form

|  |  |  |  |
| --- | --- | --- | --- |
| **Reference Number** |  | | |
| **Full name (optional)**   * **I wish to raise my grievance anonymously.** * **I request not to disclose my identity without my consent.** |  | | |
| **Contact information.**  **Please mark how you wish to be contacted (mail, telephone, e-mail).** | * **By Post: Please provide mailing address:**   **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**   * **By telephone: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** * **By E-mail** | | |
| **Preferred language of communication** | * **Albanian** * **Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** | | |
|  | | | |
| **Description of Incident for Grievance** | | **What happened? Where did it happen? Who did it happen to? What is the result of the problem?** | |
|  | | | |
| **Date of Incident / Grievance** |  | | |
|  | * **One-time incident/grievance (date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)** * **Happened more than once (how many times? \_\_\_\_\_\_)** * **On-going (currently experiencing problem)** | | |
|  | | | |
| **What would you like to see happen?** | | | |
|  | | | |
| ***Contact information for enquiries and grievances:***  **Attention: Name & Surname**  **Ministry of Tourism and Environment**  **Address: Blvd. Dëshmorët e Kombit, Nr. 1, 1001 Tiranë, Shqipëri**  **Tel: + 355 02 XXX XXX**  **E-mail: XXXXXXXXXXXXXX** | | | **Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  **Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |

## Annex 2: Grievance Register

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Reception date** | **Name of Complainant** | **Communication Channel (how)** | **Component** | **Description of Problem** | **Actions taken** | **Date of resolution** |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |

## Annex 3: Minutes of Disclosure Meetings during the appraisal phase

**Minutes of the Environmental and Social consultation meetings**

**Albanian Clean and Resilient Environment for Blue Sea Project**

**Project Technical and Environmental and Social disclosure meeting in Permet Municipality**

Title: Local presentation meeting for the CARE4BlueSea project ESF disclosure

Date: December 12, 2022

Venue: Multifunctional Center, Permet Municipality

**Agenda**

* 16:00- 16:05 Welcoming opening by the Mayor of Permet Municipality, Mrs. Alma Hoxha
* 16:05 – 16:30 Presentation of the project by the Ministry of Tourism and Environment and ESF
* 16:30 – 16:50 Presentation of waste, wastewater and sanitation investments, AKUM and ESF
* 17:00 – 17:15 Discussion session
* 17:15 – 17:30 Closing and final remarks

Participants in the meeting included representatives of the Ministry of Tourism and Environment and its dependent agencies, like the National Agency of Protected Areas and its regional directorates (Vlora , Gjirokastra), the National Agency for Water, Wastewater and Waste Management (AKUM), the National Agency of Water Resources and the Vjosa Basin; District representatives such as the head of Gjirokastra Prefecture, Head of Vlora Prefecture, Vice Head of Gjirokastra Regional Council, Vice mayor of Saranda Municipality; mayor and representatives of municipalities within the wide project area- such as the Vice/Mayors of Gjirokastra and Saranda, Municipality representatives of Permet, Tepelene, Kelcyre, Memaliaj, Himare, Dropull, Memaliaj; Water Supply Services and World Bank representatives. A list of participants is attached in Annex 1 of this MoM.

The meeting was held within the premises of the Multifunctional Center of Permet Municipality. The mayor of Permet, Mrs. Alma Hoxha, kindly contributed to the organization of this event in great detail.

The meeting was opened by the Mayor of Permet, Mrs. Alma Hoxha. The mayor underlined the strategic importance of this new project and expressed her appreciation to the Government of Albania for the initiative.

The mayor’s presentation was followed by a presentation by Mrs. Daniel Pirushi, Director of the National Agency of Protected Areas. She highlighted the importance of the CARE4BlueSea project for the Vjosa Basin, considering the enormous efforts made by the government for the nomination of the Vjosa River National Park and the continuous engagement by the Ministry of Tourism and Environment to design and approve the Vjosa Basin Management Plan. The CARE5BlueSea project is expected to contribute to the joint efforts for the nomination of the Vjosa National Park, through investments aimed at improving the environmental condition of the area.

The meeting continued with the presentation of Mr. Sofjan Jaupaj, Director of Economic Affairs and Supporting Services at the Ministry of Tourism and Environment. Mr. Jaupaj, as a representative of the MoTE as an Implementing Agency, introduced the project components that this Implementing Agency will be responsible for implementation with the assistance of the Project Management Team.

Mr. Jovan Gjika, representative of AKUM, also an implementing agency for the project, introduced to sufficient detail the project components to be covered by AKUM. Mr. Gjika also explained the rationale behind the selected sanitation and waste infrastructure for CARE4BlueSea project.

Presentations were followed by the Environmental and Social Experts engaged during the pre-appraisal phase.

The following ESF instruments prepared during this phase were presented:

* Environmental and Social Management Framework
* Resettlement Policy Framework
* Stakeholder Engagement Plan
* Labor Management Procedures
* Environmental and Social Commitment Plan

The main identified environmental and social impacts identified during this phase, as well as the instruments necessary during the implementation and maintenance phases of the sub-projects were outlined during the two presentations, made by the environmental expert Anni Kallfa and the social expert Erjona Bajraktari.

**Discussion session**

The discussion session was facilitated by Mrs. Daniel Pirushi and Mr. Sofjan Jaupaj.

The following questions were addressed by the participants:

Mr. Flamur Mamaj, Prefect of Vlora Qark, outlined that the project needs to involve all municipalities located within Vjosa Basin, which in total are 13. He also mentioned that the project should require a more active involvement of the Water Resources Management Agency. The example of the Protected Area Management Committee for Vlora Qark is an excellent example.

To address this concern, Mr. Sofjan Jaupaj outlined that during the project conception phase, all 13 municipalities with the Vjosa basin were consulted. The project however is expected to have a more meaningful engagement with municipalities that are part of Vlora South Waste Zone.

Mr. Odise Kote, Prefect of Gjirokastra Qark, drew attention to the need to strengthen the education component of the project and to reach even to local communities to explain the investments and the project details. This should be accompanied by an education campaign, reaching all community representatives.

Mr. Jaupaj therefore replied that this is a right concern and that the project should reflect by increasing the awareness rising budget.

Mr. Engjell Serjani, Deputy Mayor of Gjirokastra Municipality, asked a question regarding the financial mechanisms of the project, whether it will be a loan or grant. Mr. Jaupaj replied that, given that the project is still in the appraisal phase, and this issue will be decided during negotiations.

Mr. Aleksander Toti, representative of the Tepelene Municipality, commented that this project very well complements the efforts that the Tepelene Municipality is doing for the nomination of the Vjosa National Park. Mrs. Daniel Pirushi, Head of the National Agency of Protected Areas, responded that this is a joint effort and the NAPA and the MoTE is proud to be leading this process.

ANNEX 1: LIST OF PARTICIPANTS

**Photo documentation**







**Project Technical and Environmental and Social disclosure meeting at National level**

Title: Presentation meeting for the CARE4BlueSea project ESF disclosure

Date: December 13, 2022

Venue: Online

**Agenda**

* 13:00 – 13:15 Welcoming opening by Mr. Sofjan Jaupaj, Representative of the Ministry of Tourism and Environment
* 13:15 – 13:45 Presentation of respective implementing agency components (waste, wastewater and sanitation investments), AKUM
* 13:45 – 14:15 Presentation of the respective project components by the Ministry of Tourism and Environment
* 14:15 – 14:45 Presentation of the Environmental and Social instruments
* 14:45 – 15:00 Discussion session

The meeting was organized by the Ministry of Tourism and Environment, which also sent the invitations, in cooperation with AKUM. Participants in the meeting included representatives of the main national stakeholders related to the project cycle, such as National Agency for Territory Planning, National Agency for Territorial Development, Water Resources Management Agency, Donors, NGO’s, etc. A full list of participants can be found in Annex 1.

The meeting was opened by Mr. Sofjan Jaupaj, Director of Economic Affairs and Supporting Services at the Ministry of Tourism and Environment. He highlighted the main project components, financing and implementation arrangements, as well as the components that the MoTE will be responsible to implement through its Project Management Team.

Mr. Jovan Gjika, representative of AKUM, also an implementing agency for the project, introduced to sufficient detail the project components to be covered by AKUM. Mr. Gjika also explained the rationale behind the selected sanitation and waste infrastructure for CARE4BlueSea project.

Presentations were followed by the Environmental and Social Experts engaged during the pre-appraisal phase.

The following ESF instruments prepared during this phase were presented:

* Environmental and Social Management Framework
* Resettlement Policy Framework
* Stakeholder Engagement Plan
* Labor Management Procedures
* Environmental and Social Commitment Plan

The main identified environmental and social impacts identified during this phase, as well as the instruments necessary during the implementation and maintenance phases of the sub-projects were outlined during the two presentations, made by the environmental expert Anni Kallfa and the social expert Erjona Bajraktari.

**Discussion session**

The discussion session was facilitated by Mr. Sofjan Jaupaj and Mrs. Anni Kallfa.

The following questions were addressed by the participants:

Mrs. Jula Selmani, employee of the National Agency of Protected Areas, highlighted the fact that for each sub-project, the clearance/opinion of the National Agency of Protected Areas must be obtained during the screening phase.

Mrs. Klodiana Marika, Director at the Ministry of Tourism and Environment, congratulated the project team for the preparation of the ESF instruments, however, she emphasized that ESIA and SIA are very important tools to fulfill procedures for dumpsites, which will upgrade the environmental conditions in the Vjosa valley national park. The project will also contribute to the EU Chapter 27 by ensuring proper infrastructure for waste management.

The meeting was closed by Mr. Sofjan Jaupaj and the environmental and social experts. The deadline for feedback on the draft ESF documents was announced to be December 22, 2022.

**LIST OF PARTICIPANTS**

World Bank: Berengere Prince, Shpresa Kastrati, Bekim Ymeri, Erion Istrefi

MoTE: Sofjan Jaupaj, Klodiana Marika, Elvana Ramaj

AKUM: Florian Demi, Jovan Gjika

NAPA: Jula Selmani

AKPT: Adelina Greca

AMBU: Halit Kamberi

SANE27 project: Jadranka Ivanova, Rezart Kapedani

AFD: Mirela Mata

EEAS Tirana: Edvin Pacara

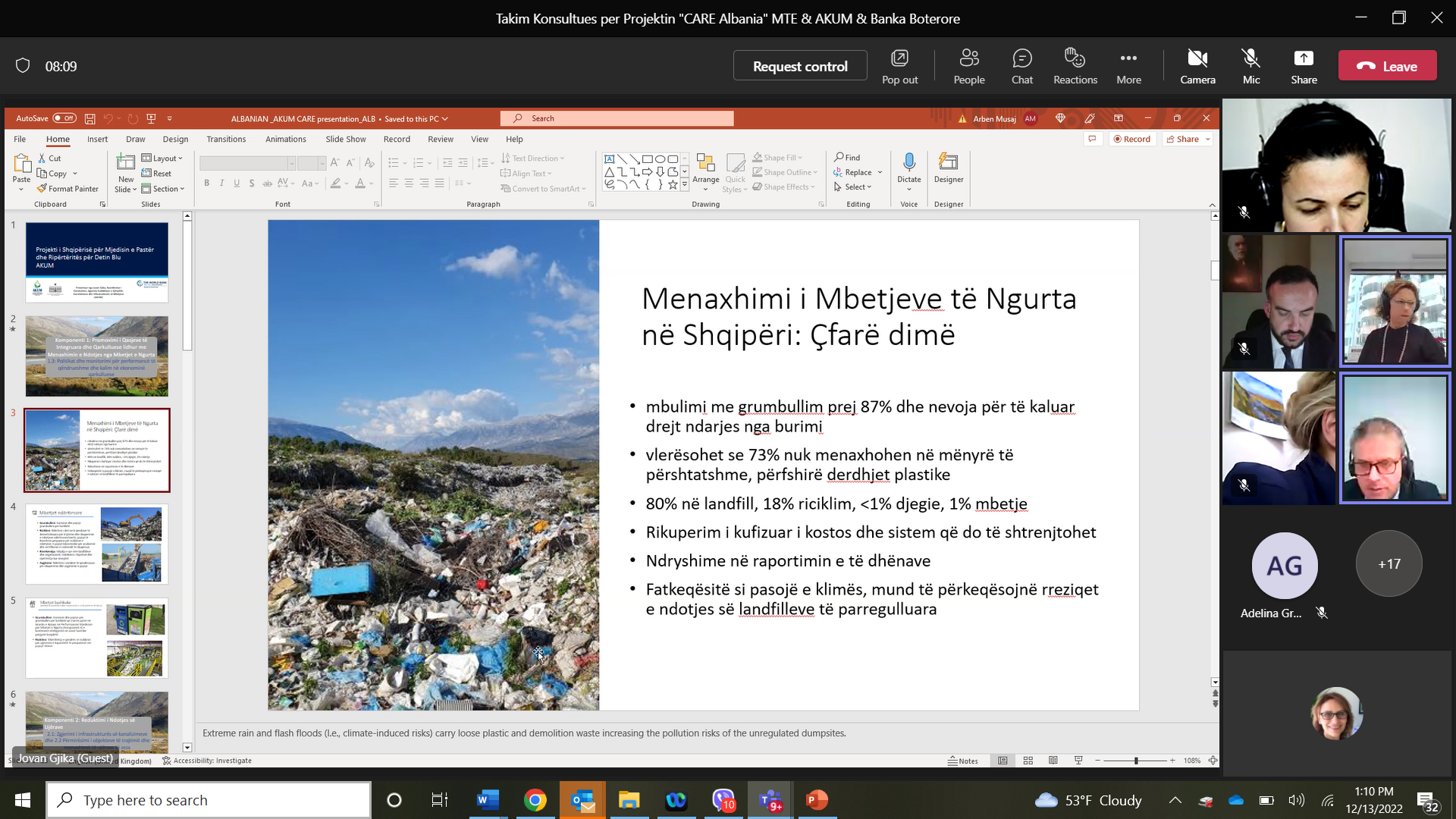
Rovena Metoja

Enkelejda Shkurtaj

Sebastian Carreau

Erjona Bajraktari

Anni Kallfa



1. Coastal belt is defined in the *2030* *Integrated Cross-Sectorial Plan for the* [Coastal Belt](https://planifikimi.gov.al/index.php?eID=dumpFile&t=f&f=2744&token=6bd48198928b6ea749c4ce8c142ef1d158bb2b8c) of the Government of Albania. It has four contiguous zones that extent deep into the hinterland, cover the Vjosa river basin and stretch from Oriqum to the Greek border. See map 2 in Annex 4. [↑](#footnote-ref-1)
2. Sub-Consultant/Contractor means any person or entity to whom/which the Contractor or Consultant subcontracts any part of the Works or Services. [↑](#footnote-ref-2)
3. Coastal belt is defined in the *2030* *Integrated Cross-Sectorial Plan for the* [Coastal Belt](https://planifikimi.gov.al/index.php?eID=dumpFile&t=f&f=2744&token=6bd48198928b6ea749c4ce8c142ef1d158bb2b8c) of the Government of Albania. It has four contiguous zones that extent deep into the hinterland, cover the Vjosa river basin and stretch from Oriqum to the Greek border. See map 2 in Annex 4. [↑](#footnote-ref-3)
4. Sub-Consultant/Contractor means any person or entity to whom/which the Contractor or Consultant subcontracts any part of the Works or Services. [↑](#footnote-ref-4)
5. https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwjUjtH7-af0AhWutIsKHUFvBZAQFnoECAQQAw&url=https%3A%2F%2Fwww.ilo.org%2Fipecinfo%2Fproduct%2Fdownload.do%3Ftype%3Ddocument%26id%3D1899&usg=AOvVaw3oc8crqs6CScC5\_J0kDd79 [↑](#footnote-ref-5)
6. https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwjUjtH7-af0AhWutIsKHUFvBZAQFnoECAQQAw&url=https%3A%2F%2Fwww.ilo.org%2Fipecinfo%2Fproduct%2Fdownload.do%3Ftype%3Ddocument%26id%3D1899&usg=AOvVaw3oc8crqs6CScC5\_J0kDd79 [↑](#footnote-ref-6)