
Government of Republic of Zambia



Ministry of Green Environment and Economy

Eastern Province Jurisdictional Sustainable Landscape Program (EP-JSLP) (P155827)

LABOR MANAGEMENT PROCEDURES (LMP)

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LIST OF ACRONYMS/ABBREVIATIONS

BAU	Business as Usual
BioCF	BioCarbon Fund Initiative for Sustainable Forest
BSP	Benefit Sharing Plan
COVID-19	Coronavirus disease
CFMGs	Community Forest Management Groups
CRB	Community Resource Boards
CSA	climate smart agriculture
CQC	C-Quest Capital LLC
DMT	District Management Team
EP-JSLP	Eastern Province Jurisdictional Sustainable Landscape Program
ESF	Environmental and Social Framework
ESMF	Environmental and Social Management Framework
FGRM	Feedback grievance redress mechanism
GEF	Global Environmental Facility
GHG	Greenhouse Gas
GMA	Game Management Area
HIV	Human immunodeficiency virus
GRM	Grievance redress mechanism
IDA	International Development Association
ILO	International Labour Organization
LMP	labour management procedures
MGEE	Ministry of Green Environment and Economy
NDC	Nationally Determined Contribution
PDCC	Provincial Development Coordinating Committee
REDD+	Reducing Deforestation and Forest Degradation for conservation, sustainable management of forests, and enhancement of forest carbon stocks
SESA	Strategic Environmental and Social Assessment
SH/A	Sexual harassment and assault
SFM	Sustainable Forest Management
UNFCCC	United Nations Framework Convention on Climate Change
VAC	Violence against children
ZIFLP	Zambia Integrated Forest Landscape Project

1. Introduction and Background

1.1 Project Description

The Government of Zambia is developing a long-term results-based payment (RBP) program, the Eastern Province Jurisdictional Sustainable Landscape Program (EP-JSLP) to commence in 2023 following the finalization of the Zambia Integrated Forest Landscape Project (ZIFLP) being implemented since 2018. The EP-JSLP is jurisdictional in approach and performance-based in nature covering all the 14 districts of Eastern Province. The government will implement the EP-JSLP with funding support from ZIFLP funding partners, IDA of the World Bank, BioCarbon Fund Initiative for Sustainable Forest (BioCF), Global Environmental Facility (GEF) in operations, management and MRV development costs until year 3 (2025) when carbon revenue is expected to make the JSLP (ER phase) financially viable. The EP-JSLP aims to reduce emissions in the Eastern Province, while strengthening sustainable land and forest management practices, creating increased incomes and resilience of local communities. It will promote interventions that prevent deforestation and forest degradation as: improved land-use planning, scaling-up of climate smart agriculture (CSA), renewable energy access, and policies, laws and regulations that protect forests and wildlife. Furthermore, the EP-JSLP is in line with the government's development vision (Vision 2030), along with the National REDD+ Strategy¹ and Nationally Determined Contribution (NDC). Through the development of a National Strategy to reduce Deforestation and Forest Degradation the government recognized the need to tackle the increase in emissions from deforestation and forest degradation. The strategy was developed under reducing emissions from deforestation and forest degradation (REDD+) mechanism.

The REDD+ mechanism presents an opportunity for Zambia to address deforestation and forest degradation in a comprehensive and integrated manner by involving the identified sectors and key actors. Thus, help Zambia meet its NDC obligations under the United Nations Framework Convention on Climate Change (UNFCCC). In 2016 Zambia submitted its NDC with a conditional pledge of reducing Greenhouse Gas (GHG) emissions by 25% by 2030 under the Business as Usual (BAU) scenario with limited international support or by 47% with substantial international support. The EP-JSLP interventions will directly address emissions reductions through promotion of Sustainable Forest Management (SFM) by expansion of community forestry and strengthening collaboration in the management of protected areas; CSA approaches that will increase productivity thus reducing pressures on forests and building better soil carbon; as well as provision of fuel efficient cookstoves and promotion of sustainable charcoal production reducing wood energy needs across the Province

The EP-JSLP will collaborate with private sector entities, COMACO and BioCarbon Partners (BCP) that are currently implementing REDD+ benefits sharing in Eastern Province, with local communities. COMACO, in particular, established Chiefdom Conservation Agreements piloted through its Landscape Management Project through the support of the World Bank. The other entity will be C-Quest Capital LLC (CQC) who will be the energy efficient stoves service provider in the ISFL ER Program. CQC is a social impact project

¹Zambia National Strategy to Reduce Emissions from Deforestation and Forest Degradation (REDD+, 2015-2030)

developer who provide access to sustainable energy services and clean energy technologies that reduce GHG emissions, combat global climate change, and improve the health of those in need.

1.2 Project Development Objectives

The long-term EP-JSLP development objective is to improve landscape (forest and agriculture) management and increase environmental and economic benefits for rural communities in the Eastern Province. This is in line with the vision of the National Strategy to Reduce Deforestation and Forest Degradation in Zambia. The expected outcomes will be reduced emissions in the Eastern Province, while strengthening sustainable land and forest management practices, creating increased incomes and resilience of local communities.

1.3 Project Components

The EP-JSLP will be implemented as a Government program involving two components concerning benefit sharing plan (BSP) and monitoring, reporting and verification (MRV) system.

The BSP component will through the Benefit Sharing Mechanism apply an adaptive management approach of monitoring and evaluating results to inform periodic review and updating the BSP based on lessons learnt and verified ER achieved through the MRV system.

The MRV will be at three functional levels of institutional arrangements, at National, Provincial (and their respective specialised units), and the districts. The national level shall provide a coordination role and backstopping in the implementation of the MRV system, whilst actual monitoring activities will be conducted at provincial and district levels. The component will involve repeated measurements of land use and land use change and carbon stock changes for emissions. Thus, the component will support identifying and addressing gaps that exist in the MRV system including developing and implementing a work program to improve data collection and overall reporting/accounting capacity, both at the national and decentralised levels. The MRV will be primarily conducted by GRZ personnel so other government personnel from relevant sectors and departments will be involved.

1.4 Benefits and Beneficiaries of the ERP

The identification of beneficiaries was based on work conducted through the ER program design including Strategic Environmental and Social Assessment (SESA)² and benefit sharing plan (BSP) consultations to identify and assess specific interventions that address specific drivers and agents of deforestation and forest degradation in Eastern Province according to sector. Beneficiary groups include traditional authorities, farmers, community resource groups and community members. Since most land in Eastern Province is in traditional/customary ownership therefore most of the activities to produce ER will be undertaken by these groups. Strategic interventions were identified as priorities in line with government development priorities, to deliver livelihood benefits as well as significant ERs. The primary focus will be on groups who have a direct impact on GHG emissions and therefore, agents for ER mitigation incentive

² http://ziflp.org.zm/download/safeguards/SESA_Report.pdf

payments including the indirect non-monetary benefits, primarily through the ER projects of SFM & CSA, with the indirect livelihood support measures. This will include recognized ER Projects operating within the Jurisdiction of the Eastern Province.

Beneficiary	
Landscape Level Implementers	
Traditional Authorities (Chiefs, Headmen, <i>Indunas</i>)	
Registered: Farmers (Lead Farmers, District Farmer Associations) Community Groups – CFMGs, CRBs	
Village Action Groups (on behalf of Community groups, esp. vulnerable), Households & Individuals	
ER Related Projects, CSOs and Private Sector : CSOs, Private Companies	

2. OVERVIEW OF LABOR USE ON THE PROJECT

The EP-JSLP will be implemented through the existing provincial jurisdiction landscape program institutional structure. The Ministry of Green Economy and Environment (MGEE) will lead the Program implementation through Eastern Province based PIU. The MGEE will maintain the current ZIFLP PIU based in Zambia Eastern Province in Chipata, for implementation and monitoring coordination for enforcement of ERs, safeguards, the BSP and private sector activities. The composition is shown in table 1.

Characteristics of Project Workers: All workers to be engaged will be professional office workers. There will be a mix of male and female workers all of whom will be not less than 18 years of age, in accordance to national employment legislation. The EP-JSLP will be implemented as a Government program. The Program staff are existing civil servants and who will be seconded to this program, external professionals will be sourced in a case of unavailable resource within the civil service system.

Timing of Labor Requirements: EP-JSLP program implementation unit (PIU) will be based in Chipata, Eastern Province in Zambia. All activities will occur in Eastern Province throughout the implementation period of 2023- 2027.

Contracted Workers: The EP-JSLP will engage in any required contractual worker during implementation of the Program. For instance, it will take over a contracted role under Community Forestry Technical Adviser when implementation phase of ZIFLP ends. It is likely that the Program will engage consultants for services such as independent verification and audits of the ER program activities, as well as engage with providers of energy efficient cookstoves. The Program will not engage migrant workers.

Table 1 Description of Program Workers

Title / Role	<i>Characteristics of Worker</i>	Type of Worker	Sequence
Program Manager	Coordination and management of Program, Chairs the ERBSC Oversee collaborations across PDCC and DDCCs Supervise implementation of workplans across Districts	Direct	Program cycle
MRV Specialist	Coordinate forest monitoring at the program level, Submit Monitoring reports to the World Bank BioCF ISFL, ER transactions to registries, Assess & report Chiefdom performance	Direct	Program cycle
Environmental & Social Inclusion Social, Environment	Manage, monitor and report on application of safeguards, Facilitate independent audit of safeguards mid-term and end of ERPA period	Direct	Program cycle
BSP Specialist	Coordination of the BSP, advises ERBSC, Report on indicators related to disbursement of funds to beneficiaries Develop operational manual 'BSP' for the Fund; Coordinate with the PSC on orientation of BSP	Direct	Program cycle
Private Sector Engagement Specialist	Work closely with the Fund to establish criteria for selection of private sector entities as beneficiaries Review monitoring data specific to private sector initiatives across the landscape	Direct	Program cycle
District Planner within the DMT in the district			
Community Liaison Officer			
CRB	Assist management of the GMA	Indirect	
Camp agricultural committee leaders	Support Identifying potential lead farmers / names brought to camp extension officer. Submitted to Min of Agriculture Likely support for DMTs to do outreach to farmers	Indirect	

CFMGs	Resource management groups that manage the forest	Indirect	
Community Liaison Officer			

3. ASSESSMENT OF KEY POTENTIAL LABOR RISKS

The Program will not involve construction works, and probable risks and impacts related to working conditions health and safety are expected to be very low. The EP-JSLP activities will not include hazardous work or use of hazardous materials. However, as the Program indicates provision for performance-based incentives and cost-benefit sharing mechanisms as well as incentive-based payments to reduce greenhouse gas emissions, it might cause or perceive to cause negative impacts of recruitment/secondment process, gender responsiveness, occupational health and safety to mention a few.

Table 2 Potential Labor Risks

Likely Risk	Description
Inadequacy in terms and conditions of employment	Exclusions or omissions of basic rights of workers related benefits, work hours, wages, compensations, participation in Program activities as MRV etc. in employment contracts in violation of national labor law provisions; engaging workers without e.g. a valid letter of secondment in place; un-clarity in the language of the contract; lack of awareness and understanding on the terms and conditions (rights and obligations); lack of awareness on the relevant labor laws and procedures
Discrimination and deprivation of equal opportunity	workers may face this risk during hiring and recruitment of employees and while at work. There might be discrimination of workers based on their identity, physical ability or disability, political affiliation, religion, and gender; discrimination can also happen in relation to provision of compensations, benefits and other opportunities such as access to training, travel, promotions; application of disciplinary measures and penalties; termination of employment or retirement, working conditions and terms of employment; discriminations may arise due to favoritism, nepotism and corruption.
GBV, Sexual harassment and assault (SH/A)	Women workers may face risks of SH/A by employees, clients, work colleagues, visitors, during hiring and employment process, and/or while at work in office and/or outside of office during field works in Program implementation areas
Occupational health and safety	workers may be exposed, contract and/or transmit COVID-19 at work place or outside meeting gatherings, workers may also be exposed to the risk of HIV/AIDS infections due unrestricted sexual contacts in workplace and during

	field work. Additionally, are workplace risks like; heat stress, falls, and being attacked by wild animals can be identified as risks.
Accidents	Workers may be exposed to accidents related to travel (car, motorbike, bus) and field work in remote forest landscapes during MVR and during routine facilitation and coordination activities of ERP.
Non-Compliance	Limited knowledge of workplace rights, lack of training, lack of skills and experience to recognize labor violations, failure to voice their concerns or manage associated risks are some of workplace compliance related challenges
Lack of access or awareness of grievance mechanism	Indirect workers may not have appropriate access to grievance mechanisms and may not be able file complaints. The sub-contractor will be required to provide grievance mechanisms for such workers and/or they will be provided access to existing grievance mechanisms.

To ensure that the negative impacts are avoided or minimized, the EP-JSLP will implement the labour management procedures (LMP) among other environmental and social safeguards as required by the World Bank environmental and social framework (ESF) and the relevant Zambian policies and legislation related to labour relationships. Further, the planned engagement for the Program will include activities that are expected to enhance transparency in the general understanding and implementation of areas such as occupational health and safety (OHS), employment terms and conditions. The Program will further ensure to ascertain that all Program related workers in particular, contracted and community workers are legitimate and reliable entities and guided by the LMP will have them engaged in employment in accordance with the requirements of ESS2 of the World Bank.

4. BRIEF OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS

The Employment Code Act No. 3 of 2019, regulates the employer and employee relationship in Zambia. All types of EP-JSLP workers’ labor terms and conditions will be subject to the Employment legislation which is elaborate on provisions regarding conditions of employment, wages among others. The Act is informed by among other sources the Industrial and Labour Relations Act which provides for the creation of a trade union and employers’ representative organization and the International Law which speaks to minimum levels of job security to International Labour Organization (ILO) 1982 Convention on Termination of Employment No. 158 to which Zambia is a signatory. The government has the process of collective bargaining which supports wage matters with their employees. In addition, because EP-JSLP will be implemented as a Government program, its’ workers will be made aware of the Industrial and labour relations Act of the Laws of Zambia Additionally, the EP-JSLP will ensure compliance to the World Bank’s procurement and contracts management frameworks. Furthermore, EP-JSLP will ensure awareness of the National Pension Scheme Act, which provides for invalidity benefit in the case of non-occupational accident/injury/disease resulting into permanent invalidity that may arise out of and in the course of employment under the Program. The Program will be cognizant of the Gender Equity and Equality Act which will add to consideration on matters of equal remuneration,

benefits and treatment in respect of work of equal value as well as equality of treatment in the evaluation of the quality of work for both men and women workers attached to EP-JSLP.

5. BRIEF OVERVIEW OF LABOR LEGISLATION: OCCUPATIONAL HEALTH AND SAFETY (OH&S)

The Factories Act and the Occupational Health and Safety Act deal with the OHS in Zambia. In accordance with OHS Act, EP-JSLP will ensure the workers undertake with roles at the Program workplace without risks to human health and safety. In Addition, through ZIFLP's environmental and social management framework (ESMF)³ a Code of Conduct exists to ensure appropriate occupational health and safety (OHS) standards are met. It commits the Program to creating and maintaining an environment in which matters as gender-based violence (GBV) and violence against children (VAC) have no place, and will not be tolerated by any employee Program collaboration partners. Therefore, EP-JSLP will take over management of the feedback grievance redress mechanism (FGRM) while simultaneously ensuring it meet thenceforth World Bank GRM and a GBV Action Plan requirements. The Program will communicate relevant labor related policy statements and procedures to all Program workers. Appropriate periodical training on OHS issues will be provided and workers' attendance at such trainings will be given attention. With regard to Program related occupational accidents and incidents, Further, it will document and report all (as per World Bank incident classification) to the World Bank with 48 hours after the occurrence of any severe and serious accidents, a full detail report will be provided within three weeks. The Program will conduct analysis of causes of incidents to inform corrective actions required.

6. RESPONSIBLE STAFF

The EP-JSLP will be implemented as a Government program under the Ministry of Green Economy and Environment of Zambia (MGEE), which is responsible for the environment, managed by a dedicated Provincial ER Jurisdictional Implementation Unit. The Program Implementation Unit will be based in Chipata, in Eastern Province, accountable to the Provincial Permanent Secretary who will chair the Steering Committee for the Program. The PIU will also report into the National REDD+ Coordination Unit (which is housed in the Forestry Department, MGEE). Within the Provincial Development Coordinating Committee (PDCC) comprising representatives of the line ministries there will be a sub-committee formed - ER Benefit Sharing Committee to review and recommend the distribution of benefits from the program. The Jurisdictional Sustainability Landscape (JSL) Program Implementation Unit (PIU) will act as the secretariat to this ER Benefit Sharing Committee, the BSC. The implementation, coordination, planning and reporting of sector related interventions within JSLP (of forests, agriculture, wildlife, local government etc.) will take place through structures at district level and provincial levels and through formal reporting lines as above highlighted to national level. Oversight in the Province will be provided by the PDCC chaired

³³ http://ziflp.org.zm/download/safeguards/Updated_ESMF_Report%20VER06_22Nov21.pdf

by the Provincial Permanent Secretary and comprising Provincial Heads of Departments and invited development organizations.

The National Program Manager will assume functions that will include overseeing engagement and management of program workers, of contractors/subcontractors if arising, enforcement of occupational health and safety (OHS), training of workers and addressing worker grievances (supported by focal safeguards officer(s)).

7. AGE OF EMPLOYMENT

The minimum age for employment on the Program will be 18 years. The Program will apply measures guided by national labor law, relevant proclamations and World Bank ESS2 if underage workers are identified working on the Program.

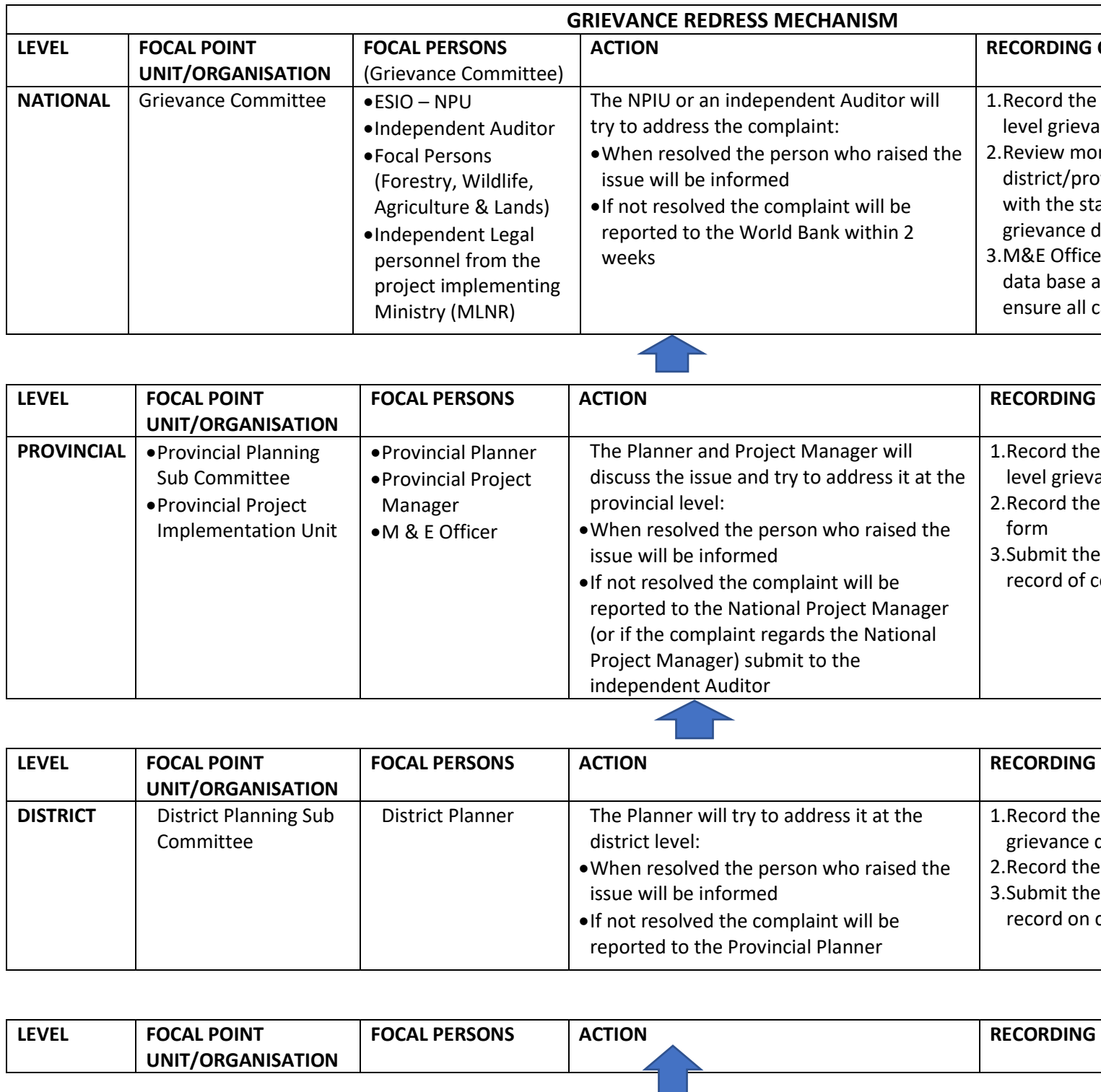
8. TERMS AND CONDITIONS

As indicated, EP-JSLP will be implemented as a Government program, generally the direct workers are existing civil servants who will be seconded to this program. The Program will also engage contractual and community workers. Government workers' terms and conditions of employment are guided by the national civil service regulations in accordance to the national Employment Act. The terms and conditions of employment for the community workers and contract workers comply with Employment Act guidance to manage labor relations of these categories of workers. The Program will observe the Act on set minimum wage scale, race, religion, gender, among other labor issues in respect of recruitment, training, promotion or other matters that may arise out of employer - employee relationship. Further, in accordance with the Employment Act, there will be clear working timeframe for all workers, in particular community members that may work on voluntary basis. The Employment Act will also guide the Program on 'in kind payments' in cases it will be allowed for personal use and benefit of a community worker.

9. GRIEVANCE MECHANISM

Through the ZIFLP a feedback and grievance redress mechanism (FGRM) exists to ensure that the potential grievances arising from the implementation of program activities are adequately addressed. Therefore, EP-JSLP will take over management of the FGRM while simultaneously ensuring it meet thenceforth World Bank GRM requirements together with a GBV Action Plan which will enhance managing GBV related complaints and grievances arising from Program activities and impacts. The GRM will guide the receipt and mediation of labor related complaints/grievances and response Program workers during Program implementation. The Program will implement trainings to heighten awareness among workers (direct, contracted and community members) on how to handle complaints and grievances and why the GRM is important to the program's success. The Program will disclose the grievance mechanism to all workers as well as indicate it would not replace Judicial system or other existing labor relations administrative systems. Other existing mechanisms include the National legal system (i.e. local Courts, magistrate courts, High court and Supreme Court), various tribunals (e.g. Land tribunal), mediation boards, District Development Committees and Provincial Development Committees and traditional systems (village courts).

Table 3 TABLE 1: Illustration flow of GRM



WARD	Ward Development Committee	Ward Development Committee Chairperson	The WDC Chairperson will try to address it at the ward level: <ul style="list-style-type: none"> •When resolved the person who raised the issue will be informed •If not resolved the complaint will be reported to the District Planner 	1.Record the grievance F 2.Record the monitoring 3.Submit the Planning Su
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LEVEL	FOCAL POINT UNIT/ORGANISATION	FOCAL PERSONS	ACTION	RECORD
ZONAL/COMMUNITY	<ul style="list-style-type: none"> •Project Committee •Maintenance Committee •Traditional Structure •Facilitator 	<ul style="list-style-type: none"> •Project Committee Chairperson •Village Secretary •Facilitator 	<p>The focal persons at the community level will discuss and try to address the complaint within the community:</p> <ul style="list-style-type: none"> •When resolved the person who raised the issue will be informed •If not resolved the complaint will be reported to the WDC Chairperson 	<ul style="list-style-type: none"> 1.Record comm 2.Record 3.Submi Chairp

10. CONTRACTOR MANAGEMENT

The EP-JSLP benefit sharing plan makes a distinction between stakeholders, thus contractors will be overseen and managed in accordance with thresholds of the Program. As EP-JSLP will be implemented as a Government program it will maintain government procurement guidelines that subscribe to international standards and will ensure consistency with World Bank procurement guidelines. The PIU will carefully monitor the performance of contracted works throughout the program implementation. The Program will have in place the Program Steering Committee (PSC) which will review and approve the Program Procurement Plan, and in particular, procurement contracts in accordance with thresholds set out in the PIM.

11. COMMUNITY WORKERS

This LMP applies to all Program workers as defined in ESS2; direct, contracted, community and primary supply worker. The Program will ensure compliance to national labor laws and relevant proclamation and applicable OHS regulations. Compliances will include; minimum age of employment will be 18years, recruitment procedures will be transparent and non-discriminatory. Community workers will also be provided with training on OHS. Furthermore, awareness of the grievance mechanism will be enhanced accordingly.

12. PRIMARY SUPPLY WORKERS

The EP-JSLP will ensure to comply with the requirements of the ESS2 and with Zambia Labour law⁴, the Civil Servant Act⁵ and relevant proclamations. If the risk of child or forced labor or serious safety issues are identified, the Program commit to take remedial measures as required.

⁴ <https://iclg.com/practice-areas/employment-and-labour-laws-and-regulations/zambia>

⁵ Service Commission Act, 2016 (No. 10 of 2016).