



**T.C. MINISTRY OF INDUSTRY AND TECHNOLOGY
GENERAL DIRECTORATE OF INDUSTRIAL ZONES**

**TÜRKİYE SMALL INDUSTRIAL ESTATES
RECONSTRUCTION AND REGIONAL ECONOMIC RECOVERY
PROJECT**

LABOR MANAGEMENT PROCEDURE

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Abbreviations

CIMER	Presidential Communication Center
CoC	Code of Conduct
EBRD	European Bank FOR Reconstruction and Development
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Standard
GBV	Gender-Based Violence
GDoIZ	General Directorate of Industrial Zones
GM	Grievance Mechanism
HSE	Health and Safety Executive
IFC	International Finance Corporation
ILO	International Labor Organization
LMP	Labor Management Procedure
MoIT	Ministry of Industry and Technology
OHS	Occupational Health and Safety
SIE	Small Industry Estate
PIU	Project Implementation Unit
PPE	Personal Protective Equipment
RCCE	Risk Communication and Community Engagement
SEA	Sexual Exploitation and Abuse
SH	Sexual Harassment
SPD	Standard Procurement Document
WB	World Bank
WHO	World Health Organization
PAD	Project Appraisal Document

1. OVERVIEW OF LABOR USE IN THE PROJECT

1.1 Introduction

This Labour Management Procedures (LMP) describes the requirements with regards to labor and working conditions applicable during the pre-construction, construction and operation phases of activities.

1.2 Project Overview

Türkiye Small Industrial Estates Reconstruction and Regional Economic Recovery Project, financed by the World Bank and managed by the Ministry of Industry and Technology (MoIT), aims to rehabilitate and enhance the economic infrastructure in regions affected by the 2023 earthquakes. This initiative focuses on developing Disaster Resilient Small Industrial Estates (SIEs) and providing robust support to Micro, Small, and Medium Enterprises (MSMEs) to catalyze regional economic recovery and environmental sustainability in the designated provinces of Elazığ, Hatay, Kahramanmaraş and Malatya.

Component 1 : Construction of Resilient and Low-Emission SIEs: This component is designed to finance the construction of seven (7) new Disaster Resilient SIEs, including 1,600 workshops, which will then be sold to eligible MSMEs. In addition to the workshops, the component will also finance the construction of common infrastructure in the Disaster Resilient SIEs, outer spaces, electricity and water lines, small access roads and other necessary facilities.

Table 1. Details of Proposed Disaster Resilient SIEs

No	Province	SEI	Area Size (ha)	No. of Workshops Demanded	No. of Workshops Projected	Total BuildingArea (m ²)
1	Elazığ	Çamyatağı	107.8	2,842	200	35,000
2	Hatay	İskenderun Bitişik	40.2	56	56	33,000
3	Kahramanmaraş	Halkaçayırı	146.0	2,483	544	255,200
4		Alibeyuşağı	108.0			
5		Urumoğlu	47.5			
6	Malatya	Battalgazi Old Malatya	2.6	84	70	7,000
7		Yeşilyurt 2. Stage	229.7	3,052	730	136,500
Total			681.8	8,517	1,600	466,700

Component 2: Technical Assistance and Project Management: This component will provide technical assistance and capacity building to MoIT's DGIZ and finance the Project Implementation Unit (PIU) to manage the implementation of project activities.

1.3 Description of the LMP

The project is being prepared under the World Bank's Environment and Social Framework (ESF) and will comprise of considerable civil works and various types of Project workers. Therefore, Environmental and Social Standard ESS2 on *Labor and Working Conditions* is applicable. This LMP sets out the way in which project workers will be managed in accordance with the requirements of national law and ESS2. This LMP is prepared for the activities that will be implemented by MOIT's DGIZ for Component 1, and should be read together with other plans prepared by MOIT for the Project, including the Environmental and Social Commitment Plan (ESCP), Environmental and Social Management Framework (ESMF), Resettlement Framework (RF), and Stakeholder Engagement Plan (SEP).

This LMP identifies the main labor requirements and risks associated with the Project and helps the project team to determine the appropriate mitigation measures and resources necessary to address project related labor issues. MOIT's DGIZ will use reasonable efforts to require Project contractors or other intermediaries procuring labor to apply this LMP.

1.4 Overview of Labour Use in the Project

1.4.1. Number of Project Workers

It is expected that Projects will engage the following categories of project workers as defined by ESS2. The exact number of project workers which will be engaged in relation to the project is, currently, not known yet. The number of workers to be involved in the project is estimated based on experience gained from the similar projects undertaken in Turkey and worldwide. The anticipated number of project workers is given in Table 2.

Contracted workers: Contracted workers are the project construction contractors and their sub-contractors. They will be engaged during the following phases of the project:

- **Pre-construction phase** which covers review of technical designs and project documents,
- **Construction phase** which covers procurement of project goods and materials, construction activities, installation etc.

It is estimated that the approximate total number of contracted workers for the construction of all projects will be 1.000- 1.500 employees during the pre-construction and construction phase. The number of workers to work in the project will vary depending on the size and characteristic of the project, the equipment of the contractor firm and other different factors such as contractor firm's workforce. However, a clause which determines the minimum qualifications of technical personnel and equipment will be included in the contracts of the contractor companies.

An estimated overview of the requirements and characteristics of the project workers to be engaged under the Project is given in Table 2.

Table 2. Overview of the Project Workers

No	Province	SEI	Area Size (ha)	No. of Workshops Demanded	No. of Workshops Projected	Number of Contracted Workers
1	Elazığ	Çamyatağı	107.8	2,842	200	200
2	Hatay	İskenderun Bitişik	40.2	56	56	150

3	Kahramanmaraş	Halkaçayırı	146.0	2,483	544	300
4		Alibeyuşağı	108.0			
5		Urumoğlu	47.5			
6	Malatya	Battalgazi Old Malatya	2.6	84	70	150
7		Yeşilyurt 2. Stage	229.7	3,052	730	300
Total			681.8	8,517	1,600	1100

Direct workers: Direct workers will include MoIT employees in supervising and technical roles, who will work directly in relation to the project. The estimated number of direct workers would be 30-40 staff from technical and financial departments of General Directorate of Industrial Zones (GDIZ) of MoIT. MoIT employees will continue to work within the framework of the Civil Servants Law No: 657. ESS2 provisions on OHS, prohibition on child and forced labour will apply to the staff of MoIT.

If needed for the project, supervision consultants can be hired under a separate contract with the supervision company. ESS2 provisions on OHS, prohibition on child and forced labour will also apply to supervision consultants and these issues will be included in the contracts they make.

Community Workers: Community workers will not be engaged under the Project.

1.4.2. Characteristics of Project Workers

Considering the nature of the project workforce (mostly unskilled and semi-skilled construction labor) and characteristics of labor force market in Turkey, it is not expected that the number of female workers will be high. It is estimated that women will represent about 1 percent of the workforce and those will likely be technical (engineering) and/or staff working in the operation offices. All workers will be over the age of 18 and majority of the staff to be hired are expected to be between 20-50 years old.

Workers under the age of 18 will not be engaged by the Project. Turkish law prohibits anyone under the age of 18 from performing work in very hazardous industries (according to industry hazard classes), and construction is considered very hazardous under the existing industry classification.

It is anticipated that construction workers will stay at small construction camp sites. Skilled personnel of contractor firm will stay at rental houses near the construction area by preference. The accommodation standards shall be aligned with Turkish labor and OHS regulations, World Bank ESS2 requirements and Workers Accommodation Guideline of International Finance Corporation/European Bank for Reconstruction and Development (IFC/EBRD).

Primary suppliers: Primary supply workers are expected to be the employees of third-party companies, who, on ongoing basis, provide directly to the project goods or materials essential for the core functions of the project.

Migrant Workers: It is expected that the project will require a combination of local workers from nearby settlements and workers from other parts of Turkey. These workers shall be considered contracted workers and ESS2 provisions on contracted workers shall apply to migrant workers. It is

not expected that the project shall hire foreign workers. In instances when the workforce with required skills profile is not available locally, it is expected that the contractors shall hire workers from other regions in Turkey. The percentage of migrant workers from Turkey will depend on the decisions made by the contractors. It is expected that these workers shall be accommodated in the workers' camps. Labor influx issues are discussed in other chapters on the LMP.

Contracted Workers : It is expected that MoIT will also include independent consultants, who are specialized in certain disciplines (such as design review, occupational health and safety service, construction supervision, and environmental assessment). These consultants will be hired under individual contracts, with specific definition of assigned tasks and responsibilities.

1.4.3. Timing of Labor Requirements

Direct works will generally work full time for the project duration, and will be engaged from the beginning to the end of the project. It is expected that the contracted workers will work during the contract period of each subproject.

Duration of contracts will depend on the timing and sequencing of labor requirements in terms of numbers, locations, types of jobs and skills required.

It is expected that the pre-construction and construction phases of the Sub-Projects would last for 60 months. However, it can be enlarged depending on the task or location if any additional resources required.

It is expected the civils works contractor will mobilize separate crews for each major component. Each crew will be composed of teams to complete specific jobs, such as land-clearing, building foundation, excavation, welding, foundation wall insulation, land restoration, electrical system installation, reinforced concrete works. The type of jobs may vary depending on the specific needs and requirements of each investment to be completed within the scope of this Project.

About fifty percent of the workers will be unskilled laborers. The rest will be semi-skilled and skilled positions such as managers, engineers, forepersons, drivers and equipment operators, and electrical workers. Majority of unskilled labor is likely to come from local communities, while the semi-skilled and skilled workers including managerial and technical staff are expected to come from other parts of Turkey. In the early construction phase of the building unskilled workers will be engaged. Once the land is cleared and building foundations are completed, more skilled labor will be employed and mobilized to install the mechanical and electrical equipment.

2. ASSESSMENT OF KEY POTENTIAL LABOR RISKS

Project activities:

The sub-projects will involve construction of basic structures of SIE'S. Construction of this type of projects typically includes the following activities:

1. Clearance of right of way (checking of other services presence, e.g. natural gas line, electrical lines, old transmission/distribution/network lines, etc.)
2. Construction of access roads
3. Land-clearing
4. Earthworks
5. Reinforced concrete works
6. Finishing construction works
7. Rehabilitation of transmission lines and network lines (wherever required)
8. Welding and coating of pipes for transmission and network lines
9. Transporting material to the working area
10. Bringing electrical services (wherever required)
11. Construct fire hydrants and firefighting system installation
12. Establishment of work camps and area for storage and preparation

The general issues mentioned here, as well as all elements that may affect employees, will be specified in the occupational health and safety management plan and risk assessment to be prepared for the project.

Key Labor Risks

It is assessed that key labor risks will be associated with health and safety risks related to the construction activities of the sub-projects such as exposure to physical, mechanical, ergonomical, electrical, chemical and biological hazards during construction activities such as: use of heavy equipment, trip and fall hazards, exposure to noise and dust, falling objects, exposure to hazardous materials and exposure to electrical hazards from the use of tools and machinery. As the construction activities will involve hazardous work, persons under the age of 18 will not be employed by the Project. Many workers will be exposed to occupational health and safety hazards, primarily including but not limited to:

- Working at height
- Electrocutions and arc fault burns (use of or faulty electrical devices, such as cable plugs, cords, hand tools,)
- Electrical works
- Exposure to chemicals (as paints, solvents, lubricants, and fuels)
- Chain saws and treefall during timber cutting
- Traffic accidents.
- Excavations hazards
- Lifting of heavy structures
- Accidents with exposed rebars
- Exposure to construction airborne agents (dust, silica etc.)
- Ergonomic hazards during construction
- Environmental hazards (snakes, wasps, bees, thermal comfort , etc.)
- Welding hazards (fumes, burns and radiation)
- Steel erection (towers) hazards.

- Lack of awareness on occupational health and safety requirements such as the use of Personal Protective Equipment (PPE) and safe workplace practices; and
- Use of rotating and moving equipment.
- Any spread of disease (epidemic) or pandemic that may occur during implementation.

In general, excessive overtime working hours is a potential labor risk in the construction sector in Turkey. There is a potential risk that due to project limited time period and seasonal restrictions of construction works, contracted workers may perform overtime time hours above the annual limit set by the Labor Law.

Despite potential presence of workers from other regions in Turkey, the actual risk associated with labor influx impacts is expected to be low. Majority of the workforce will be Turkish and the majority of recruitment to be from the local area. This assessment is based on the previous experience with projects involving major civil works in Turkey. In the past, WB funded projects did not receive grievances from local communities related to inappropriate behaviors of workers. Due to local cultural norms, project workers coming from other regions usually have limited interaction with local population.

The Project is assessed as Moderate on gender-based violence (GBV), sexual exploitation and abuse (SEA) Sexual Harassment (SH) risk. Mitigation measures to address SEA/SH risks are included in the section on Policies and Procedures. All contractors will adopt a Code of Conduct (CoC) for all construction work.

3. BRIEF OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS

3.1. Labor Legislation

Labor relations are governed by the provisions of the Turkish Labor Law (4857 numbered).

3.1.1. Forced Labor and Child Labor

Turkish Labor Law does not cover forced labor issues. However, the Constitution of the Republic of Turkey, Art. 18 prohibits forced labor. “No one shall be forced to work. Forced labor is prohibited. Work required of an individual while serving a sentence or under detention provided that the form and conditions of such *labor are prescribed by law; services required from citizens during a state of emergency; and physical or intellectual work necessitated by the needs of the country as a civic obligation shall not be considered as forced labor.*”

Art. 80 of the Penal Code penalize human trafficking and Art. 117 penalize violation of the freedom to work and labor.

Turkey has ratified the ILO Convention No. 29 on Forced Labor and ILO Convention No. 105 on the Abolition of Forced Labor.

Turkish Labor Law sets the minimum age at which a child can be employed as well as the conditions under which children can work (**Article 71, Chapter 4**). The minimum employment age is 15, but in certain cases of vocational training, mild work may be allowed for 14-year-olds.

According to Turkish Labor Law, Article 73, Boys under the age of eighteen and women irrespective of their age must not be employed on underground or underwater work like in mines, cable-laying and the construction of sewers and tunnels.

3.1.2. Wages and Deductions

A labor agreement (employment contract) will determine the form and amount of remuneration. **Turkish Labor Law Article 32-62**, the Wages and its remuneration section is described wage payment and deduction. Remuneration will be paid at least once a month. The minimum wage limit is regulated by the Turkish Labor Law, Art. 39.

3.1.3. Working Hours

According to the Turkish Labor Law, Article-63, duration of work will not exceed 45 hours per weeks (9 hours per day). This does not include time for meal breaks. Where hours are not equally distributed across the week, the daily working time may not exceed 11 hours per day.

According to the Turkish Labor Law, Article-71, the working time of children who have completed their basic education and yet who are no longer attending school shall not be more than seven hours daily and more than thirty-five hours weekly. However, this working time may be increased up to forty hours weekly.

3.1.4. Rest Breaks

According to the Turkish Labor Law, Article 67, the beginning and ending of the daily working time and rest breaks shall be announced to workers at the establishment. Depending on the nature of activity, the beginning and ending times of work may be arranged differently for employees.

According to the Turkish Labor Law, Article 68, employees shall be allowed a rest break approximately in the middle of the working day fixed with due regard to the customs of the area and to the requirements of the work in the following manner;

- a. Fifteen minutes, when the work lasts four hours or less,
- b. Half an hour, when the work lasts longer than four hours and up to seven and a half hours (seven and a half included),
- c. One hour, when the work lasts more than seven and a half hours.

These are minimum durations and the full period must be allowed at each break.

According to the Turkish Labor Law, Article 46, the employees working in establishments covered by this Act shall be allowed to take a rest for a minimum of twenty-four hours (weekly rest day) without interruption within a seven-day time period, provided they have worked on the days preceding the weekly rest day as indicated in **Article 63**. For the unworked rest day, the employer shall pay the employee's daily wage, without any work obligation in return.

3.1.5. Leaves

According to the Turkish Labor Law, Article 53, employees who have completed a minimum of one year of service in the establishment since their recruitment, including the trial period, shall be allowed to take annual leave with pay. The length of the employee's annual leave with pay shall not be less than;

- a. Fourteen days if his/her length of service is between one and five years, (five included),
- b. Twenty days if it is more than five and less than fifteen years, and
- c. Twenty-six days if it is fifteen years and more (fifteen included).

For employees below the age of eighteen and above the age of fifty, the length of annual leave with pay must not be less than twenty days. The provisions of this Act on annual leave with pay are not applicable to employees engaged in seasonal or other occupations which, owing to their nature, last less than one year.

According to the Turkish Labor Law, Article 55, national holidays, weekly rest days and public holidays which coincide with the duration of annual leave may not be included in the annual leave period.

According to the Turkish Labor Law, Article 74, in principle female employees must not be engaged in work for a total period of sixteen weeks, eight weeks before confinement and eight weeks after confinement. In case of multiple pregnancy, an extra two-week period shall be added to the eight weeks before confinement during which female employees must not work. However, a female employee whose health condition is suitable as approved by a physician's certificate may work at the establishment if she so wishes up until the three weeks before delivery. In this case the time during which she has worked shall be added to the time period allowed to her after confinement.

If the female employee so wishes, she shall be granted an unpaid leave of up to six months after the expiry of the sixteen weeks, or in the case multiple pregnancy, after the expiry of the eighteen weeks indicated above. This period shall not be considered in determining the employee's one year of service for entitlement to annual leave with pay.

Female employees shall be allowed a total of one and a half hour nursing leave in order to enable them to feed their children below the age of one. The employee shall decide herself at what times and in how many instalments she will use this leave. The length of the nursing leave shall be treated as part of the daily working time.

3.1.6. Overtime Work

According to the Turkish Labor Law, Article 41, wages for each hour of overtime shall be remunerated at one and a half times the normal hourly rate. In cases where the weekly working time has been set by contract at less than forty-five hours, work that exceeds the average weekly working time done in conduction with the principles stated above and which may last only up to forty-five hours weekly is deemed to be work at extra hours. In work at extra hours, each extra hour shall be remunerated at one and a quarter times the normal hourly rate for workers who work less than 45 hours a week. If the employee who has worked overtime or at extra hours so wishes, rather than receiving overtime pay she/he may use, as free time, one-hour and thirty minutes for each hour worked overtime and one hour and fifteen minutes for each extra hour worked. The employee shall use the free time to which she/he is entitled within six months, within his/her working time and without any deduction in her/his wages. The employee's consent shall be required for overtime work. Total overtime work shall not be more than two hundred seventy hours in a year. Overtime work and its methods shall be indicated in a regulation to be issued.

3.1.7. Labor Disputes

The Labor code of Turkish includes provisions that allow workers to resolve disputes in cases where there is a disagreement between the employer and the employee over the essential terms and conditions of a labor agreement or other aspects of work. Such disagreement will be resolved in compliance with **the Law on Mediation in Civil Disputes, numbered 6325**, and **According to the Turkish Labor Law, Article 20**, the employee who alleges that no reason was given for the termination of his/her employment contract or who considers that the reasons shown were not valid to justify the termination shall be entitled to lodge an appeal against that termination with the labor court within one month of receiving the notice of termination. If there is an arbitration clause in the collective agreement or if the parties so agree, the dispute may also be referred to private arbitration within the same period. The burden of proving that the termination was based on a valid reason shall rest on the employer. However, the burden of proof shall be on the employee if she/he claims that the termination was based on a reason different from the one presented by the employer. The court must apply fast-hearing procedures and conclude the case within two months. In the case the decision is appealed, the Court of Cassation must issue its definitive verdict within one month.

The Turkish Labor Law applies to direct workers and contracted workers, including foreign workers who are employed on full-time basis.

3.1.8. Freedom of Association

Workers and public servants have different union legislation. Workers were covered by the Unions and Collective Agreements Law No. 6356 (dated on 07.11.2012, Official Gazette No. 28460). There are four types of collective agreements regulated by local law: workplace collective bargaining agreement, enterprise collective agreements, group collective agreements and framework agreements. A workplace agreement is created for a workplace, while an enterprise level agreement is created for more than one workplace in the same industry, owned by the same employer. A group collective agreement can be created between a trade union and an employers' union for workplaces in the same industry, owned by different employers.

3.1.9. Non-discrimination

According to Article 10 of the Turkish Constitution, 'everyone is equal before the law without distinction as to language, race, color, sex, political opinion, philosophical belief, religion and sect, or any such grounds'. The article also states that 'men and women have equal rights. The State has the obligation to ensure that this equality exists in practice. Measures taken for this purpose shall not be interpreted as contrary to the principle of equality'.

Article 5 of the Labor Law of Turkey regulates the prohibition of discrimination in employment. According to that article 'no discrimination based on language, race, sex, political opinion, philosophical belief, religion and sex or similar reasons is permissible in the employment relationship. Except for biological reasons or reasons related to the nature of the job, the employer must not make any discrimination, either directly or indirectly, against an employee in the conclusion, conditions, execution and termination of his/her employment contract due to the employee's sex or maternity'. The same article also serves as a base for the principle of equal pay for equal value of work by stating that 'differential remuneration for similar jobs or for work of equal value is not permissible'.

3.1.10. Collective Dismissal

According to the Labor Law 14857 Article 29, when the employer contemplates collective terminations for reasons of an economic, technological, structural or similar nature necessitated by the requirements of the enterprise, the establishment or activity, she/he shall provide the union shop-stewards, the relevant regional directorate of labor and the Public Employment Office with written information at least 30 days prior to the intended lay-off. A collective dismissal occurs when,

- a) in establishments employing between 20 and 100 employees, a minimum of 10 employees; and
- b) in establishments employing between 101 and 300 employees, a minimum of 10 percent of employees; and
- c) in establishments employing 301 and more workers, a minimum of 30 employees, are to be terminated in accordance with Article 17 on the same date or at different dates within one month.

Turkish Labor Code (No. 4857) is to large extent consistent with the ESS2 requirements. Turkey ratified all the four Core ILO Conventions and OHS ILO Conventions. The main gap with ESS2 is related to the grievance mechanism for workers. While the national legislation provides for Labor Courts to raise labor rights concerns, the Labor Code does not include any regulation regarding to workplace grievance mechanism. The Labor Code includes provisions to ensure contracted workers are paid, however, it does not include provisions regarding the selection, management and monitoring of contractors with regard to ESS2 requirements. Though, Labor Code applies to the types of workers who would be considered as contracted workers under ESS2 definition.

4. BRIEF OVERVIEW OF LABOR LEGISLATION: OCCUPATIONAL HEALTH AND SAFETY

The Law of Turkish on Occupational Health and Safety (numbered 6331) provides for provisions on occupational health and safety, and applies to direct and contracted workers, including foreign workers. It is also governed by Labor Law (numbered 4857).

The overview below provides key aspects of legislation which relates to the items set out in ESS2, paragraphs 24 to 30.

- Anyone in the project has right to stop activity until unsafe act/condition is properly resolved.
- All potential hazards to project workers' health and life will be identified for construction activity (Risk Assessment to be prepared and shared with workers).
- Any party who employs workers will develop and implement procedures to establish and maintain a safe working environment, including that workplaces, machinery, equipment and processes under their control are safe and without risk to health. This will include use of appropriate measures related to chemical, physical and biological substances and agents.
- Whenever avoidance of health and safety hazards is not possible, appropriate protective measures will be provided. These measures include controlling the hazard at source using protective solutions and providing adequate personal protective equipment (PPE) at no cost to the project/sub-projects worker.
- Any party who employs workers for the project, the employer, will assign health and safety specialist(s) at construction sites. The employer is obliged to assign health and safety specialist, according to workplace's hazard class, according to legislative requirement. Besides legislative required OHS specialist, each construction site will be appointed to dedicated OHS specialist(s) (at least C class).
- Project workers will receive OHS training at the beginning of their employment, as induction, and on a regular basis thereafter, to cover legislative requirement. Training will cover the relevant aspects of OHS associated with daily work, including the ability to stop work without imminent danger and respond to emergency situations. Training records will be kept on file. These records will include a description of the training, the number of hours of training provided, training attendance records, and results of evaluations.

The employer to ensure the safety and health of workers in every aspect related to the work. The employer takes measures necessary for the safety and health protection of workers, including prevention of occupational risks and provision of information and training, as well as provision of the necessary organization and means and to ensure that the measures are adjusted taking account of changing circumstances and aim to improve existing situations (**The Law of Turkish on Occupational Health and Safety, Article 4**).

The employer to carry out a risk assessment or get one carried out (**The Law of Turkish on Occupational Health and Safety, Article 4 and 5**).

The employer to take appropriate measures to ensure that workers other than those who have received adequate information and instructions are denied access to areas where there is life-threatening and special hazard (**The Law of Turkish on Occupational Health and Safety, Article 4**).

The workers' obligations in the field of safety and health at work shall not affect the principle of the responsibility of the employer (**The Law of Turkish on Occupational Health and Safety, Article 4**).

The employer to provide occupational health and safety services including activities related to the protection and prevention of occupational risks (**The Law of Turkish on Occupational Health and Safety, Article 5, 6 and 7**).

The employer to provide occupational physicians and occupational safety specialists (**The Law of Turkish on Occupational Health and Safety, Article 8**).

The employer to assess the foreseeable emergency situations which could arise and identify those that might possibly and potentially affect workers and work environment considering the work environment, substances used, equipment and environmental conditions present in the workplace and take measures to prevent and limit adverse effects of emergency. The employer to conduct measurement and assessments to afford protection, to prepare emergency plans (**The Law of Turkish on Occupational Health and Safety, Article 11**).

The employer to act and give instructions to enable workers to stop work and/or immediately to leave the workplace and proceed to a place of safety (**The Law of Turkish on Occupational Health and Safety, Article 12**).

The employer will provide medical checks and health surveillance to workers. Workers to be employed in enterprises classified as hazardous and very hazardous shall receive a medical report before employment. The employer to cover all expenses related to the surveillance (**The Law of Turkish on Occupational Health and Safety, Article 4 and 15**).

The employer will develop and implement reporting system for any accidents, diseases and incidents. Every accident will be reported to the employer, investigated and relevant measures will be designed to avoid the accident in the future. Also, remedies for adverse impacts such as occupational injuries, disabilities and diseases will be provided (**The Law of Turkish on Occupational Health and Safety, Article 14**).

The employer to inform the workers and workers' representatives about the safety and health risks and protective and preventive measures, their legal rights and responsibilities, workers designated to handle first aid, extra-ordinary situations, disasters, fire-fighting and the evacuation (**The Law of Turkish on Occupational Health and Safety, Article 16**).

The employer to ensure that each worker receives safety and health training. This training shall be provided on recruitment, in the event of a transfer or a change of job, in the event of a changed risks and repeated periodically if necessary (**The Law of Turkish on Occupational Health and Safety, Article 17**).

The Turkish legislation, **Occupational Health and Safety at Construction Regulation, 05.10.2013 dated and 28786 official gazette, Attachment 4, Article 53-67**, provide that project workers will be provided with facilities appropriate to the circumstances of their work, including access to canteens, hygiene facilities, and appropriate areas for rest.

The Law on OHS, 6331 numbered, defines basic requirements and general principles of occupational safety for jobs that are hazardous, very hazardous and less hazardous (**The Law of Turkish on Occupational Health and Safety, Article 9**). The list of such jobs is provided in the ordinance of Government of Turkey. According to the mentioned list, the construction works for waste water treatment plant, drinking water transmission and network lines, sewage system and electrical works are generally considered to be inherently very hazardous, waste segregation (non-hazardous) work is considered as hazardous.

The law imposes a general obligation on employers to provide employees with a safe and healthy working environment and to inform workers of the potential risks their jobs may present to their health and safety. Measures that must be taken include, but are not limited to, training and information campaigns as well as adoption of relevant preventive measures. The law includes requirements for organizing and managing health and safety programs, providing emergency care and services, and responding to accidents. Other requirements include controlling access to hazardous workplaces, providing personal protective equipment at no charge to workers, and medical examinations (**The Law of Turkish on Occupational Health and Safety, Article 9-10-11**).

Also, the Law on Labor Safety includes provisions that allow employee to take part in consultation process regarding health and safety issues, provide recommendations and raise concerns related to risks and hazards (**The Law of Turkish on Occupational Health and Safety, Article 25**). However, there is no specific requirement related to grievance mechanism, which may allow workers to communicate their complaints to the employer. This can be considered as a gap between Turkish legislation and ESS2. The grievance mechanism is further discussed in this document (see Section 9).

World Bank Requirements

The WB's Environmental and Social Framework (ESF)'s Environmental and Social Standard ESS2 on Labor and Working Conditions, recognizes sound worker-management relationships and the development benefits of a project by treating workers in the project fairly and providing safe and healthy working conditions. The national legislation of Türkiye on working conditions and management of worker relationships, protection of work force, and OHS satisfies the requirements of ESS2 to a great extent. Therefore, those provisions will not be duplicated in this LMP. Additional requirements of ESS2 which are covered in this LMP and will be implemented throughout the Project life cycle are;

- Categorization of the Project workers as direct, contracted, and primary supply workers, and application of the requirements of ESS2 to these different categories of workers accordingly,
- Assessment of risks that may arise from interaction between project workers and local communities and proper mitigation measures including adoption of formal Code of Conduct (CoC) to address those risks,
- Provision of documentation to Project workers at the beginning of the working relationship that is clear and understandable regarding their terms and conditions of employment regardless of the duration of their employment contracts—if there are any workers who do not read or have difficulties understanding the documentation, i.e., migrant workers, the terms and conditions of employment will be explained through oral communication, and this will be retained through records of meetings held or notices placed on a workers' bulletin board.
- A grievance mechanism—Workers' Grievance Mechanism (WGM)—will be provided for all direct workers and contracted workers (and, where relevant, their organizations) to raise workplace concerns. Such workers will be informed of the WGM at the time of recruitment, relevant information will be made available on noticeboards, and the measures put in place to protect them against reprisal for their use. Measures will be put in place to make the WGM easily accessible to all such project workers.
- The OHS measures will include the requirements of national legislation and ESS2 and will take into account the General Environmental Health and Safety Guidelines (EHSGs) and, as appropriate, the industry specific EHSGs and other Good International Industry Practice (GIIP).
- In the event of a fatality or serious injury, and lost time injuries longer than 72 hrs, the contractor will report to the SIE Focal Point, MOIT –PIU, supervision consultants as soon as becoming aware of the fatality or serious injury and MOIT-PIU will report to the World Bank as soon as informed by the contractor. This is supported by similar reporting obligations by subcontractors and primary suppliers to the contractor. The supervision consultants will support the contractor and MOIT PIU in completing the relevant documentation (ESIRT) in line with specific requirements and timeline, including Root Cause Analysis and Corrective Action Plan.

This LMP will be amended or updated as necessary if national laws change. The construction contractors are required to fulfill the provisions of national legislation and the additional requirements of ESS2 by adopting this LMP and preparing their on Labor Management Plans (LM Plans).

5. RESPONSIBLE STAFF

The MoIT Project Implementation Unit (PIU)

PIU will assume the main responsibility for the coordination, implementation and monitoring and reporting of the WB loan implementation processes. PIU will consist of personnel from different departments in MoIT. However General Directory of Industrial Zones (GDoIZ) of MoIT is the coordinator of the loan project thus will form the basic structure of the PIU. MoIT PIU will be responsible for providing the key oversight of the project to set up ESF requirements within selected SIE in accordance with this LMP, designed based on national laws and the World Bank Environmental and Social Standard on Labor and Working Condition (ESS2).

MoIT PIU will be responsible for the following:

- Oversee the implementation of this LMP within selected SIE'S to ensure regular project reporting and evaluation,
- Support Focal point of SIE's in addressing key labor issues that may require intervention across selected SIE's
- Engage project contractors and supervision consultant to ensure proper coordinating in implementing this LMP,
- Monitor the project financially through progress payments during the implementation process of infrastructure projects and releasing the credit to recipients of the project financing based on the progress payments, and
- In instances of severe, fatal and mass accidents, inform the law enforcement bodies and World Bank.

Focal Point of SIE's

Focal Point of SIE'S located within selected SIE'S will be responsible for overall management and supervision of the project including compliance with ESS 2 requirements on Labor and Working Conditions outlined in this LMP. The Focal Point of SIE'S will engage with consultants and contractors to address environmental, social, and occupational health and safety issues arising from the project. The Focal Point of SIE'S will be responsible for the following:

- Undertake the overall implementation of this LMP,
- Engage and manage contractors/sub-contractors in accordance with this LMP and the applicable procurement document,
- Ensure that contractors prepare their labor management plans (Contractor's LM Plan) that comply with this LMP and Contractor's ESMP (including Occupational Health and Safety provisions) for approval before the construction stage,
- Monitor that contractors/sub-contractors are meeting obligations towards contracted workers as included in the Contractor's LM Plan and ESMP and the applicable Procurement Documents, and in line with ESS2 and national labor and OHS laws,
- Maintain records of recruitment and employment process of direct workers,
- Monitor employment process of contracted workers to ensure it is carried out in accordance with this labor management procedure and national labor law,

- Monitor the potential risks of child labor, forced labor and serious safety issues in relation to primary supply workers,
- Monitor training of relevant project workers,
- Ensure that the grievance mechanism for project workers is established and implemented and that workers are informed of it,
- Monitor implementation of the workers Code of Conduct,
- Monitor that occupational health and safety standards are met at workplaces in line with national occupational health and safety legislation, ESS2 OHS requirements, Occupational Health and Safety Plan, and WHO and WB guidelines on COVID-19 prevention,
- Monitor training of the project workers on OHS, SEA/SH prevention and any other required trainings,
- Informing the relevant law enforcements for special procedures/principles for handling sensitive content grievances (Sexual exploitation and abuse/sexual harassment and gender-based violence in the workplace or potential child abuse in project areas),
- Ensure that the grievance mechanism for project workers is established, monitor and report on its implementation,
- Monitor implementation of the workers Code of Conduct,
- Establish and implement a procedure for documenting specific incidents such as project-related occupational injuries, illnesses, and lost time accidents. Maintains such records and requires all third parties and primary suppliers to maintain them. Such records will form an input into the regular review of OHS performance and working conditions,
- In instances of severe, fatal and mass accidents, inform the law enforcement bodies, Labor Inspectorate and MoIT PIU, and
- Ensure that project contractors carry out COVID-19 prevention measures in line with WB and WHO guidelines.

The Supervision Consultant(s)

The supervision consultant will (if contracted) carry out their task on a daily/monthly/defined basis, on the behalf of the Employer (SIE's if applicable. The Supervision Consultant(s) to employ qualified experts for such oversight and report on contractors' performance to PIU on a monthly basis.

The project contractor(s)

The project contractor will be responsible for the following in addition to the legislative requirements and SIE'S Labor Management Procedure:

- Employ or appoint qualified social, labor and occupational safety experts to implement project specific labor management procedure, occupational health and safety plans, and to manage sub-contractors' performance,
- Adopt LMP and OHS plan which will apply to contracted and sub-contracted workers. These procedures and plans will be submitted to the SIE'S for review and approval before the contractors mobilize for the pre-construction phase,
- Supervise its sub-contractors' compliance with the LMP and OHS plans,
- Maintain records of recruitment and employment process of contracted workers,
- Monitor employment process of sub-contracted workers to ensure it is carried out in accordance with this labor management procedure and national labor law,

- 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 labor, and OHS performance,
- Deliver regular work induction trainings including but not limited to OHS, HSE, social induction, SEA/SH prevention training to employees,
- Ensure that all contractors and sub-contractor workers understand and sign the Code of Conduct prior to the commencement of works,
- Establish and implement a procedure for documenting specific incidents such as project-related occupational injuries, illnesses, and lost time accidents. Maintain such records and require all third parties and primary suppliers to maintain them. Such records will form an input into the regular review of OHS performance and working conditions,
- In instances of severe, fatal and mass accidents, inform the law enforcement bodies, Labor Inspectorate and SIE'S.
- Notify the PIU, Supervision Consultant, SIE focal point of any incident or accident related to the Project that has, or is likely to have, a significant adverse effect on the environment, the affected communities, the public or workers, including, inter alia, cases of sexual exploitation and abuse (SEA) and sexual harassment (SH) and accidents that result in death, or serious or multiple injuries by no later than 24 hours after the occurrence of the incident or accident.
- Implement training of workers on the latest WHO advice and recommendations on the COVID-19 infection prevention,
- Raise awareness and ensure that all workers participate in trainings in mitigating the spread of COVID-19,
- Carry out health checks of workers to prevent COVID-19,
- Monitor, supervise, and report on health and safety issues relating to COVID-19 (COVID-19 focal point), and
- Ensure that workers are provided with PPE to prevent COVID-19 (face covers, gloves, sanitizers) and that hand washing facilities are available.

After the bidding process is completed and the construction contractors are known, this LMP can be updated to include additional details about companies, as necessary.

6. POLICIES AND PROCEDURES

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

Where significant safety risks have been identified as part of Section 2, this section outlines how these will be addressed. Where the risk of forced labor has been identified, this section outlines how these will be addressed (see ESS2, paragraph 20 and related Guidance Notes). Where risks of child labor have been identified, these are addressed in Section 8.

The Occupational Health and Safety Law is valid for both civil servants working under the civil servants law no: 657 and employees subject to the labour law no: 4857. Each law defines working hours, leave

(maternity, social events, paid and unpaid), financial rights, working conditions , promotions, equal opportunity and employment right, child labour etc.

Contractor's Responsibility

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 contractors' monthly report and will be reviewed by PIU.

Construction contractors will prepare their labour management plans in line with LMP and national occupational health and safety and labour law. The principles and procedures presented here represent minimum requirements but are not exhaustive list of requirements. The additional measures will be developed by the construction contractors and monitored by the PIU , SIE focal points, supervision consultants to ensure fair treatment of all employees.

In addition, the contractors shall report to PIU about any inspections and audits carried out by the respective ministries. The findings of the labor audits will be presented to PIU and the World Bank, if requested.

7. OCCUPATIONAL HEALTH AND SAFETY (OHS)

MOIT will include into the bidding document requirements of specific OHS standard that all construction contractors and subcontractors will meet under this project. The standards will be consistent with relevant provisions of the national labor code, World Bank ESF (ESS2), World Bank Group Environmental and Health Safety General Guidelines and Good International and Industry Practices (GIIP), as well as World Bank Standard procurement document. All contractors and subcontractors shall manage the construction site in such a way that the workers and communities are properly protected against possible OHS risks. The following OHS standard requirements should as a minimum be included in the OHS Plan to be prepared by the contractors:

- Risk Assessment Procedure,
- Work permitting for hazardous work (working at heights, hot work, work on energized lines, work within confined spaces),
- Golden rules for life threatening works,
- Emergency response procedure,
- Fall prevention and working at heights,
- Excavations safety, Ladders and scaffolders safety; welding and cutting safety; Cranes, Derricks, and forklifts safety; power and hand tools safety,
- Respiratory prevention to chemical and airborne hazards (including dust, silica and asbestos); electrical safety (hazardous energies control, lock out tag out, energy verification, safe distance work, wiring and design protection, grounding, circuit protection, arc fault protection, Electrical safety, PPE and dielectric tools); hazards communication; noise and vibration safety; steel erection safety; fire safety; material handling safety; concrete and masonry safety,

- Construction PPE,
- OHS training, and
- Refuse to work policy.

OHS Staff: in addition, Occupational Health and Safety Plans will among other issues also include the following: the construction contractors will define an OHS accountability matrix for all staff including Project manager, contract manager, OHS staff, foremen, and all employees with clear roles and OHS responsibilities.

Construction contractors must have its own OHS staff that will be responsible for the implementation and supervision of the OHS program.

Risk Assessment. All construction contractors are required to develop risk assessment analysis to identify hazards and OHS risk at the workplace. The construction contractors will develop risk management plans, including Risk Assessment Procedures, to mitigate OHS risks. The procedure should aim to establish and maintain a safe working environment, including that workplaces, machinery, equipment, and processes under their control are safe and without health risk. The Construction Contractors must keep the training records.

Safety Standards and PPE. Contractors will provide a safe workplace; therefore, a risk assessment will be completed before starting any construction activities, and safety measure will be implemented in accordance with applicable safety standards.

All employees will strictly follow Golden Rules¹ for life threatening works (OHS rules that cannot be broken in any circumstances), which will be enforced under contractual matrix of consequences. PPEs and other preventive measures will be provided at no cost for employees. Such PPE is to be delivered to employees involved in work related to the elimination of the consequences of accidents and natural disasters. When the PPE is dysfunctional, the employer is obliged to replace PPE at their own expense without the employee's responsibility. If the employee purchases PPE at their own expense, the employer is obliged to reimburse such costs.

Contractors shall implement measures of prevention and protection at work and organization of training for workers in accordance with WHO guidelines on COVID-19.

OHS Trainings: The employer is responsible for providing OHS training to employees in language understandable to the workers before the work commences on:

- General Principles of health and safety.
- Working procedures, equipment, machinery, and manual and instructions for the use and repair of work equipment.
- Emergencies and evacuation plans, and their implementation activities.
- Existing threats and risks and on measures to be taken with regards to overcoming such situations.

¹ Golden rules usually address issues such as work at heights, work in confined spaces, excavation work, personal protective equipment (PPE), system of work permits, lifting, working on powered systems, traffic, work in high-risk situations, etc. Employers should define their Golden rules in accordance with the nature of work.

There will be a construction OHS committee with representatives of employees, contractors and all sub-contractors.

Bi-weekly OHS meetings will be conducted to discuss preventive measures, deviations and non-compliances, accidents and corrective actions.

Construction contractors will conduct internal OHS surveys and audits to verify compliance of OHS practices. Non-compliances will be documented and reported to PIU. A time frame for a corrective action will be set and followed up.

Daily OHS briefings, toolbox talks, will be conducted before the commencement of the works highlighting the hazards and preventive measures from each job.

Construction contractors will document and report to PIU all accidents and illness with a day lost or more, fatalities or serious injuries that may happen at work site. The PIU will be notified immediately if fatal accidents occur at work site. There must be on site resources for first aid and for more serious injuries there must be a pre-approved health facility for medical treatment, as well as appropriate transportation of injured workers.

Construction contractors will provide the access to the construction site only to authorized personnel and verify if workers are meeting training and accreditation requirements in accordance with training standards and applicable regulatory requirements (i.e. truck drivers, crane and excavator operators must be accredited, as well as electricians, the list of vocational training needs have been detailed in Regulation on The Vocational Training in The Hazardous and Very Hazardous Classes, 13.07.2013 dated and 28706 official gazette number).

Workers must be trained to perform hazardous works such as working at heights, confined, etc. including the legislative requirements of the Regulations on Procedures and Principles of Occupational Health and Safety Training, 15.05.2013 dated and 28648 official gazette number. All workers must complete at minimum an OHS induction to have access to the construction site.

Traffic Management: Construction contractor will set the traffic management requirements applicable for vehicles used during the project implementation. This includes provision of first aid kits in the vehicles, periodic inspection of vehicle and fleet, requirements to the drivers to assure safety during the driving according to traffic and driving requirements in Turkey (Highways Traffic Law - Law No. 2918).

Refuse to Work Policy: Employees have a right to refuse to perform tasks or instructions assigned by the employer, creating health and safety risks for employees. Employees are entitled to leave the workplace in the event of danger. The contractors will not dismiss an employee from their job or place them in a less advantageous position than other employees if such employees exercise the rights of reporting or leaving the workplace during the threat of danger.

All contractors are obliged to take appropriate protective measures whenever avoidance of health and safety hazards is not possible. These measures include controlling the hazard at source, using protective solutions and providing adequate PPE at no cost to the worker.

The contractor will develop and implement reporting system for any accidents, diseases and incidents.

First Aid: There must be on site resources for first aid and for more serious injuries. Furthermore, there must be a pre-approved health facility for medical treatment, as well as appropriate transportation of injured workers. Projects with major civil works should have medical doctors on site.

Worker's accommodation: If accommodations are provided for workers, construction 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 lightning protection, separate cooking and eating areas. There will be separate facilities provided for men and women. The construction contractors will be liable to comply with "Workers' Accommodation: processes and standards, A Guidance Note by IFC and the EBRD".

Monitoring and Reporting: Supervision Consultant (on behalf of MoIT) will conduct periodic supervision of construction contractors' OHS performance, including site visits, at least monthly, preferably weekly. These supervisions will cover compliance with above mentioned standards, accidents, violations of golden rules, recommendations, and progress of ongoing corrective actions

The PIU will review and approve construction contractors' safety plans and procedures.

PIU employees may be expected to carry out field visits and inspections of construction activities. It is not expected that direct project workers would carry out activities with high health and safety risks. National law on OHS in place requires PIU staff to use adequate personal protective equipment (PPE) during the works on site. This includes high visibility vests, helmets, eye protection, and safety boots (depending on weather and work activities' risks, extra PPE could be added). The provision of specific equipment is not required.

Reporting on accidents and incidents: Immediately or within three working days, the employer shall report to the Social Security Institution, verbally and in writing, any fatality, collective or individual serious injury, due to which the employee is unable to work for three consecutive working days, as well as any dangerous event that may put health and safety of the employee at risk.

PIU will inform the World Bank within 48 hours 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). Such events can include strikes or other labor protests, serious worker injuries or fatalities, project-caused injuries to community members or property damage.

According to the national OHS Law, all employers must notify the Ministry within 3 workdays after OHS related incidents. Specifically, for any significant environmental or social incidents (e.g. fatalities, lost time incidents, environmental spills etc.), construction contractors will inform PIU in 3 business days, and PIU will inform the World Bank about the incident as soon as they are informed. The incident report including root cause analysis, precautions and compensation measures taken, will be submitted to PIU in 30 calendar days and PIU will submit the incident report to the World Bank within 30 calendar days of the event.

PIU employees may be expected to carry out field visits and inspections of construction activities. It is not expected that direct project workers would carry out activities with high health and safety risks. National law on OHS in place requires PIU staff to use adequate personal protective equipment (PPE) during the works on site. This includes high visibility vests, helmets, eye protection, and safety boots (depending on weather and work activities' risks, extra PPE could be added). The provision of specific equipment is not required.

Code of Conduct: The contractors will adopt and implement Code of Conduct. The Code of Conduct will also include measures to address SEA/SH issues. The contractors should also submit the Code of Conduct to MoIT for review and approval. The CoC will reflect the company's core values and overall working culture. The content of the CoC is included in the World Bank Standard Bidding Documents and will include provisions relating to SEA/SH prevention.

Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH): Sexual exploitation is any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another (UN Glossary on Sexual Exploitation and Abuse 2017, pg. 6). Sexual abuse is actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive

conditions (UN Glossary on Sexual Exploitation and Abuse 2017, pg. 5). Sexual harassment is any unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature. Project workers are prohibited to commit any acts of SEA/SH. Project workers are required to sign a CoC at the start of employment. Project workers will receive a training on the CoC and prevention of SEA/SH.

Non Discrimination: No discrimination can be made based on language , race, gender, political opinion, freedom beliefs, religion and sect and similar reasons which is also defined in labour law.

Recruitment and employment: Recruitment and employment will be carried out in accordance with the matters specified in the labour law.

8. AGE OF EMPLOYMENT

Turkish law prohibits anyone under 18 from performing hazardous work, and construction is considered hazardous. Thus, no construction workers under the age of 18 years will be employed. As MoIT is a governmental ministry no one under the legal age (18 years) is permitted to work within the institution. Therefore, child labor risks are not expected in relation to the project.

The project contractors will be required to verify the age of all workers. This will require workers to provide official documentation, which could include a birth certificate, national identification card, passport, or driver licenses.

If a child or young worker under the minimum age (18 years) is discovered working on the project, measures will be taken to immediately terminate the employment or engagement of the child in a responsible manner, considering the best interest of the child.

9. TERMS AND CONDITIONS

As specified in Labor Code of Turkey and ESS2 of the World Bank Environmental Social Framework, the employment of project workers will be based on the principles of non-discrimination and equal opportunity. There will be no discrimination with respect to any aspects of the employment relationship, such as recruitment, compensation, working conditions and terms of employment, access to training, promotion or termination of employment. The following measures will be developed by the contractors and monitored by PIU and consultants, if applicable, 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 project contractors, including sub-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 one month before their expected release date of the coming termination. According to Turkish Labor Law numbered 4857 for all dismissals including collective redundancy in line with Article 29 of the Law;

- The contracted workers will not pay any hiring fees. If any hiring fees are to be incurred, these will be paid by the Employer ('Contractors');
- 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 sub-contractors and means to address any language differences; and
- Foreign workers, migrants, will require residence permit, which will allow them to work in Turkey.
- Contractor will include in contracts that all project contractors (and sub-contractor) personnel must be of the age of 18 years or more.

The construction contractors' LM Plan will set out terms and conditions for the contracted workers. These terms and conditions will be in line, at minimum, with this LMP, national labor legislation and General Conditions of the World Bank Standard bidding documents and comparable industry standards.

The employment contracts between the employer, i.e. construction contractor, and the worker will comply with the national legislation and will include the job description, working hours, working conditions, wage level (including payment for overtime). In addition, workers will be provided with drugs and alcohol policy and workers CoC. A copy of the contract will be signed by both parties and a copy of the employment contract will be provided to the worker. Employer may request employees to work overtime, not exceeding 270 hours per year, as stipulated in the Labor Code. Further, the employee's consent shall be required for overtime work, in January each year, as required by the Labor Law.

The construction contractors should adopt this LMP as a part of their contract and will set out terms and conditions for the contracted workers. These terms and conditions will be in line, at minimum, with this LMP, Labor Law (N° 4857), Occupational Health and Safety Law (N° 6331) and General Conditions of Contract of the World Bank Standard Procurements Document.

10. GRIEVANCE MECHANISM

As stated in ESS2, a workers' grievance mechanism (WGM) will be provided separately from the grievance mechanisms required under ESS10 for all direct workers and contracted workers of the Project to raise workplace concerns. The WGM for employees will be applicable to the direct and contracted workers of MOIT involved in the Project including construction supervision consultants, contractors and consultants.

Although Turkish Labor Code does not include a Grievance Mechanism (GM) for workers at the employer level, Workers can raise complaints through the legal system (courts) or through the government established channels to lodge grievances, such as the Presidential GM system (see below) or the Ministry of Labor hotline number. These reported complaints are then channeled to the

employers, who are responsible to address the complaints and report back to the MoIT on the status of complaints in these government GMs.

The PIU will develop and implement a grievance mechanism for direct workers to address workplace concerns. The details of the labor GM are set out below:

The project-level GM is intended to serve as a mechanism to:

- Allow for the identification and impartial, timely and effective resolution of issues affecting the project;
- Provide channels for direct workers to address workplace concerns.

Having an effective GM in place will also serve the objectives of: reducing conflicts and risks such as external interference, corruption or mismanagement; improving the quality of project activities and results; and serving as an important feedback and learning mechanism for project management regarding the strengths and weaknesses of project procedures and implementation processes.

10.1. Labor related GM Structure

The PIU will require contractors to develop and implement a grievance mechanism for their workforce including sub-contractors, prior to the start of works. The construction contractors will prepare their labor management procedure before the start of civil works, which will also include detailed description of the workers grievance mechanism.

The workers' grievance mechanism will include:

- a procedure to receive grievances such as comment/complaint form, suggestion boxes, email, a telephone hotline;
- stipulated timeframes to respond to grievances and to resolve cases;
- a grievance register monitor table to record and track the timely resolution of grievances; and
- a responsible department to receive, record, address and track resolution of grievances.

The Supervision Consultant will monitor the contractors' recording and resolution of grievances, and report these to the PIU in their monthly progress reports. The process will be monitored by the GM Focal Point, a PIU representative who will be responsible for the project GM.

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 unknown; and
- 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.

Project workers will be informed about the existence of the GM through notice boards, the presence of “suggestion/complaint boxes”, and other means as needed. While the project has a labor GM, the other GMs (CIMER, MoIT) can be used to submit complaints, feedback, queries, suggestions or compliments related to labor issues as well as the overall management and implementation of the project, as well as issues pertaining to sub projects that are being financed and supported by the project, including:

- Mismanagement, misuse of Project Funds or corrupt practices,
- Violation of Project policies, guidelines, or procedures, including those related to child labor, health and safety of community/contract workers and gender violence, and environmental issues
- Grievances that may arise from stakeholders and other interested parties of the project who are dissatisfied with implementation methods or other implementation related process of the project and related components, and
- General feedback, questions, suggestions, compliments.

Handling SEA/SH issues: Although the risk from project activities and in Turkish context is low, the GM for workers shall include handling complaints about sexual exploitation and abuse (SEA) and sexual harassment (SH). A SEA/SH referral pathway will be established and updated in line with legal requirements of the country. The GM will have in place mechanisms for confidential reporting with safe and ethical documenting of SEA/SH issues. Further, the GM will also have in place processes to immediately notify both the MoIT and the World Bank of any SEA/SH complaints, with the consent of the survivor. Complaints of such nature will be directed by the social staff of the PIU to relevant legal authorities or service providers. PIU will keep up to date lists of services providers and support centres at all time.

The Project workers’ grievance mechanism will not prevent workers from utilizing any other judicial mechanisms to address their complaints.

GM levels that are incorporated in the project are as follows:

10.2. GM at National Level

According to **Law on the Right to Information** (*Article 11 - The institutions and agencies shall provide the requested information within 15 working days. However, where the requested information or document is to be obtained from another unit within the applied institution and agency or it is necessary to receive the opinion of another institution or if the scope of the application pertains more than one institution; the access shall be provided in 30 working days. In this case, the applicant shall be notified in writing of the extension and its reasons within 15 working days.*), every request and grievance regarding the public institutions are received through the Presidential Communication Center (CIMER). Requests via this channel are managed via CIMER responsible contacts in public bodies. MoIT also has CIMER responsible personnel who receive and assign the grievance to the interested parties in MoIT, who also tracks the progress and provides assistance in closing out of a grievance.

The CIMER mechanism of the MoIT will be available to complainants in this project. If any grievance is received regarding the project or sub-projects, the CIMER responsible for MoIT will convey it to the GM point of the project.

10.3. GM at MoIT

MoIT receives formal requests and grievances through the Presidential Communication Center (CIMER). Other than CIMER, MoIT can receive formal grievances either as official petitions or through its online web channels. In accordance with the requirements of the World Bank, an expert will be

assigned to function as GM point of the project, who will receive grievances regarding the project through all available GMs. The GM will also allow submission of anonymous grievances through CIMER.

Additionally, requests, grievances and suggestions by MoIT staff who work on the Project can be sent to MoIT's Department of Personnel via an internal grievance website or in writing. Requests, grievances and suggestions received in this way are evaluated in 20 business days. The evaluation results are listed internally on the grievance system and can be accessed by employees through their own intranet.

Receiving Party	Grievance and Feedback Submission Channels	Information
MoIT	Website	Sanayi Bölgeleri T.C. Sanayi ve Teknoloji Bakanlığı
	Email & Phone	dboneri@sanayi.gov.tr +90 312 2015842
	Grievance boxes and forms	Located in the GM corridors
	In-person	Başak MUTLU

GM for the Management of Sensitive Complaints ensures to protect the complainant and maintain confidentiality. The person in charge for GM ensures all information shared by the complainant strictly confidential and determine the severity and nature of the complaint. He/she identify potential risks and legal implications. He/she keep the complainant informed about the progress of the investigation.

11. CONTRACTOR MANAGEMENT

MoIT will use the World Bank's Standard Procurement Documents (SPD) for solicitations and contracts, and these include labor and occupational, health and safety requirements.

MoIT PIU will assume the main responsibility for the coordination, implementation and monitoring and reporting of the WB loan implementation processes. The construction work contract is signed between MoIT and the contractor. As part of the process to select design and contractor who will engage contracted workers, MoIT, and/or the supervision consultant may review the following information:

- Information in public records, i.e., 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, LM Plans;
- 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' enrolment in the related programs (training records, vocational certificates, risk assessments);
- Worker payroll records, including hours worked and pay received;
- Identification of safety committee members and records of meetings; and
- Copies of previous contracts with contractors and suppliers, showing inclusion of provisions and terms reflecting ESS2.

The contracts with contractors will include provisions related to labor and occupational health and safety, as provided in the World Bank SPD and Turkish legislation. MoIT will use the World Bank's SPD documents for construction contracts, and the contracts include remedies for non-compliance with labor and other requirements. Remedies include withholding payment, termination of the contract, and forfeiture of all or part of an environmental, social and health and safety performance security.

The MoIT, and/or Supervision Consultant, if applicable, will manage and monitor the performance of Contractor 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 for the sub-projects or work sites and/or of labor management records and reports compiled by the construction contractor.

Construction contractor's labor management records and reports shall include:

- a) 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.

12. COMMUNITY WORKERS

Community workers will not be engaged under the Project

13. PRIMARY SUPPLY WORKERS

Where a significant risk of child or forced labor or serious safety issues in relation to primary suppliers has been identified, this section sets out the procedure for monitoring and reporting on primary supply workers.

Work mainly in basic construction field, sectors are not known to involve significant risks of child labor and forced labor in Turkey. If backfilling or reinstatement material is needed, then local quarries also would be considered primary suppliers. Except for the local quarries, it is expected, that the primary suppliers will be large scale national 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 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 MoIT will use the World Bank's SPD documents for construction contracts, which covers remedies for non-compliance

ANNEX 1: CODE OF CONDUCT FOR CONTRACTOR'S PERSONNEL

CODE OF CONDUCT FOR CONTRACTOR'S PERSONNEL

We are the Contractor, *[enter name of Contractor]*. We have signed a contract with *[enter name of Employer]* for *[enter description of the Works]*. These Works will be carried out at *[enter the Site and other locations where the Works will be carried out]*. Our contract requires us to implement measures to address environmental and social risks related to the Works, including the risks of sexual exploitation and abuse and gender-based violence.

This Code of Conduct is part of our measures to deal with environmental and social risks related to the Works. It applies to all our staff, laborers and other employees at the Works Site or other places where the Works are being carried out. It also applies to the personnel of each subcontractor and any other personnel assisting us in the execution of the Works. All such persons are referred to as **"Contractor's Personnel"** and are subject to this Code of Conduct.

This Code of Conduct identifies the behavior that we require from all Contractor's Personnel.

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

REQUIRED CONDUCT

Contractor's Personnel shall:

1. carry out his/her duties competently and diligently;
2. comply with this Code of Conduct and all applicable laws, regulations and other requirements, including requirements to protect the health, safety and well-being of other Contractor's Personnel and any other person;
3. maintain a safe working environment including by:
 - a. ensuring that workplaces, machinery, equipment and processes under each person's control are safe and without risk to health;
 - b. wearing required personal protective equipment;
 - c. using appropriate measures relating to chemical, physical and biological substances and agents; and
 - d. following applicable emergency operating procedures.
4. report work situations that he/she believes are not safe or healthy and remove himself/herself from a work situation which he/she reasonably believes presents an imminent and danger to his/her life or health;
5. treat other people with respect, and not discriminate against specific groups such as women, people with disabilities, migrant workers or children;
6. not engage in any form of sexual harassment including unwelcome sexual advances, requests for sexual favors, and other unwanted verbal or physical conduct of a sexual nature with other Contractor's or Employer's Personnel;
7. not engage in Sexual Exploitation, which means any actual or attempted abuse of position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. In Bank financed projects/operations, sexual exploitation occurs when access to or benefit from Bank financed Goods, Works, Consulting or Non-consulting services is used to extract sexual gain;
8. not engage in Sexual Assault, which means any form of non-consensual sexual contact that does not result in or include penetration. not engage in any form of sexual activity with individuals under the age of 18, except in case of pre-existing marriage;
9. complete relevant training courses that will be provided related to the environmental and social aspects of the Contract, including on health and safety matters, and Sexual Exploitation, and Sexual Assault (SEA);

10. report violations of this Code of Conduct; and
11. not retaliate against any person who reports violations of this Code of Conduct, whether to us or the Employer, or who makes use of the [Project Grievance [Redress] Mechanism].

RAISING CONCERNS

If any person observes behavior that he/she believes may represent a violation of this Code of Conduct, or that otherwise concerns him/her, he/she should raise the issue promptly. This can be done in either of the following ways:

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

The person’s identity will be kept confidential, unless reporting of allegations is mandated by the country law. Anonymous complaints or allegations may also be submitted and will be given all due and appropriate consideration. We take seriously all reports of possible misconduct and will investigate and take appropriate action. We will provide warm referrals to service providers that may help support the person who experienced the alleged incident, as appropriate.

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

CONSEQUENCES OF VIOLATING THE CODE OF CONDUCT

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

FOR CONTRACTOR’S PERSONNEL:

I have received a copy of this Code of Conduct written in a language that I comprehend. I understand that if I have any questions about this Code of Conduct, I can contact [*enter name of Contractor’s contact person with relevant experience in handling gender-based violence*] requesting an explanation.

Name of Contractor’s Personnel: [insert name]

Signature: _____

Date: (day month year): _____

Countersignature of authorized representative of the Contractor:

Signature: _____

Date: (day month year): _____

ANNEX 2: SAMPLE FORMAT FOR WORKER GRIEVANCE UPTAKE

Name* (<i>Anonymous applications are also accepted. If you would like to submit your application anonymously, please indicate below how you would like to be contacted.</i>)	
Please indicate how you would like to be contacted (<i>letter/mail, phone, e-mail</i>)	
Province/District	
Category of Complaint/Suggestion/Question	
1. Assets/properties/settlements affected by the project	
2. Infrastructure	
3. Reduced or complete loss of income	
4. Environmental issues (noise, waste, pollution, occupational health and safety etc.)	
5. Employment conditions/opportunities	
6. Traffic, transportation and any other risk	
7. Other ²	
Please provide details about the Complaint/Opinion/Question.	
What do you expect to be done and what kind of regulation should be made to resolve your Complaint/Opinion/Suggestion?	
Date:	Signature:

² If it is confidential you can contact with PIU directly