

**COOPERATIVE REPUBLIC OF  
GUYANA**

**MINISTRY OF EDUCATION**

**GUYANA EDUCATION SECTOR PROGRAM  
PROJECT - P174244**

**LABOUR MANAGEMENT  
PROCEDURE**

**May, 2021**

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## **Acronyms**

EMIS	Education Management Information System
ESF	Environmental and Social Framework
ESP	Education Sector Plan
ESS	Environmental and Social Safeguards
GRA	Guyana Revenue Authority
GRM	Grievance Redress Mechanism
IDA	International Development Association
ILO	International Labour Organisation
LMP	Labour Management Procedure
MoE	Ministry of Education
NIS	National Insurance Scheme
PAYE	Pay As You Earn
PIU	Project Implementation Unit

## 1.0 Introduction

Guyana's education sector has made remarkable progress in the last 15 years and continues to be a priority for Government investment. The Government of Guyana has prepared a draft Education Sector Plan (ESP) 2020-2024 – Vision 2030. The ESP sets five priorities: (a) Improving governance and accountability; (b) Improving performance at all levels; (c) Improving the efficiency of the education system; (d) Reducing inequities in education; and (e) Contributing to lifelong learning and employability.

The Government, with the support of the International Development Association (IDA) through the World Bank, is currently preparing the Guyana Education Sector Plan Implementation Grant for further enhancement of the education sector and assist in implementation of the ESP. The Project will assist the Government in achieving its goals by focusing on improving learning outcomes at the pre-primary and primary level, supporting management of the system, and targeting vulnerable students to reducing inequities, all of which would increase future economic opportunities for students. The objectives of the Project are to:

- (i) improve learning conditions at the Nursery level in select areas;
- (ii) increase access to technology-assisted learning at the Primary level in select areas, and
- (iii) improve functionality of the education management information system nationally.

The Project is to be implemented by the Ministry of Education (MoE) and is estimated to cost US\$7 million and will be implemented over a 3-year period, commencing in 2021.

In 2018 the World Bank launched the Environmental and Social Framework (ESF) which enables the Bank and Recipients/Borrowers to better manage environmental and social risks of projects and to improve development outcomes. The ESF offers broad and systematic coverage of environmental and social risks and makes important advances in areas such as transparency, non-discrimination, public participation, and accountability. This is achieved through the implementation of ten (10) Environmental and Social Standards (ESS) which constitute the ESF, and which set out the requirements that apply to projects funded by the Bank.

ESS2 focuses on Labour and Working Conditions. During the environmental and social screening of the Guyana Education Sector Plan Implementation Grant this standard was deemed to be relevant to the Project since it is expected that several consultants will be hired for the project's capacity building program, developing curriculum, and strengthening the Education Management Information System (EMIS). In addition, the project will likely to hire workers/technicians for installation and maintenance of smart classroom facilities. As such, and as a requirement of ESS 2, a draft Labour Management Procedure (LMP) is to be prepared and disclosed prior to project appraisal. The LMP is to be finalized within 30 days of project effectiveness.

This LMP was prepared to fulfill the requirement outlined above and is a designed approach to the administration of project workers and their interaction during the implementation of

the project activities. It includes a Grievance Redress Mechanism (GRM) and a Code of Conducts for project workers. It is expected that the LMP will be a living document, and will be reviewed and updated throughout development and implementation of the project.

## 2.0 Scope of the LMP

This LMP will apply to all three components of the Project. The components of the Project are described below.

**Component 1: Improving Learning Conditions at the Nursery level** - This component aims to improve teaching and learning conditions in both schools and homes to increase longer-term school readiness. This will be achieved through three subcomponents: teacher training at the Nursery level to improve pedagogy and delivery of the new curriculum, provision of accompanying materials to support learning, and parental education to support home-based learning.

- **Subcomponent 1.1: Teacher training to accompany the new curriculum** - This subcomponent would support the delivery of the reformed curriculum, to be piloted starting in September 2021, through training of all teachers and school leaders in Nursery 1 and 2. The training will include foundational skills, as well as student-centered pedagogy and formative assessment. The component would also provide follow-up mentorship and classroom observation using the open source TEACH<sup>1</sup> Early Childhood Development tool. Training will take place in person or online, to be determined and adapted as the public health situation unfolds. Digital options for administering TEACH will be explored accordingly. The content would be delivered to hinterland teachers without internet access through regional hubs and by CD-ROM or other methods provided by traveling inspectors. Socio-emotional aspects will be included in the training, of particular importance during the current pandemic, which can take a toll on students, parents, and teachers. The activities would contribute to the successful transition for students from Nursery to Primary, as the curriculum has been designed to flow from one to the other, and the training provided to teachers at the primary level (under the Guyana Secondary Education Improvement Project) will be consistent with the training provided in this subcomponent. The subcomponent would finance training activities, including consultants, master trainers and logistical support as needed.
- **Subcomponent 1.2: Learning materials.** To support the rollout of the curriculum at the early childhood level, this subcomponent would finance accompanying learning materials for Regions 1, 7, 8, 9 at the Nursery level 1 and 2. The subcomponent would finance the acquisition and adaptation of textbooks and other materials for age appropriate play-based learning. The volume of materials will be revised on the basis of the costing as the Project is prepared. Should schools remain closed due to the pandemic, materials will be delivered to the homes of students to support parental instruction and distance learning provided by television/radio and online formats (delivered by the MOE).
- **Subcomponent 1.3: Primary caregiver education.** This subcomponent would support the provision of primary caregiver education through “parenting circles” in Regions 1 and 7, building on a previous pilot. A training program will be designed and implemented to strengthen parenting awareness, knowledge, and skills in support of children’s emerging

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<sup>1</sup> TEACH is a free classroom observation tool was designed by the World Bank to help countries track and improve teaching quality. Teach is currently employed at the Primary level in Guyana.

<https://www.worldbank.org/en/topic/education/brief/teach-helping-countries-track-and-improve-teaching-quality>

literacy and numeracy. This activity complements the materials being provided under subcomponent 1.2, as well as home-based learning kits provided under a separate activity.<sup>2</sup> Caregiver engagement is key to ensuring that children's learning continuity is secured in the medium and long term, in connection with or in lieu of access to regular schooling. The activity can also reach an additional target group of younger children prior to enrollment in Nursery. Parental engagement can take various formats, through in-person meetings should the context allows it, or through print media, telephone, radio or digital formats. An outreach campaign to parents will be included. The subcomponent would finance provision of training and associated logistical costs.

**Component 2: Promoting Technology-Assisted Learning at the Primary level** - This component aims to increase use of technology at the primary level to supplement teaching and support student learning in foundational skills in mathematics and literacy. This component has two subcomponents: implementation of tablet programs and smart classrooms.

- **Subcomponent 2.1: Tablets to support mathematics and literacy** - This subcomponent would support technology-assisted learning in mathematics and literacy, as critical foundational skills, through the use of tablets in Grade 5. A consultancy will be undertaken to map the new Mathematics and the literacy curriculum, with a specific emphasis on reading, onto a digital platform. Tablets equipped with the software, likely Kolibri, a learning software that provides access to Khan Academy Lite (and other learning platforms), will be provided to primary students in Grade 5 nationally. Master trainers will be trained, who will in turn train Mathematics/Language teachers in each school the use of the tablets and software, both from a pedagogical and technical perspective. The training will be followed up by visits to the classroom to provide hands-on coaching for the teachers to use the tools with the students once school resumes (or digitally, if needed). The design will be adapted to the current context as needed, in particular by providing tablets to students to use at home, exclusively or as part of a hybrid distance/in-person model. The Project will take advantage of the Government's initiative of bringing internet to various remote communities to ensure benefits to the most vulnerable students, but the software on the tablets will also include offline capability to ensure ability to use in areas with low connectivity. This will help ensure continuity of learning whilst out of school, as well as assist with learning recovery to help teachers teach to the right level to make up for learning losses when schools resume. Roving technical teams will be engaged to provide maintenance, and hotlines established to provide support for both teachers and students. In order to improve achievement for both boys and girls, the teacher training will include gender-informed motivational strategies for increasing participation of both girls and boys. To monitor progress in closing achievement gaps, the project will perform pre- and post-tests as part of the tablet program and disaggregate the results by gender.
- **Subcomponent 2.2: Smart classrooms to support learning** - This subcomponent would support technology-assisted learning through select classrooms to be equipped as Smart

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<sup>2</sup> Through the Early Learning Partnership, the Bank is supporting the production of interactive lessons to be aired on radio and television to support learning continuity; the provision of resources to support home based learning; and the development of a tool to assess learning losses when learners return to school, to allow for targeted interventions.

Classrooms, including smartboards, tablets, and projectors, in schools in both urban and rural areas. Teachers will be trained to utilize this equipment during lessons to supplement their teaching or to provide self-guided options for students. In addition, the smart classrooms would enable long-term remote learning by connecting better-performing, centrally located teachers to classrooms in remote schools (“twinning”), whereby the central teacher can lead a class whilst the local teacher facilitates the lesson. Schools will be selected based on specific criteria, including connectivity, presence of IT personnel and interest of head teachers, as well as need, as determined by test scores, to ensure that vulnerable students benefit. The smart classrooms will also play a key role in the context of COVID-19, as they can be used to support a hybrid distance/in-person model by linking classrooms to students at home. In this manner, the smart classrooms will provide learning continuity as well improved learning once school resumes. The subcomponent would finance provision of hardware, software, and training.

**Component 3: Strengthening Institutional Capacity and Project Management** - The aim of this component is to support the management of the education system through better data and support Project management.

- **Subcomponent 3.1: Scale up of EMIS** - This subcomponent seeks to strengthen the Education Management Information System (EMIS) by scaling up the EMIS to the national level in the nursery, primary and secondary sectors. This would enable the MoE to more efficiently manage education sector data and use information for more effective planning and policymaking, and allow principals to inform decision making at the school level. The Project would finance procurement of EMIS hardware, including tablets to be provided to schools lacking in computers to allow data uploading by teachers and administrators. The Project will also support investment in software, including development of any additional modules, support to integrating EMIS with learning platforms and other transactional systems, and incorporating reporting tools, allowing aggregation, analysis, and the development of comprehensive dashboards. These can be used, amongst other things, for early warning systems for the prevention of school failure; repetition and early drop out of students, which is particular important in the context of COVID-19. The subcomponent would also provide training for school leaders, teachers, Regional Education Officers and the central MoE Planning Unit. The training will be aimed at improving the capacity of system users to digitally upload student data at all levels of the educational system, apply homogeneous and efficient criteria for migration, validation and consistency of data in charge of technical personnel from regional units and the central level; and strengthen the capacities to transform the data available in the different platforms and information systems, into information for monitoring, evaluation and decision-making at the school, regional and central levels. Due to the limitations that the absence of internet connectivity could cause in some schools in the country, data collection would be possible offline, and data can be synced periodically once user can access an area with internet. The current aim of the component is to expand the EMIS to schools across all levels in the country.
- **Subcomponent 3.2: Project management, monitoring and evaluation** - This subcomponent would finance project management, monitoring and evaluation, as well as auditing activities.



### 3.0 Overview of Labour Use on the Project

The MoE will be the implementing agency for the Project. The Project would be managed by a Project Implementation Unit (PIU) housed in the MoE Planning Department.

#### 3.1 Type of Workers

ESS 2 categorizes the workers into: direct workers, contracted workers, community workers and primary supply workers. It is envisaged that the project would only engaged direct workers. This will include the staff of the PIU, and workers who will serve as consultants.

The PIU would consist of a Project Coordinator, a Procurement Officer, a Financial Officer, a Finance Assistant, a Monitoring and Evaluation Officer, an Environmental Officer (part time) and a Social Development Officer (full or part time, to be confirmed). The PIU would be responsible for day-to-day management, monitoring, and coordination of implementation, including work planning, procurement, accounting, disbursement, financial management, and other Project-related activities. For the PIU it is expected that the PIU Project Coordinator will be hired. However, all other positions are expected to be filled by existing staff within the MoE who currently working on similar projects.

In addition to the PIU staff it is expected that consultants will be hired for the project's capacity building program, developing curriculum, and strengthening the EMIS. In addition, the project will likely hire workers/technicians for installation and maintenance of smart classroom facilities.

#### 3.2 Number of Project Workers

At the time of preparation of the draft LMP the amount of workers to be engaged is not yet finalised. However, an estimated number of Project workers is presented below.

The PIU will consist of a maximum of seven staff. The Project Coordinator is expected to be employed on a full time basis with all other staff being either being shared or part time. Employment of the PIU staff will be done under Sub-component 3.2.

As it relates to the consultants to be engaged the number expected to be hired for each subcomponent is presented in Table 1.

**Table 1: Estimated Consultants to be engaged**

Sub-Component	Number of Consultants
Sub-component 1.1: Teacher training to accompany the new curriculum	1 Consultant to train master trainers 10 Master Trainers to train teachers
Subcomponent 1.2: Learning materials	1 Consultant to develop materials
Subcomponent 1.3: Primary caregiver education	1 Consultant to train facilitators 10 Facilitators to train parent circles
Subcomponent 2.1: Tablets to support mathematics and literacy	1 Consultant to train master trainers 10 Master Trainers to train teachers

	1 Consultant to map new math and literacy curriculum to digital platform and adapt software
Subcomponent 2.2: Smart classrooms to support learning	1 Consultant to train master trainers 10 Master Trainers to train teachers
Subcomponent 3.1: Scale up of EMIS	1 Consultant Reference Architecture 1 Consultant for software development and user training

### 3.3 Timing of Labour Requirements

The staff of the PIU is expected to be engaged for the entire duration of the project, which commences in 2021 and concludes in 2024. The estimated timing and duration for other personnel to be engaged are presented in Table 2.

**Table 2: Timing and Duration of non PIU Staff to be engaged**

Sub-Component	Number of Consultants	Estimated Timing and Duration of Engagement
Sub-component 1.1: Teacher training to accompany the new curriculum	1 Consultant to train master trainers	50 days during Year 1
	10 Master Trainers to train teachers	5 days each for Year 2, Year 3 and Year 4
Subcomponent 1.2: Learning materials	1 Consultant to develop materials	Short duration in Year 1
Subcomponent 1.3: Primary caregiver education	1 Consultant to train facilitators	30 days during Year 1
	10 Facilitators to train parent circles	1 day per month each for Year 2, Year 3 and Year 4
Subcomponent 2.1: Tablets to support mathematics and literacy	1 Consultant to train master trainers	20 days during Year 1
	10 Master Trainers to train teachers	5 days each for Year 2, Year 3 and Year 4
	1 Consultant to map new math and literacy curriculum to digital platform and adapt software	Short duration in Year 1
Subcomponent 2.2: Smart classrooms to support learning	1 Consultant to train master trainers	5 days during Year 1
	10 Master Trainers to train teachers	5 days each for Year 2, Year 3 and Year 4
Subcomponent 3.1: Scale up of EMIS	1 Consultant for Reference Architecture	Short duration in Year 1
	1 Consultant for software development and user training	Short duration in Years 2, 3 and 4

#### **4.0 Key Potential Labour Risks**

Given the nature of the project and the works to be conducted the project does not pose any major labour related risks. The following are the key potential risks:

##### **COVID 19 Pandemic**

In March of 2020, Guyana recorded its first COVID 19 related death causing the country to enter in a state of full and partial lockdown, with several measures being taken by the Government to ensure the safety of the people of Guyana. To date, there have been several revised COVID-19 guidelines that dictate the operations and business of the public and private sector. Guyana continues to experience COVID 19 infections and periodic fatalities. The project implementation is expected to commence in 2021. As such, the possibility of COVID 19 transmission remains high. Contracted project workers are expected to travel to various areas within which project activities will occur, including hinterland areas. Workers are also expected to meet and interact with stakeholders, including the project beneficiaries. Interactions between project workers and other stakeholders can result in COVID 19 transmission between the parties. Under component 1, the consultants will be in contact with a small group of facilitators, who would be local and will lead the smaller parent sessions in the communities. Under component 2 and 3, similarly, the consultants will be in contact with a smaller group of master trainers will who will in turn train teachers/administrator in their regions. The consultant would not be in contact with larger groups of students, teachers or parents.

To reduce the risk of infections it is expected that all precautions will be undertaken by the PIU and the worker. Where possible virtual sessions will be held. The Government has commenced using an online training platform for teachers, which can be used for the trainings, should the situation remain the same at implementation. However, if there is the need for face to face engagements the following will be implemented:

- I. Provision of adequate physical space in the workplace to allow for social distancing of at least six (6) feet between individual staff members.
- II. Providing adequate equipment and materials for temperature checks and sanitization of workers and other stakeholders, and other measures suitable for the workspace sanitization.
- III. Providing initial PPE kits to workers upon assuming duty; and stock additional PPE for emergencies and delinquent stakeholders.
- IV. Continuous sanitation and cleaning of workspace.
- V. Mandatory safety measures for workers and visitors, such as washing/sanitization of hands upon arrival, wearing of mask at all times, social distancing, and adherence to national curfew.
- VI. Adhering to COVID 19 Guidelines as required by the Government of Guyana as they become available.

##### **Other Occupational Health and Safety Risks**

According to the Project's Concept Environmental and Social Review Summary social and environmental risks/impacts related to occupational health and safety are not expected. The

project proposes to finance activities supporting training, acquisition of equipment and consultant work. These providers will be supporting the implementation of activities which will require, very likely, contracts of short duration probably entailing few and short visits to schools and classrooms. Also, the project concept note highlights that the implementation of the activities financed will be determined and adapted as the public health situation unfolds. As such, no other significant occupational health and safety risks are foreseen at this time given that the Project will not involve any physical activity/civil works which can lead to accidents occurring. In addition, given the current situation, it is envisaged that the majority of the work for this Project is likely to be done remotely/virtually.

However, if project workers are to travel on behalf of the project there may be minor risks relating to accidents and security. There could be security risks involved in project-related travel, which will be assessed ahead of time and mitigated accordingly, for example through scheduling that allows travel in day light. In addition, any health risks will be assessed and mitigated through appropriate procedure, for example, in light of COVID 19, guidelines will be strictly followed, such as use of social distancing and masks, in line in country guidance. Risks of accidents during travel will also be assessed prior to travel and mitigated through implementation of appropriate measures such as selecting the most appropriate and reliable form of transportation.

#### **Labour Influx and Associated Gender-Based Violence, and Child Labor**

Labour influx and associated Gender-Based Violence, can be very low risks of this Project. These risk can be mitigated by having clear behavior expectations spelled out in the Code of Conduct that will be attached to their individual consultant contracts. The Code of Conduct will state that their employment could be terminated if the person is found in violation of rules to prevent sexual harassment, exploitation and abuse.

Consultants to be engaged are expected to possess a specific skill set relevant to the tasks to be undertaken/programme needs. As such, the use of child labour is not a risk of the project.

## **5.0 Brief Overview of Labour Legislation**

An overview of the labour related legislation in Guyana is presented in this section.

### **5.1 The Labour Act of 1942 (Amended 1997)**

The Labour Act of 1942 specifies the conditions that an employer must observe in the contracting employees. The Labour Act of 1942 is an Act to provide for the establishment of a Department of Labour, for the regulation of the relationship between employers and employees and for the settlement of differences between them. The Act deals with the Regulation of Wages, the Rights of the Employees and Duties and Obligations of Employees, Payment of Wages and Deductions therefrom. It outlines the Hours of Work of the Employers, Collective Agreements, and Miscellaneous such as information sharing and appointment and powers of Labour Officers.

### **5.2 Occupational Health and Safety Act of 1997 (Amended. 2009)**

The Occupational Safety and Health Act Chapter 99:06 was enacted in 1997, and was amended in 2009. It is an Act to promote and provide for the wellbeing of the employees as it relates to their interaction with the physical work environment. The Act defines the responsibilities of management and workers with respect to safety and health and applies to every workplace in Guyana. The Act makes provisions for the establishment of an Occupational Safety and Health Authority, the establishment of a National Advisory Council on Occupational Safety and Health, the duties of employers, workers and other persons, treatments of accidents and occupational diseases, and occupational safety and health regulations.

### **5.3 National Insurance and Social Security Act 1969 (Amended 1997)**

The National Insurance and Social Security Act 1969, which was amended in 1997, established a system of national insurance and social security providing pecuniary payments by way of old age benefits, invaliding benefits, survivor's benefits and to substitute for compensation under the Workers' Compensation ordinance system of insurance against injury or death caused by accident arising out of and in the course of employment or resulting from diseases due to the nature of employment; to establish a national insurance fund, and to provide for matters connected with or incidental thereto.

### **5.4 Prevention of Discrimination Act 1997**

The Prevention of Discrimination Act Chapter 99:08 of 1997 provides for the elimination of discrimination in employment, training, recruitment and membership of professional bodies and the promotion or equal remuneration to men and women in employment who perform work of equal value, and for matter connected therewith. The Act outlines the prohibited ground for discrimination, which includes race, sex, religion, colour, ethnic origin, indigenous population, national extraction, social origins, economic status, political opinions, disability, family responsibility, pregnancy, marital status, or age, except for purpose of retirement and restriction on work and employment on minors.

The 1997 Act further states that any act or omission, or any practice or policy that directly or indirectly result in discrimination against a person on the grounds stated is an act of discrimination regardless of whether the person the person responsible for the act or omission or the practice or policy intended to discriminate.

The Prevention of Discrimination Act 1997 advocates for the promotion of equal remuneration by stating that every employer and every person acting on behalf of such employer shall be obligated to pay equal remuneration to men and women performing work of equal value for such employer.

### **5.5 Termination of Employment and Severance Pay Act Chapter 96:01 of 1997 (Amended 1999)**

The Termination of Employment and Severance Pay Act of 1997, amended 1999, is an Act to provide for the governing termination of employment and grant of redundancy or severance payment to employees and for matters connected therewith. The Act speaks to the termination of employment for misconduct, breach of contract, and unsatisfactory performance. It also outlines the process for termination of employment. It further specifies disciplinary action and complaints of unfair dismissal; and provide remedies. Moreover, it outlines reasons for which employees cannot be dismissed.

### **5.6 Leave with Pay Act Chapter 99:02 of 1995 (Amended 2009)**

The Leave with Pay Act of 2012 is an Act to provide for the granting and regulation of annual leave with pay for all categories of workers and for matters connected therewith and incidental thereto. The Act deals with the grant and method of computing holiday with pay, periods of holiday with pay, remuneration for holiday with pay, and payment of holiday with pay upon termination of employment.

### **5.7 The Employment of Young Persons and Children Act 1938 (Amended 1999)**

The Employment of Young Persons and Children Act 1938, amended 1999, is an Act relating to the employment of young person and children. It established that no child under the age of fifteen shall be employed, and no young person under the age of sixteen shall be employed at night in any industrial undertakings except to the extent to which and in the circumstances in which such employment is permitted under the International Labour Organisation (ILO) Convention. The Act outlines the offences and regulations as it relates to the employment of young person and children.

### **5.8 Income Tax Act 1929 (with several Amendments)**

Section 93(1) of the Income Tax Act provides that any remuneration paid to, earned or arising in or deriving from or received in Guyana by any employee shall be subject to tax. In addition, it is the responsibility of the employer or the person making the payment to deduct and withhold the income tax in accordance with regulations made under Section 117 of the Act. Remittance are to be made to the Guyana Revenue Authority (GRA) within fourteen days of the end of every month. A person is considered guilty of an offence if he or she fails to

deduct, withhold, remit or pay any amount required to be deducted, withheld, remitted or paid to the GRA.

## **6.0 Responsible Staff**

The PIU will have the overall responsibility to oversee all aspects of the implementation of the LMP, in particular, to ensure compliance. The Project Coordinator will have this responsibility, supported by the Social Development Officer. The Procurement Officer will address all aspects of the LMP as part of procurement of services and workers induction. The contracted workers will subsequently be responsible for compliance with the LMP.

Overall, the PIU will be responsible for:

- Implementing this LMP
- Ensuring the contracts with the contracted personnel are developed in line with the provisions of this LMP and other national and World Bank's requirements.
- Including the provisions of the LMP and Code of Conduct in the training for workers
- Monitoring compliance with occupational health and safety requirements, especially those related to the COVID 19 pandemic.
- Ensuring that the grievance redress mechanism is implemented.
- Monitoring implementation of the workers' Code of Conduct.



## **7.0 Policies and Procedures**

Decisions relating to the employment or treatment of contracted workers will not be made on the basis of personal characteristics unrelated to inherent job requirements. The employment program will be based on the principle of equal opportunity and fair treatment, and there will be no discrimination with respect to any aspects of the employment relationship, such as recruitment and hiring, compensation (including wages and benefits), working conditions and terms of employment, access to training, job assignment, promotion, termination of employment or retirement, or disciplinary practices. The PIU will be committed to diversity and inclusion, and to providing equal employment opportunity. In addition, the PIU will embrace diversity based on gender, age, education, national origin, race, disability, sexual orientation, religion, and HIV / AIDS status and/or any other similar. Further, the PIU will encourage the application of women, and people of indigenous origin. The following specific measures will be implemented:

- Recruitment procedures will be transparent, public and non-discriminatory, and open with respect to ethnicity, religion, sexuality, disability or gender.
- Applications for employment will only be considered if submitted via the official application procedures established.
- Clear job descriptions will be provided in advance of recruitment and will explain the expertise required for each post.
- All workers will have written contracts describing terms and conditions of work.

## **8.0 Age of Employment**

In Guyana, it is established that no child under the age of fifteen shall be employed. However, the minimum age of workers to be hired by the project will be eighteen (18) years old. These individuals are expected to have specific qualifications and experience relating to their assignment. As such, this will also help ensure that no person under the age of employment will be contracted by the Project.

Documents such as a worker National Identification Card or Birth Certificates will be used to verify the age of the individual. All potential employees will be required to produce one of these documents.

In case that during project execution there is information indicating that people under the minimum age were found working in connection with the project, the PIU will notify the Bank to determine the next steps in the process.

## **9.0 Terms and Conditions**

The terms and condition of employment will be in accordance with the laws of Guyana, as well as the provisions established in the present document, which incorporates elements from ESS2, in accordance with the World Bank's Environmental and Social Framework. Workers will be provided with documentation of the terms and conditions of their engagement, which will be outlined in a clear and concise manner, and will be provided at the inception of the relationship. The documentation shall include, but not limited to matters concerning their rights such as period of engagement, compensation, and benefits. Also included in the documentation will be terms and conditions for the termination of contract of engagement.

Workers will be paid as is agreed upon and outlined in their employment contract. Deductions from payment of wages will only be made as allowed by national law, such as , as income taxes (PAYE) and insurance contribution (National Insurance Scheme (NIS)), Workers will be informed of the conditions under which such deductions will be made.

If there is need for the termination of a contract this will be done in a manner consistent with the Termination of Employment and Severance Pay Act (Section 5.5), the LMP, and the provisions of the contract. Contracted workers will receive written notice of termination of employment one month in advance or the termination. In lieu of giving the required notice of termination the employee shall be paid a sum equal to the remuneration and benefits due to the employee up to the expiry of the required period of notice. All wages that have been earned and any other entitlements will be paid on or before termination of the working relationship. In addition, on termination of employment, an employee who has completed one or more years of continuous employment will be entitled to be paid a severance or redundancy allowance equivalent to one week's wages for such completed year of service. A worker can also tender his/her resignation from the employs of the Project once it is done in a manner consistent with the term and conditions of the contract of employment.

Insurance for Project workers will be covered under the NIS. The NIS extends social insurance coverage on a compulsory basis to all persons between the ages of sixteen and sixty years who are engaged in insurable employment. Both the employer and employee are required to pay contributions to the NIS based on a Payroll System. The total contribution is 14% of the actual wage/salary paid to the employee. This is derived from a 5.6% deduction from the employees pay, and the remaining 8.4 % paid by the employer of behalf of the employee. The NIS covers injury and industrial death benefits, sickness and maternity benefit, sickness and injury health care, etc.

## 10.0 Grievance Redress Mechanism

A Grievance Redress Mechanism (GRM) for workers is established to facilitate the complaints and concern for all project staff, including those whose contracts have been terminated, as it relates to workplace concerns. It will also accept complaints of people who were not hired but who may have grievances regarding the selection processes of the project staff. It is designed to address concerns promptly using an understandable and transparent process, and it will enforce measure to protect personnel from reprisal for its use. It is intended to:

- Specify to whom the employee should lodge the grievance;
- Provide the time frame allowed for the grievance to be dealt with;
- Describe the process for addressing a grievance;
- Not impede access to other judicial or administrative remedies that might be available under the law or through existing arbitration/dispute resolution procedures, if the grievance is not resolved within the PIU; and
- Provide for anonymous complaints to be raised and addressed.

Information about the GRM will be provided to workers upon recruitment, and included as part of their training activities. It should be noted that this GRM is not same as the grievance mechanism to be established for Project affected stakeholders. The mechanism will be based on the following principles:

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

This GRM does not impede access to judicial or administrative remedies that is available under law or other agreements or avenues to submit complaints. Affected parties can escalate their complaints if they consider that the GRM is not appropriate space for their complaints, or if their claims were not addressed to their satisfaction.

The person responsible for ensuring the implementation of the labour GRM and ensuring the appropriate processing of complaints is the Project Coordinator. The Project Coordinator may use his/her discretion in formulating a resolution based on his/her professional experience, or may look to the rules of the Ministry of Education of the Bank for guidance in sensitive matters. However, procedures have been identified to address grievances. Grievances are to be received either in writing (printed) or through e-mails/telephone calls/text messages. Each grievance is then recorded in the grievance log, citing the name of the complainant, date of submission, and particulars of the grievance. However, the complainant can also request confidentiality or to remain anonymous. The Project Coordinator will review the grievance to determine its merit and proceed to investigate. After submission of the grievance, the complainant will be notified in writing on the status of the grievance and the next steps. Once a grievance is satisfactorily settled this will be

indicated in the log book and the grievance is considered addressed. If no amicable solution is reached, or the affected person does not receive a response, the affected person can appeal to the MoE directly. The procedure for resolving a grievance is further detailed in Table 3.

**Table 3: Grievance Redress Procedures**

<b>GRIEVANCE PROCEDURES</b>	<b>TIMELINE</b>	<b>PERSON RESPONSIBLE</b>
Receiving and registering the complaint. Complaint is to be logged in Grievance Register.	2 days	Project Coordinator
Determine merit of the complaint and acknowledgement of complaint	2 days	Project Coordinator
Investigation of complaint	1 week	Project Coordinator/MoE Human Resources Personnel
Determination (and approval) of appropriate solution/response	1 week	Project Coordinator/MoE Human Resources Personnel
Communication on the resolution back to the complainant	2 days	Project Coordinator
Update Grievance Log	1 day	Project Coordinator
Receive and acknowledgement of appeals by aggrieved party (where solutions are not satisfactory)	2 days	Project Coordinator
Activate arbitration mechanisms where necessary	1 week	Project Coordinator/MoE Human Resources Personnel
Resolution of Issue	1 week	Project Coordinator/MoE Human Resources Personnel
Updating of Grievance Log	1 day	Project Coordinator

The contact information for workers to submit their complaints will be incorporated into the GRM once the PIU is established. This information will include the Responsible Person, Address, Telephone Number, Text Message Number and Email Address.

## **11.0 Code of Conduct for Workers**

A Code of Conduct will be in place for all contracted workers so as to address the environmental and social risks related to the execution of works under the Project, including the risks of sexual exploitation and assault, sexual harassment, and gender-based violence. The Code of Conduct identifies the behavior that will be required from all contracted personnel. Workspace under the Project is expected to be 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.

### **11.1 Required Conduct**

All contracted 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 colleagues and any other person;
3. maintain a safe working environment including by:
  - a. ensuring that workplaces under each person's control are safe and without risk to health; and
  - b. wearing required personal protective equipment.
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 serious 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 colleagues;
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;
8. not engage in Sexual Assault, which means sexual activity with another person who does not consent. It is a violation of bodily integrity and sexual autonomy and is broader than narrower conceptions of "rape", especially because (a) it may be committed by other means than force or violence, and (b) it does not necessarily entail penetration.
9. not engage in any form of sexual activity with individuals under the age of 18, except in case of pre-existing marriage;
10. complete relevant training courses that will be provided related to the environmental and social aspects of the Project, including on health and safety matters, and Sexual Exploitation, and Assault;
11. report violations of this Code of Conduct; and
12. not retaliate against any person who reports violations of this Code of Conduct, or who makes use of the Grievance Redress Mechanism.

### **11.2 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 by contacting the Project Coordinator.

The person's identity will be kept confidential. Anonymous complaints or allegations may also be submitted and will be given all due and appropriate consideration. All reports of possible misconduct will be taken seriously and will be investigated and appropriate action taken. Referrals to service providers will be provided 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.

### **11.3 Consequences of Violating the Code of Conduct**

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

### **11.4 Awareness of the Code of Conduct**

A copy of the Code of Conduct will be shared with contracted personnel as part of their employment package. Workers will be required to acknowledge receipt and comprehension of the Code of Conduct, as is outlined below.

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 the Project Coordinator requesting an explanation.

Name of worker: [insert name]

Signature: \_\_\_\_\_

## 12.0 Engagement Activities

Once the draft LMP was prepared the Ministry of Education consulted with relevant stakeholders. The objectives of the stakeholder consultations were to:

- Introduce the project to stakeholders;
- Share the draft LMP for their review;
- Provide a platform to receive feedback, including concerns and recommendations.

Given the COVID-19 pandemic and the associated restrictions nationally, as well as to ensure the safety of all involved, it was decided that the most suitable platform for the consultation was email. To commence the consultation process, the key stakeholders relevant to the project and the LMP were identified. These are outlined in the table below and consisted of representatives of Government institutions as well as Non-governmental Organisations.

**Table 4: Stakeholders Relevant to the LMP**

Key Stakeholders	Email Address
National Toshoas Council	ntoshaoscouncil@yahoo.com
Ministry of Amerindian Affairs	ps@moaa.gov.gy
Ministry of Social Protection	statisticalunit.mosp@gmail.com
Amerindian People Association	apaguy@networksgy.com
Guyana Teachers Union	marpet_73@yahoo.com

The Ministry of Education sent an email to the identified stakeholders on April 09, 2021 which briefly introduced the project and provided the reasons for the consultations. A copy of the email sent to stakeholders is attached as Annex A. Stakeholders were given two weeks, up until April 23, 2021 to review the document and provide their feedback. It was indicated in the email that if there was no response from stakeholders by the indicated date then this will be considered an endorsement of the document.

During the consultation process no feedback was received. It is assumed that the stakeholders have endorsed the LMP. No revision to the draft LMP was required since no feedback was provided.



## Annex A: Email sent to Stakeholders on the LMP Consultation

Dear Education Partners,

The Ministry of Education (MOE) has benefitted from a 7million USD grant from the Global Partnership for Education (GPE). GPE is a global fund dedicated to supporting education. This Grant will enable the ministry to address critical strategies associated with improving learning outcomes and management and accountability within the sector, as articulated in its 2021-2025 Education Sector Plan (ESP). The ministry is about to undertake the Guyana Education Sector Program Project implementation; part of this process requires consultation on the attached documents as part of the Environmental and Social Commitment Plan (ESCP). The ESCP is a document that articulates the measures that will be undertaken by the Project Implementation Unit that is in accordance with the environmental and social standards. Your organisation's review and feedback are important to the MOE and its process. Please feel free to provide your organisation's feedback **no later than Friday, April 23, 2021**. Please be informed that no response by this date will be construed as an endorsement of the documents. Thank you for your continued support of education. Have a blessed weekend, and continue to stay safe.

Best regards

**Nicola M. Johnson (Mrs)**

Chief Planning Officer

**Phone** 592-226-0264 **Mobile** 592-687-1680

**Web** [www.education.gov.gy](http://www.education.gov.gy) **Email** [chief.planner@moe.gov.gy](mailto:chief.planner@moe.gov.gy)

26 Brickdam, Stabroek, Georgetown, Guyana.



## Annex B: Template to Capture Consultations/Stakeholder Feedback Minutes

### I. Background

- Background about the stakeholder engagement/consultation activity (eg. Is it a follow up from a previous consultations ? Did it take place as part of a supervision mission ?)
- Objective of the consultation.

### II. Description of the Stakeholder Engagement Activity :

- Who was consulted ?
- What ? (What is the engagement about ? Which sub-project ? Which issue? )
- Where?
- When ?
- How ? Methods used for the stakeholder engagement activity (public meeting, small group discussion via – zoom, WhatsApp, individual consultations by phone, feedback via online survey etc.)

### III. Feedback Received from Stakeholders and Project Team’s Response

Question/Feedback/Comment Received from Participants	Project Team’s Response	Next Steps/ Actions to be taken based on this feedback (if any)	Reponsible Entity/Person for the follow-up Action (if any)	Date for Follow-up Action (if any)

### IV. Supporting Documents

- List of stakeholders consulted. Contact information.
- Any photos, if available.
- Other relevant documents

Note: Photos and personal contact information of the individuals can be kept in internal records, however, will not be included in publicly disclosed documents for reasons of confidentiality.