

Barbados

Beryl Emergency Response and
Recovery Project (P507190)

Labour Management Procedure
(LMP)

September 2025

Table of Contents

Acronyms and Abbreviations	4
1.0 Introduction	6
2.0 The Project	6
3.0 Overview of Labour Use on the Project	8
4.0 Assessment of the Key Potential Labour Risks and Mitigation Measures	10
5.0 Overview of Labour and Health and Safety Legislation	14
5.1 Labour	14
5.2 Occupational Health and Safety	18
5.3 Relevant International Conventions and Treaties	19
6.0 Responsible Staff	20
6.1 Project Execution and Coordinating Unit (PECU)	20
6.2 Contractors and Subcontractors	21
6.3 Workers	21
6.4 Health and Safety	21
7.0 OHS Policies and Procedures	22
7.1 Purpose of OHS Procedures	23
7.2 Scope of OHS Procedures/Plan	23
7.3 OHS procedures	23
7.4 OHS Policy Dissemination and Awareness	25
8.0 Age of Employment	26
9.0 Terms and Conditions	28
10.0 Grievance Mechanism (GM)	31
10.1 GM Point of Contact	32
10.2. Description of Grievance Mechanism (GM)	32
10.3 GM Procedure	34
11.0 Contractor Management	37
12.0 Primary Supply Workers	39
13.0 Community Workers	40

ANNEXES	41
ANNEX I - CODE OF CONDUCT FOR CONTRACTOR'S PERSONNEL	42
ANNEX II – CODE OF CONDUCT FOR PROJECT EXECUTION & COORDINATION UNIT (PECU) PERSONNEL.....	47
ANNEX III – INCIDENT REPORTING TEMPLATES	52
ANNEX IV – DESCRIPTION OF THE GRIEVANCES MECHANISM.....	68
ANNEX V – PRIMARY SUPPLIER MONITORING TEMPLATE	70
ANNEX VI – REGULATORY REQUIREMENTS UNDER THE OUTLINED LABOUR REGULATIONS	0

List of Tables

Table 1: Key Labour Risks	11
Table 2: Summary of Labour Legislation	15
Table 3: Levels of Grievances.....	32

Acronyms and Abbreviations

AP	Affected Person
E&S	Environmental and Social
BFD	Barbados Fisheries Division
BPI	Barbados Port Inc
CBO	Community Based Organization
CERC	Contingent Emergency Response Component
CESMP	Contractor Environmental and Social Management Plan
DEM	Department of Emergency Management
EPD	Environmental Protection Department
ESF	Environmental and Social Framework
ESIRT	Environment and Social Incident Response Toolkit
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESMS	Environmental and Social Management System
ESRS	Environment and Social Review Summary
ESS	Environmental and Social Standards
FA	Fiduciary Agent
FD	
GBV	Gender Based Violence
GM	Grievance Mechanism
GoB	Government of Barbados
GRC	Grievance Redress Committee
HR	Human Resources
ID	Identification Document
ILO	International Labour Organization
LMP	Labour Management Procedure
MEFI	Ministry of Finance and Economic Affairs and Investment
MENB	Ministry of Environment and National Beautification
NEMS	National Emergency Management System

NGO	Non- Governmental Organization
OHS	Occupational Health and Safety
OHSP	Occupational Health and Safety Plan
PDO	Project Development Objective
PECU	Project Execution and Coordinating Unit
PM	Project Manager
PPE	Personal Protective Equipment
SEA	Sexual Exploitation and Abuse
SEP	Stakeholder Engagement Plan
SHaW	Safety and Health at Work Act
SH	Sexual Harassment
ToR	Terms of Reference
WB	World Bank

1.0 Introduction

The Labour Management Procedure (LMP) outlines the essential guidelines and strategies to ensure the smooth and efficient management of labour for this Project. This procedure aims to safeguard the rights and well-being of workers while ensuring that the project adheres to international labour standards and local regulations.

2.0 The Project

The Project Components' activities will focus on supporting recovery and reconstruction in Barbados in the wake of Hurricane Beryl while strengthening the country's resilience to future disasters, including and building capacity for disaster preparedness and response capacity. The project is organized in four components:

Component 1: Immediate Recovery from a hurricane. This component will finance activities prioritized by the Government of Barbados (GoB) according to the degree of damage in the aftermath of Hurricane Beryl. Activities focus on the immediate response to the hurricane and the resilient recovery of the fisheries sector, Bridgetown Port, Fisheries Marina and affected coastal areas. This component will have three sub-components.

Sub-Component 1.1: Recovery of the Affected Sectors: (a) Financial assistance to repair and replace fishing vessels affected by Hurricane Beryl and propose a mechanism to compensate fisherfolk in the future:

Sub-Component 1.2: Repair and Rehabilitation of Barbados Port. Activities under this sub-component will include clearance of debris in the immediate aftermath of the hurricane, small civil engineering works for the Cruise terminal, and repairs to the breakwaters to ensure the structural integrity of the port facilities.

Sub-Component 1.3: Climate Resilient Coastal Protection. Activities under this sub-component will include design and construction of critical coastal protection works for priority sites to enhance coastal resilience. Designs will be informed by climate-risk data and quantitative decision-making methods under various risk models, including climate change scenarios for various time horizons.

Component 2: Strengthening Barbados' Resilience for Future Catastrophic Events. This component will finance activities to increase the resilience of Barbados to disaster and climate-related hazards by focusing on strengthening preparedness and response capacity of the National Emergency Management System (NEMS), as well as planning for climate-resilient infrastructure for NEMS, the Barbados Fisheries Marina, and the Barbados Port Inc. This component will have two sub-components.

Sub-Component 2.1: Strengthening the Emergency Management Services. Activities under this sub-component will aim at strengthening the preparedness and response capacity of the Department of Emergency Management (DEM).

Sub-Component 2.2: Studies and Support for Port and Fisheries Infrastructure Resilience. Activities under this sub-component aim at building resilience to climate change and future catastrophic events of key infrastructure for the Bridgetown Port and the fisheries sector, as well as fostering economic development in the decades to come.

Component 3: Contingent Emergency Response Component (CERC). This Component will finance eligible response and early recovery activities in the event of a disaster caused by natural hazards. In the event of an emergency, uncommitted funds from other components may be reallocated in accordance with an Emergency Action Plan prepared by GoB.

Component 4: Project Management. This component will be implemented by the Ministry of Environment and National Beautification (MENB) through a dedicated PECU. PECU will assume responsibilities of project coordination, monitoring and evaluation (M&E) and reporting, and technical oversight including ESS, fiduciary aspects including financial management and procurement, and contract administration, audits, as well as disaster risk management, coastal engineering, financial services and communications, and coastal zone management.

3.0 Overview of Labour Use on the Project

The LMP and Environmental and Social Standard¹ (ESS) 2 apply to all Project workers whether full-time, part-time, temporary, seasonal or migrant, hired in relation to any of the Project's components. ESS2 defines four types of workers: direct workers, contracted workers, primary supply workers and community workers. The Project's workforce will include direct workers (directly employed by PECU), contracted workers (recruited by third parties such as contractors or as Firms hiring consultants), and potentially primary supply workers². Besides the activities for retroactive financing, the Project is not expected to further involve Community Workers. In any situation, no one below the age of 16 will be engaged as community workers, and any between the age of 16 and 18 will be employed only in those type of activities not considered as hazardous as described in the section of child labour in this LMP. The Project ensures that all community workers are engaged on a voluntary basis. During the retroactive financing stage of the Project, community workers were utilized on a voluntary basis. This was achieved by engaging key stakeholders such as the diving community who had a great stake in clearing up activities as their livelihoods were affected by the damage caused by Hurricane Beryl.

Labour Management Plans will be prepared by the respective contractors as part of Contractor's Environmental and Social Management Plan (ESMP) based on the provisions of these Labour Management Procedures and the details of labour to be used in those contracts. These plans will be reviewed and cleared by Supervision consultants/ PECU, as appropriate.

Vulnerable workers. It's unclear which if any vulnerable workers will be employed by the project, but protection of such classification of workers will be based on Barbados Law such as the Employment Rights Act 2012, Safety and Health at Work Act, National Insurance and Social Security Act and the guidelines set-out in ESS2 of the ESF. No children under the minimum age will be employed by the project- it is essential to note that minimum age (16) for employment in Barbados is 16 years. They are allowed to work under certain restrictions.

Migrant workers. Migrant workers, as defined under Barbados' labour laws (e.g., Immigration Act, Cap 190), are individuals who are not nationals or permanent residents but are legally authorized to work in the country under valid work permits or immigration approvals. The project may employ migrant workers if they meet the minimum age requirements, are engaged under fair and lawful working conditions in accordance with the Employment Rights Act, Protection of Wages Act, and other applicable national labour

¹ The World Bank's Environmental and Social Standards (ESSs) are a set of policies that outline the responsibilities of borrowers for managing environmental and social risks. The ESSs are part of the World Bank's Environmental and Social Framework (ESF).

² Primary suppliers' are those suppliers who, on an ongoing basis, provide directly to the project goods or materials essential for the core functions of the project.

legislation, and their employment fully complies with Barbados' labour laws, immigration regulations, and established workplace protections. All migrant workers engaged in the project must have the legal right to work in Barbados, and their recruitment and employment must not contravene any national policies or standards.

4.0 Assessment of the Key Potential Labour Risks and Mitigation Measures

The key labour and occupational health and safety (OHS) risks which may be associated with the Project are outlined below as well as proposed mitigation measures which will be implemented to address:

- a) identification of potential hazards to project workers, particularly those that may be life threatening. Some of these include:
- b) Occupational Health and Safety (OHS) risks during civil works: This includes exposure to hazardous materials (including e-waste) and chemicals, slips, trips and falls, machinery hazards, electrical dangers, noise, and vehicular accidents.
- c) Community health and safety risks: These risks are associated with labour influx (currently assessed as low) and its potential impact on nearby communities, including risks of SEASH (Sexual Exploitation and Abuse/Sexual Harassment). Employment risks including
- d) Child labour risks: While assessed as low, the project will still need to ensure compliance with national laws and ESS2 requirements regarding the minimum working age and the types of work that are considered hazardous for children.
- e) Forced labour risks: The project will need to conduct proportionate-to-the-risk assessments/screening of primary suppliers to identify potential risks of forced labour and take appropriate steps to remedy them if identified.

Key labour risks and mitigation measures are described in the table below.

Table 1: Key Labour Risks

Activities to be Considered	Anticipated Risks	Mitigation Measures
Employment and working conditions	<p>Lack of formal work contract</p> <p>Lack of disability insurance</p> <p>Lack of adherence to official work hours</p> <p>Violation of national labour law regarding employment of child labourers and forced labourers</p> <p>Lack of equal pay for equal work for men and women</p> <p>Discrimination in recruitment and employment</p>	<p>Labour Management Plans for individual sub-components, prepared as part of Contractor's ESMP:</p> <p>Supervisors and PECU should monitor adherence to LMP</p> <p>Age will be checked on the national Identity card - Minimum age for work is 16.</p> <p>Awareness raising sessions to be conducted among all stakeholders regarding child labour and forced labour.</p> <p>Contractors will establish ESMS which will also include procedures for payment to men and women and selection criteria for local employment opportunities.</p>
Grievance Mechanism (GM)	<p>Lack of adequate and accessible Grievance Mechanism (GM)</p> <p>Lack of awareness about GM</p> <p>Non-functionality of GM</p>	<p>GM should be accessible for workers/employees under each sub-component (including access by direct, contracted and primary supply workers)</p> <p>Every worker should have open access to register complaints:</p> <p>1) At local level;</p> <p>2) at project level; and 3) at ministry level.</p> <p>Public will be informed on how to use grievance service.</p> <p>Responsible persons for GM for workers will be trained to address grievances by workers and other workplace issues in an effective and efficient manner.</p>

Activities to be Considered	Anticipated Risks	Mitigation Measures
		In case the grievance cannot be resolved by the 1 st level for workers, it will be escalated to the next level.
Occupational Health and Safety (OHS) plans	<p>Slips, trips and Falls</p> <p>Serious accidents and fatalities due to lack of adequate OHS measures.</p> <p>Exposure to hazardous materials</p> <p>Machinery hazards</p> <p>Noise</p> <p>Traffic incidents and accidents</p>	<p>Preparation and adequate implementation of an OHS Policy, Risk Assessment, according to updated Plans, OHS Plan by OHSAS 18001:2007, NEBOSH or similar certified OHS Specialist recruited by all contractors. Supervising Engineer approves and supervises adequate implementation of OHS Plan and recruits a certified OHS Specialist for this purpose having a Terms of Reference (ToR) with appropriate line of reporting and will make regular inspections and write reports on finding and needed recommendations.</p> <p>All workers trained in OHS aspects, toolbox meetings by certified OHS Specialists</p> <p>Safety equipment (PPE) will be provided to all labourers as relevant dependent on safety risks of the tasks to be performed</p> <p>PECU should hire a certified OHS Specialist or recruit E&S Specialists who are certified in OHS.</p> <p>First aid kits and ambulance and medical specialist on site (as needed).</p>
Recruitment Policy for Contracted Workers	<p>Corruption and nepotism in recruitment process</p> <p>Exclusionary practices in recruitment, e.g.</p>	Recruitment policies (which should be locally consulted) should ensure that all the technical contracted staff are recruited through open, non-discriminatory, transparent processes, with job announcement

Activities to be Considered	Anticipated Risks	Mitigation Measures
	<p>discriminating certain groups</p> <p>Social conflict by local communities feeling excluded from employment opportunities</p>	<p>posted locally, away from construction site.</p> <p>The priority should be given to local employment, if they are able to full fill the job requirements</p> <p>Unskilled labour should be recruited locally.</p> <p>Awareness raising and orientation about local cultural norms, value and customs.</p>

5.0 Overview of Labour and Health and Safety Legislation

ESS2 requirements and relevant labour laws are those related to conditions of employment (e.g., minimum wage, hours of work, minimum age, vacation and sick pay, maternity leave, dismissals, social security payments, etc), anti-discrimination (i.e., protection from discrimination on the grounds of protected characteristics), industrial relations (e.g., trade union establishment, collective bargaining, arbitration of disputes, etc.) and occupational health and safety (OHS). The key aspects of Barbados national legislation related to these are summarized below in greater detail

5.1 Labour

Barbados labour legislation primarily focuses on defining employee and employer rights and responsibilities through common law principles, with key aspects including: mandatory written contracts, protection against termination due to pregnancy or union activity, statutory provisions for retrenchment, and a system for resolving industrial disputes through the Labour Department, overseen by the Chief Labour Officer; all underpinned by the Employment Rights Act which outlines details like notice periods and severance pay based on length of service.

Generally, labour law covers industrial relations, occupational safety and health and labour. A summary is below:

Primary Legislation

- The "Employment Rights Act" governs most aspects of employment, including contracts, termination, and severance pay. This comprehensive law governs employment terms, protects against unfair dismissal, and outlines procedures for dispute resolution and related worker rights. It requires employers to provide written particulars of employment such as wages, working hours, and grievance or disciplinary procedures, and establishes an Employment Rights Tribunal to handle disputes.
- Contract of employment:
Must be in writing and includes details like job description, pay, and probation period.
- Termination of employment:
Notice periods vary based on length of service, with statutory protection against dismissal due to pregnancy or union activity.
- Retrenchment:
Specific legal provisions exist for situations where an employer needs to reduce workforce due to economic reasons.

- Industrial relations:

Disputes are managed through the Labour Department, with the Chief Labour Officer facilitating resolution.

A summary of the main legislation with respect to Terms and Condition of Work is provided in Table 2. Detailed regulatory requirements of the legislation outlined in Table 2 are provided in **Annex VI** of this document.

Table 2: Summary of Labour Legislation

Name	Details
Terms and Conditions of Work	
Employment Rights Act-2012	<p>This Act confers on employed persons, new employment rights. Among the rights provided for is a right to a statutory minimum amount of notice of termination for both employers and employees. For employees, the following are among the rights provided:</p> <ul style="list-style-type: none"> (a) the right, at the commencement of employment, to a written statement of the particulars of the employment (b) the right, whenever salary or wages are paid to a written statement of the particulars of the payment; (c) the right to be consulted before being laid off or placed on short-time; (d) the right, if dismissed for redundancy, to priority on re-hiring in certain circumstances; (e) the right, where employment has ended, to a certificate giving particulars of the employment including, where the employment ended by dismissal (should the employee so wish), a statement of the reasons for the dismissal; and (f) the right not to be unfairly dismissed. <p>The Act establishes a tribunal called the Employment Rights Tribunal for the determination of issues relating to the new rights but provides that complaints must first be referred to the Chief Labour Officer for an opportunity for a settlement to be reached by conciliation. If a settlement is not reached, the Tribunal is given wide powers, subject to an appeal to the courts on questions of law, to determine complaints. These powers include, in appropriate cases, the power to award compensation and to order reinstatement or re-engagement of an unfairly dismissed employee.</p>

Name	Details
Chapter 23: Labour Department Act	Provides for the duties of the Chief Labour and other officers of the Ministry of Labour and for related purposes.
Chapter 42: Occupational Training Act, Subsidiary Legislation A1	Provides for the training of persons for, or in, gainful employment in occupations in all branches of economic activity in Barbados.
Chapter 47: National Insurance and Social Security Act, Subsidiary Legislation A1-T1	Establishes a system of national insurance and social security for Barbados providing payments by way of sickness benefit, maternity benefit, invalidity benefit, funeral grant, old age contributory grant or pension, non-contributory old age pension and survivors benefit and such other benefits as may be specified in the Act; to substitute for the Workmens Compensation Act, 1963, a system of insurance against personal injury caused by accident arising out of and in the course of a person's employment and against prescribed diseases and injuries due to the nature of a person's employment; to establish for the administration thereof a National Insurance Board and a National Insurance Fund; and for purposes connected with the matters aforesaid.
Chapter 338: Accident & Occupational Disease (Notification) Act	Provides for the notification of accidents and occupational diseases
Chapter 345A: Employment of Women (Maternity Leave) Act	Provides for the grant of maternity leave to female employees and for the protection of the employment of those employees during such leave.
Chapter 346: Employment (Miscellaneous Provisions) Act (Provision for child labour)	<p>Makes provision relating to the employment of persons generally including young persons and children.</p> <p>According to Barbados labour legislation, the minimum age for employment is 16 years old. This means that no one under 16 can be legally employed in the country. Even those between 16 and 18 years old may have limitations on their work hours and types of jobs they can perform.</p>
Holidays with Pay Act	Mandates that employees who complete at least one year of continuous service are entitled to three weeks of fully paid annual leave, which increases to four weeks after five years, with employers required to pay an "average pay" rate, keep records, and face penalties for non-compliance, while prohibiting any agreement to waive these entitlements

Name	Details
Employment (Prevention of Discrimination) Act	Prohibits employment discrimination based on a number of factors, including race, sex, disability, and age
Chapter 351: Protection of Wages	Makes provision for the protection of wages of workers. Ensures that workers receive their full wages in legal tender (cash, cheque, or money order), prohibits illegal deductions, fines, or conditions on how wages are spent, and grants employees the right to recover unpaid earnings, with penalties for employer violations
Barbados Severance Payments Act (Cap. 355A)	Requires employers to compensate employees dismissed due to redundancy, layoff, short-time work, or a natural disaster, provided the employee has been continuously employed for at least two years and works a minimum of 21 hours per week; eligible employees must claim within 12 months of termination, and the payment is calculated based on up to 104 weeks of insurable earnings. Employers have two to four months to make the payment, and may claim a 25% rebate from the National Insurance Board afterward
Occupational Pension Benefits Act	The Act regulates the establishment, administration, and funding of occupational pension plans to protect the retirement benefits of employees. It sets minimum standards for eligibility, vesting, contributions, and disclosure requirements. Employers under projects should ensure compliance with the Act by properly enrolling eligible employees, making timely contributions, and providing transparent information about pension benefits to their workers.
Health Services Act	The Act governs the delivery of public health services, disease prevention, environmental health, and the management of medical facilities across the country. It outlines the authority of health officers to enforce health regulations, conduct inspections, and respond to public health risks. Employers under projects should ensure compliance with this Act by maintaining safe, sanitary work environments, cooperating with health inspections, and implementing measures to prevent the spread of disease among workers and nearby communities.
Barbados Immigration Act, Cap. 190	The Act governs the entry, stay, and employment of non-nationals in Barbados, including the issuance of visas, work permits, and residency requirements. In relation to migrant workers, the Act stipulates that individuals who are not citizens or permanent residents must obtain legal authorization (typically through a valid work permit or immigration approval) before

Name	Details
	engaging in employment. Employers are responsible for ensuring that all migrant workers have the appropriate legal status before hiring.
Employment Sexual Harassment (Prevention) Act, 2017	Is the primary legislation addressing sexual harassment in the workplace, requiring all employers to establish a clear written policy against sexual harassment and providing a framework for reporting and investigating complaints from employees in both the public and private sectors; this includes defining sexual harassment as unwanted sexual advances, suggestive comments, gestures, or physical contact that can be considered offensive, alarming, or abusive

5.2 Occupational Health and Safety

The Safety and Health at Work Act (SHAW) (2005) is the main legislation governing health and safety in Barbados. It provides a comprehensive framework for protecting workers' health, safety, and welfare in the workplace.

The Act makes provisions for securing the health, safety and welfare of persons at work, protecting other persons against risks to health and safety in connection with the activities of persons at work, controlling certain emissions into the environment and consolidating the law which relates to health safety and welfare in the workplace.

The Act outlines the general duties of employers, which include providing a safe and healthy working environment, safe systems of work, and necessary personal protective equipment. It also outlines the general duties of employees, which include taking reasonable care of themselves and others, and cooperating with employers in meeting safety obligations.

The SHaW Act covers all workplaces with the exception of a private household where persons work or are employed only in domestic service, the Police Force, Barbados Defence Force or certain work carried out in a harbour or wet dock.

Supplementary Regulations

Several regulations supplement the core Safety and Health at Work Act (2005), providing more detailed requirements for various sectors and hazards. These include the Workplace (General Duties) Regulations (2007), Workplace (Sanitary Conveniences) Regulations (2007), Workplace (Washing Facilities) Regulations (2007), Workplace (Personal Protective Equipment) Regulations (2007), Workplace (Noise) Regulations (2007), and Workplace (Drinking Water) Regulations (2007).

The Accidents and Occupational Diseases (Notification) Act (1983) requires employers to notify the Chief Labour Officer of workplace accidents and occupational diseases. Under the Accident and Occupational Diseases (Notification) Act, any 'notifiable accident'—defined as a workplace incident resulting in death or more than three days of disablement—must be reported to the Chief Labour Officer. Occupational diseases and illnesses, including those from chemical or toxin exposure, are also reportable under this Act. These provisions align with the World Bank's Environmental and Social Incident Reporting Tool (ESIRT) definition of Lost Time Injuries, which include any injury or occupational illness requiring three or more days off work, or incidents involving chemical or toxin releases that result in medical treatment for workers or community members. Barbados does not operate a separate workers' compensation system; instead, worker injury benefits are provided through the National Insurance and Social Security Act.

Core Health and Safety Standards

The laws and regulations establish the following core health and safety standards:

- Risk Assessment and Control: Employers must identify hazards, assess risks, and implement control measures.
- Safe Work Systems and Procedures: Development of safe work procedures to minimize risks associated with tasks, machinery, and hazardous substances.
- Emergency Preparedness: Plans and procedures for fire, medical emergencies, and evacuations.
- Provision of Information and Training: Workers must be provided with essential health and safety information and training relevant to their work activities.
- Enforcement and Administration
- The Labour Department, specifically the Chief Labour Officer and labour inspectors, are responsible for enforcing Barbados' health and safety legislation. The laws provide for penalties, including fines and imprisonment, for violations of health and safety regulations.

5.3 Relevant International Conventions and Treaties

Working Conditions

Barbados has ratified 41 International Labour Organization (ILO) conventions covering areas like Violence and Harassment, ensuring freedom of association, and promoting equal pay. The country has also established a strong social partnership – a collaborative system where the Government, private sector, and unions work together to address economic and labour issues.

The Ministry of Labour implements ILO conventions by ratifying them on behalf of the government, which then serves as a legal basis for formulating national labour legislation and policies, ensuring that Barbados adheres to the standards set out in the ratified ILO

conventions; essentially, the Ministry uses the conventions as a guiding framework for their actions regarding worker rights and protections within the country.

The Ministry of Labour is responsible for monitoring compliance with ratified conventions and submitting periodic reports to the ILO regarding their implementation. Notably, Barbados has ratified ILO conventions that focus on protecting core labor rights, promoting fairness, and eliminating exploitation. These include, Forced Labour (C029), Abolition of Forced Labour (C105), Minimum Age 16 (C138) and Worst Forms of Child Labour (C182), Equal Remuneration (C100), and Non-Discrimination (C111). By ratifying these conventions Barbados's labour laws must reflect the standards set by these conventions regarding minimum working age, fairness and hazardous child labour.

Occupational Health and Safety

Barbados has ratified several International Labour Organization (ILO) conventions related to occupational health and safety, including:

- Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934: Ratified on May 8, 1967
- Occupational Safety and Health Convention, 1981: Ratified by Barbados.

As a result Barbados has also passed legislation to protect workers' health and safety in the workplace. These were detailed in Section 5.2 above.

The Occupational Safety and Health Section of the Labour Department is responsible for occupational health and safety. The department's capacity includes inspections, investigations, and training. It has the responsibility for the administration of statutory provisions and the promotion of 'best practice' towards achieving acceptable working conditions. There are some challenges with enforcement, and it has been noted that companies need to embrace occupational safety and health at a strategic level and embed it into their broader risk management approaches.

6.0 Responsible Staff

Enforcement of national Labour Law is the responsibility of the Labour Department.

6.1 Project Execution and Coordinating Unit (PECU)

The PECU management team is responsible for implementing and monitoring the LMP. Their duties include:

- Ensuring that all workers are informed of their rights and responsibilities.
- Providing adequate training and resources to maintain health and safety standards.
- Monitoring compliance with labour laws and World Bank requirements.
- Facilitating communication between workers and management.

6.2 Contractors and Subcontractors

Contractors and subcontractors must adhere to the LMP and ensure that their employees are treated fairly and work in safe conditions. They are required to:

- Implement appropriate health and safety measures. These measures will be detailed in their respective ESMPs.
- Provide fair wages and benefits as per legal standards.
- Ensure non-discrimination and equal opportunity employment.
- Address worker grievances promptly and effectively.

6.3 Workers

Workers are expected to comply with the guidelines set forth in the LMP, including:

- Following health and safety protocols.
- Respecting their colleagues and management.
- Reporting any unsafe conditions or grievances.

6.4 Health and Safety

The health and safety of workers is paramount. Measures include:

- Regular health and safety training sessions.
- Provision of personal protective equipment (PPE).

7.0 OHS Policies and Procedures

Mitigation measures responding to the risks related to project labour and OHS conditions will be incorporated by standardized clauses in contract documents so that the contractors will be aware of their obligations under the Project. The PECU will ensure compliance of the following clauses, including compliance by contractors. Employment Contracts will be prepared by each employer, in compliance with the policies and procedures laid out in the LMP.

The WB E&S also require that proper institutional arrangement should be established to assess performance of OHS issues, provide regular training to workers, prepare reports, give proper response to reports and make corrective actions as soon as possible and keep record of all communications. Carry out independent joint semi-annual E&S and OS Audits, as well as regular internal audits.

Action to Rectify: If any part of the Site-Specific Contractor Environmental and Social Management Plan (CESMP) or OHS Plan is not followed, PECU shall report immediately to the Contractor Project Manager (PM). The Environmental and Social (E&S) and OHS staff take appropriate action to rectify the disorderly conduct.

All contracted workers, and those directly hired under the PECU, will be required to sign a code of conduct (see **Annex I** and **Annex II**) prior to the commencement of work, which includes a provision to address the risk of Gender Based Violence (GBV). The code of conduct governs both on-site behaviour (with colleagues) and conduct in the community. Relevant trainings will be provided to workers, such as induction and daily toolbox talks outlining expected conduct and local community values.

Instruction to Employees: The PECU E&S staff will periodically interact with the Employees for the awareness of Environmental Conservation and encourage them to abide by the Socio-Environmental and Health and Safety standards. Location, facilities and pollution control will be consistent with management requirements in the ESMPs.

Each contractor will make provision in their ESMPs. for procedures on GBV prevention including awareness raising and Code of Conduct in relation to GBV/SEA, as well as separate procedures under GM for handling GBV related complaints.

1. Whom to call:

- Immediately report the incident to Social Specialist, supervisor or site manager
- Additionally, notify the Bank of any incident or accident relating to the project which has, or is likely to have, a significant adverse effect on the environment, the affected communities, the public or workers, including those resulting in death or significant injury to workers or the public; acts of violence, discrimination or protest; unforeseen impacts to cultural heritage or biodiversity resources; pollution of the environment; dam failure; forced or child labour; displacement without due process

(forced eviction); allegations of sexual exploitation or abuse (SEA), or sexual harassment (SH); or disease outbreaks.

- Provide available details of the incident or accident to the Bank upon request. Arrange for an appropriate review of the incident or accident to establish its immediate, underlying and root causes.
- Prepare, agree with the Bank, and implement a Corrective Action Plan that sets out the measures and actions to be taken to address the incident or accident and prevent its recurrence.

7.1 Purpose of OHS Procedures

The primary purpose of the OHS measures is the health and safety of any and all project workers at work. The measures also establish and define the authority for the implementation of the OHS plan and associated safety systems. These measures will be enforced on all activities of the PECU, project contractors and project beneficiaries through contractual arrangements as is appropriate.

7.2 Scope of OHS Procedures/Plan

OHS is concerned with the safety, health, and welfare of people at work. Safety is defined as “the well-being of project employees whilst at work or carrying out work duties”. OHS Management System is a set of standards, policies and guidelines that addresses project worker's safety, monitoring and evaluation of safety, worker's health, work and general environment.

7.3 OHS procedures

OHS procedures will be developed covering the following:

- Compliance with all national and international OHS legislation that are applicable to the participating country governments and the World Bank
- Compliance with the Environmental and Social Standards of the World Bank
- World Bank Environmental Health and Safety (EHS) Guidelines³
- Prevention of injury and ill health of all project workers
- Identification and assessment of hazards
- Measures to manage the hazards including establishment of safety systems, processes and performance
- Continuous improvement of Safety Systems
- Prevention of use of faulty equipment or sub-standard equipment
- Compliance with public health protocols
- Training and awareness

³ <http://documents1.worldbank.org/curated/en/157871484635724258/pdf/112110-WP-Final-General-EHS-Guidelines.pdf>

- Investigation and reporting of incidents. The Project will commit to safety considerations in all its activities and that of contractors, sub-contractors and beneficiaries.

The Project will provide systems, processes, procedures, the necessary safety equipment and gears such as personal protective equipment, and training for all project employees so that all activities are conducted in a safe environment. It will also develop and implement systems, processes, policies, and services in compliance with national and international legal requirements including industry standards and best practices in relation to safety.

Workers will be responsible, subject to their roles, for the maintenance of a safe environment including the assessment of risks and actions to minimize, mitigate, and manage risks. Workers at all levels have the authority to stop any activity they consider to be a danger to themselves or other workers, the public or the environment. Workers in this situation must rely on the project's GM, which permits for anonymous complaints lays out procedures and timeframes for resolution. The LMP also requires incidents and accidents to be logged and reported by the PECU Project Manager to the World Bank in line with the World Bank Environment and Social Incident Response Tool, and in line with action "E" of the Environmental and Social Commitment Plan, in that, the MENB/ PECU will Notify the Bank no later than forty-eight (48) hours after learning of the incident or accident. Additionally, the MENB/PECU are required to provide available details to the World Bank upon request. Incident reporting under the project will be done using the templates provided in **Annex III**.

There will be no retaliation to project workers for stop-work whistle blowing.

The environmental specialist and social specialist attached to the PECU is responsible for the implementation and monitoring of the safety management systems of the project. The E&S specialists will develop guidelines, instructions and training and awareness materials to support the OHS measures and procedures.

The project will also ensure that all employees:

- Ascribe to the principle of not harming people;
- Understand that discrimination and SEA/SH will not be tolerated in the workplace;
- Are hired 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;
- Receive training on Code of Conducts and OHS measures required under ESS2;
- Comply with the laws of the Countries at all times; and,
- Adhere to all health and safety measures as laid out in the ESS2.

The ESMPs will include OHS provisions and based on the ESMP requirements an Occupational, Health and Safety Plan (OHSP) must be prepared by the contractor and approved by the E&S specialists of the PECU prior to any works commencing on site. The OHSP must demonstrate the Contractor's understanding of how to manage safety and a commitment to providing a workplace that enables all work activities to be carried out safely. The OHSP must detail reasonably practicable measures to eliminate or minimize risks to the health, safety and welfare of workers, contractors, visitors, and anyone else who may be affected by the operations. The OHSP must be prepared based on the requirements detailed in the ESMP and in accordance with the World Bank's EH&S Guidelines and the national health and safety legislation.

7.4 OHS Policy Dissemination and Awareness

The OHS policy will be disseminated to all project workers, contractors and beneficiaries before start of contract. The information will be disseminated in various formats including an adapted and summarized version to be prepared by each of the PECU E&S specialists

8.0 Age of Employment

Barbados' labour laws for child labour include a minimum age for employment, restrictions on working hours, and prohibitions on hazardous work. The laws also prohibit forced labour and the exploitation of children. It should be noted that a child under the minimum age established in accordance with this paragraph will not be employed or engaged in connection with the Project.

Minimum age

- The minimum age to work in Barbados is 16 years old.
- Between the ages of 16 – 18 there is some provision for work. A child over the minimum age and under the age of 18 may be employed or engaged in connection with the project only under the following specific conditions: (a) the work is not considered as hazardous (as defined ahead), b) an appropriate risk assessment is conducted, and c) prior to the work commencing the Project conducts regular monitoring of health, working conditions, hours of work and the other requirement of ESS2. A child over the minimum age and under the age of 18 will not be employed or engaged in connection with the Project in a manner that is likely to be hazardous or interfere with the child's education or be harmful to the child's health or physical, mental, spiritual, moral or social development

Working hours

- Young people between 16 and 18 cannot work in industrial undertakings between 6 PM and 7 AM.

Hazardous work

- Children under 18 cannot work in occupations that are likely to harm their health, safety, or morals.
- This includes industrial undertakings such as mining and quarrying.

Other restrictions

- The law prohibits forced or compulsory labour.
- The law prohibits the exploitation of children in indecent photographs.
- The law prohibits prostitution.

By default, project workers will be required to be a minimum age of 18. However, children under the age of 18 and not below 16 can be employed or engaged only if permitted by law and only in exceptional circumstances. The hiring of workers under the age of 18 will be subject to rigorous scrutiny. Under no circumstances will a child under the age of 18 be employed or engaged in connection with the project in a manner that is likely to be

hazardous⁴ or interfere with the child's education or be harmful to the child's health or physical, mental, spiritual, moral or social development.

All project workers will be asked to produce identification documents (ID) that are acceptable in local laws, employment and human resources practices as "proof of age". These forms of ID will be birth certificates, national driver's licenses, national passports or national registration cards. The number and type of pieces of required ID is at the discretion of each country, though one piece of ID is considered sufficient for the purposes of compliance with the LMP.

If workers are found to have been hired without complying with the project's minimum working age requirements, the following actions will be undertaken:

- Any employer, contractor or beneficiary found hiring persons failing to meet the project's minimum working age requirements, but above the national minimum age will be required to participate in a review of the project's age requirements and procedures.
- Any employer, contractor or beneficiary found hiring persons below the national legal minimum age will have their contract immediately terminated and will be reported to the authorities.
- A meeting will be scheduled with the child to determine the reasons for seeking employment;
- The child will be referred to other support services, as appropriate. These could include a social worker or a ministry responsible for social services;
- The Services of non-governmental organizations (NGOs) and community-based organizations (CBOs) will be secured to assist the child.

⁴ Work considered hazardous for children is work that, by its nature or the circumstances in which it is carried out, is likely to jeopardize the health, safety, or morals of children. Examples of hazardous work activities prohibited for children include work: (a) with exposure to physical, psychological or sexual abuse; (b) underground, underwater, working at heights or in confined spaces; (c) with dangerous machinery, equipment or tools, or involving handling or transport of heavy loads; (d) in unhealthy environments exposing children to hazardous substances, agents, or processes, or to temperatures, noise or vibration damaging to health; or (e) under difficult conditions such as work for long hours, during the night or in confinement on the premises of the employer.

9.0 Terms and Conditions

Applicable terms and conditions as per Barbados Labour Law applies, and the relevant stipulations including written service contract detailing the worker's salary, working hours and leave, rights and allowance, Code of Conduct (see **Annex I & II**), duration of contract, and terms and conditions for termination of contract by employer and worker alike. The contract should be signed by both parties, who each will keep a copy.

Direct Workers: The terms and conditions for direct workers in PECU and otherwise will be governed by the ESS2 provisions.

Contracted Workers: Terms and conditions for contracted workers shall be reflected in the Human Resources (HR) Policies and contracts which will be reviewed by the PECU regarding their compliance with the ESF and national labour law such as the Employment Rights Act. This mandates written contracts of employment, outlines minimum employment standards like notice periods, severance pay, and protects against unfair dismissal, ensuring that even contract workers receive basic rights and protections under the law; key points include:

- **Written Contracts:**
All contracts of employment, including those for contract workers, must be in writing and clearly define terms and conditions like wages, working hours, and termination procedures.
- **Minimum Notice Periods:**
Depending on the length of service, employers must provide a specified notice period before terminating a contract worker.
- **Severance Pay:**
If a contract worker is dismissed due to redundancy, they are usually entitled to severance pay based on their length of service.
- **Protection Against Unfair Dismissal:**
The ERA outlines grounds for which a dismissal can be considered unfair, allowing contract workers to challenge termination in certain situations.
- **Key Legislation:**
The "Protection of Wages Act" also applies, ensuring that contract workers receive their wages in legal tender and are protected against deductions not outlined in their contract.

Migrant Labourers: The project may employ migrant workers provided they meet the legal age, have the right to work in Barbados, and are engaged under fair, lawful conditions in full compliance with national labour laws and immigration regulations. Terms and

conditions for migrant workers shall be reflected in the HR Policies and contracts which will be reviewed by the Ministry regarding their compliance with the ESF and national labour laws.

Hours of Work: Employers shall not require workers to work more than the regular and overtime hours allowed by the law of the country where the workers are employed. The standard work week in Barbados is 40 hours, or 8 hours per day, five days a week. Employees are entitled to two days off per week, usually on Saturday and Sunday.

All overtime work shall be consensual. Employers shall not request overtime on a regular basis and shall compensate all overtime work at a premium rate. Other than in exceptional circumstances, the sum of regular and overtime hours in a week shall not exceed 60 hours as per national working law. Overtime is optional and is defined as any hours worked beyond the standard work week. Employees who work overtime are entitled to 150% of their regular pay. Employees who work overtime on a public holiday are entitled to double time. It is illegal to penalize an employee for not working overtime.

Compensation: Every worker has a right to compensation for a regular work week that is sufficient to meet the worker's basic needs and provide some discretionary income. Employers shall pay at least the minimum wage or the appropriate prevailing wage, whichever is higher, comply with all legal requirements on wages, and provide any fringe benefits required by law or contract. Compensation for work in Barbados includes minimum wage, overtime pay, and severance payments.

Minimum wage: As of April 2021, the minimum wage in Barbados was 8.50 Barbadian Dollars (\$BDD) per hour. Employees can be paid hourly, daily, weekly, biweekly, or monthly, as long as they earn at least the minimum wage

Notice for termination of contract. Either of the contracting parties may terminate a contract of employment by giving written notice.

Maternity leave. In Barbados, maternity leave is 12 weeks of paid leave for eligible employees. The leave is usually split into six weeks before the baby is due and six weeks after the birth.

Deductions from remuneration. No deductions other than those prescribed by the law or regulations or collective Labour agreement shall be made from a worker's remuneration, except for repayment of advances received from the employer and evidenced in writing. The contractor shall not demand or accept from workers any cash payments or presents of any kind in return for admitting them to employment or for any other reasons connected with the terms and conditions of employment.

Death benefit. In case of death of a worker during his contract of employment, the employer shall pay Death benefits to the dependents. The priority and amount of benefits are provided by the National Insurance and Social Security Service

Medical treatment of injured and sick workers. employers are responsible for taking necessary measures to ensure the health and safety of their employees, including providing medical treatment for injured or sick workers. This would include the conveyance to the nearest hospital of any injured or sick worker who can be so conveyed and who cannot be treated on the spot with the means available

Collective Agreements. A collective agreement is an agreement relating to terms and conditions of work concluded between the representatives of one or more trade unions, on the one hand, and the representatives of one or more employers, on the other hand. Where collective agreements exist between the employer and project workers, such agreements will be applied, where relevant.

10.0 Grievance Mechanism (GM)

Handling of grievances should be objective, prompt and responsive to the needs and concerns of the aggrieved workers. Different ways in which workers can submit their grievances should be allowed, such as submissions in person, by phone, text message, mail, anonymous, and email. The grievance raised should be recorded and acknowledged within one day. While the timeframe for redress will depend on the nature of the grievance, health and safety concerns in work environment or any other urgent issues should be addressed immediately. Where the grievance cannot be addressed within a reasonable timeframe, the aggrieved worker should be informed in writing, so that the worker can consider proceeding to the next level for redress. The mechanism will also allow for anonymous complaints to be raised and addressed. Individuals who submit their comments or grievances may request that their name be kept confidential.

Direct workers. Each unit engaging direct workers (PECU and the construction and supervision consultants) will hold periodic team meetings to discuss any workplace concerns. The grievance raised by workers will be recorded with the actions taken by each unit. The summary of grievance cases will be reported to the World Bank as part of the regular report. Where the aggrieved direct worker wishes to escalate their issue or raise their concerns anonymously and/or to a person other than their immediate supervisor/hiring unit, the worker may raise the issue with responsible local authorities (e.g. Department of Labour), where relevant. Where the construction and supervision consultants have an existing grievance system, their direct workers should use such mechanism.

Contracted workers. The site manager and the OHS officer (or any other appropriate officers) of the contractor will hold a daily team meeting with all present contracted workers at site at the end of the daily work to discuss any workplace grievances if they feel comfortable doing so. Other methods can be utilized as well. The grievance raised will be recorded with the actions taken by the contractor. The summary of grievance cases will be reported to the PECU and the construction and supervision consultant as part of contractor's periodic report. Where appropriate and available, the contracted workers should be allowed to utilize an existing grievance mechanism within the contractor. Where the aggrieved workers wish to escalate their issue or raise their concerns anonymously and/or to a person other than their immediate supervisor, the workers may raise their issue with the PECU and/or the construction supervision consultant. The contracted workers will be informed of the grievance mechanism prior to the commencement of work. The contact information of the PECU and/or the construction supervision consultants will be shared with contracted workers.

10.1 GM Point of Contact

Contractors and subcontractors hiring workers of any kind will appoint a representative/ employee who will be the point of contact for all grievances. In the case of the PECU, the point of contact will be the Project Manager. In the case of issues with project management staff the Project Manager may be required to exclude herself or himself if the complaint directly involves him or her. Where the Project Manager is the subject of the grievance, the complaint should be directed to a contact in the Ministry responsible for the project. Contact information will become available once the PECU project manager(s) are on board, and the contractors are known. Contact information will be available prior to the hiring of workers, and it will be provided to workers upon signing of contract.

10.2. Description of Grievance Mechanism (GM)

The Table below describes the different levels of grievances. Steps to resolve grievances will be done in adherence to the structure outlined in in **Annex IV**: “Description of the Grievance Mechanism.”

Table 3: Levels of Grievances

Grievance Category	Description	Internal response	Responsibility
Level 1 Low risk	When an answer can be provided immediately. E.g., issues with the communication of information regarding the project.	Respond immediately to complainant. Record and report. It does not require internal consultation	Social Specialist or assigned specialist
Level 2 moderate risk	One-off grievance that requires measured response and actions/ commitments to resolve complaint. E.g., dissatisfaction with response received at level 1; reports of health and safety concerns, complaints about project timeline issues, field staff or civil works.	Social specialist or assigned specialist, will review, and classify the complaint. If it is classified as a level 2 grievance, the PM will investigate and respond in coordination with the E&S Specialists. Where the Project Manager is the subject of the grievance, the complaint should be directed to a contact in the Ministry responsible for the project.	Project Manager Representative from the MENB (Permanent Secretary)

Grievance Category	Description	Internal response	Responsibility
Level 3 High risk	Legal violations on the part of project staff or beneficiaries; Repeated, extensive and high-profile grievances that may jeopardize the reputation of the project. E.g., cases of Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH), reports of fraudulent disbursement funds, failure to deliver promised inputs.	<p>Social specialist or assigned specialist, will review and classify the complaint. The assigned specialist will be trained to attend to GBV/SEAH once onboard to the Project. If it is classified as a level 3 grievance, the PM will form a Grievance Committee (GC) that will be in charge of addressing this level complaint. The GC will provide advice on how to solve complaints within this level.</p> <p>For SEAH cases, a list of Gender Based Violence (GBV) service providers will be kept available by the project. If an incident is reported through the GM, a survivor-centered approach will be used. Any cases of GBV brought through the GM will be documented but remain closed/sealed to maintain the confidentiality of the survivor.</p>	Grievance Committee (GC)

The Grievance Committee (GC) would include representatives from the MENB, affected communities, civil society organizations (CSOs), government officials, and potentially a World Bank designated representative. The composition of the GC should ensure a balanced composition with diverse perspectives to effectively address grievances from project-affected people. The Key functions of the Grievance Committee include:

- Receive and review grievances from project-affected people
- Investigate complaints and gather necessary information

- Facilitate dialogue between complainants and project implementing agency
- Recommend appropriate actions to resolve grievances
- Monitor implementation of redress measures
- Report on grievance trends and patterns to project management and stakeholders

The GM will provide an appeals process if the complainant is not satisfied with the proposed resolution of the complaint. Once all possible means to resolve the complaint have been proposed and if the complainant is still not satisfied, then they could be advised of their right to legal recourse. It should be noted that although not a part of the GM, affected persons can always invoke their right to legal recourse.

The project will have other measures in place to handle sensitive and confidential complaints, including those related to Sexual Exploitation and Abuse/Harassment (SEA/SH).

The World Bank and the Borrower do not tolerate reprisals and retaliation against project stakeholders who share their views about Bank-financed projects.

10.3 GM Procedure

The Project will have a single Grievance Mechanism system that will manage grievance to address public, workers and SEAH-related issues (see Figure 1). This GM will provide a single point of contact for both workers and the public to submit complaints regarding the Project, allowing them to raise concerns about potential adverse impacts on themselves, their communities, or the environment; this system aims to ensure accountability and responsiveness to project-affected parties.

All grievances submitted by Project workers shall be logged and filed by the PECU Project Manager.

Upon receipt of grievances not channeled through the PECU project manager, the contractor staff or point of contact will notify the PECU project manager. In the case of issues with project management staff the Project Manager may be required to exclude herself or himself if the complaint directly involves him or her. Where the Project Manager is the subject of the grievance, the complaint should be directed to a contact in the Ministry responsible for the project.

The point of contact will attempt to address grievance within established time frame of 7 – 14 days upon receipt. In cases of timely or urgent matters a period of a minimum of 24 hours and a maximum of 15 calendar days will be allotted for addressing and resolving the grievance. Grievances can be made in person, telephone call or writing. Grievances can be made anonymously. A dedicated email and a telephone number will be provided

for all grievances. Grievances made via telephone or in person will be recorded at a later date and the complainant asked to sign same if in agreement to disclose their name.

Submission of complaint to

- Email: **berrpbarbados@gmail.com**
- Reference: GM Barbados – Beryl Emergency Response and Recovery Project (P507190)
Address: **Regus, One Welches, Barbados, BB22025**
- Mobile Number **+1 (246) 289-2494**

Grievances can be submitted orally to the PECU using the reference provided above

Resolution of Grievance

The contractor or subcontractor point of contact will notify the PECU Project Manager through a report of the successful resolution of any grievance. The complainant will also be informed via writing of the measures taken to address the grievance. If the grievance cannot be resolved by the contractor or subcontractor, the point of contact will inform the PECU Project Manager.

The PECU Project Manager and E&S specialists will meet with the project contractor/subcontractor and workers and attempt resolution. In the case of grievances directed towards PECU staff, the Permanent Secretary within the Ministry hosting the national PECU will meet directly with the staff.

If issues cannot be resolved, the case will be referred to the Ministry of Labour of the respective country for their action and pronouncement. The Ministry of Labour's ruling would be the final tier of the grievance mechanism.

Anonymity

Grievances may be submitted anonymously, without providing the complainant's name or contact details with the understanding that, in some cases.

Freedom from Retaliation

There will be no retaliation towards individuals seeking to resolve a grievance by means of the grievance redress mechanism.

Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH)

The GM will identify and train the social specialist who will be responsible for dealing with any Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH) issues, should they arise.

A list of SEA/SH service providers will be kept available to the Social Specialist and the PECU Project Manager. The GRM should assist SEA/SH survivors by referring them to

SEA/SH Services Provider(s) for support immediately after receiving a complaint directly from a survivor.

If a SEA/SH-related incident is reported through the GM, it will be processed keeping the survivor information confidential. Specifically, the GM will only record the following information related to the SEA/SH complaint:

- The nature of the complaint (what the complainant says in her/his own words without direct questioning);
- If, to the best of their knowledge, the perpetrator was associated with the project; and,
- If possible, the age and sex of the survivor.

Any cases of SEA/SH brought through the GM will be documented but remain closed/sealed to maintain the confidentiality of the survivor. The Project Manager will also immediately notify both the Implementing Agency and the World Bank of any SEA/SH complaints with the consent of the survivor.

Grievance Process: Barbados - Beryl Emergency Response and Recovery Project

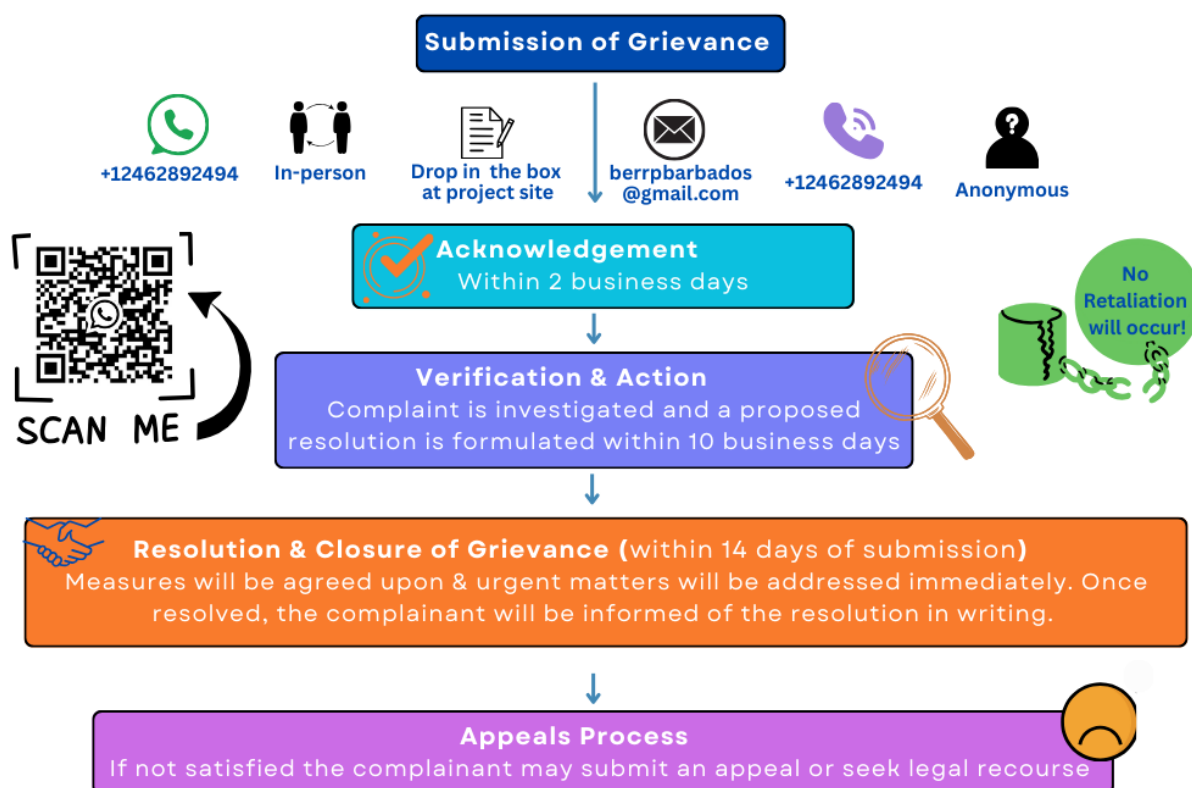


Figure 1. Overview of the grievance process.

11.0 Contractor Management

The Project will ensure that third parties (contractors, subcontractors, brokers, agents or intermediaries) that hire workers are legitimate and reliable entities, and that they implement the Project Workforce Management Procedures that allow them to operate in accordance with the requirements of ESS 2.

Information provided by third parties or otherwise obtained may include the following:

Information contained in public records, e.g. corporate files and public documents relating to breaches of applicable labour law, including reports from labour inspectorates, Business licenses, registrations, permits, and approvals;

Documents related to a workforce management system, including OHS issues, e.g. labour management procedures;

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

- a) Worker certifications/permits/training to perform the required work;
- b) Health and safety violations records and responses;
- c) Accident and death records, and notifications to authorities;
- d) Registration of legally required workers' benefits and proof of workers' registration;
- e) Workers' payroll records, including hours worked and compensation received;
- f) If any, identification of security committee members and records of meetings;
- g) Copies of previous contracts with contractors and suppliers, showing the inclusion of the provisions and
- h) the terms that are reflected in the ESS 2.

The Project shall establish procedures to manage and monitor the performance of such third parties in relation to the requirements of the ESS2. In addition, it will incorporate the requirements of the ESS2 into the contractual agreements it enters into with third parties, along with appropriate legal remedies in cases of non-compliance. In the event of subcontracting, the Project will require such third parties to include equivalent requirements and legal remedies for cases of non-compliance with the contractual agreements they enter into with their subcontractors.

The administration and supervision of the performance of third parties in relation to the hired workers will focus on the fulfillment of the contractual agreements of the third parties (obligations, representations and guarantees). As appropriate depending on the project, this may include periodic audits, inspections or random checks at the project site or at construction sites or of third-party workforce management records and reports. These management records and reports may include the following: (a) a representative sample

of employment contracts or agreements between the third parties and the contract workers; b) records related to complaints or claims received and their resolution; (c) reports related to safety inspections, including fatalities and incidents and the implementation of corrective actions; (d) records related to cases of non-compliance with national legislation

12.0 Primary Supply Workers

Potential risks in primary supply workers. The construction work under the Project will require primary supplies including construction materials essential for the functions of the proposed infrastructure. However, where the contractor will source (a) essential materials (b) directly from primary suppliers (c) on an ongoing basis, the workers engaged by such primary suppliers (that meet all three criteria (a) to (c)) are deemed “primary supply workers”, as defined in ESS2. As discussed in Section 4 (Key Labour Risks), the OHS risks were outlined.

To address these potential risks, the following measures will be taken:

Selection of primary suppliers. When sourcing construction materials from primary suppliers, a risk assessment/screening will be conducted to identify the risk of child labour/force labour and serious safety risks. The PECU and the construction and supervision consultants will review and approve the purchase of primary supplies from the suppliers following such risk identification/assessment and any other relevant due diligence (such as the review of license for quarries). Where appropriate, the contractor will be required to include specific requirements on child labour/forced labour and work safety issues in all purchase orders and contracts with primary suppliers.

Regarding primary supply workers, if significant risks of child labour or forced labour are identified, the Project will require the primary supplier to address those risks. If cases of child labour or forced labour are identified, the Project will require the primary supplier to take appropriate steps to remedy them. If there is a significant risk of serious safety issues, the Project will require the relevant primary supplier to introduce procedures and mitigation measures to address such safety issues.

Remedial process. If child labour/forced labour and/or serious safety incidents are identified in relation to primary supply workers under the Project, the PECU and the construction and supervision consultants will require the primary supplier to take appropriate steps to remedy them. Such mitigation measures will be monitored periodically to ascertain their effectiveness. Where the mitigation measures are found to be ineffective, the PECU and the construction and supervision consultants will, within reasonable period, shift the project’s primary suppliers to suppliers that can demonstrate that they are meeting the relevant requirements. A Primary supplier monitoring template is provided in **Annex V**.

13.0 Community Workers

For any work involving community workers, even on a voluntary basis, the Project has and will ensure compliance with good working conditions and occupational health and safety practices. The Project would need to check the safety of the working environment, the age of community workers, and the terms on which labour is being mobilized and used. It is good practice to document the agreement that is reached with community workers, recording the terms on which such labor will be provided. It is critical that the nature of the potential risks and impacts to the community workers be evaluated and documented. The necessary mitigation measures should then be undertaken, prior to any work being undertaken.

In terms of Grievance Mechanism, all project workers will have access to the following contact information to put grievances and as part of the overall project Grievance Mechanism.

Submission of grievances to:

- Email: **berrpbarbados@gmail.com**
- Reference: GM Barbados – Beryl Emergency Response and Recovery Project (P507190)
Address: **Regus, One Welches, Barbados, BB22025**
- Mobile Number: **+1 (246) 289-2494**

Grievances can also be submitted orally to the PECU using the reference provided above

ANNEXES

ANNEX I - 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, sexual abuse and sexual harassment.

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, labourers 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 behaviour that we require from all Contractor's Personnel.

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

REQUIRED CONDUCT

Contractor's Personnel shall:

1. carry out his/her duties competently and diligently;
2. acknowledge that adherence to this Code of Conduct is a condition of employment;
3. comply with this Code of Conduct and all applicable laws, regulations and other requirements, including requirements to protect the health, safety and well-being of other Contractor's Personnel and any other person;
4. 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 follow required protection guidelines;
 - c. using appropriate measures relating to chemical, physical and biological substances and agents; and
 - d. following applicable emergency operating procedures.

5. report work situations that he/she believes are not safe or healthy and remove himself/herself from a work situation which he/she reasonably believes presents an imminent and serious danger to his/her life or health;
6. avoid any conflicts of interest (such that benefits, contracts, or employment, or any sort of preferential treatment or favors, are not provided to any person with whom there is a financial, family, or personal connection);
7. respect reasonable work instructions (including regarding environmental and social norms);
8. protect and properly use property (for example, to prohibit theft, carelessness, or waste);
9. treat other people with respect, and not discriminate against specific groups such as women, people with disabilities, migrant workers, or children;
10. not engage in Sexual Harassment, which means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature with other Contractor's or Employer's Personnel;
11. 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;
12. not engage in Sexual Abuse, which means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions;
13. protect children (including prohibitions against sexual activity or abuse, or otherwise unacceptable behaviour towards children, limiting interactions with children, and ensuring their safety in project areas).
14. not engage in any form of sexual activity with individuals under the age of 18, except in case of pre-existing marriage;
15. shall have access to a referral system for victims of Gender Based Violence/Sexual Exploitation and Abuse of employees and any individual that may be associated with Project. Where such incident would have occurred, it should immediately be reported to the Employer or his/her designate who would ensure that the victim is referred to a service provider trained to handle GBV cases;
16. complete relevant training courses that will be provided related to the environmental and social aspects of the Contract, including on health and safety matters, Sexual Exploitation and Abuse (SEA), and Sexual Harassment (SH);
17. report violations of this Code of Conduct;

18. 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 grievance mechanism for Contractor's Personnel or the project's Grievance Redress Mechanism; and,
19. contractor will follow the relevant requirements set out in LMP and ESMF (especially in ESS3 and ESS4).

RAISING CONCERNS

If any person observes behaviour 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. When leaving a message, please include at a minimum:
 - Your name (optional, but encouraged)
 - A contact number or email address (optional, but encouraged, to enable follow-up)
 - The project site or location concerned
 - A clear description of the grievance (including how you are affected by the project)
 - Any reference to documents or evidence that may support your concern

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 behaviour prohibited by this Code of Conduct. Such retaliation would be a violation of this Code of Conduct.

CONSEQUENCES OF VIOLATING THE CODE OF CONDUCT

Any violation of this Code of Conduct by 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(s) with relevant experience*] 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): _____

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

ATTACHMENT 1 TO THE CODE OF CONDUCT FORM

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

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

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

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

(2) Examples of sexual harassment in a work context

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

ANNEX II – CODE OF CONDUCT FOR PROJECT EXECUTION & COORDINATION UNIT (PECU) PERSONNEL

[*enter name of Personnel*] has signed a contract with the Ministry of Environment and National Beautification, Green and Blue Economy (MENB) under the Government of Barbados for [*enter description of the Terms of Reference (ToR)*]. This contract requires you to implement measures to address environmental and social risks related to the Project, including the risks of sexual exploitation, sexual abuse, and sexual harassment.

Herewith, all persons are referred to as “**PECU’s Personnel**” and are subject to this Code of Conduct.

This Code of Conduct identifies the behavior that is required from all PECU Personnel.

The 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.

PECU’s Personnel shall:

20. carry out his/her duties competently and diligently;
21. acknowledge that adherence to this Code of Conduct is a condition of employment;
22. 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 PECU’s Personnel and any other person;
23. maintain a safe working environment including by:
 - a. ensuring that workplace equipment, and processes under each person’s control are safe and without risk to health;
 - b. wearing required personal protective equipment when visiting construction sites and follow project protection guidelines, as described in the Stakeholder Engagement Plan (SEP), Labor Management Procedure (LMP), Environmental and Social Management Framework (ESMF) and plans (ESMPs), and other relevant instruments.;
 - c. using appropriate measures relating to chemical, physical and biological substances and agents; and
 - d. following applicable emergency operating procedures.
24. 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;

25. avoid any conflicts of interest (such that benefits, contracts, or employment, or any sort of preferential treatment or favors, are not provided to any person with whom there is a financial, family, or personal connection);
26. respect reasonable work instructions (including regarding environmental and social norms);
27. protect and properly use property (for example, to prohibit theft, carelessness, or waste);
28. treat other people with respect, and not discriminate against specific groups such as women, people with disabilities, migrant workers or children;
29. not engage in Sexual Harassment, which means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature with PECU's or other Personnel;
30. 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;
31. not engage in Sexual Abuse, which means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions;
32. protect children (including prohibitions against sexual activity or abuse, or otherwise unacceptable behavior towards children, limiting interactions with children, and ensuring their safety in project areas).
33. not engage in any form of sexual activity with individuals under the age of 18, except in case of pre-existing marriage;
34. shall have access to a referral system for victims of Gender Based Violence/Sexual Exploitation and Abuse of employees and any individual that may be associated with Project. Where such incident would have occurred, it should immediately be reported to the Employer or his/her designate who would ensure that the victim is referred to a service provider trained to handle GBV cases;
35. complete relevant training courses that will be provided related to the environmental and social aspects of the Contract, including on health and safety matters, Sexual Exploitation and Abuse (SEA), and Sexual Harassment (SH);
36. shall have access to a Grievance Redress Mechanism, which will afford effective remedies.
37. report violations of this Code of Conduct to the Employer under this project;
38. not retaliate against any person who reports violations of this Code of Conduct, whether to the Employer or the Project's Grievance Redress Mechanism; and,
39. the PECU staff will follow the relevant requirements set out in LMP.

RAISING CONCERNS

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

1. Contact [*the Social Specialist under the PECU*] in writing at this address [berrpbarbados@gmail.com] or by telephone at [+1 (246) 289-2494] or in person at [Regus, One Welches, Barbados, BB22025]; or
2. If the matter involves the Social Specialist under the PECU, contact the Project Manager or the Permanent Secretary assigned to the project.

In either case, when leaving a message, please include at a minimum:

- Your name (optional, but encouraged)
- A contact number or email address (optional, but encouraged, to enable follow-up)
- The project site or location concerned
- A clear description of the grievance (including how you are affected by the project)
- Any reference to documents or evidence that may support your concern

The person's identity will be kept confidential, unless reporting of allegations is mandated by national laws. 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 PECU Personnel may result in serious consequences, up to and including termination and possible referral to legal authorities.

FOR PECU 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 [*the Social Specialist under the PECU*] requesting an explanation.

Name of PECU Personnel: [insert name]

Signature: _____

Date: (day month year): _____

Countersignature of authorized representative of the Employer:

Signature: _____

Date: (day month year): _____

ATTACHMENT 1: Behaviors constituting Sexual Exploitation and Abuse (SEA) and behaviors constituting Sexual Harassment (SH)

ATTACHMENT 1 TO THE CODE OF CONDUCT FORM

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

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

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

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

(4) Examples of sexual harassment in a work context

- PECU Personnel comment on the appearance of another PECU Personnel (either positive or negative) and sexual desirability.
- When a PECU Personnel complains about comments made by another PECU Personnel on his/her appearance, the other PECU Personnel comment that he/she is “asking for it” because of how he/she dresses.

- Unwelcome touching of a PECU or Employer's Personnel by another PECU Personnel.
- A PECU Personnel tells another PECU Personnel that he/she will get him/her a salary raise, or promotion if he/she sends him/her naked photographs of himself/herself.

ANNEX III – INCIDENT REPORTING TEMPLATES

Part B: To be completed by Borrower within 48 hours

B1: Incident Details			
Date of Incident:	Time:	Date Reported to PIU:	Date Reported to WB:
Reported to PIU by:	Reported to WB by:	Notification Type: Email/'phone call/media notice/other	
Full Name of Main Contractor:		Full Name of Subcontractor:	

B2: Type of incident (please check all that apply) ¹
Fatality <input type="checkbox"/> Lost Time Injury <input type="checkbox"/> Displacement Without Due Process <input type="checkbox"/> Child Labor <input type="checkbox"/> Acts of Violence/Protest <input type="checkbox"/> Disease Outbreaks <input type="checkbox"/> Forced Labor <input type="checkbox"/> Unexpected Impacts on heritage resources <input type="checkbox"/> Unexpected impacts on biodiversity resources <input type="checkbox"/> Environmental pollution incident <input type="checkbox"/> Dam failure <input type="checkbox"/> Other <input type="checkbox"/>

¹See Annex 1 for definitions

B3: Description/Narrative of Incident
<p><i>Please replace text in italics with brief description, noting for example:</i></p> <p>I. <i>What is the incident?</i></p> <p>II. <i>What were the conditions or circumstances under which the incident occurred (if known)?</i></p> <p>III. <i>Are the basic facts of the incident clear and uncontested, or are there conflicting versions? What are those versions?</i></p> <p>IV. <i>Is the incident still ongoing or is it contained?</i></p> <p>V. <i>Have any relevant authorities been informed?</i></p>

B4: Actions taken to contain the incident			
Short Description of Action	Responsible Party	Expected Date	Status
For incidents involving a contractor: Have the works been suspended (for example, under GCC8.9 of Works Contract)? Yes <input type="checkbox"/> ; No <input type="checkbox"/> ; Trading name of Contractor (if different from B1): Please attach a copy of the instruction suspending the works.			

B5: What support has been provided to affected people

Annex 1: Incident Types

The following are incident types to be reported using the environmental and social incident response process:

Fatality: Death of a person(s) that occurs within one year of an accident/incident, including from occupational disease/illness (e.g., from exposure to chemicals/toxins).

Lost Time Injury: Injury or occupational disease/illness (e.g., from exposure to chemicals/toxins) that results in a worker requiring 3 or more days off work, or an injury or release of substance (e.g., chemicals/toxins) that results in a member of the community needing medical treatment.

Acts of Violence/Protest: Any intentional use of physical force, threatened or actual, against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, deprivation to workers or project beneficiaries, or negatively affects the safe operation of a project worksite.

Disease Outbreaks: The occurrence of a disease in excess of normal expectancy of number of cases. Disease may be communicable or may be the result of unknown etiology.

Displacement Without Due Process: The permanent or temporary displacement against the will of individuals, families, and/or communities from the homes and/or land which they occupy without the provision of, and access to, appropriate forms of legal and other protection and/or in a manner that does not comply with an approved resettlement action plan.

Child Labor: An incident of child labor occurs: (i) when a child under the age of 14 (or a higher age for employment specified by national law) is employed or engaged in connection with a project, and/or (ii) when a child over the minimum age specified in (i) and under the age of 18 is employed or engaged in connection with a project in a manner that is likely to be hazardous or interfere with the child's education or be harmful to the child's health or physical, mental, spiritual, moral or social development.

Forced Labor: An incident of forced labor occurs when any work or service not voluntarily performed is exacted from an individual under threat of force or penalty in connection with a project, including any kind of involuntary or compulsory labor, such as indentured labor, bonded labor, or similar labor-contracting arrangements. This also includes incidents when trafficked persons are employed in connection with a project.

Unexpected Impacts on heritage resources: An impact that occurs to a legally protected and/or internationally recognized area of cultural heritage or archaeological value, including world heritage sites or nationally protected areas not foreseen or predicted as part of project design or the environmental or social assessment.

Unexpected impacts on biodiversity resources: An impact that occurs to a legally protected and/or internationally recognized area of high biodiversity value, to a Critical Habitat, or to a Critically Endangered or Endangered species (as listed in IUCN Red List of threatened species or equivalent national approaches) that was not foreseen or predicted as part of the project design or the environmental and social assessment. This includes poaching or trafficking of Critically Endangered or Endangered species.

Environmental pollution incident: Exceedances of emission standards to land, water, or air (e.g., from chemicals/toxins) that have persisted for more than 24 hrs or have resulted in harm to the environment.

Dam failure: A sudden, rapid, and uncontrolled release of impounded water or material through overtopping or breakthrough of dam structures.

Other: Any other incident or accident that may have a significant adverse effect on the environment, the affected communities, the public, or the workers, irrespective of whether harm had occurred on that occasion. Any repeated non-compliance or recurrent minor incidents which suggest systematic failures that the task team deems needing the attention of Bank management.

Part C: To be completed by Borrower (following investigation)

C1: Investigation Findings

Please replace text in italics with findings, noting for example:

- I. where and when the incident took place,*
- II. who was involved, and how many people/households were affected,*
- III. what happened and what conditions and actions influenced the incident,*
- IV. what were the expected working procedures and were they followed,*
- V. did the organization or arrangement of the work influence the incident,*
- VI. were there adequate training/competent persons for the job, and was necessary and suitable equipment available,*
- VII. what were the underlying causes; where there any absent risk control measures or any system failures,*

C2: Corrective Actions from the investigation to be implemented (To be fully described in Corrective Action

Action	Responsible Party	Expected Date

Part C cont.: To be completed by Borrower (following investigation)

C3a: Fatality/Lost time Injury information

Immediate cause of fatality/injury for worker or member of the public (please check all that apply)²:

1. Caught in or between objects ☐ 2. Struck by falling objects ☐ 3. Stepping on, striking against, or struck by objects ☐ 4. Drowning ☐ 5. Chemical, biochemical, material exposure ☐ 6. Falls, trips, slips ☐ 7. Fire & explosion ☐ 8. Electrocution ☐ 9. Homicide ☐ 10. Medical Issue ☐ 11. Suicide ☐ 12. Others ☐
Vehicle Traffic: 13. Project Vehicle Work Travel ☐ 14. Non-project Vehicle Work Travel ☐ 15. Project Vehicle Commuting ☐ 16. Non-project Vehicle Commuting ☐ 17. Vehicle Traffic Accident (Members of Public Only) ☐

Name	Age/DOB	Date of Death/Injury	Gender	Nationality	Cause of Fatality/Injury	Worker (Employer)/Public

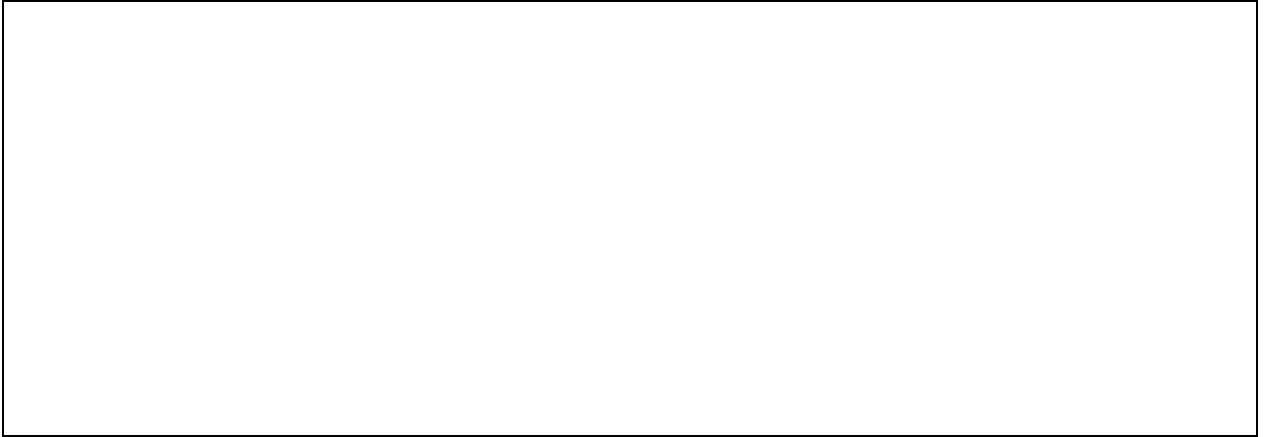
²See Annex 2 for definitions

C3b: Financial Support/Compensation Types (To be fully described in Corrective Action Plan template)

1. Contractor Direct ☐ 2. Contractor Insurance ☐ 3. Workman's Compensation/National Insurance ☐
4. Court Determined Judicial Process ☐ 5. Other ☐ 6. No Compensation Required ☐

Name	Compensation Type	Amount (US\$)	Responsible Party

C4: Supplementary Narrative



Annex 2: Definition of fatality/injury immediate causes

1. **Caught in or between objects:** caught in an object; caught between a stationary object and moving object; caught between moving objects (except flying or falling objects).
2. **Struck by falling objects:** slides and cave-ins (earth, rocks, stones, snow, etc.); collapse (buildings, walls, scaffolds, ladders, etc.); struck by falling objects during handling; struck by falling objects.
3. **Stepping on, striking against, or struck by objects:** stepping on objects; striking against stationary objects (except impacts due to a previous fall); Striking against moving objects; Struck by moving objects (including flying fragments and particles) excluding falling objects.
4. **Drowning:** respiratory impairment from submersion/emersion in liquid.
5. **Chemical, biochemical, material exposure:** exposure to or contact with harmful substances or radiations.
6. **Falls, trips, slips:** falls of persons from heights (e.g., trees, buildings, scaffolds, ladders, etc.) and into depths (e.g., wells, ditches, excavations, holes, etc.) or falls of persons on the same level.
7. **Fire & explosion:** exposure to or contact with fires or explosions.
8. **Electrocution:** exposure to or contact with electric current.
9. **Homicide:** a killing of one human being by another.
10. **Medical Issue:** a bodily disorder or chronic disease.
11. **Suicide:** the act or an instance of taking, or attempting to take, one's own life voluntarily and intentionally.
12. **Others:** any other cause that resulted in a fatality or injury to workers or members of the public.

Vehicle Traffic

13. **Project Vehicle Work Travel:** traffic accidents in which project workers, using project vehicles, are involved during working hours and which occur in the course of paid work.
14. **Non-project Vehicle Work Travel:** traffic accidents in which project workers, using non-project vehicles, are involved during working hours and which occur in the course of paid work.
15. **Project Vehicle Commuting:** traffic accidents in which project workers, using project vehicles, are involved while travelling to (i) the worker's principal or secondary

residence; (ii) the place where the worker usually takes his or her meals; or (iii) the place where he or she usually receives his or her remuneration.

16. **Non-project Vehicle Commuting:** traffic accidents in which project workers, using non-project vehicles, are involved while travelling to (i) the worker's principal or secondary residence; (ii) the place where the worker usually takes his or her meals; or (iii) the place where he or she usually receives his or her remuneration.
17. **Vehicle Traffic Accident (Members of Public Only):** traffic accidents in which non-project workers/members of the public are involved in an accident while travelling for any purpose.

SEASH Incidents - Part B: To be completed by Borrower

B1: Incident Details		
Date of incident intake by the project/GM:	Date Reported to PIU:	Date Reported to WBG:
Reported to project/GM by: <input type="checkbox"/> Survivor <input type="checkbox"/> Third party <input type="checkbox"/> Anonymous <input type="checkbox"/> TBD <input type="checkbox"/> Other: _____ Is a record of this incident in GM? <i>(If no, note how the allegation was received (verbally, via email, etc.)</i> Yes <input type="checkbox"/> No <input type="checkbox"/>	Reported to PIU by: <input type="checkbox"/> GM operator <input type="checkbox"/> Survivor <input type="checkbox"/> third party <input type="checkbox"/> Anonymous <input type="checkbox"/> TBD <input type="checkbox"/> Other: _____ 	Reported to WBG by: <input type="checkbox"/> PIU <input type="checkbox"/> Survivor <input type="checkbox"/> GM operator <input type="checkbox"/> third party <input type="checkbox"/> Anonymous <input type="checkbox"/> TBD <input type="checkbox"/> Other: _____

B2: Incident type (please check all that apply) See Appendix 1 for definitions
Sexual exploitation <input type="checkbox"/> Sexual abuse <input type="checkbox"/> Sexual harassment <input type="checkbox"/>

B3: Provide the following details from the GM record	
Age of survivor (if recorded in GM): Over 18 years <input type="checkbox"/> under 18 years <input type="checkbox"/> Age of survivor (if known): _____	Has the national legislation or mandatory reporting been followed? Yes <input type="checkbox"/> No <input type="checkbox"/> TBD <input type="checkbox"/>
Sex of survivor (if recorded in GM): Male <input type="checkbox"/> Female <input type="checkbox"/> Other <input type="checkbox"/>	Was the survivor referred to service provision? ⁵
Age of alleged perpetrator: Over 18 years <input type="checkbox"/> under 18 years <input type="checkbox"/> Unknown <input type="checkbox"/>	<u>Medical care:</u> Yes, referral made <input type="checkbox"/> No, referral declined or not needed <input type="checkbox"/> No, service needed but not available <input type="checkbox"/> Unknown <input type="checkbox"/> <u>Psychosocial support:</u> Yes, referral made <input type="checkbox"/> No, referral declined or not needed <input type="checkbox"/> No, service needed but not available <input type="checkbox"/> Unknown <input type="checkbox"/> <u>Legal</u> Yes, referral made <input type="checkbox"/> No, referral declined or not needed <input type="checkbox"/> No, service needed but not available <input type="checkbox"/> Unknown <input type="checkbox"/>

⁵ When a complaint is filed by a third party, or the survivor has not reached out to the project, the project may not be able to confirm this information. In these cases, it may not be advisable for the project GM to attempt to reach the survivor, as this may jeopardize confidentiality, safety, and agency. Projects may attempt to find safe ways to pass information indirectly (such as through broad efforts to inform) about services available.

	Other: _____ Yes, referral made <input type="checkbox"/> No, referral declined or not needed <input type="checkbox"/> No, service needed but not available <input type="checkbox"/> Unknown <input type="checkbox"/>
Is the survivor a project actor ⁶ (as indicated by the survivor or complainant and reported in the GM)? Yes <input type="checkbox"/> No <input type="checkbox"/> TBD <input type="checkbox"/> If yes, which category: PIU/Borrower <input type="checkbox"/> Civil Servant <input type="checkbox"/> <input type="checkbox"/> Community Worker <input type="checkbox"/> Contractor / Subcontracted <input type="checkbox"/> Other consultant worker <input type="checkbox"/> Other <input type="checkbox"/> : _____ If no, which category: Member of the Public <input type="checkbox"/> Other <input type="checkbox"/> : _____	Is the alleged perpetrator a project actor (as indicated by the survivor or complainant and reported in the GM)? Yes <input type="checkbox"/> No <input type="checkbox"/> TBD <input type="checkbox"/> If yes, which category: PIU/Borrower <input type="checkbox"/> Civil Servant <input type="checkbox"/> <input type="checkbox"/> Community Worker <input type="checkbox"/> Contractor / Subcontracted <input type="checkbox"/> Other consultant worker <input type="checkbox"/> Other <input type="checkbox"/> : _____ If no, which category: Member of the Public <input type="checkbox"/> Other <input type="checkbox"/> : _____

B4: Basis for further action	
a. Has the survivor or a delegated representative provided informed consent to lodge a formal complaint? Yes <input type="checkbox"/> No <input type="checkbox"/> TBD <input type="checkbox"/>	c. Has the survivor provided informed consent to be part of an investigation into misconduct? Yes <input type="checkbox"/> No <input type="checkbox"/> TBD <input type="checkbox"/>
b. Does the employer have a suitable administrative process and capacity in place to investigate misconduct relating to SEA/SH in a survivor-centered way? Yes <input type="checkbox"/> No <input type="checkbox"/> TBD <input type="checkbox"/>	
If the answer to any of these questions is no or unknown, has the GM assessed the risks and benefits of carrying out an investigation into the alleged misconduct, taking into account the survivor's safety and wellbeing? Yes <input type="checkbox"/> No <input type="checkbox"/> TBD <input type="checkbox"/>	
Will an investigation into misconduct be undertaken in addition to an investigation/review into adequacy of project systems, processes or procedures? Yes <input type="checkbox"/> No <input type="checkbox"/> TBD <input type="checkbox"/>	

⁶ For a definition of project actor, see [World Bank ESF Good Practice Note on Addressing SEA/SH in HD operations](#), Glossary

Appendix 1: Incident Types

Incident Type	Example
<p>Sexual Exploitation: 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 operations/projects, sexual exploitation occurs when access to or benefit from a Bank financed Goods, Works, Non-consulting Services or Consulting Services is used to extract sexual gain.</p>	<ul style="list-style-type: none"> • A community member is promised employment on the World Bank financed project site in exchange for sex • A member of the project team connecting water lines to homes requests a sexual favor for access to water connection • A project worker denies passage of a woman through the worksite unless she performs a sexual favor • A food security worker promises extra food ratio to beneficiaries who agree to have sex with him
<p>Sexual Abuse: Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. In Bank financed operations/projects, sexual abuse occurs when a project related worker (contractor staff, subcontractor staff, supervising engineer) uses force or unequal power vis a vis a community member or colleague to perpetrate or threat to perpetrate an unwanted sexual act.</p>	<ul style="list-style-type: none"> • A project worker sexually abuses a community member • A project worker has a sexual relationship with a child • A project worker befriends a child, supporting her and/or her family in exchange of sexual favors • A health staff touches a beneficiary inappropriately during a visit • A teacher exchanges grades for sex with underage students • A project worker stays in the cafeteria after dinner and sexually assaults a kitchen staff member.
<p>Sexual Harassment: Any unwelcome sexual advance, request for sexual favor, verbal or physical conduct or gesture of a sexual nature, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment, or creates an intimidating, hostile or offensive work environment. In Bank financed operations/projects, sexual harassment occurs within the context of a subcontractor or contractor and relates to employees of the company experiencing unwelcome sexual advances or requests for sexual favor or acts of a sexual nature that are offensive and humiliating among the same company's employees.</p>	<ul style="list-style-type: none"> • A worker sends sexually explicit text messages to a coworker • A colleague leaves an offensive picture that is sexually explicit on a co-worker's desk • A site supervisor asks all female employees to greet him with a kiss on the cheek every day before work • A project worker continuously invites a co-worker out for drinks or dinner after being told that they are not interested • A supervisor for a subcontractor asks his female colleague to join him for a business dinner with the main contractor. After dinner he asks her to entertain "the boss" in his room as an appreciation for the contract and her work.

SEASH Incidents - Part C: To be completed by Borrower⁷ (following investigation)

C1: Findings of the investigation		
Have sanctions against a perpetrator been recommended as part of an investigation into misconduct? Yes <input type="checkbox"/> No <input type="checkbox"/>	Has an investigation into adequacy of project systems, processes or procedures been undertaken? Yes <input type="checkbox"/> No <input type="checkbox"/>	
C2: Corrective actions to be implemented (To be fully described in Corrective Action Plan)		
Short Description of Action (SEA/SH examples)	Responsible Party	Timeline for completion/Status
<i>Referral of Survivor to holistic care services</i>		
<i>Undertake disciplinary investigation in accordance with GM timelines and confirmed process</i>		
<i>Disciplinary actions, including sanctions, to be applied following misconduct investigation by Employer</i>		
<i>Increased training on Codes of Conduct (CoC)</i>		
<i>Audit of implementation of SEA/SH safety mitigation</i>		
<i>Strengthened awareness training on project-related risks, CoC and how to report incidents for project-affected community</i>		
<i>Training for project supervisors on the need to follow guidelines of behaviour in CoC and their supervisory responsibilities</i>		
<i>Plan to improve coverage/quality of service provision</i>		
<i>Any other system strengthening measures or corrections for system failures that are necessary</i>		
C3: For incidents involving a Contractor:		
Has the incident been referred to the DAAB? Yes <input type="checkbox"/> No <input type="checkbox"/>		

⁷ Information from GM is used to complete Part C. Where appropriate (for example in the event that the Borrower is implicated in the allegation) this may be obtained by the TTL directly from the GM

SOGI Incidents - Part B: To be completed by Borrower

B1: Incident Details		
Date of incident intake by the project/GM:	Date Reported to PIU:	Date Reported to WBG:
Reported to project/GM by: <input type="checkbox"/> Victim ¹ <input type="checkbox"/> Third party <input type="checkbox"/> Other: _____	Reported to PIU by: <input type="checkbox"/> GM operator <input type="checkbox"/> Directly, by victim ¹ <input type="checkbox"/> Directly, by third party <input type="checkbox"/> Other: _____	Reported to WBG by: <input type="checkbox"/> PIU <input type="checkbox"/> Directly, by victim ¹ <input type="checkbox"/> Directly, by third party <input type="checkbox"/> Other: _____

1. If reporting is by victim care must be taken to adhere to any requests for anonymity.

B2: Incident type requiring confidentiality (please check all that apply)
Violence on basis of SOGI <input type="checkbox"/> Discrimination on basis of SOGI <input type="checkbox"/>
See Appendix 1 for definitions

B3: Basis for further reporting		
a. Has the victim provided informed consent for this incident to be reported? Yes <input type="checkbox"/> No <input type="checkbox"/>	b. Does national legislation or mandatory reporting apply to this case? Yes <input type="checkbox"/> No <input type="checkbox"/> c. If yes, has it been reported? Yes <input type="checkbox"/> No <input type="checkbox"/>	
If the answer to both a. & b. questions is NO, further reporting of this allegation is not required. However, further measures to strengthen SOGI prevention and mitigation on the project should be provided below.		
Further measures to strengthen SOGI prevention and mitigation		
Short Description of Action (<i>Examples: Please replace text in italics below with brief description of actions to be taken</i>)	Responsible Party	Expected Date
<i>Increased training on Codes of Conduct (CoC) and non-discrimination on the basis of SOGI</i>		
<i>Safety audit of project site focussing on SOGI</i>		
<i>Verification all employees sign and understand CoC</i>		
<i>Strengthened awareness on project-related risks, CoC and how to report incidents for project-affected community</i>		
<i>Active outreach to local civil society organisations working with social and gender minorities to ensure continuous risk monitoring and adaptation</i>		
<i>Training for project supervisors on the need to follow guidelines of behaviour in CoC and their supervisory responsibilities</i>		

<i>Plan to improve coverage/quality of service provision</i>		
<i>Additional training for GM focal points</i>		
<i>Other (please detail)</i>		

B4: If consent has been provided or national legislation mandates reporting of the incident as indicated in B3, provide the following details from the available GM record

Age of victim (if recorded in GM):	
Sex of victim (as recorded in GM):	Male <input type="checkbox"/> Female <input type="checkbox"/> Other <input type="checkbox"/>
Has the victim self-identified as sexual or gender minority or are there indications that the case is related to SOGI (i.e., use of homo- or transphobic language)?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Was the victim referred to service provision?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Is the alleged perpetrator employed by the project (as indicated by the victim and reported in the GM)?	Yes <input type="checkbox"/> No <input type="checkbox"/>

B5: Basis for investigation

Has the victim provided informed consent for this incident to be investigated?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If the answer to this question is yes, complete part C below using the results of the investigation	

Appendix 1: Incident Types

Violence on the basis of SOGI:

The threat or use of physical force that injures or abuses a person, or damages or destroys property, and that is motivated in whole or in part by the victim's real or perceived sexual orientation, gender identity, gender expression, or sex characteristics.

Discrimination on the basis of SOGI:

Discrimination means creating a distinction, exclusion, or restriction which has the purpose or effect of impairing or excluding a person based on their real or perceived sexual orientation, gender identity, gender expression, or sex characteristics from being on an equal basis with others.

Part C: To be completed by Borrower following investigation where further reporting is permitted (see Incident Form SOGI Part B)

C1: Corrective actions from the investigation to be implemented (to be fully described in Corrective		
Short Description of Action (<i>Examples: please replace text in italics below with brief description of actions to be taken</i>)	Responsible Party	Expected Date
<i>Referral of victim to holistic care services</i>		
<i>Disciplinary actions, including sanctions, to be applied following misconduct investigation</i>		
<i>Measures to prevent similar instances from happening in the future</i>		
<i>Measures to address gaps in procedural manuals or implementation of procedures that contributed</i>		
<i>Measures to change/modify program practices to prevent recurrence</i>		
<i>Where additional training might be needed</i>		

ANNEX IV – DESCRIPTION OF THE GRIEVANCES MECHANISM

Step	Description of Process	Time Frame	Responsibility
GM implementation structure	Describe the GM structure at national, and local levels (if any). This will include the description of the composition of the Grievance Committee (GC) with the role of redressing grievances where relevant and facilitating all appeals.		
Grievance uptake	Grievances can be submitted via the following channels: <ul style="list-style-type: none"> • Telephone hotline/Short Message Service (SMS) line. • E-mail • Letter to Grievance focal points at local facilities • Complaint form to be lodged via any of the above channels. • Walk-ins may register a complaint in a grievance logbook at a facility or suggestion box. 		
Sorting, processing	Any complaint received is forwarded to [the Social Specialist of the PECU], logged in [the Grievance Register], and categorized according to the following complaint types: [low risk/moderate risk/high risk]. The grievance level can be considered as indicated in the following table.	Upon receipt of complaint	Local grievance focal points
Acknowledgment and follow-up	Receipt of the grievance is acknowledged to the complainant by [the Social Specialist of the PECU]	Within 2 days of receipt	Local grievance focal points

Step	Description of Process	Time Frame	Responsibility
Verification, investigation, action	Investigation of the complaint is led by [the Social Specialist and the Project Manager of the PECU] A proposed resolution is formulated by [the Social Specialist and the Project Manager of the PECU (and if necessary, the MENB)] and communicated to the complainant by [the Project Manager of the PECU]	Within 10 working days	Complaint Committee composed of ..., ... and ...
Monitoring and evaluation	Data on complaints are collected in [insert] and reported to [insert] every [insert]		
Provision of feedback	Feedback from complainants regarding their satisfaction with complaint resolution is collected [insert]		
Training	Training needs for staff/consultants in the PIU, Contractors, and Supervision Consultants are as follows: []		
If relevant, payment of reparations following complaint resolution	[Describe how reparations will be handled including amounts, recipients, etc.]		

ANNEX V – PRIMARY SUPPLIER MONITORING TEMPLATE

To be completed by the primary supplier

#	Category of Supplier information	Description
	Supplier name	
	Contact person	
	Address	
	Phone number	
	Email	

Risk/impacts classification.

#	Type of risks	Likelihood	Impact			
			Low	Moderate	Substantial	High
	Child labour	High				
		Substantial				
		Moderate				
		Low				
	Forced Labour	High				
		Substantial				
		Moderate				
		Low				
	Serious safety issues	High				
		Substantial				
		Moderate				
		Low				
	Other issues (name them)	High				
		Substantial				
		Moderate				
		Low				

Description of the Risk level:

#	Type of identified risk	Risk description based on the above rating
	Child labour	
	Forced labour	
	Serious safety issues	
	Other issues	

Mitigation measures:

#	Type of risks	Indicative mitigation measures	Status: (Relevant) NR (Not relevant), In process (P), Completed (C)			
			NR	R	P	C
	Child labour	Assess the supply chain to determine where child labour might be a risk				
		Monitor primary supply chains to identify any new risks or incidents of child labour				
		Verify the age of workers				
		Primary suppliers have clear policies against child labour				
		Primary suppliers engage local communities and raise awareness about the harmful effects of child labour				
	Forced labour	Assess the supply chain to determine where forced labour might be a risk				
		Identify risks of forced labour in their primary supply chains				
		Continuously monitor primary supply chains to identify any risks or incidents of forced labour				
		Primary suppliers have health and safety plans in place -include provisions for adequate facilities and PPE for all workers				

		Primary suppliers have Grievance Mechanism in place that can be used by workers in the primary supply chain.				
		Primary suppliers must verify the employment conditions of their workers to ensure that no forced labour is employed				
		Primary suppliers have clear policies against forced labour				
	Serious safety issues	Assess the supply chain to determine where significant safety issues might arise.				
		Identify serious safety risks in their primary supply chains				
		Continuously monitor primary supply chains to identify any new safety risks or incidents				
		Ensure that primary suppliers have comprehensive health and safety plans in place				
		Plans include provisions for adequate facilities, personal protective equipment (PPE), and safety training for all workers to prevent life-threatening situations				
		Grievance Mechanism in place, that can be used by workers in the primary supply chain to report safety issues. This mechanism should be accessible and functional, allowing for anonymous reporting if necessary				
		Primary suppliers are verifying their compliance with safety standards through regular inspections and audits.				
		Primary suppliers have clear policies on health and safety - Policies are displayed and communicated to all workers.				
		Suppliers are promoting a culture of safety and ensure that all workers are aware of safety protocols				
		Primary suppliers are engaging local communities to raise awareness about safety issues				
		Monitor and assess if primary suppliers are following safety standards.				

Conclusion:

Is it necessary for the Primary supplier to take additional appropriate steps to remedy any situation?	
Is there a need to terminate contracts with the supplier because of non-compliance - shifting to suppliers who can demonstrate compliance with the ESF standards?	

ANNEX VI – REGULATORY REQUIREMENTS UNDER THE OUTLINED LABOUR REGULATIONS

Legislation	Reference (Section)	Reference	Description
Employment (Prevention of Discrimination) Act 2020 - Bill - 4-2-2022	4.1	Prevention of discrimination in relation to job creation and recruitment	<p>An employer shall not discriminate against a person</p> <ul style="list-style-type: none"> (a) in the creation of jobs; (b) in the making of arrangements for determining who should be offered employment; (c) in the advertisement of employment; (d) in determining who should be offered employment; or (e) in the terms or conditions on which employment is offered. <p>(2) An employment agency shall not discriminate against a person</p> <ul style="list-style-type: none"> (a) by refusing to provide the person with its services; (b) in the terms or conditions on which it offers to provide the person with its services; (c) in the manner in which it provides the person with its services; or (d) in any other manner in which it facilitates the employment of the person.
Employment (Prevention of Discrimination) Act 2020 - Bill - 4-2-2022	5.0	Prevention of discrimination in employment	<p>An employer shall not discriminate against an employee</p> <ul style="list-style-type: none"> (a) in the terms or conditions of employment that the employer affords the employee; (b) in the provision of facilities or services related to or connected with employment; (c) by the denial or restriction of access to opportunities for promotion, transfer or training or to any other benefits associated with employment; (d) by disciplinary action or dismissal; or (e) by subjection to any other detriment.
Employment (Prevention of Discrimination) Act 2020 - Bill - 4-2-2022	6.0	Prohibition against testing for medical condition	<p>Subject to section 8, an employer shall not require a person to answer questions in relation to, or undergo a test for, a medical condition as a precondition to entering into a contract of employment or as a condition for the continuance of employment.</p>

Employment (Prevention of Discrimination) Act 2 020 - Bill - 4-2- 2022	25.0	Complaint of discrimination by employer	An employee who alleges that he has been discriminated against by his employer in contravention of section 5 may, within 3 months of the date of the occurrence of discrimination, make a written complaint to the Tribunal.
Employment (Prevention of Discrimination) Act 2 020 - Bill - 4-2- 2022	35.1	Policy against discrimination	<p>(1) An employer shall</p> <p>(a) have a clear, written policy against discrimination within the workplace which</p> <p>(i) must contain the terms set out in the First Schedule; and</p> <p>(ii) may contain any term that is consistent with this Act; and</p> <p>(b) present a copy of the policy to each employee within 6 months of the commencement of this Act or upon the commencement of employment by the employee.</p> <p>(2) An employer may consult with employees and their representatives in relation to the establishment of the policy</p> <p>(3) A person who contravenes subsection (1) is guilty of an offence</p>
Employment (Prevention of Discrimination) Act 2 020 - Bill - 4-2- 2022	36.1	Confidentiality	<p>(1) An employer who keeps or handles the medical records of an employee shall</p> <p>(a) ensure that the records are kept and handled confidentially; and</p> <p>(b) not divulge the contents of the records to any person except</p> <p>(i) with the consent of the employee and in accordance with the terms of that consent;</p> <p>(ii) in accordance with an order of the Tribunal or a court; or</p> <p>(iii) in accordance with an enactment.</p> <p>An employer who contravenes subsection (1) is guilty of an offence</p>

Employment (Prevention of Discrimination) Act 2 020 - Bill - 4-2- 2022	37.1	Prohibitions of victimization of employees	<p>(1) No employer shall carry out any action which adversely affects the opportunities and terms and conditions of service of an employee who has</p> <p>(a) made a complaint under this Act;</p> <p>(b) given testimony with respect to any investigation conducted or hearing held under this Act in connection with a complaint; or</p> <p>(c) otherwise participated in an investigation, procedure or hearing under this Act.</p> <p>(2) No person shall subject or threaten to subject another person to any detriment on the ground that the other person has</p> <p>(a) made or proposes to make a complaint under this Act;</p> <p>(b) furnished or proposes to furnish any information or any documents to a person exercising or performing any function under this Act; or</p> <p>(c) attended or proposes to attend a hearing under this Act in which he has a direct interest or to appear at the hearing as a witness.</p> <p>(3) A person who contravenes subsection (1) or (2) is guilty of an offence.</p>
Employment Sexual Harassment Act	4.1	Policy statement against sexual harassment	<p>(1) Every employer shall ensure</p> <p>(a) that there is a clear written policy statement against sexual harassment within the workplace for which that employer has responsibility;</p> <p>(b) that a statement of that policy is presented to each employee on the commencement of employment with the employer; and</p> <p>(c) that procedures are put in place to assist every employee in understanding the policy statement.</p> <p>(2) Within 6 months of the commencement of this Act, every employer shall ensure that the written policy statement against sexual harassment referred to in subsection (1) is prepared and that the statement is presented to each person who is employed by him.</p>

Employment Sexual Harassment Act	24.1	Of offence not to be communicated	(1) Where a complaint has been received under this Act, a person shall not, unless the Tribunal otherwise permits, divulge or communicate to any person any particulars of that complaint. (2) Any person who contravenes subsection (1) is guilty of an offence.
Employment Sexual Harassment Act	25.1	Of publication of proceedings	(1) No person shall publish a report of any proceedings held under this Act or publish any information relating to proceedings under this Act. (2) Any person who contravenes subsection (1) is guilty of an offence
Employment Sexual Harassment Act	26.1	Prohibition of victimization of employees	1
Employment Sexual Harassment Act	27.1	Offence related to the inquiry	Any person who is directed to attend an inquiry for the purposes of section 20 and who fails without reasonable excuse to do so is guilty of an offence
Employment Sexual Harassment Act	27.2	Offences related to the inquiry	Any person who (a) furnishes to the Chief Labour Officer or the Tribunal any information or makes a statement at an inquiry knowing that the information or statement is false or misleading in a material particular; (b) hinders or obstructs the Chief Labour Officer or any other labour officer or any member of the Tribunal in the exercise of any of the powers conferred upon them by this Act, is guilty of an offence
Employment Sexual Harassment Act	28.0	Penalty for making a false complaint	A person who makes a false complaint of sexual harassment against another person is guilty of an offence

Accidental and Occupational Diseases (Notification) Act 1952	5.1	Notification of occupational diseases and other diseases	<p>(1) Every registered medical practitioner attending on or called in to visit a patient whom he believes to be suffering from any occupational disease contracted in the course of his employment as a worker shall, unless such a notice has been previously sent, forthwith send addressed to the Chief Labour Officer a notice stating the name and full postal address of the patient and the disease from which, in the opinion of such medical practitioner, the patient is suffering and the name and address of the place at which, and of the employer by whom, he is or was last employed.</p> <p>(2) Any registered medical practitioner who fails to send any notice in accordance with the requirements of this section shall be guilty of an offence</p>
Accidental and Occupational Diseases (Notification) Act 1952	7.2	Power of Minister to direct formal investigation of accidents and cases of occupational disease	<p>(2) Any person who, without reasonable excuse (proof whereof shall lie on him), either fails, after having had the detention allowances, travelling expenses and fees (if any) to which he is entitled tendered to him, to comply with any summons or requisition of the court, or prevents or impedes the court in the execution of its duty, shall be guilty of an offence</p>
Accidental and Occupational Diseases (Notification) Act 1952	8.1	Penalties	<p>(1) Any person guilty of an offence against this Act or any regulations for which no special penalty is provided by this Act shall be liable</p>

<p>Accidental and Occupational Diseases (Notification) Act 1952</p>	<p>3.3</p>	<p>Notification and accidents</p>	<p>(1) Where any accident arising out of and in the course of the employment of any worker occurs and</p> <p>(a) causes loss of life to such worker; or</p> <p>(b) disables such worker, for more than 3 days, from doing the work at which he was employed at the time of such accident,</p> <p>written notice of the accident, in the form, and accompanied by the particulars, set out in the First Schedule shall forthwith be sent by the employer to the Chief Labour Officer.</p> <p>(2) Where any accident causing disablement has been notified under this section and, after such notification, the accident results in the death of the person disabled, notice in writing of the death shall be sent by the employer to the Chief Labour Officer.</p> <p>(2A) Every employer shall keep a book in which he shall record the occurrence of every accident at the workplace; and the book shall, at all reasonable times, be kept open for inspection by the Chief Labour Officer.</p> <p>(2B) In respect of the accident mentioned in subsection (2A) the following shall be recorded in the book mentioned in that subsection:</p> <p>(a) the name and address of any person injured in the accident;</p> <p>(b) the occupation of the person;</p> <p>(c) the date and time of the occurrence of the accident;</p> <p>(d) the place of the occurrence of the accident;</p> <p>(e) the type of machinery involved in the accident; and</p> <p>(f) the nature and extent of any injury suffered by any person involved in the accident.</p> <p>(3) Any employer who fails to comply with the requirements of subsection (1), (2), (2A) or (2B) shall be guilty of an offence against this Act.</p>
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Accidental and Occupational Diseases (Notification) Act 1952	8.2	Penalties	Where an offence against this Act or any regulations thereunder committed by a company or other body of persons is proved to have been committed with the consent or connivance of, or to have been facilitated by any neglect on the part of, any director, president, chairman, manager, secretary or other officer of the company, or other body of persons, he, as well as the company or body of persons, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly
351 Protection of Wages Act	3.1	Wages to be paid in legal tender	(1) Subject to subsection (2), in all contracts of employment, the wages of a working shall be made payable in legal tender and not otherwise, and if in any such contract the whole or any part of such wages is made payable in any other manner, such contract shall be illegal, null and void.
351 Protection of Wages Act	4.0	Agreements to place and manner of spending wages illegal	No employer shall impose in any contract for the employment of any worker any terms as to the place at which, or the manner in which, or the person with whom, any wages made paid to the worker are to be expended, and every contract between an employer and a worker containing such terms shall be illegal, null and void.
351 Protection of Wages Act	7.0	Interest on advances prohibited	No employer shall make any deduction by the way of discount, interest or any similar charge on account of any advance of wages made to any worker in anticipation of the regular period of payment of such wages
351 Protection of Wages Act	10.0	Illegal advances to be irrecoverable	All advances made otherwise than in accordance with this Act or any regulations shall be unlawful and shall be irrecoverable in a court of law whether by way of counterclaim, set-off or otherwise

351 Protection of Wages Act	15.0	Penalties	Any employer or his agent who- (a) enters into any agreement or contract or gives any remuneration for employment contrary to this Act or declared by this Act to be illegal; or (b) makes any deduction from the wages of any worker or receives any payment from any worker contrary to this Act; or (c) contravenes section 14, shall be guilty of an offence
351 Protection of Wages Act	17.2	Register of wage payments	Every employer who contravenes subsection (1) shall be guilty of an offence
346 Employment (Miscellaneous Provisions) Act	4.1	Employment of persons at night	(1) No employer shall employ any person to work during the night in any industrial undertaking unless he obtains a certificate from the Chief Labour Officer for the purpose. (2) The Chief Labour Officer shall, before issuing a certificate under subsection (1), satisfy himself that (a) adequate transportation is available for transporting employees to their place of work, and to their homes within a reasonable time after work; (b) the employer has provided proper rest room facilities and facilities for eating meals at the place of employment; and (c) adequate intervals for rest and meal-time are afforded those employees.
346 Employment (Miscellaneous Provisions) Act	8.1	Employment of young persons	(1) Except as set out in this Part, no young person shall be employed in any industrial undertaking during the night or any work that by its nature or the circumstances under which it is done is likely to cause injury to his health, safety or morals.

346 Employment (Miscellaneous Provisions) Act	9.0	Register of young persons employed in industrial undertaking or ship	Where young persons are employed in an industrial undertaking or a ship, the employer of those young persons, or the master of the ship, as the case may be, shall keep a register in which that employer or master shall record in respect of those young persons. (a) their names and addresses; (b) the dates of their birth; and (c) the dates of their entering and leaving the service of that employer, and that register shall be kept open to inspection by the Port Manager, the Chief Labour Officer and members of the Police Force at all reasonable times.
346 Employment (Miscellaneous Provisions) Act	11.0	Restrictions on employment of children	No child shall be employed in any industrial undertaking or ship.
346 Employment (Miscellaneous Provisions) Act	14.1	Prohibition of employment of persons of compulsory school age	(1) No person shall employ a child or young person of compulsory school age in any undertaking whatever during school hours.
346 Employment (Miscellaneous Provisions) Act	15.0	Employment of persons contrary to Act	An employee who employs any person in contravention of this Act is guilty of an offence
346 Employment (Miscellaneous Provisions) Act	18.2	Power of entry	Any person who--- (a) assaults, obstructs or intimidates; (b) uses indecent, abusive or insulting language to; (c) interferes with, hinders, or refuses to admit; or (d) by any gratuity, bribe, promise or other inducement prevents or attempts to prevent, from entering any place and examining the place or any person therein, a member of the Police Force authorized under subsection (1) is guilty of an offence
346 Employment (Miscellaneous Provisions) Act	19.0	Contravention of section 9	Any employer in an industrial undertaking or master of a ship as the case may be, who contravenes section 9 is guilty of an offence.

346 Employment (Miscellaneous Provisions) Act	20.1	Parent conducting in taking child into employment	<p>(1) Where---</p> <p>(a) a parent of a child;</p> <p>(b) a person liable to maintain a child; or</p> <p>(c) a person having actual custody of a child,</p> <p>by willful default or neglect fails to exercise due care over such child or conduces to the offence of taking a child into employment contrary to this Act is guilty of an offence</p>
346 Employment (Miscellaneous Provisions) Act	20.2	Parent conducting in taking child into employment	Where a child is taken into employment in any industrial undertaking or ship contrary to this Act on the production, by or with the privity of the parent or person having actual custody of such child, of a false or forged certificate or on the false representation by the parent or person that the child is of such age that his employment is not in contravention of this Act, that parent or person, as the case may be, is liable on summary conviction
346 Employment (Miscellaneous Provisions) Act	21.0	Continuing offences	Where a conviction has been obtained under this Act and the offence continues, the offender is liable
345A Employment of Women (Maternity Leave) Act - 7-19-1976	3.1	Grant of maternity leave to employees	<p>Subject to subsection (3), every employee is, in addition to her annual holiday under the Holidays with Pay Act, entitled to maternity leave upon delivering to her employer-</p> <p>(a) a certificate issued by a medical practitioner setting forth the expected date of her confinement ; or</p> <p>(b) a certificate issued by a medical practitioner or a midwife setting forth the actual date of her confinement.</p> <p>(3) An employee-</p> <p>(a) must, in order to qualify for a grant of maternity leave, be employed for at least twelve months by the employer from whom she requests such leave; and</p> <p>(b) is not entitled to maternity leave by the same employer on more than three occasions.</p>

345A Employment of Women (Maternity Leave) Act - 7-19-1976	4.1	Duration of maternity leave	<p>(1) Except where an employee otherwise desires, maternity leave shall be of a period of not less than twelve weeks and shall be so arranged that the employee is allowed-</p> <p>(a) such period, not exceeding six weeks, as she desires before the expected date of confinement; and</p> <p>(b) a period of not less than six weeks from the date of confinement</p> <p>(2) Where-</p> <p>(a) confinement takes place without an employee having been granted maternity leave; or</p> <p>(b) the period of maternity leave before her confinement amounts to less than six weeks, the period of leave after confinement shall, if the employee so desires, be extended so that the total period of leave does not amount to less than twelve weeks.</p>
345A Employment of Women (Maternity Leave) Act - 7-19-1976	5.0	Additional leave	An employee who, after confinement, suffers any illness arising out of such confinement shall be granted, in addition to the maternity leave to which she is entitled under section 4, such additional leave not exceeding six weeks as a medical practitioner recommends.
345A Employment of Women (Maternity Leave) Act - 7-19-1976	6.1	Protection of employment	<p>(1) Subject to subsection (2), no employer shall-</p> <p>(a) dismiss or give notice of dismissal to an employee at any time between the date of her delivery to him of a medical certificate under section 3 and the date of the expiration of her maternity leave or additional leave granted under section 5;</p> <p>(b) give notice of dismissal to an employee so that it would expire during her maternity leave or additional leave granted under section 5 or dismiss her during such leave;</p> <p>(c) dismiss an employee or require an employee to resign on the ground that she is pregnant; or</p> <p>(d) require an employee to require during any of the times referred to in paragraph (a) or (b)</p>
345A Employment of Women (Maternity Leave) Act - 7-19-1976	9.0	Offences	Any employer who contravenes or fails to comply with any of the provisions of this Act is guilty of an offence

348 Holidays with Pay Act 2015	4.1	Grant of annual holiday	<p>(1) An employee who completes a year of employment with the same employer shall be entitled to an annual holiday for a minimum period of 3 weeks.</p> <p>(2) An employee who has been in the employment of the same employer for more than one year of employment, but less than 5 years of employment shall be entitled to an annual holiday for a minimum period of 3 weeks.</p> <p>(3) An employee who has been in the employment of the same employer for 5 or more years of employment shall be entitled to an annual holiday for a minimum period of 4 weeks.</p>
348 Holidays with Pay Act 2015	4.6	Grant of annual holiday	<p>(6) An employer shall determine the date on which the annual holiday of an employee is due to commence and shall give the employee no less than 14 days' notice of the date on which that annual holiday is due to commence.</p>
348 Holidays with Pay Act 2015	4.8	Grant of annual holiday	<p>(8) An employee who is entitled to an annual holiday shall be granted that annual holiday by his employer within a 6 month period from the date on which the annual holiday is due to commence unless</p> <p>(a) the employer and the employee agree in writing to postpone the annual holiday until a specified date; and</p> <p>(b) the Chief Labour Officer is notified and submits his consent in writing in respect of the postponement of the annual holiday until that specified date.</p> <p>(10) Where an annual holiday or any part thereof has been taken before the entitlement to that annual holiday has accrued, the employee shall not be entitled to another annual holiday, though he may be granted any remainder where only a part has been taken in advance, until the expiration of the 12 month period in respect of that annual holiday has passed.</p> <p>(11) An employer shall not give an employee a notice of termination prior to or during an annual holiday, and where any such notice is given, it shall be void</p>

348 Holidays with Pay Act 2015	11.1	Offences	<p>Any employer who</p> <p>(a) refuses to allow an employee to take an annual holiday to which he is entitled under this Act;</p> <p>(b) gives an employee less of an annual holiday than the annual holiday to which that employee is entitled;</p> <p>(c) fails to pay an employee the average pay or part thereof to which he is entitled under this Act;</p> <p>(d) fails to keep records in accordance with section 9;</p> <p>(e) knowingly enters or causes to be entered in the records required under section 9 any false particular; or</p> <p>(f) willfully delays or obstructs the Chief Labor Officer or any person duly authorized by him in the exercise of any power under section 9(3)</p> <p>is guilty of an offence</p>
348 Holidays with Pay Act 2015	13.0	Limitation period	No prosecution for an offence under this Act shall be instituted after the expiration of one year from the date of the commission of the offence.

356 Safety & Health at Work Act 2005	6.1	General duties of an occupier or employer	<p>(1) It shall be the duty of any person who undertakes the design, importation or manufacture of any article for use at work to carry out or arrange for the carrying out of any necessary research with a view to the discovery and, so far as is reasonably practicable, the elimination or minimization of any risks to health or safety to which the design or article may give rise.</p> <p>(2) No occupier shall carry on any work or put into use any equipment, material, article or substance in a workplace unless a suitable and sufficient assessment of the risks likely to arise in the circumstances and of the steps to be taken to eliminate or minimize such risks to safety or health has been undertaken.</p> <p>(4) It shall be the duty of any person who erects or installs any article for use at work in any premises where that article is to be used by persons to ensure, so far as is reasonably practicable, that nothing about the way in which it is erected or installed makes it unsafe or a risk to health when properly used.</p> <p>(5) It shall be the duty of every occupier to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees.</p> <p>(9) No employer shall require or permit a pregnant employee or an employee who is nursing her child to perform work that is hazardous to her health or the health of the child. (10) Notwithstanding any other law, during an employee's pregnancy and for a period of 6 months after the birth of her child, the employer shall offer her suitable alternative employment on terms and conditions that are no less favorable than her ordinary terms and conditions of work where the employee is required to perform work that poses a danger to her safety or health or that of her child, unless there is no alternative employment or that in doing so the employer will incur costs greater than ordinary administrative costs.</p>
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356 Safety & Health at Work Act 2005	7.1	General duties of an occupier to persons generally	<p>(1) Every occupier shall (a) keep his workplace so that the safety of persons in the workplace is not likely to be endangered;</p> <p>(b) take such precautions as are reasonable in the circumstances to ensure the safety of every person in the workplace; and</p> <p>(c) ensure that all employees with special needs shall be given any directions, notices, information and instructions or training that are required to be given to employees under this Act, by any method of communication that readily permits the employees to receive it.</p> <p>(3) It shall be the duty of every occupier to conduct his undertaking in such a way as to ensure so far as is reasonably practicably that persons not in his employment who may be affected thereby are not exposed to risks to their health and safety.</p> <p>(4) It shall be the duty of every occupier to prepare and as often as may be appropriate, revise a statement of general policy with respect to workplace, safety, health and welfare, and the organization and arrangements for the time being in force for carrying out the policy, and to bring the policy and any revision of it to the notice of all employees.</p> <p>(5) Where 10 or more persons are employed the statement of policy and the organization and arrangements for the time being in force for carrying out the policy required by subsection (4) shall be in writing.</p> <p>(6) Every part of any ways, works, plant or thing in a workplace shall be of safe construction, sound material and shall be properly maintained, and every dangerous part of such ways, works, plant or thing shall be so enclosed, covered, fenced or otherwise effectively guarded as to prevent danger.</p> <p>(7) No part of any ways, works, plant or thing shall be so overloaded or maintained as to create danger to any person in a workplace.</p>
356 Safety & Health at Work Act 2005	8.0	Safe means of access and safe means of employment	<p>There shall, so far as is practicable, be provided and maintained a safe means of access to every place at which any person has at any time to work; and that place shall so far as is reasonably practicable, be made and kept safe for any person working there.</p>

356 Safety & Health at Work Act 2005	9.1	General duties of employees at work	<p>9. (1) It shall be the duty of every employee</p> <p>(a) to take reasonable care for the health and safety of himself and of other persons who may be affected by his acts or omissions at work;</p> <p>(b) as regards any duty or requirement imposed on his employer or any other person by or under any of the relevant statutory provisions, to co-operate with his employer so far as is necessary to enable that duty or requirement to be performed or complied with;</p> <p>(c) while at work to report to his employer, any contravention under this Act, or any Regulations made thereunder, the existence of which he knows; and</p> <p>(d) to use correctly the personal protective clothing or devices provided for his use. (2) A person who contravenes subsection (1) is guilty of an offence.</p>
356 Safety & Health at Work Act 2005	10.1	Unauthorized use of appliances prohibited	<p>(1) No person employed in a workplace to which this Act applies shall interfere with, or use in an unauthorized manner any appliance, convenience or other thing provided in pursuance of this Act for securing the health, safety or welfare of the persons employed in that place (2) A person who contravenes subsection (1) is guilty of an offence</p>
356 Safety & Health at Work Act 2005	11.1	Fencing of machinery	<p>(1) Every dangerous part of machinery on premises to which this Act applies must be securely fenced unless such machinery is in such a position or is so constructed as to be as safe to every person employed or working on the premises as it would be if it were securely fenced.</p>
356 Safety & Health at Work Act 2005	14.3	Standards for construction of machinery	<p>(3) Any person who sells or lets on hire or, as an agent of a seller or hirer, procures to be sold or let on hire for use in a workplace, any machinery constructed to be driven by mechanical power, but which does not satisfy the requirement of subsection (1), is guilty of an offence.</p>
356 Safety & Health at Work Act 2005	16.1	Fencing of places into which persons may fall	<p>(1) Every fixed vessel, structure, sump or pit, the edge of which is less than 1 meter above the highest adjacent ground or platform shall, be securely fenced to a height of not less than 1 meter or be securely covered.</p>

356 Safety & Health at Work Act 2005	18.0	Cleaning machines	18. Subject to subsection (3) of section 11, no person shall engage in the maintenance or cleaning of any part of any machinery or machine if the maintenance or cleaning would expose that person to risk of injury from any moving part of the machine or of any other machinery or machine adjacent thereto.
356 Safety & Health at Work Act 2005	19.0	Training and supervision or persons	No person shall be employed at a machine unless he (a) has been fully instructed in respect of (i) the working of the machine; (ii) the dangers arising in connection with the machine; (iii) the precautions to be observed while working in connection with the operation of the machine; and (b) he has received sufficient training in the working of the machine or is adequately supervised during the course of his work in connection therewith.
356 Safety & Health at Work Act 2005	21.3	Cranes and lifting machines	<p>(3) The following requirements apply in respect of machines of the type referred to in subsection (1), namely,</p> <p>(a) every such machine shall, before being put into operation for the first time, be tested and all such parts and working gear as are specified in that subsection shall be thoroughly examined by a competent person and the machine certified as being fit to be put into operation in a workplace;</p> <p>(b) the certificate</p> <p>(i) shall contain a statement as to the safe working load of the machine and such other details as the Minister requires,</p> <p>(ii) shall be signed by the person issuing it, and</p> <p>(iii) shall be kept available by the owner or occupier of the workplace for inspection;</p> <p>(c) all such parts and gear as are specified in that subsection shall be thoroughly examined by a competent person at least once in every 12 months and a register containing the prescribed details of every such examination shall be kept available by the owner or occupier of the workplace for inspection; and</p> <p>(d) if an examination reveals that a machine should not be used until repairs are carried out, a report containing details of the results of the examination shall be sent to the Chief Labour Officer within 7 days from the date of the examination.</p>

356 Safety & Health at Work Act 2005		Steam boilers maintenance, examination and use	(11) A person employed to make an examination for the purposes of this section who (a) fails to make a thorough examination; (b) makes a report that is false or deficient in any material particular; or (c) fails to send a report to the Chief Labour Officer in accordance with subsection (10) is guilty of an offence
356 Safety & Health at Work Act 2005		Certificate of Chief Fire Officer in respect of the fire escape	(8) Any occupier who uses premises in contravention of this section is guilty of an offence
356 Safety & Health at Work Act 2005	35.1	Maintenance and inspection	(1) All means of escape in a workplace specified in a certificate issued by the Chief Fire Officer shall be properly maintained and kept free from obstruction.
356 Safety & Health at Work Act 2005	42.0	Power of Chief Fire Officer enter a workplace	(1) The Chief Fire Officer may at any reasonable time enter any workplace and inspect the means of escape in case of fire and the fire-fighting equipment provided by the occupier (2) Every (a) occupier of a workplace; or (b) person engaged by an occupier of a workplace who obstructs or fails to admit the Chief Fire Officer to the workplace pursuant to subsection (1) is guilty of an offence.
356 Safety & Health at Work Act 2005	43.1	Floors and passages	(1) All floors, steps, passages and gangways shall be of sound construction and shall be properly maintained and in so far as is reasonably practicable, shall be kept free from obstruction or from any substance that is likely to cause a person to slip. (4) All openings in floors shall be securely fenced, except in so far as the nature of the work renders such fencing impracticable.
356 Safety & Health at Work Act 2005	44.1	Stairs and ladders	(1) For every staircase that is in a building or affords a means of exit from a building, a substantial hand-rail shall be provided and maintained, and (a) in the case of a staircase that has one open side, the hand-rail shall be on the open side; and (b) in the case of a staircase that has 2 open sides or is likely to be a source of accidents, owing to the nature of its construction, or to the condition of the surface of the steps or other special circumstances, there shall be a hand-rail on both sides.

356 Safety & Health at Work Act 2005	45.9	Dangerous fumes, lack of oxygen and confined spaces	(9) No person shall be required to enter or remain in a confined space in which the proportion of oxygen in the air is liable to be substantially reduced unless (a) he is wearing a suitable breathing apparatus; or (b) the space is adequately ventilated and is safe for entry without the use of breathing apparatus.
356 Safety & Health at Work Act 2005	46.0	Storage of gas or dangerous liquid	Subject to regulations made under section 106(1)(d) no gas or dangerous substance of an explosive or volatile nature shall be stored in a workplace
356 Safety & Health at Work Act 2005	47.1	Removal of gas, dust or fumes	<p>(1) Where, in connection with any process carried on in a workplace, there is given off any substantial quantity of gas, dust of any kind, fume, vapor or other impurity of such a character and to such an extent as to be likely to be injurious or offensive to the persons employed therein, all practicable steps shall be taken to protect those persons against inhalation of the gas, dust, fume, vapor or other impurity and to prevent it accumulating in any workroom, and in particular, where the nature of the process makes it practicable, exhaust and extraction appliances shall be provided and maintained as near as possible to the point of origin of the gas, dust, fume, vapor or other impurity so as to prevent it entering the air of any workroom.</p> <p>(2) No gas, dust, fume, vapor or other impurity referred to in subsection (1) or given off pursuant to that subsection shall be conducted into the open air if they are of such a nature as to be likely to cause injury or to be offensive to the public.</p>
356 Safety & Health at Work Act 2005	49.1	Cleanliness	(1) Every workplace shall be kept in a clean state and free from effluvia arising from any drain, sanitary convenience and from nuisance.
356 Safety & Health at Work Act 2005	50.1	Disposal of wastes and effluents	(1) Effective arrangements shall be made in every workplace for the disposal of waste and effluents arising out of any work processes carried on therein. (4) There shall be provided and maintained in every workplace where necessary, adequate drains for the effective removal of wastewater and such drains shall be provided with hydraulic seals or other effective devices to prevent the escape of effluvia.

356 Safety & Health at Work Act 2005	54.1	Over-crowding	(1) A workplace shall not be so overcrowded as to cause risk of injury to the health of the persons employed therein.
356 Safety & Health at Work Act 2005	55.1	Lighting	(1) Effective provision shall be made for securing and maintaining, in every part of a workplace where persons are working or passing, sufficient and suitable lighting, whether natural or artificial.
356 Safety & Health at Work Act 2005	56.1	Noise and vibration	(1) Every owner, occupier or employer shall take adequate steps to prevent hearing impairment caused by noise, and disease caused by vibration from occurring to persons in, or in the vicinity of his workplace and shall comply with any directives.
356 Safety & Health at Work Act 2005	57.0	Supply of drinking water	(1) There shall be provided and maintained at suitable points accessible to all persons employed in a workspace an adequate supply of wholesome, cool drinking water supplied from a public main or from some other source approved in writing by the Chief Labour Officer.
356 Safety & Health at Work Act 2005	58.1	Washing facilities	(1) There shall be provided and maintained for the use of employed persons adequate and suitable facilities for washing which shall include a supply of clean running water and, in addition, soap and clean towels or other suitable means of cleaning or drying and the facilities shall be conveniently accessible and shall be kept in a clean and orderly condition.
356 Safety & Health at Work Act 2005	59.1	Lunchrooms	(1) Where 1 or more persons are at any one time employed in a workplace there shall be provided and maintained in such workplace there shall be provided and maintained in such workplace for the use of all the persons employed therein a suitable and adequate room furnished with an adequate number of tables and seats for the taking of meals.
356 Safety & Health at Work Act 2005	60.1	Meals in certain dangerous trades	(1) Where in any room lead, arsenic or any other poisonous, toxic or hazardous substance is so used as to give rise to any dust or fume, or other harmful emission, no person shall be permitted (a) to partake of food or drink, (b) to smoke, or (c) to remain in that room during the intervals allowed him for meals or rest, other than intervals allowed in the course of a spell of continuous employment.

356 Safety & Health at Work Act 2005	61.1	Provision of changing facilities and accommodation for clothing	(1) Where change of clothing is necessary at a workplace, a room with sufficient space for the purpose of the changing of clothing shall be provided.
356 Safety & Health at Work Act 2005	62.1	Sitting facilities	(1) Where employed persons have in the course of their employment, reasonable opportunities for sitting without any adverse effect on their work, there shall be provided and maintained for their use suitable facilities for sitting sufficient to enable them to take advantage of those opportunities.
356 Safety & Health at Work Act 2005	63.1	First-aid	<p>(1) There shall be provided and maintained so as to be readily accessible a first-aid box or first-aid cupboard of a standard approved by the Chief Labour Officer in consultation with the Chief Medical Officer and where more than 150 persons are employed, there shall be an additional box or cupboard for each additional 150 persons.</p> <p>(3) Nothing, except appliances or requisites for first-aid, shall be kept in a first-aid box or first-aid cupboard, and the Chief Labour Officer may give directions, either generally or in relation to a particular workplace as to the minimum appliances and requisites to be kept for the purposes of first aid.</p> <p>(4) Each first-aid box or first-aid cupboard shall be placed under the charge of a responsible person who shall, in the case of a workplace where more than 25 persons or more than such smaller number as the Chief Labour Officer by order prescribes are employed, be trained in first-aid treatment, and the person in charge shall always be available during working hours.</p> <p>(5) In every workroom there shall be affixed a notice on which is stated the name of the person in charge of the first-aid box or cupboard provided in respect of that workroom.</p>
356 Safety & Health at Work Act 2005	64.1	Rest rooms	<p>(1) Where 20 or more persons are employed at any one time in a workplace there shall be provided and maintained and kept under the supervision of a person appointed by the occupier a suitable rest room</p> <p>(a) affording adequate privacy; and</p> <p>(b) equipped with adequate facilities for resting.</p>

356 Safety & Health at Work Act 2005	65.1	Sanitary conveniences	<p>(1) There shall be provided in every workplace sufficient, suitable and readily accessible sanitary conveniences for the use of persons employed therein.</p> <p>(2) The conveniences referred to in subsection (1) shall be kept clean and effective provision shall be made</p> <p>(a) for the lighting thereof;</p> <p>(b) for their proper ventilation; and</p> <p>(c) for the impossibility of any form of communication with any workroom except through the open air or an intervening ventilated space.</p>
356 Safety & Health at Work Act 2005	66.1	Lifting excessive weight	Subject to the regulations, no person shall be employed to lift, carry or move and load so heavy or so distributed as to be likely to cause injury to him.
356 Safety & Health at Work Act 2005	68.1	Certificate of fitness for employment of young persons	<p>(1) Subject to section 70(1) no young person shall be admitted to employment in a factory for a period exceeding 2 weeks unless after a medical examination, he has been found fit for the work he is employed to do.</p> <p>(5) Where a young person is employed in continuous employment he shall be medically examined at intervals of not more than one year or at such shorter intervals as the factory doctor carrying out the medical examination specifies.</p>
356 Safety & Health at Work Act 2005	70.1	Procedure where young persons' fitness not clearly determined	<p>(1) A young person whose fitness is not clearly determined, may be employed is a factory doctor issues, after an examination by him of the young person</p> <p>(a) a temporary medical certificate to be valid for a period of not more than 3 months, as to his fitness for the work he is being engaged to do; or</p> <p>(b) a medical certificate or permit in which is specified the conditions under which he may be employed.</p>
356 Safety & Health at Work Act 2005	76.0	Medical Officer of Health to act as factory doctor	Where no factory doctor is appointed for a workplace, a Medical Officer of Health may act in that behalf.

356 Safety & Health at Work Act 2005	79.6	Parts of building let a separate workplace fire provision	(6) An owner of a building who is prevented by the occupier of a workplace in that building from carrying out any work, test or examination which it is his duty to carry out under this Act may bring a complaint before a magistrate alleging the facts and the magistrate may order the occupier to permit the owner to carry out the work, test or examination and an occupier who fails to comply with the order of the magistrate is liable
356 Safety & Health at Work Act 2005	80.0	Parts of building lets separate workplace - provisions other than fire provisions	<p>(1) Where a part of a building is let as a separate workplace the provisions of this Act respecting</p> <p>(a) cleanliness and lighting;</p> <p>(b) transmission machinery, hoists and lifts, chains, ropes and lifting tackle, cranes and other lifting machines;</p> <p>(c) construction and maintenance of floors, steps, stairs, passages and gangways and the keeping of them free from obstruction and slippery substances;</p> <p>(d) steam boilers, steam receivers, steam containers and air receivers;</p> <p>(e) means of warning in case of fire;</p> <p>(f) means of escape;</p> <p>(g) the power of a magistrate to make orders in cases of danger or of unsatisfactory premises, apply to any part of the building used in connection with the workplace though not comprised therein; and the owner of the building, and not the occupier of the workplace, is liable for any contravention of those provisions.</p>

356 Safety & Health at Work Act 2005	81.0	Written notice in respect of pressure vessels taken into use on premises not part of workplace	<p>Where a pressure vessel is taken into use in any premises that do not form part of a workplace the occupier of such premises shall, one month before the date upon which it is first taken into use or, if it is in use at the commencement of this Act within one month of that date forward to the Chief Labour Officer a written notice containing the following particulars, namely,</p> <p>(a) the name and address of the occupier of the premises;</p> <p>(b) the address and location of the premises;</p> <p>(c) the nature of the work carried on at the premises; and</p> <p>(d) in respect of each pressure vessel</p> <p>(i) the type, description and distinctive number,</p> <p>(ii) the country and year of its manufacture; and</p> <p>(iii) whether it is new or pre-used and if pre-used the name and address of the former owner.</p>
356 Safety & Health at Work Act 2005	82.2	Written notice in respect of pressure vessels subject to examination under the Act	(2) Any person, who imports a pressure vessel shall within one month of delivery to the place of intended use forward to the Chief Labour Officer a written notice containing particulars as set out in paragraph (a) of section 81 in respect of the equipment involved.
356 Safety & Health at Work Act 2005	84.4	Institutions	(4) Any person who fails to comply with paragraph (d), of subsection (3) is guilty of an offence

356 Safety & Health at Work Act 2005	86.1	Duty of persons who apply or put into use any article or substance at a workplace	<p>(1) It shall be the duty of any person who applies, or puts into use any machinery, tool, article or substance at a workplace</p> <p>(a) to ensure so far as is reasonably practicable that the machinery, tool, article or substance is without risks to health and safety when properly used; and</p> <p>(b) to take such steps as are necessary to ensure that in connection with the use of the machinery, tool, article or substance there are data sheets available that contain</p> <p>(i) adequate information about the use for which the machinery, tool, article or substance is intended,</p> <p>(ii) the precautions to be observed in the use of the machinery, tool, article or substance; and</p> <p>(iii) any information necessary to ensure that when put to that use, the machinery, tool, article or substance will be safe and without risks to safety or health.</p>
356 Safety & Health at Work Act 2005	88.1	Prohibition of importation of material or articles for use in prohibited processes	<p>(1) Where by the regulations, the use of any material or process is prohibited, the Minister responsible for Trade may, on the advice of the Minister responsible for Labour absolutely or subject to exception, prohibit the importation into Barbados of the material or of any article used in the manufacture of which such material or process was employed.</p> <p>(2) Any person who sells or offers for sale, exposes for sale, or has in his possession for purposes of sale any article or material the importation of which is prohibited is guilty of an offence and in addition to any punishment which may be imposed under this Act, such article or material shall be forfeited and destroyed or otherwise disposed of as the court thinks of it.</p>
356 Safety & Health at Work Act 2005	89.8	Notice of occupation of a factory and use of mechanical power	Any person who occupies, or uses any premises as a factory in contravention of this section is guilty of an offence
356 Safety & Health at Work Act 2005	91.5	Posting of abstracts and notices	(5) Any person who willfully pulls down, damages or defaces any abstract, notice, regulation or other document posted pursuant to this Act or the Regulations is guilty of an offence

356 Safety & Health at Work Act 2005	92.1	Provisions as to special regulations	(1) Printed copies of all special regulations for the time being in force in respect of a workplace or the prescribed abstract of such regulations shall be kept posted in the workplace in such manner and in such positions as to permit it to be conveniently read by the persons employed in the workplace.
356 Safety & Health at Work Act 2005	93.1	General register and report register	(1) There shall be kept by the occupier in every workplace or in such place as the Chief Labour Officer approves, a register in the prescribed form to be known as the general register.
356 Safety & Health at Work Act 2005	94.0	Preservation of registers and records	The general register and every other record kept in pursuance of this Act shall be preserved for a period of at least 6 years after the date of the last entry therein or for such longer period as may be prescribed in respect of any class or description of register or record; and shall be kept available for inspection by an inspector or by a factory doctor or by members of the Health and Safety Committee.
356 Safety & Health at Work Act 2005	95.1	Periodical return of persons employed	<p>(1) The occupier of every workplace shall, at intervals of not more than 12 months or such other intervals as determined by the Chief Labour Officer, send to the Chief Labour Officer a correct return specifying, with respect to such days, or such periods as the Chief Labour Officer directs</p> <p>(a) the number of persons employed in the workplace;</p> <p>(b) the hours of employment of young persons employed;</p> <p>(c) the ages, sex and occupation of all the persons employed;</p> <p>(d) the nature of the business carried on in the workplace;</p> <p>(e) the products and product lines manufactured in the workplace; and</p> <p>(f) such other matters that the Chief Labour Officer requires.</p>
356 Safety & Health at Work Act 2005	98.4	Power to take samples	(4) No person shall, except in so far as is necessary for the purposes of a prosecution for an offence under this Act, publish or disclose to any other person the results of an analysis made under this section, and any person who contravenes this subsection is guilty of an offence

356 Safety & Health at Work Act 2005	100.1	Means of entry and obstruction	<p>(1) The occupier of every workplace, his agents and servants, shall at all times furnish the means required by an inspector as being necessary for an entry, examination, inspection, inquiry, the taking of samples or otherwise for the exercise of his powers under this Act in relation to such workplace.</p> <p>(2) Any person who</p> <p>(a) willfully and without reasonable cause delays, hinders or interferes with an inspector or a member of the Fire Service in the exercise of his powers or functions, as the case may be under this Act;</p> <p>(b) fails to produce any register, certificate or document that he is required to produce in pursuance of this Act or the regulations;</p> <p>(c) willfully withholds any information as to who is the occupier of a workplace;</p> <p>(d) conceals or attempts to conceal any person from an inspector or prevents or attempts to prevent any person from appearing before or being examined by an inspector;</p> <p>(e) fails to comply with a requisition of an inspector in pursuance of this Act;</p> <p>(f) assaults, resists, obstructs or intimidates an inspector or a member of the Fire Service in the execution of his duty under this Act or the regulations;</p> <p>(g) uses any indecent, abusive or insulting language to an inspector or a member of the Fire Service in the execution of his duty;</p> <p>(h) by the offer of any gratuity, bribe, promise or other inducement prevents or attempts to prevent an inspector or a member of the Fire Service from carrying out his duty under this Act or the regulations; or</p> <p>(i) contravenes any provision of this Act, the regulations or any Order made under this Act is guilty of an offence</p>
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356 Safety & Health at Work Act 2005	101.1	Information respecting workplaces to be confidential	<p>(1) No inspector or other person shall, except for the purposes of civil or criminal proceedings, disclose to another person any information respecting any workplace or any process carried on in a workplace.</p> <p>(3) Except to the extent immediately necessary no person shall disturb, alter or remove any machinery, equipment or substance that is likely to be of assistance in the investigation of an accident in a workplace unless authorized to do so by the Chief Labour Officer</p> <p>(5) Any person who contravenes subsection (1) or (3) is guilty of an offence</p>
356 Safety & Health at Work Act 2005	102.0	Worker not to be dismissed by reason only of requesting inspection of workplace by inspector	No employee shall be dismissed or disciplined in any manner by reason only of his requesting an inspection of his workplace by an inspector.
356 Safety & Health at Work Act 2005	109.1	Contravention by occupiers, employees and companies	<p>(1) In the event of any contravention in connection with or in relation to a workplace of the provisions of this Act, or of any regulations or order made under this Act, the occupier, or if the contravention is one in respect of which the owner is by or under this Act responsible the owner, of the workplace is, subject to this Act, guilty of an offence.</p> <p>(2) In the event of</p> <p>(a) the contravention by an employee in respect of the duties imposed on employees; or</p> <p>(b) a contravention by any person of any regulations or order made under this Act which expressly imposes any duty upon him, that employee or person is guilty of an offence</p>
356 Safety & Health at Work Act 2005	109.6	Contravention by occupiers, employees and companies	(6) Where an offence under this Act has been committed by a company and has been proved to have been committed with the consent or connivance of or to have been facilitated by any neglect on the part of any director, manager, secretary or other officer of the company, both such officer, and the company are guilty of the offence committed.

356 Safety & Health at Work Act 2005	110.1	General penalty	(1) Subject to subsection (2) any person who (a) contravenes any provision of this Act for which no specific penalty is provided; or (b) contravenes any of the regulations or any order made pursuant to this Act, is guilty of an offence
356 Safety & Health at Work Act 2005	110.1	General penalty	(2) If the contravention is the act or omission of the owner or the occupier as the case may be, and causes death or injury that results in permanent injury such owner or occupier is liable on summary conviction
356 Safety & Health at Work Act 2005	111.2	Power of Court to order contraventions to be remedied	(2) Where an extension is allowed under subsection (1), the occupier is not liable in respect of any continuation of the contravention during the extended time, but if, after the expiration of the time as originally specified or as extended the order is not complied with, the occupier or owner, as the case maybe, is liable
356 Safety & Health at Work Act 2005	116.0	Commission of offence where notice is defined or removed	Any person who, without lawful authority removes, defaces or in any way tampers with a notice posted under section 115 is guilty of an offence under this Act
356 Safety & Health at Work Act 2005	118.0	Fine for non-compliance with notice issued under sections 112 or 113	Any person who fails to comply with the requirements of a notice issued under sections 112 or 113 shall be liable

356 Safety & Health at Work Act 2005	121.0	Forgery of certificates, false entries	<p>Any person who</p> <p>(a) forges or counterfeits any certificate made pursuant to this Act or regulations;</p> <p>(b) gives or signs any such certificate knowing it to be false in any material particular;</p> <p>(c) utters or makes use of any such certificate knowing it to be so forged, counterfeited or to be false;</p> <p>(d) knowingly utters or makes use of, as applying to any person, any such certificate that does not so apply;</p> <p>(e) impersonates any person named in any such certificate;</p> <p>(f) falsely pretends to be an inspector;</p> <p>(g) willfully connives at any forging, counterfeiting, giving, signing, uttering, making use, personating or pretending specified in paragraphs (a) to (f);</p> <p>(h) willfully makes a false entry in any register, notice, certificate, or document required by, under or for the purposes of this Act or any regulations or order made pursuant to this Act to be kept, served or sent;</p> <p>(i) willfully makes or signs a false declaration required by, under or for the purposes of this Act or any regulations or order made pursuant to this Act; or knowingly makes use of any false entry or declaration;</p> <p>(j) knowingly makes use of any false entry or declaration, is guilty of an offence</p>
356 Safety & Health at Work Act 2005	127.1	Limitation of time within which proceedings may be instituted	<p>(1) Except as otherwise expressly provided in subsection (2) no information in respect of an offence shall be laid, and no proceedings for the recovery of any penalty shall be instituted, under this Act, after the expiration of a period of 12 months commencing on the date on which the offence was committed or the subject-matter of the proceedings arose or came to the attention of the Chief Labour Officer, but in any event not later than 18 months after the date on which the offence was committed</p>

350B Occupational Pension Benefits Act	4.1	Prohibition re: establishment of pension plan	<p>(1) (1) Subject to this Act, no person shall establish or administer a pension plan unless an application for the registration of the pension plan has been made to the Supervisor.</p> <p>(2) No person shall maintain a pension plan unless the plan has been registered by the Supervisor and a valid certificate of registration exists in respect of the plan.</p>
350B Occupational Pension Benefits Act	5.1	Application for registration of pension plan	<p>(1) An application for the registration of a pension plan shall be made within 30 days of the establishment of the plan.</p> <p>(2) The administrator of a pension plan shall apply to the Supervisor, within the prescribed period of time, for registration of the pension plan.</p> <p>(3) An application for registration shall be in a form approved by the Supervisor and shall be accompanied by</p> <ul style="list-style-type: none"> (a) the fee prescribed by the Minister responsible for Finance; (b) certified copies of the documents that create and support the pension plan, including any relevant collective agreement; (c) certified copies of the documents establishing the pension fund related to the plan; (d) a certified copy of any reciprocal transfer agreement related to the pension plan; (e) an initial valuation of the pension plan that has been prepared and certified by an actuary; and (f) any other prescribed documents.

350B Occupational Pension Benefits Act	84.1	Conduct of investigation	<p>(1) In making an investigation under this Part, the Supervisor or the inspector may</p> <p>(a) require the administrator, or trustees of a pension fund to produce any books, accounts, documents or statistics relating to the pension plan or pension fund for his inspection and to allow him to make such extracts from them or copies of them, as he considers fit;</p> <p>(b) examine on oath in relation to the pension plan or pension fund, any person who is, or has at any time been,</p> <p>(i) an administrator, trustee, member, auditor, officer, agent, or other person connected with a pension plan;</p> <p>(ii) the executor of the estate of a retired member; or</p> <p>(iii) an employer connected to the plan or pension fund that is being investigated; and</p> <p>(c) for the purpose of paragraph (b), administer oaths.</p> <p>(2) A person specified in paragraph (b) of subsection (1) shall produce to the Supervisor or the inspector, at his request, any books, accounts, documents or statistics relating to the pension plan or pension fund and which are available to the person, and shall give to the Supervisor or the inspector, at his request, any information in his possession relating to the pension plan or pension fund.</p> <p>(3) A person specified in paragraph (b) of subsection (1) shall not refuse to be sworn or to give information on examination on oath and shall not, in reply to a request made under subsection (2), give any false information. (4) A person who contravenes this section is guilty of an offence.</p>
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350B Occupational Pension Benefits Act	86.3	Penalty for divulging of information and other offences	(1) A person shall not either directly or indirectly, except in the performance of any duty under this Act, make a record of, or divulge or communicate to any person, any information acquired by him under this Part (2) A person performing any duty under this Part shall take an oath, in the manner and form specified, to maintain secrecy in conformity with this section. (3) Any person who contravenes any of the provisions of this section is guilty of an offence
350B Occupational Pension Benefits Act	90.0	Offences	Any person who contravenes (a) any provision of this Act or any regulation made under this Act; or (b) any direction or requirement given or made by the Supervisor or an inspector appointed under section 84 is guilty of an offence, unless he can prove that he did not knowingly contravene the enactment.
350B Occupational Pension Benefits Act	91.0	Penalties	All offence against this Act for which no other penalty is prescribed shall be punishable shall be punishable on summary thereof
National Insurance and Social Security Act 2007	18.1	Contributions of employed persons and employers	(1B) An employer who contravenes the provisions of para graph (a) or (b) of subsection (1A) is guilty of an offence
National Insurance and Social Security Act 2007	18.3	Contributions of employed persons and employers	(3) Any employer who deducts or attempts to deduct the whole or any part of the employer's contribution in respect of any person from his wages or other remuneration is liable on summary conviction

348 Holidays with Pay Act 2015	11.1	Offences	<p>(1) Any employer who</p> <p>(a) refuses to allow an employee to take an annual holiday to which he is entitled under this Act;</p> <p>(b) gives an employee less of an annual holiday than the annual holiday to which that employee is entitled;</p> <p>(c) fails to pay an employee the average pay or part thereof to which he is entitled under this Act;</p> <p>(d) fails to keep records in accordance with section 9;</p> <p>(e) knowingly enters or causes to be entered in the records required under section 9 any false particular; or</p> <p>(f) willfully delays or obstructs the Chief Labor Officer or any person duly authorized by him in the exercise of any power under section 9(3)</p> <p>is guilty of an offence</p>
348 Holidays with Pay Act 2015	11.2	Offences	<p>(2) Where a person is convicted of an offence under this Act and a fine is imposed, and that person fails to comply with the order of the court in respect of that fine, that person shall be liable to a further fine</p>
348 Holidays with Pay Act 2015	12.2	Power to initiate proceedings	<p>(2) Where a magistrate finds an employer guilty of an offence under paragraphs (a),(b) or (c) of section 11(1) the magistrate may, in addition to the fine or sentence imposed, if any, order an employer convicted of such an offence</p>

44 Health Services Act	14.0	Offences	<p>. Any person who</p> <p>(a) assaults, resists, obstructs or intimidates; or</p> <p>(b) uses indecent, abusive or insulting language to; or</p> <p>(c) interferes with or hinders; or</p> <p>(d) by any gratuity, bribe, promise or other inducement prevents or attempts to prevent the due execution of his duty by, any officer or other person acting under the authority of this Act or of any regulations shall be guilty of an offence</p>
44 Health Services Act	10.1	Regulations	<p>(y) annexing to the contravention of, or failure to comply with, any regulation made under this section is punishable</p>