

Federation Road Asset Management Enhancement
Project – FRAME (P511815)

LABOUR MANAGEMENT PROCEDURES-LMP



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Abbreviations

B&H / BiH	Bosnia and Herzegovina
CH	Cultural Heritage
CHS	Community Health and Safety
CGC	Central Grievance Committee
CSOP	Construction Site Organization Plan
EA	Environmental Assessment
EIA	Environmental Impact Assessment
ESCP	Environmental and Social Commitment Plan
ESF	Environmental and Social Framework
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
ESSs	Environmental and Social Standards
E&S	Environmental and Social
FIS	Federal Institute of Statistics
FBiH	Federation of Bosnia and Herzegovina
GC	Grievance Committee
GIIP	Good International Industry Practice
GRM	Grievance Redress Mechanism
LMP	Labor Management Plan / Procedures
OHS	Occupational Health and Safety
PAP	Project Affected Person
PC Roads of FBiH	Public Company Roads of Federation of BiH
PIMT	Project Implementation and Management Team
PDO	Project Development Objective
PPE	Personal Protective Equipment
RAP	Resettlement Action Plan
RDDR	Resettlement Due Diligence Report
RPF	Resettlement Policy Framework
SEP	Stakeholder Engagement Plan
SE	Supervision Engineer
TCI	Total Condition Index
WB	World Bank

1. INTRODUCTION

1.1. Project Description

Between 2008 and 2023, the Public Company Roads of the Federation of Bosnia and Herzegovina (PC Roads FBiH) executed successful road rehabilitation and modernization projects, funded by international financial institutions and partly by their funds. These projects aimed to upgrade road infrastructure and improve traffic safety. Road rehabilitation covered approximately 850 km of main roads in the FBiH, and under the "Modernization of the Road Sector in the FBiH" program, Projects were implemented from 2018 to 2023, including the construction of new sections, slow vehicle lanes, rehabilitation/reconstruction of structures on main roads (bridges and tunnels), remediation/reconstruction of hazardous locations, and the initiation of construction of some bypasses around cities. Despite these efforts, the main road network still faces challenges such as low service levels, slow vehicle speeds, high operating costs, and many traffic accidents.

The PC Roads FBiH has undertaken a thorough assessment of road surface conditions, culminating in a ten-year investment plan proposal. The initial four-year phase is dedicated to rehabilitation efforts to address immediate infrastructure challenges. Subsequently, the plan prioritizes ongoing road maintenance for the remaining duration, signifying a commitment to sustaining the quality and safety of the road network within the Federation of Bosnia and Herzegovina (FBiH). A multi-criteria approach is recommended for road surface rehabilitation, aiming to achieve at least a 60% good and satisfactory road surface condition after program implementation. The proposed investment program for which PC Roads FBiH is seeking financing from World Bank (WB) on pavement reinforcement, replacement or covering with a new worn layer, and bypass construction.

In the proposed investment program for the rehabilitation of main roads in the FBiH, Projects are divided into three groups of sub-projects:

1. Pavement reinforcement
2. Replacement or covering with a new worn layer
3. Bypass construction

The Government of the Federation of Bosnia and Herzegovina supports a four-year investment program submitted by the Public Company Roads FBiH through the Federal Ministry of Transport and Communications to rehabilitate main roads in the FBiH.

2. OVERVIEW OF LABOR USE ON THE PROJECT

2.1. Categories of Workers according to the World Bank Categorization

In regards to the WB, these are the categories of project workers as follows:

Direct workers

People employed or engaged directly by the Borrower (including the project proponent and the project implementing agencies) to work specifically concerning the project. Therefore, a "direct worker" is a worker with whom the Borrower has a directly contracted employment relationship and specific control over the work, working conditions, and treatment of the project worker. The worker is employed or engaged by the Borrower, paid directly by the Borrower, and subject to the Borrower's day-to-day instruction and control. Examples of direct workers may include people

employed or engaged by the Borrower's project implementation team to carry out design and supervision, monitoring and evaluation, or community engagement in the project.

Contracted workers

People employed or engaged through third parties to perform work related to core functions of the project, regardless of location, are referred to as contracted workers. Therefore, a "contracted worker" is a worker employed or engaged by a third party to perform work or provide services related to the core functions of the project, where the third party exercises control over the work, working conditions, and treatment of the project worker. In such circumstances, the employment relationship is between the third party and the project worker, even if the project worker is working on an ongoing basis on project activities.

Primary supply workers

People employed or engaged by the Borrower's primary suppliers are referred to as primary supply workers. Therefore, a "primary supply worker" is a worker employed or engaged by a primary supplier, providing goods and materials to the project, over whom a primary supplier exercises control for the work, working conditions, and treatment of the person.

Community workers

People employed or engaged in providing community labor are referred to as community workers. The type of projects in which community workers are involved can vary considerably in terms of complexity, duration, type of work; number of workers involved; types of project benefits, and how WB ESS2 applies to the participation of community workers. Examples range from projects that aim to construct small-scale community infrastructure to regional or national projects designed to provide a social safety net to address unemployment or underemployment. The application of ESS2 to such projects is designed to address the relevant risks and impacts in a proportionate manner, tailored to the specific context, objectives, and design of the project.

2.2. Project Workers

Within the context of this Project; direct workers, contracted workers and primary supplied workers will be engaged. Community workers will not be engaged in any phase of the Project implementation.

Direct workers consist of employees from PC Roads FBiH, specifically

1. Project Management and Implementation Team
2. GRM management team
3. PC Roads FBiH Management Board

It is anticipated that the PIMT will total approximately 7 positions. Additionally, they will engage the Supervision Engineer who falls under the category of contracted worker.

PC Roads FBiH employees engaged in Project operations, irrespective of their full-time or part-time status, will operate under the terms of their existing contracts. When and if hiring external consultants, the provisions of national legislation governing work engagements will apply, alongside adherence to the requirements outlined in this Labor Management Procedure.

Contracted workers: individuals employed by contractors and service providers tasked with civil works for subprojects. In cases where contractors engage multiple subcontractors, the workers of these subcontractors will also fall under the umbrella of contracted workers.

Primary suppliers: may be involved given the Project's nature and the construction demands. These suppliers, likely a select few, will consistently provide materials throughout Project implementation. All primary suppliers must be legitimate businesses adhering to high standards in procurement or production. Workers employed by these primary suppliers to procure goods are classified as primary supply workers.

The table below presents preliminary data, subject to updates by the Environmental and Social specialist as more precise information on direct and contracted workers becomes available. No additional worker categories are considered in this project. However, considering the nature of subprojects, it is anticipated that female workers will constitute approximately 5-10 percent of the workforce, primarily in technical (engineering) and administrative roles.

Category of workers	Number of Project workers ¹	Type of tasks	Necessary skills	Location
Direct Workers: PIMT	7	Office and field consulting tasks	Strong project planning, risk management, budgeting, and quality control skills. Effective communication, leadership, problem-solving.	From entire BiH
Direct Workers: GRM	6	Office and administrative tasks	Knowledge in the area of environmental and social issues relevant to the Project Essential management/ financial / procurement skills Communication skills	From entire BiH
Contracted workers	10-13 (per project site)	Field tasks	Advanced technical skills (construction, mechanical) Communication skills for project managers	From entire BiH
Primary supply workers	Unknown at this project	Supply of project goods essential for the	Manual labor, equipment handling,	From entire BiH

¹ The exact number of project workers is currently still unknown. However, based on the experience gained on similar projects in BiH, an approximate number of workers was estimated.

	stage	project	and quality control to ensure smooth operations. Basic safety awareness, teamwork, time management, and adaptability.	
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3. ASSESSMENT OF KEY POTENTIAL LABOR RISKS

3.1. Project Activities and Key Labor Risks

The project activities for the Rehabilitation of main roads in the Federation of Bosnia and Herzegovina may involve various risks for project workers. Here are the potential activities and the associated risks:

1. Site Preparation: Clearing vegetation, removing debris, and leveling the ground.
Risks: Potential exposure to hazardous materials, injuries from heavy machinery, or accidents due to uneven terrain.
2. Excavation and Earthwork: Digging trenches, laying foundations, and reshaping the landscape.
Risks: Equipment malfunctions, contact with underground utilities, and injuries from falling debris.
3. Construction of Road Structures: Culverts, and retaining walls.
Risks: Falls from heights, structural collapses, exposure to harmful chemicals used in construction materials, and accidents involving heavy machinery.
4. Paving and Surfacing: Applying asphalt or concrete to create road surfaces.
Risks: Burns from hot asphalt, exposure to fumes, slips and falls on uneven surfaces, and accidents involving heavy machinery.
5. Traffic Management: Implementing temporary traffic control measures to ensure the safety of workers and motorists.
Risks: Accidents involving moving vehicles, exposure to exhaust fumes, and injuries while setting up or removing traffic control devices.
6. Working in Adverse Weather Conditions: Continuing work during inclement weather such as rain, snow, or extreme temperatures.
Risks: Slippery surfaces, reduced visibility, exposure to cold or heat-related illnesses, and accidents due to poor weather conditions.
7. Material Handling and Storage: Transporting construction materials to the site and storing them safely.
Risks: Strains and sprains from lifting heavy objects, trips and falls over scattered materials, and injuries from improperly stored equipment.
8. Worksite Security: Preventing theft, vandalism, and unauthorized access to the construction site.
Risks: Confrontations with trespassers, theft of equipment or materials, and property damage.

To mitigate these risks, it's crucial to implement comprehensive safety measures such as providing proper training for workers, ensuring compliance with safety regulations, conducting regular safety

inspections, providing personal protective equipment (PPE), and maintaining open communication channels to address any safety concerns promptly. Additionally, having emergency response plans and promoting a safety culture among all project stakeholders can help minimize the likelihood of accidents and injuries.

According to FBiH legislation, every employer must evaluate labor risks specific to each job or position. This obligation entails drafting a workplace risk assessment document, detailing the work process, and evaluating the risk of injuries or health issues at the workplace. It also includes outlining measures to eliminate or minimize risks to enhance safety and health at work. Additionally, employers are required to provide training for workers on safe practices. By employing protective equipment, conducting thorough training, and organizing the site effectively, the risk of work-related injuries and occupational health hazards can be significantly mitigated.

Given the potentially hazardous nature of construction activities, the Project will not employ individuals under the age of 18, even with preventive and protective measures in place, to mitigate unnecessary risks.

The project's SEA/SH (Sexual Exploitation and Abuse/Sexual Harassment) risk assessment indicates a low level of concern. This assessment considers the nature of civil works and the characteristics of the labor market in BiH, where it is anticipated that the presence of female workers on construction sites will be minimal. It is presumed that the workforce for unskilled and semiskilled construction roles will consist predominantly of men, while women may be involved in managerial, engineering, and administrative positions. Although SEA/SH risks can potentially escalate within local communities with the arrival of large numbers of male workers from outside the area, such a scenario is not expected due to the relatively small scale of worksites and the absence of significant social repercussions. To address identified SEA/SH risks, measures will include promoting awareness of the Code of Conduct, providing training for contracted workers on SEA/SH issues, and reinforcing the Grievance Mechanism with procedures for handling allegations related to sexual exploitation, abuse, and harassment.

If other labor risks arise during subproject implementation, this LMP will be appropriately amended to prevent further impacts.

4. OVERVIEW OF RELEVANT LEGISLATION

4.1. Conventions of the International Labor Organization

Bosnia and Herzegovina has been a member of the International Labor Organization (ILO) since June 1993. In BiH, there are in effect eight fundamental conventions and four priority conventions. The eight fundamental conventions include the following:²

- Convention on Forced Labor, dating from 1930.
- Convention on Trade Union Freedoms and Protection of Trade Union Rights, dating from 1948.
- Convention on Application of Principle of Right to Organize and Collectively Negotiate, dating from 1949.
- Convention on Equal Awards to Male and Female Labor Force for Work of Equal Value, dating from 1951.
- Convention on Prohibition of Forced Labor, dating from 1957.

² Source: https://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102704

- Convention on Discrimination regarding Employment and Occupation, dating from 1958.
- Convention on Minimum Age for Entering into Labor Relations, dating from 1973.
- Convention on Worst Forms of Abuse of Child Labor, dating from 1999.

The priority conventions that BiH has also ratified are the following:

- Convention on Labor Inspection, dating from 1947.
- Convention on Employment Policy, dating from 1964.
- Convention on Labor Inspection (Agriculture), dating from 1969.
- Convention on Tripartite Consultations (International Labor Standards), dating from 1976.

The other ratified conventions are the following:

- Convention on Unemployment, dating from 1919.
- Convention on Right to Association (Agriculture), dating from 1921.
- Convention on Worker Indemnity (Agriculture), dating from 1921.
- Convention on Use of Poisonous Bleach (in Coloring), dating from 1921.
- Convention on Worker Indemnity (in Case of Accidents), dating from 1925.
- Convention on Workers' Compensation for Occupational Diseases, dating from 1925.
- Convention on Equal Treatment (Indemnity in Case of Accident), dating from 1925.
- Convention on Insurance in Case of Illness (Agriculture), dating from 1927.
- Convention on Employment Services, dating from 1948.
- Convention on Nighttime Work of Women, dating from 1948.
- Convention on Nighttime Work of Youth / Children (Industry), dating from 1948.
- Convention on Social Insurance (Minimum Standards), dating from 1952.
- Convention on Weekend Rest (Trade and Administration), dating from 1957.
- Convention on Determination of Minimum Salaries, dating from 1970.
- Convention on Paid Annual Holidays, dating from 1970.
- Convention on Workers' Representatives, dating from 1971.
- Convention on Occupational Cancerous Diseases, dating from 1974.
- Convention on Paid Leave for Expert Education Purposes, dating from 1974.
- Convention on Human Resource Development, dating from 1975.
- Convention on Work Environment (Air Pollution, Noise and Vibrations), dating from 1977.
- Convention on Promotion of Collective Bargaining, dating from 1981.
- Convention on Safety and Protection of Health at Work, dating from 1981.
- Convention on Termination of Labor Relations, dating from 1982.
- Convention on Professional Rehabilitation and Employment of Persons with Disabilities, dating from 1983.
- Convention on Labor Medicine Services, dating from 1985.
- Convention on Prevention of Larger Industrial Accidents, dating from 1993.
- Convention on Part-time Work, dating from 1994.
- Convention on Safety and Health in Mines, dating from 1995.
- Convention on Protection of Motherhood, dating from 2000.
- Convention on Safety and Protection of Health in Agriculture, dating from 2001.
- Convention on Promotional Framework for Occupational Safety and Protection of Health at Work, dating from 2006.
- Convention on Maritime Labor, dating from 2006.

Additionally, Bosnia and Herzegovina ratified the Convention on Anti-Personnel Mine Ban Convention 1998, and the Convention entered into force in 1999.³

4.2. Labor Legislation in FBiH

Labor relations legislation in BiH falls under the exclusive jurisdiction of the two entities. The following overview covers the Labor Law⁴, the Law on Health Insurance⁵, and the Law on Peaceful Settlement of Labor Disputes in FBiH⁶.

Key Law Aspects	Provisions of the FBiH Laws
Entering into a labor relation	A labor relation shall be initiated by concluding a contract on labor. The contract shall be concluded in writing and shall contain a list of data prescribed under the Labor Law.
Right of workers	A worker shall have the right to: <ul style="list-style-type: none"> • a fair salary • conditions of work that ensure the safety and protection of life and health at work • special protection in case of illness, reduction or loss of capacity to work, and old age • full compensation of salary for the period of annual vacation, official holidays, temporary inability to work due to injury at work or occupational disease, as well as during interruption in work caused by oversight on the part of the employer • compensation of salary for period of absence from work • severance payment if the worker has a permanent labor contract.
Obligations of workers	The obligations of workers shall be the following: <ul style="list-style-type: none"> • to perform the tasks taken over, comply with the organization of work and business operations of the employer, • when concluding a labor contract or in the course of the duration of the labor relation, inform the employer of any disease or other circumstances that are distracting the worker in the execution of obligations under the labor contract, • educate oneself and develop oneself for work in compliance with one's capacities and requirements of work.
Obligations of employer	Obligations of the employer shall be the following: <ul style="list-style-type: none"> • to register workers for pension and disability insurance, health insurance, and insurance in case of unemployment, • after registration for mandatory insurance, serve the worker with a photocopy of the registration as well as any other change in insurance that concerns the worker.
Prohibition of discrimination	Discrimination of workers and job seekers is prohibited, in regards to sex, sexual orientation, marital status, family obligations, age, disability, pregnancy, language, religion, political and other opinions, ethnic origin, social origin, financial status, birth, race, skin color, membership or lack of in political parties and trade unions, health status, or any other personal characteristic.
Employment of women	Provisions of this Law for women prescribe the following: <ul style="list-style-type: none"> • that they cannot be employed on tasks underground (in mines) except if it concerns a managerial position that does not require physical labor or in services of health and social protection • that pregnancy and use of maternity leave cannot be a reason for employment of women • that a labor contract cannot be canceled after the expiry of the maternity leave for a woman with a child up to at least the age of one • that a woman whose labor contract with limited duration expires during maternity leave or a pregnant woman whose labor contract expires shall not be deemed to have had her labor contract canceled.
Employment of persons aged 15 to 18	A labor contract can be concluded in exceptional cases with a person between 15 and 18 years of age, with the consent of the legal representative and on the condition that he obtains a medical certificate proving that the person is health-wise capable of work. This category of workers cannot work for longer than 35 hours per week, work overtime, in nighttime and on especially hard manual tasks, work underground or underwater, etc.
Working hours	Full working hours amount to 40 hours per week and it can be allocated to max. six working days.
Overtime work	Overtime work (up to 8 hours per week) is allowed in case of a sudden increase in the scope of

³ Source: <https://www.apminebanconvention.org/states-parties-to-the-convention/bosnia-and-herzegovina/>

⁴ "Official Gazette of FBiH", No. 29/16, 89/18, 23/20-decision of the Constitutional Court, 49/21-other law, 103/21-other law, and 44/22

⁵ "Official Gazette of FBiH", No. 30/97, 7/02, 70/08, 48/11, 100/14 and 36/18

⁶ "Official Gazette of FBiH", No. 49/21

	<p>work and cases of force majeure.</p> <p>Overtime work shall not be allowed to workers who are minors, pregnant women, or mothers i.e. adoptive parents of a child up to three years of age, as well as to single parents, single adoptive parents, and persons to whom, based on a decision of a competent authority, a child had been entrusted to keep and raise, up to six years of age of the child.</p> <p>Workers shall be entitled to increased salary for overtime work.</p>
Nighttime work	<p>Working during the hours between 10:00 p.m. and 6:00 in the morning of the next day shall be deemed nighttime work.</p> <p>Nighttime work shall be prohibited to pregnant women starting from the sixth month of pregnancy, mothers and adoptive parents, as well as persons to whom, based on a decision of a competent authority, a child had been entrusted to keep and raise, up to two years of age of the child. Nighttime work of workers who are minors shall also be prohibited.</p> <p>Workers shall be entitled to an increase in salary for nighttime work.</p>
Rest during working hours	For working longer than 6 hours a day, a worker shall be entitled to rest for at least 30 minutes.
Daily rest	A worker shall be entitled to rest between two consecutive working days (daily rest) for at least 12 hours, uninterrupted.
Weekly rest	A worker shall be entitled to weekly rest for at least 24 hours without interruptions.
Annual vacation	For each calendar year, a worker shall be entitled to paid annual vacation in 20 working days at least, and 30 working days at most. The right to annual vacation shall be acquired after 6 months of uninterrupted working. Annual vacation shall be used in two parts, wherein the first part shall last at least 12 days, and the second part needs to be used by June 30 th of next year.
Workers' grievance mechanism	<p>A worker who believes that his employer has violated any of the rights from his labor relation may request the employer to exercise that right within the deadline of 30 days from the date of delivery of the decision under which his right had been violated, i.e. from the date of gaining the knowledge of the violation of the right.</p> <p>Before filing a lawsuit, the employer and employee can agree on a peaceful settlement of the dispute. Conciliation is not a mandatory form of resolving labor disputes but is left as a possibility. If the conciliation procedure is not completed within a reasonable period, no longer than 30 days, or in the case of unsuccessful conciliation, the parties to the dispute may submit a lawsuit to the competent court, within the time limits that run from the day the conciliation procedure is completed.</p>
Freedom of association	Workers may freely form, become members in, or leave a trade union based on their own free choice without any prior approval, and cannot be discriminated against based on their membership or lack of in such an organization. Employers are prohibited from interfering in the establishment, functioning, and provision of assistance with intent to control such a trade union.
Safety and health at work	<p>When a worker enters a labor relationship the employer shall be under obligation to facilitate the worker to get acquainted with regulations on labor relations and regulations on safety and health at work and shall be under obligation to acquaint him with the organization of work.</p> <p>Workers are entitled and are under obligation to use all measures of protection envisaged under regulations on safety and health at work and other current regulations.</p>

5. OVERVIEW OF LABOR LEGISLATION: OCCUPATIONAL HEALTH AND SAFETY

5.1. Legislation on Protection and Safety at Work in FBiH

In Bosnia and Herzegovina, legislation regarding workplace protection and safety falls under the jurisdiction of the entities. The following text offers an overview of the Work Safety Law of FBiH⁷.

Key Law Aspects	Provisions of the FBiH Law on Protection at Work
Employers obligations	<p>Employers are under obligation to:</p> <ul style="list-style-type: none"> organize safety and health protection tasks at work perform a risk assessment for each workplace and determine jobs with increased risk, in the manner and under the conditions established by the law enable the worker to familiarize himself with safety and protection measures at work before starting work adopt an internal act on occupational safety inform workers, the trade union, and the commissioner for occupational safety about the

⁷ "Official Gazette of FBiH", No. 79/20

	<p>introduction of new technologies and means of work, as well as dangers and harms to workers' health, and issue instructions for safe work</p> <ul style="list-style-type: none"> • ensure that the planning and introduction of new technologies are subject to consultation with workers and/or their occupational safety commissioner regarding the consequences for safety and health caused by the choice of equipment, working conditions, and working environment • train workers for safe work • perform the test of workers' practical and theoretical capacities periodically • provide workers with PPE and their use • ensure periodic medical examinations of workers who work in jobs where there are increased health risks and undertake measures to prevent the occurrence of disability and occupational diseases of workers • ensure periodic inspections of work equipment and PPE at work, following technical standards • ensure periodic inspections and tests of physical, chemical, and biological hazards and microclimate in the working environment • ensure periodic inspections and tests of work equipment, work and auxiliary premises, and PPE, which are not subject to mandatory periodic inspections and tests, in a manner, according to the procedure and within the deadlines established by the general act • implement fire protection measures following special regulations • implement measures to ensure first aid • improve safety and health protection at work • inform the competent labor inspectorate about any death, accident that befell one or more workers, serious injury, occupational disease, any occurrence or illness affecting more than one worker, and any occurrence that could endanger the life or health of workers at work • inform the competent inspection about the start and completion of works on construction, assembly, replacement of equipment, overhaul, and reconstruction of buildings.
Workers obligations	<p>Workers are under obligation to:</p> <ul style="list-style-type: none"> • to comply with the rules of safety and health protection at work in the sense of the law • to properly use means of work and equipment, hazardous materials, and other means of production per the manufacturer's instructions and the instructions for safe work provided by the employer • to properly use the PPE assigned to them and to return them to the place where they are kept after use • immediately notify the employer and/or occupational safety worker of any occurrence at work that there is a justified suspicion of posing a safety and health hazard, as well as deficiencies in safety procedures • inform the person responsible for that workplace and/or the employer about the injuries they sustained • cooperate with the employer and/or occupational safety worker in the implementation of measures or requests ordered by the labor inspector • cooperate with the employer and/or occupational safety worker in the implementation of measures that will ensure that the working environment and working conditions are safe and do not pose a risk to safety and health within their workplace • perform periodical medical examinations at the times requested by the employer • provide all data and information requested by labor inspectors
Participation in trade unions	<p>The trade union participates in organizing and improving the safety and health protection of workers at work under the law, and regulations adopted based on the law.</p> <p>The employer is obliged to report to the trade union at least twice a year about safety and health risks, as well as the measures he has taken and will take to improve safety and health protection.</p>
Records on protection at work	<p>Employers shall be under obligation to keep records of the following:</p> <ul style="list-style-type: none"> • workers at workplaces with increased risk, • workplaces with increased risk, • hazardous substances used during work, • check the knowledge of workers in the field of safety and health protection at work, • performed inspections and tests of the working environment and work equipment, • injuries at work, occupational diseases, deaths, and their causes, • medical examinations of workers.
Protection of vulnerable groups	<p>The employer is obliged to organize the workplace in such a way that it takes care of the presence of groups that are vulnerable to certain risks.</p> <p>Groups particularly vulnerable to risks, such as pregnant women, women who gave birth or nursing mothers, minors, persons with disabilities, as well as workers with altered working capacity in the sense of regulations on pension and disability insurance, must protect themselves</p>

	<p>from the dangers that particularly affect them, by the law, other regulations, the collective agreement and the general act of the employer.</p> <p>It is forbidden for pregnant women, women who gave birth, and nursing mothers to work in jobs where there is a risk of exposure to dangerous substances, chemical, physical, and biological agents, harmful radiation, and microclimatic influences, i.e. in jobs with difficult working conditions, as well as especially difficult and dangerous jobs where there is a risk for their physical and mental health.</p> <p>Minors are prohibited from working in jobs that may endanger their health and development.</p> <p>A worker with an altered working capacity may not perform tasks where there is a risk of reducing the remaining working capacity.</p>
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Labor laws in Bosnia and Herzegovina are implemented through a variety of decrees, regulations, and guidelines enacted by the Federal Ministry of Labor and Social Policy. These regulations aim to ensure effective labor practices, working conditions, and occupational health and safety (OHS) inspections nationwide. The primary objective of these inspections is to reduce the prevalence of informal labor and enhance workplace health and safety standards. Remedial actions for identified non-compliance issues range from monetary penalties to legal prosecution, with the most severe cases potentially leading to operational restrictions or business bans as determined by the court. The institutional capacity to address the project's labor-related risks and working conditions is deemed sufficient. Similar projects, backed by the World Bank have been previously executed with favorable outcomes in terms of social performance. Clear delineation of responsibilities among relevant institutions assures that mechanisms for law enforcement are in place.

6. RESPONSIBLE STAFF

The Supervision Engineer (SE) bears responsibility for overseeing and coordinating the implementation of the Project, including monitoring and reporting monthly to the PIMT. Specifically, the SE is tasked with implementing and supervising the Labor Management Procedure (LMP) and seeing to the adherence of the Project Contractor.

Regarding the LMP, the PIMT's responsibilities encompass:

- Monitoring and supervising the procedure implementation by the Supervision Engineer and contractor.
- Updating the Procedure as needed during project preparation, development, and implementation, or in response to changes in national legislation.
- Engaging and managing any external consultants hired for the project.
- Establishing and maintaining Workers' Grievance Mechanisms (GM) per the LMP requirements at the Project level.

For each sub-project, the Supervision Engineer (external) engaged by the PIMT will oversee labor and safety performance, reporting to them monthly on contractors' performance. He will be tasked with ensuring contractors and subcontractors comply with the requirements of the Procedure, particularly concerning contracted workers.

Contractors are obligated to:

- Ensure compliance of their policies and procedures with the national labor and occupational health and safety legislation.
- Adhere to the LMP, including establishing and maintaining grievance management mechanisms in line with LMP requirements.
- Develop an Occupational Health and Safety Plan for contracted workers.
- Communicate job descriptions and employment conditions to contracted workers.

- Ensure contracted workers are familiarized with employment terms, the Code of Conduct, and the SEA/SH Code of Conduct before commencing work.
- Provide training to contracted workers (health and safety, SEA/SH awareness, etc.) and maintain training records.
- Supervise subcontractors' adherence to labor management procedures and Occupational Health and Safety Plans.

Contracts with contractors must include provisions ensuring compliance with current labor and workplace protection legislation and the establishment of workers' grievance mechanisms.

7. POLICIES AND PROCEDURES

The policies and procedures implemented for this Project aim to accomplish the objectives of WB ESS2 while ensuring full adherence to FBiH Labor Law. Key policies and procedures on employment-related labor matters during the project's execution include:

- Upholding principles of fair treatment, non-discrimination, and equal opportunities for all project workers.
- Employment decisions will not consider factors such as gender, language, age, pregnancy, health condition, ethnic origin, religion, marital status, sexual orientation, political beliefs, financial status, social background, or membership in political organizations or trade unions.
- Employment of individuals aged 18 and above is permitted. For individuals aged 15 to 18, adherence to legal obligations, such as obtaining consent from a legal representative and providing a medical certificate, is mandatory. These employees cannot engage in overnight work or strenuous tasks.
- Clear job descriptions will precede recruitment, outlining the requisite skills for each position.
- Written contracts detailing the terms and conditions of employment, including registration for pension, disability, health, and unemployment insurance, will be provided. Contracts will be drafted in a language understandable to both parties based on their origin.
- Contracted workers will not bear any hiring fees; such expenses will be covered by the employer.
- Contracts will include all mandatory provisions of FBiH Labor Law and additional clauses to meet the requirements of this LMP and WB ESS2.
- Workers are entitled to regular salaries and compensation for absences or specific work conditions (night shifts, overtime, etc.).
- Rest periods during working hours, daily rest, weekly rest, and annual vacations will be granted following legal provisions.
- Working hours will not exceed 40 hours per week, with a maximum of 8 hours of overtime per week in FBiH. Overtime work will be compensated with increased wages.
- Contracted workers retain the right to join trade unions or other worker organizations.
- Workers are entitled to fair treatment and protection from harassment, including sexual harassment and abuse.
- A grievance mechanism will be established to allow project workers to report concerns, free from language and cultural barriers.
- Compliance with statutory deadlines and conditions for notices, ensuring written notices with explanations are provided, and a notice period of no less than 14 days is maintained.
- Child labor and forced labor are strictly prohibited under this Project.

The ensuing policies and procedures concerning Occupational Health and Safety (OHS) will be adhered to:

- Workers will receive orientation on safety and health regulations at the workplace.
- Before commencing any activities, a comprehensive risk assessment procedure will be conducted to ensure a safe workplace.
- A policy allowing workers to refuse unsafe work will be enforced.
- Protective measures will be implemented for jobs posing increased risks to injury and health, with corresponding training organized for workers in such roles.
- Records of workers engaged in high-risk tasks will be maintained.
- Personal Protective Equipment (PPE) appropriate to the task will be provided to workers at no cost.
- Compliance with mandatory PPE usage procedures and training following OHS laws.
- An emergency response procedure will be developed.
- Contractors will designate OHS personnel responsible for overseeing the OHS program's implementation.
- Provision of necessary equipment, adequate workspace, and suitable accommodation arrangements meeting hygiene standards, including separate facilities for men and women, will be ensured.
- On-site first aid services will be available.
- Danger and general warning signs will be prominently displayed at workplaces and on equipment, as per regulations.
- Access to the construction site will be restricted to authorized personnel only.
- New hires will undergo induction OHS training before accessing the construction site.
- Contractors will formulate and enforce a Code of Conduct reflecting company values and working culture, subject to review and approval by the Supervision Consultant.
- Preparation of an Occupational Health and Safety (OHS) management plan will be mandatory for contractors.
- Periodic reporting on labor performance, occupational health and safety matters, incidents, and accidents will be required from contractors. This information will be incorporated into the construction contractor's monthly report, and reviewed by the Construction Supervisor.

The Project Implementation and Management Team (PIMT) will enhance the bidding documents by incorporating specific Occupational Health and Safety (OHS) standard requirements that all contractors and subcontractors must adhere to throughout the project. These standards will align with local regulations, World Bank Group (WBG) Environmental, Health, and Safety (EHS) guidelines (both general and industry-specific) and Good International and Industry Practices (GIIP). The following OHS standard requirements will be mandated as a minimum:

- Implementation of a comprehensive Risk Assessment Procedure.
- Issuance of work permits for hazardous tasks, such as working at heights, performing hot work, working on energized lines, and working within confined spaces.
- Adherence to Golden Rules for life-threatening tasks.
- Establishment of an Emergency Response Procedure.
- Implementation of measures for fall prevention and safe working at heights.
- Ensuring safety in excavations, ladder and scaffolding usage, welding and cutting operations, crane, derrick, and forklift operations, as well as safety measures for power and hand tools.
- Prevention of respiratory issues due to chemical and airborne hazards (including dust, silica, and asbestos exposure), along with ensuring electrical safety through hazardous energy

control, lockout/tag-out procedures, energy verification, safe distance work practices, proper wiring and design protection, grounding, circuit protection, arc fault protection, utilization of Personal Protective Equipment (PPE), and dielectric tools. Additionally, hazard communication, noise and vibration safety, steel erection safety, fire safety, material handling safety, and concrete and masonry safety will be addressed.

- Provision of appropriate Construction Personal Protective Equipment (PPE).
- Mandatory Occupational Health and Safety (OHS) training for all workers.
- Implementation of a policy allowing workers to refuse unsafe work.

The Project Implementation and Management Team (PIMT) is required to promptly notify the Bank within 48 hours of any incident or accident associated with the project that has or is likely to have, a significant adverse impact on the environment, affected communities, the public, or workers (including labor, health, safety, or security incidents, accidents, or circumstances). This notification must be made no later than three calendar days after the event occurs. Such incidents may encompass strikes or labor protests, serious worker injuries or fatalities, and project-related injuries to community members or property damage. The PIMT will then compile a detailed report on the incident and the corrective measures taken, submitting it to the Bank within 30 calendar days of the event.

The Construction Supervisor will conduct regular monitoring of contractors' Occupational Health and Safety (OHS) performance, including site visits, monthly at minimum. These inspections will assess compliance with the aforementioned standards, document accidents, identify violations of Golden Rules, provide recommendations, and track the progress of ongoing corrective actions. The PC Roads FBiH will stipulate in the contract(s) the requirement for contractors to report on various issues, including accident rates, near misses, severity rates, recurring non-compliance incidents, violations of Golden Rules, fatalities, serious injuries, and the penalties for non-compliance. Additionally, the Construction Supervisor will review and approve contractors' safety plans and procedures.

Contractors are obligated to utilize the recommended format provided in Annex 1 of the Labor Management Plan for preparing reports on labor and OHS issues, ensuring compliance with the Conditions of Work under WB ESS2.

8. AGE OF EMPLOYMENT

In the Federation of Bosnia and Herzegovina (FBiH), the minimum age for employment is 18 years old. However, in exceptional circumstances, a labor contract may be entered into with an individual aged 15 to 18, provided they meet specific criteria:

- Obtaining consent from their legal guardian.
- Presenting a health certificate demonstrating the individual's capability to work.
- Ensuring that the tasks assigned do not endanger the minor's life, health, development, or ethical well-being.

Employers hiring workers aged 15 to 18 are required to maintain a register of such employees. During the recruitment process, candidates must provide documentation verifying their age, including:

- A birth certificate and/or health insurance card.
- A written declaration of their age.
- Personal identification card or passport.
- School certificate.

Each labor position's requirements and minimum age will be clearly outlined during the recruitment process, with particular attention to ensuring individuals under 18 are not assigned tasks that could pose psychological or physical risks.

Should it be discovered that a minor is engaged in project activities, the Supervision Engineer is obligated to report the matter to the appropriate labor inspectorate.

9. TERMS AND CONDITIONS

Employers, both direct and contracted workers, are mandated to provide clear and comprehensible information and documentation regarding employment conditions, adhering to FBiH labor laws. The terms and conditions for project workers must meet certain standards, including:

- Ensuring clarity regarding job responsibilities and compensation in advance.
- Guaranteeing regular payment, either monthly or upon completion of specific tasks as agreed upon in the contract.
- Limiting daily work hours to 8 or fewer, with overtime compensation provided.
- Compensating for overtime work, with a maximum daily work limit of 12 hours.
- Ensuring a minimum daily rest period of 12 hours and a weekly rest period of at least 24 consecutive hours.
- Ensuring that average weekly work hours over six months do not exceed 40 hours.
- Providing entitlements to annual, sick, maternity, and family leave as per national legislation. Where such entitlements are not specified, the employer will grant leave upon request, considering the circumstances.
- Specifying that employment contracts or engagement agreements, except for permanent positions, end on their expiry date, with a 15-day advance notice required for early termination.
- Assessing job-related risks and implementing preventive measures for a safe and healthy work environment, as mandated by national legislation.
- Establishing mechanisms to prevent discrimination, harassment, sexual harassment, and abuse at work, ensuring equal treatment and opportunities for all.
- Upholding the right of project workers to join unions or other organizations of their choice and engage in collective bargaining, without interference from the employer.
- Providing project workers with a grievance mechanism through which they can address their concerns.

10. GRIEVANCE MECHANISM

The Law on Peaceful Settlement of Labor Disputes⁸ allows for resolving both individual and collective grievances and claims arising from employment relationships and work situations through mediation and arbitration, thus avoiding recourse to the judiciary.

The Law on Prohibition of Discrimination in BiH⁹ outlines clear procedures to address discriminatory actions, unjust treatment, or non-compliance with the law.

⁸ "Official Gazette of FBiH", No. 49/21

⁹ "Official Gazette of BiH", No. 59/09, 66/16

These mechanisms, as stipulated by BiH and FBiH legislation, serve as the minimum standard for addressing labor dissatisfaction and perceived maltreatment.

Following WB ESS2, a grievance mechanism (GM) must be provided for all direct and contracted workers to address workplace concerns promptly and effectively.

For direct workers employed or engaged by PC Roads FBiH, a dedicated grievance mechanism will be established within these units to address workplace concerns transparently, confidentially, and without fear of retribution. Workers will be informed of this mechanism upon employment or engagement.

Any third party engaging contracted workers must establish a workplace dispute resolution mechanism compliant with this LMP, WB ESS2 and national law¹⁰, or confirm the existence of such a mechanism before signing a contract. The Supervision Engineer will monitor grievance recording and resolution, reporting to PIMT in monthly progress reports.

An effective grievance mechanism includes a grievance registry and clear communication of its existence to all workers. It should be independent, and objective, and adhere to prescribed deadlines under FBiH Labor Law.

Key elements of the grievance mechanism include simplicity of procedure, confidentiality, reasonable timeframes, equal treatment of anonymous grievances, right to accompaniment, seriousness of management in addressing grievances, and the option for a second-instance grievance if the worker is unsatisfied with the solution¹¹.

The grievance mechanism should not hinder access to other legal remedies or replace mechanisms outlined in collective agreements.

10.1. Worker GM structure

The Workers' GM for the Project will be comprised of two tiers:

- The first tier – Workers' Grievance Committee (WGC) GRM management (PC Roads FBiH)
- The second tier – the Workers' Central Grievance Committee (WCGC) established and administered by the Federal Ministry of Transport and Communication.

The Workers' Grievance Mechanism (WGM) is tasked with receiving and addressing grievances and comments from:

- Direct workers, such as external consultants, employed or engaged by PC Roads FBiH.
- Contracted workers engaged by third parties (contractors), in cases where they are dissatisfied with the resolution provided by the Workers' GM established by the contractors.
- Primary supply workers engaged by third parties (primary suppliers), in cases where they are dissatisfied with the resolution provided by the Workers' GM established by the primary suppliers.

Grievance Submission:

¹⁰ The FBiH law enables workers to submit written complaints to their employers within a set period (30 days). However, this mechanism is not fully established in the laws, and therefore cannot be considered to be in full compliance with the requirements of the WB. Namely, it is not clearly defined that information on the grievance mechanism need to be accessible to all workers in a clear and understandable manner – the employers are not required to inform their workers of the existence of such a mechanism. Furthermore, there are no defined measures to protect workers against any type of retaliation (through, for example, allowing for the possibility of filing anonymous complaints). There is also no obligation to keep records on grievances.

¹¹ In accordance with the Law on Peaceful Settlement of Labor Disputes of the FBiH ("Official Gazette of FBiH", No. 49/21), the second instance resolution of labor disputes refers to the peaceful resolution of disputes (mediation).

Any grievance can be submitted to the Workers' GM personally, by telephone, or in writing using a grievance form. Grievances may be submitted anonymously. Details on submission points will be publicized and included in awareness-building efforts. A sample grievance form is provided in Annex 2 of this LMP.

Grievance Handling:

Grievances will be processed at the first-tier grievance level (WGCs). The process includes receiving, assessing, assigning, acknowledging, investigating, responding, following up, and closing out grievances. Upon receipt, the Workers' GM will conduct a rapid assessment within 3 days to determine severity and acknowledge receipt to the grievant. Investigations will be completed, and decisions communicated within 15 days of receipt. If unresolved, grievances may be appealed to the second-tier grievance level (WCGC). If and when a grievance is submitted anonymously the method of communicating the response to the grievant will be through Public Posting (bulletin board, company website) this will ensure that the information is available to everyone, including the person who submitted the grievance.

Appeals Process:

The WCGC will acknowledge receipt of appeals within 3 days and issue a final decision within 5 days. The decision will include a detailed explanation of the resolution process and guidance for further action if the grievant remains unsatisfied. If necessary, unresolved grievances may be pursued through formal judicial procedures provided by FBiH law.

Workers' Grievance Log:

The PC Roads FBiH will maintain a Central Workers' Grievance Log to track grievances received through all admission channels. Each grievance will be assigned a unique reference number and tracked until closure. The log will include details such as the grievant's name, location, submission, and acknowledgment dates, proposed corrective actions, implementation verification, and closure date.

Grievance Admission Channels:

Until the Workers' GM is established, grievances can be directed to the PC Roads FBiH at the provided address, phone, fax, email, or website. Details on admission points for each WGC will be disclosed on the PC Roads FBiH websites.

The following avenue will be used until the above Workers' GM is established:

Attention: PIMT, Workers' Grievance Mechanism
Address: Terezija br. 54, 71000 Sarajevo
Phone: +387 33 250 370; Fax: +387 33 250 400
E-mail: info@jpcfbih.ba
<https://jpdcfbh.ba/bs/kontakt>

Monitoring and Reporting:

WGCs will collect, analyze, and report grievances, while the WCGC will manage unresolved grievances and disclose reports. The E&S Specialist will submit monitoring reports to the WB, including updates on Workers' GM implementation, grievance data, response measures, and corrective actions taken. The timestamps in which the reports will be submitted will be later defined by the agreement between PC roads FBiH and the WB.

Table 1 Summary of complaints and requests

Serial number	Method of the due date of complaint	Project	Date of receipt	Complaint type	Complaint description	Applicant		Date of confirmation of receipt	Description of actions taken	Date of resolution
						Age	Gender			

11. CONTRACTOR MANAGEMENT

PC Roads FBiH will utilize the World Bank's 2017 Standard Procurement Documents for soliciting and contracting, which encompass labor, occupational health, and safety requirements. They may refer to or include this LMP as an Appendix to the Tender documents.

They will verify that contractors are legitimate and dependable entities and that their written labor procedures comply with this Procedure. During the selection process, they may assess various information sources including public records, business licenses, and labor management system documents.

Throughout contract implementation, the following aspects will be reviewed:

- Identification and qualifications of labor management, safety, and health personnel.
- Workers' certifications, permits, and training.
- Records of safety and health violations, accidents, and fatalities.
- Compliance with legally mandated worker benefits and payroll records.
- Previous contracts with inclusion of WB ESS2 provisions.

Contracts with contractors must mandate compliance with relevant labor and OHS legislation, along with establishing a grievance mechanism if not already in place, as outlined in this LMP. Non-compliance remedies such as contract termination may be included.

PC Roads FBiH may request additional documentation from contractors, including written labor policies, labor inspection reports, and OHS records. Contractors must submit Reports on Compliance with Conditions of Work with WB ESS2 monthly to the Supervision Engineer and the PIMT.

The Supervision Engineer will oversee contractors' performance concerning contracted workers, focusing on contractual compliance. This may involve audits, inspections, or spot checks of project sites and labor management records, including employment contracts, grievance resolution, safety inspections, and training records.

12. PRIMARY SUPPLIERS

Primary suppliers must ensure that they have adequate management systems and controls in place to comply with national laws and the requirements of WB ESS1 and ESS2, particularly concerning child labor, forced labor, and safety issues.

When purchasing materials from primary suppliers, contractors must ensure that these suppliers assess the risk of child labor, forced labor, and serious safety issues in their production processes. If any risks are identified, the PIMT will require the primary suppliers to take appropriate corrective actions, which will be monitored periodically. If these measures prove ineffective, the project's

primary suppliers may be replaced within a reasonable timeframe by suppliers demonstrating compliance with relevant requirements.

Third parties will be obliged, through the provisions of the ESMF, to ensure that their suppliers and subcontractors comply with national laws and adequately train their employees on legal requirements. The PC Roads FBiH retains the right to verify compliance through various mechanisms, including self-assessments, surveys, site visits, or audits. Detailed records must be maintained to demonstrate compliance and access to premises must be granted to authorized representatives of the PC Roads FBiH and/or the Supervision Engineer.

As the project progresses, the LMP will be updated to include expanded and updated procedures for managing labor and working condition risks associated with primary suppliers. These updates will be based on assessments and findings, with detailed procedures included in the revised document.

ANNEX 1: Format for Report on Compliance with Conditions of Work with ESS2 Engaging Contracted Workers

Assignment name:
Contract ref. No:
Contract period: Start date (M/D/Y) End date (M/D/Y)
Contractor/Service Supplier:
Reported period:
Date of report:
Signature of authorized person:

AND WORKING CONDITIONS COMPLIANCE REPORT

Company employees¹² statistics:

Total number of employee's gender disaggregated¹³: M _____ F _____

Number of employees with an employment contract out of a total number of employees

Number of employees without an employment contract out of a total number of employees

Number of employees with access to social security, pension, and health insurance out of a total number of employees

Number of employees who receive wages/salaries at least once a month out of a total number of employees

Number of employees who left the company in the reported period out of total number of employees

Number of employees hired in the reported period

Number of hours worked per employee (monthly average)

Total overtime (monthly average per employee)

- Number of injuries at work (in the reporting period and cumulative since contract start) out of total no. of employees
- Number of fatalities at work (in the reporting period and cumulative) out of total no. of employees
- Number of reported violence out of total no. of employees
- Number of reported harassment/ abuses out of total no. of employees

Availability of an accessible and functioning employee grievance mechanism (Y/N)

Number of grievances raised with the GM (in the reporting period and cumulative since contract start)

Number of grievances resolved by GM (in the reporting period and cumulative since contract start)

Number of lawsuits filed about labor, employment, and OHS issues

Number of disputes brought to peaceful settlement/ voluntary arbitration procedure

Number of visits by labor/ OHS inspection

Project workers statistics:

- Total number of project workers¹⁴:
- Number of project workers with an employment contract:
- Number of project workers without an employment contract:
- Number of project workers with access to social security, pension, and health insurance verified by confirmation from the registry:

Working and Labor Conditions Screening Checklist

¹² The employee is any natural person employed or engaged to work or perform service for the employer

¹³ The number of employees refers to the actual number/headcount on the date of the report

¹⁴ The worker is any natural person employed or engaged by the employer who work specifically on this project

	Terms and conditions	Yes / No	Notes
1	All project workers have an employment contract or engagement agreement in writing.	Yes No	If “No” please specify and explain
2	All project workers are paid at least once a month	Yes No	If “No” please specify and explain
3	All project workers worked 8 hours a day, 40 hours a week	Yes No	If “No” please explain and specify the hours worked
4	All project workers had regular daily and weekly rest	Yes No	If “No” please specify and explain
5	Several project workers were terminated from employment with termination in line with national labor law, WB ESS2	Yes No	If “Yes” please specify number and explain the conditions of termination
6	Some project workers attended OHS-related training program	Yes No	If “Yes” please specify number and explain
7	Project workers were granted leaves they are entitled to	Yes No	If “Yes” Please specify the type and number of leaves
8	Project workers were involved in accidents at work resulting in injuries or fatalities	Yes No	If “Yes” please specify and explain
9	Project workers reported cases of discrimination, harassment, sexual harassment, or non-compliance with law	Yes No	If “Yes” please specify and explain
10	Project workers raised grievances or started voluntary arbitration / legal proceedings to settle a dispute	Yes No	If “Yes” please specify and explain
11	In the reported period there were some incidents of noncompliance with the LMP	Yes No	If “Yes” please specify and explain

ANNEX 2: Workers' Grievance Form

Protocol Number	
Full name (<i>optional</i>)	
Contact Info We urge you to check the box in which way you want to be contacted	<input type="checkbox"/> By post (Address): <hr/> <input type="checkbox"/> By phone: <hr/> <input type="checkbox"/> By e-mail: <hr/>
Preferred language	<input type="checkbox"/> Bosnian/Croatian/Serbian <input type="checkbox"/> English
Grievance description	What happened? Where did it happen? Who did it? What was the result?
Date of grievance and the number of times it occurred	
<input type="checkbox"/> One time (date: _____) <input type="checkbox"/> It happened more than once (How many times did it happen? ____) <input type="checkbox"/> Ongoing (It happened recently)	
Preferred outcome?	