



GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

MINISTRY OF LOCAL GOVERNMENT RURAL DEVELOPMENT AND COOPERATIVES

LOCAL GOVERNMENT ENGINEERING DEPARTMENT

Program for Supporting Rural Bridges (SupRB)

TERMS OF REFERENCE (TOR)

FOR

**SELECTION OF FIRMS FOR MONITORING & TRAINING ON
OCCUPATIONAL HEALTH AND SAFETY (OHS), LABOUR
INFLUX**

(Package No.: SD 35)

July, 2020



Terms of Reference (TOR)

For

FIRM for Monitoring & Training on Occupational Health and Safety (OHS) & Labour Influx

Background

About the Program

Government of Bangladesh (GOB) has received financial assistance from the International Development Association (IDA), a member of World Bank Group (WBG), for ‘Program for Supporting Rural Bridges (SupRB)’, which will be implemented by the Local Government Engineering Department (LGED) under Local Government Division (LGD) of the Ministry of Local Government, Rural Development and Co-operatives (M/o LGRD&C).

The program development objective (PDO) covers three corner-stones, namely, to enhance rural connectivity, to improve the preservation and climate resilience of rural bridge assets, and to strengthen institutional capacity for the development, maintenance and management of rural bridge assets.

The proposed Program will cover 61 districts of Bangladesh excluding 3 hilly districts (Rangamati, Bandarban and Khagrachari).

The Program will support:

- a) Bridges on Upazila Roads (UZRs) and Union Roads (UNRs) only;
- b) Minor and major maintenance, rehabilitation, capacity expansion (of narrow bridges that have been constraining the smooth functioning of the UZR and UNR networks, including the safe vehicle operations), and replacement of bridges (that have surpassed their service lives or have been assessed to be unsafe for vehicle operations); and
- c) New construction of short- to medium-length new bridges, which are vital for improving rural connectivity, but are not financed by the LGED’s existing projects.

Definition of Key Terms

Occupational Health and Safety (OHS)

Occupational Safety means the freedom from unacceptable risk of personal harm from, or in relation to, employment, i.e. the avoidance of accidents and incidents during the time of employment and working hours. Occupational Health means the physical and mental wellbeing of a person and the freedom from any illness caused from, or in relation to, working conditions during the time of employment and working hours.

Labor Influx

According to the 2016 Labor Influx Guidance Note - World Bank, “Bank-financed investment projects often involve construction of civil works for which the required labor force and associated goods and services cannot be fully supplied locally for a number of reasons, among them worker unavailability and lack of technical skills and capacity. In such cases, the labor force (total or partial) needs to be brought in from outside the project area. In many cases, this influx is compounded by an influx of other people (“followers”) who follow the incoming workforce with the aim of selling them goods and services, or in pursuit of job or business opportunities. The rapid migration to and settlement of workers and followers in the project area is called labor influx, and under certain



Conditions, it can affect project areas negatively in terms of public infrastructure, utilities, housing, sustainable resource management and social dynamics.”

Objective of the Services

- To promote awareness of safety issues and develop a collaborative relationship between management and workers to identify and resolve health and safety problems;
- To assist the contractor in managing labor influx through execution of Labor Management Plan (LMP)/labor management measures and maintaining a safe working environment;

Nature and Purpose of Services

Ensuring worker's safety at construction sites is the lowest priority in Bangladesh. Construction site accidents are widely reported in the local media. Standard contract documents have clauses on ensuring OHS at worksites. However, the enforcement is, almost, nonexistent. The Program plans to tackle OHS issues at bridge construction sites comprehensively and strengthening LGED capacity, quality infrastructure and new decent jobs creation. This program will become a significant employer in the construction industry creating long-term employment through maintenance. Introduction of OHS is expected to have a significant impact in creating decent work in the rural areas of Bangladesh.

The Program will maintain and construct rural bridges and will involve simultaneous execution of small- to medium-size contracts in rural areas. It is expected that an overwhelming majority of contractors will be local and they will engage local laborers. This will mitigate against many of the labor influx risks. However, in some cases, especially in the case of medium-size contracts, it is expected that the contractors will engage non-local laborers, especially the skilled laborers. This might have some labor influx impacts which need to be addressed and tackled. For proper labor management, the Program has mandated the preparation and submission of “Labor Management Plan” (LMP) for the scheme with estimated cost equal or above 4 crore and labor management measures in the Environmental and Social Management Plan (ESMP) for scheme with estimated cost less than 4 crore for the contractor in the contract document. The contractor will need assistance in preparation and execution of these provisions. Also, it is to be noted that Sexual Exploitation and Abuse (SEA) risks may be increased due to the spare cash available to the local laborers, especially the younger ones, combined with the prevailing adverse situation regarding violence against women and girls.

Scope of Services

OHS:

The Scope of Services include providing technical support in maintaining two areas in the Program, namely development efforts relating to:

- a) **Decent work and occupational health and safety-** develop OHS policy and guidelines for LGED roads and bridges, incorporate OHS norms and specification and in contract documents, develop standard operating procedures, OHS capacity building, ensuring development and implementation of Labor Management Plan (LMP)/labor management measures; development of training and awareness materials, site monitoring reporting and providing hands-on support to LGED at implementation level, national and international trainings and fellowships to LGED staff.
- b) **Livelihood enhancement-** forming Bridge Labour Contracting Societies (BLCS), targeting at ethnic minority and destitute sections of society- comprising of 80% women for bridge maintenance. Trainings on bridge maintenance, occupational health and safety and leadership, income generation and savings including linkages to financial institutions will be provided to BLCS- with the overall object to enhance sustainable livelihoods. Hands on approach will be adopted by the FIRM in providing support and monitoring performance of day to day maintenance and promoting decent works.



To achieve these, the team will-

c) Ensure OHS through-

1. Reviewing relevant legislation and make recommendations concerning how it can be made more precise and mutually reinforcing about institutional roles and responsibilities and authority and produce a gap analysis report with recommendations for action and formulate OHS policy for LGED.
2. Developing a resource budget to implement the recommendations for action and provide guidance on the implementation of the recommendations with an associated budget.
3. Presenting a final report to management indicating the agreed outputs. This report is to be submitted at least two (2) weeks following the completion of the consultancy.
4. Producing the OHS standards and a code of practice.
5. Proposing mechanisms for the collection, storage and analysis of valid OHS data.
6. Ensuring proper inspection, monitoring and vigilance in workplaces.
7. Establishing occupational disease surveillance.
8. Establishing national and regional accident and occupational disease database.
9. Introducing Safety Audit. There is provision of proper accident recording and investigating system. There is effective system of registration and notification of safety violation. Near miss incidents, minor accidents and risks are recorded, investigated and analyzed by proper authorities.
10. Developing active data collection system.
11. Developing a monitoring and auditing protocol and supervising and monitor the compliance of OHS during construction.

d) Assist the contractor in addressing labor influx and managing labor through-

1. Assisting the contractor in inclusion of labor influx risk mitigation conditions within the contract.
2. Assisting the contractor in preparing Labor Management Plan (LMP)/Labor Management measures for the scheme.
3. Training the contractor on executing the LMP/labor management measures.
4. Assisting contractor in making provisions of barring unlawful engagement of child laborers and engaging child laborers for activities that are only allowed under the local law and ILO Convention.

e) Conduct capacity building activities through-

1. Organizing formal training program for LGED Engineers and all categories of staffs related to work supervision for capacity building in OHS and proper enforcement of laws related to OHS.
2. Arrangement of regular programs on health education, education about safety through different publication, demonstration & appraisal.
3. Creating awareness among laborers as well as beneficiaries about labor management as well as provision of barring unlawful engagement of child laborers.
4. Forming Bridge Labour Contracting Societies (BLCS) and provide them with necessary trainings.
5. The following Programs are undertaken by the management on regular basis to create awareness among the Worker through their full participation-
 - Routine briefing, special briefing on specific issue or topic
 - Training on safe operation of machinery as well as personal safety
 - Safety week observation
 - Safety slogans
 - Publishing booklet, leaflet, poster etc. in simple language and with clear pictorial presentation are produced
 - Cap, key ring, T-shirt, etc. are provided to the workers with safety slogans printed on it

f) Monitor OHS facilities, labor influx and labor management in the program area through data collection and reporting.

g) Prepare reports as required.

The Program/project intervention contributes to the delivery of the ILO mandate to Bangladesh constituents within the current Decent Work Country Program (2017-2020) under Priority 2-Promotion of safe and clean



working environment for all workers and in compliance with core International labor standards and the following Outcomes¹:

- i. International Labor Standards (ILS) especially the eight core conventions are promoted and constituents' capacity enhanced for their better implementation.
- ii. Implementation of policies, laws and programs promoted to ensure occupational safety to improve working conditions and ensure a just transition to a climate resilient and green economy through the application of ILO guidelines for a just transition towards environmentally sustainable economies and societies for all.

Additionally, mainstreaming OHS in LGED works will directly support the Government in implementing key ILO Conventions including: No. 187, the Promotional Framework for Occupational health and safety, the Occupational health and safety Convention No. 155, the Labor Inspection Convention, No. 81, and Safety and Health in Construction No 167.

The team will achieve the scope of services following the Environmental and Social Systems Assessment (ESSA) of SupRB and relevant legislation and rules such as BNBC 2006, Labour Act 2013, and PPR 2008 etc.

Duration of Assignment

This assignment will commence on January 2021 and is planned for completion in August 2023. This contract will be for the remaining part of project implementation period and provision for total person-months required for this assignment has been planned in the cost estimation but actual requirements of different personnel will be on the basis of actual requirements and deployment of any personnel will require prior approval from the project authority

Reporting Requirements

For maintaining OHS, the FIRM will prepare / submit 3 (three) copies of each of the following reports to PMO:

1. **Inception Report** within 30 (Thirty) days of mobilization. It will focus on the mobilization, staff deployment, equipment and logistics, problems (if any) and recommendations and work plan for fulfilling the tasks and responsibilities to be accomplished within the first year of implementation.
2. **Monthly Progress Report** not later than 7th day of each month, which will present summaries of all personnel, cash flow status, and progress of activities in brief structured format as well as all outputs produced (including mappings and datasheets) within the month. Brief description of contractual and technical problems or any other significant issues encountered with recommendations to overcome those, and follow-up actions taken against those issues or recommendations must be included in the previous monthly report.
3. **Annual Report** will summarize all activities, physical and financial progress including cash flow status, contract variations and change orders, utilization of resources over the year showing targets and achievements. All the outputs produced (mappings and datasheets etc.) throughout the year should also be included in the report. It will include comprehensive comparative statement of technical/contractual problems/issues arising over the year, recommendations, follow-up actions or shortcomings, if any, with overall recommendations for resolving the outstanding issues and work plan for the next year.
4. **Other Reports.** In the events of the situation that the project needs any reports other than the reports mentioned above related to the job assigned to the FIRM, then the FIRM will be liable to provide such reports as per requirements of the Project with their own arrangements.

¹Additionally, DCWP Priority 2 also contributes to the following SDG- SDG 5 Achieve gender equality and empower all women and girls; SDG 8 Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all ;SDG 9 -Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation; SDG 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels



Suggested Methodology for Providing Services under the Assignment

The **Team Leader** will supervise all the actions regarding OHS maintenance and prevention.

The Team Leader will also work as **OHS Coordinator** to assist and monitor the performance of the OHS officer, maintaining liaison with 19 Bridge Maintenance Engineers (BME) in each LGED district offices for maintenance and OHS promotion. The main responsibility of the Coordinator will be to coordinate the activities of OHS officers so that all activities are moving in accordance with the provision made within the framework of this TOR.

The **Training and Livelihood Officer** will create and provide capacity building activities.

The **Communication & Knowledge Management Officer** will be responsible for preparing all reports required for this assignment highlighting the issues mentioned in this TOR. Besides, the team will assist with any other duties as may be reasonably assigned by the Project Director

Professional Staffing Input

Table 1: Key Experts

Sl. No.	Position	Qualifications & Experience	Number of position	Person-Months per position	Person-Months
1	OHS Coordinator (Team Leader)	<p><u>Educational Qualification:</u></p> <ul style="list-style-type: none"> - The minimum qualification of the Team Leader/OHS Coordinator will be Masters in Public Health/ Environmental Health and Safety, or related areas. - Having NEBOSH (National Examination Board in Occupational Safety and Health) diploma will be given preference. <p><u>Experience & adequacy for the assignment:</u></p> <ul style="list-style-type: none"> - minimum 20 years of overall experience - at least twelve (12) years' experience in consultancy work related to OHS - at least five (5) years' experience of labor management - should have proven, verifiable track record of success in this type of service delivery - should have a thorough understanding of the regulatory and enforcement role of OHS, along with working as Team Leader and Coordinator in previous assignments - experience of preparation or review of Labor Management Plan (LMP) - experience of working on labor influx risk management - Excellent Report preparation skill - Should have proven capability of guiding the team. - should have knowhow about safety regulations and law. 	1	36	36
2	OHS Officer	<p><u>Educational Qualification:</u></p> <ul style="list-style-type: none"> - Minimum Masters in Public Health/ 	19	36	684



Sl. No.	Position	Qualifications & Experience	Number of position	Person-Months per position	Person-Months
		<p>Environmental Health and Safety/Social Science or related areas.</p> <p><u>Experience & adequacy for the assignment:</u></p> <ul style="list-style-type: none">- minimum 10 years of overall experience- at least five (5) years' experience in consultancy work related to OHS- should have proven, verifiable track record of success in this type of service delivery- should have a thorough understanding of the regulatory and enforcement role of OHS- Should have knowhow about safety regulations and law.			
3	Communication & Knowledge Management Officer	<p><u>Educational Qualification:</u></p> <ul style="list-style-type: none">- Minimum Masters in Journalism/ Media Studies/Public Policy/Political Science/Social Science/international relations or related areas <p><u>Experience & adequacy for the assignment:</u></p> <ul style="list-style-type: none">- minimum 15 years of overall experience- at least five (7) years' experience in consultancy work related to communication & knowledge management.- should have proven, verifiable track record of success in this type of service delivery- Should have capability to develop high quality communications material, including brochures, Project report etc.- Should have excellent written communication skill, ability to convey information in a clear and concise manner.	1	36	36
4	Training & Livelihood Officer	<p><u>Educational Qualification:</u></p> <ul style="list-style-type: none">- The minimum qualification will be Masters in Social Science / Economics/ Sociology/ Business studies or related areas <p><u>Experience & adequacy for the assignment:</u></p> <ul style="list-style-type: none">- minimum 15 years of overall experience- at least five (7) years' experience in consultancy work related to Training and livelihood.- should have proven, verifiable track record of success in this type of service delivery- Should have knowhow about developing Training module and provide training i.e act as Trainer.- Ability and proven experience in transferring knowledge and skills through formal and informal training.- Strong communication and facilitation skills emphasizing livelihood strategies	1	36	36



Sl. No.	Position	Qualifications & Experience	Number of position	Person-Months per position	Person-Months
		- Should have experience in designing Training Programs/ Budgeting/ facilitate quality assurance / act as Trainer in TOT course etc			

Institutional Arrangement

The **OHS Coordinator (Team Leader)** is a *HQ based position* who will be working with the LGED bridge unit supporting the unit to build their capacity in OHS handling. There will be one **OHS officer** in each *LGED region*. The **Communication and Knowledge Management Officer** and the **Training and Livelihood Officer** are *HQ based position* who will maintain close liaison with the regional OHS officers and report to the OHS coordinator.

If or any reason beyond the reasonable control of the selected FIRM, it becomes necessary to replace any OHS officer, the FIRM will forthwith provide, as a replacement, a person of the most equivalent qualification and relevant experience acceptable to the Employer. In the event that any of the OHS officer is found to be incompetent in performing his/her assigned duties, the Employer may request the FIRM to make a replacement with a person of at least equivalent qualification and relevant experience acceptable to the Employer and the FIRM shall comply forthwith.