

**NATIONAL AGRICULTURAL HIGHER EDUCATION PROJECT  
(NAHEP)**

**DRAFT**

**LABOR MANAGEMENT PLAN (LMP)**



**PROJECT IMPLEMENTATION UNIT EDUCATION DIVISION**

**INDIAN COUNCIL OF AGRICULTURAL RESEARCH**

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## Abbreviations

|       |                                                |
|-------|------------------------------------------------|
| AIDS  | Acquired Immunodeficiency Syndrome             |
| AU    | Agricultural University                        |
| ESS   | Environmental and Social Standard              |
| HIV   | Human Immunodeficiency Virus                   |
| ICAR  | Indian Council of Agricultural Research        |
| LMP   | Labor Management Plan                          |
| NAHEP | National Agricultural Higher Education Project |
| PIU   | Project Implementation Unit                    |
| OHSS  | Occupational Health & Safety and Social        |
| SMP   | Social Management Plan                         |

# 1 Overview

## 1.1 Introduction

1. The project is supporting minor civil works in terms of up gradation / refurbishment of existing infrastructure that typically include classrooms, laboratories, library buildings, toilets, ramps, etc. The safety of students, faculty and labor during the construction is of prime concern for the AU/ Institution. The Head of the institution along with the site engineer and the contractor / sub-contractor, will ensure and manage safety provisions through the implementation of a Labor Management Plan (LMP). The LMP will be a part of the bidding document, approved by the Head, AU<sup>1</sup>, before start of any physical works. The LMP shall be implemented by the contractor and sub-contractor, irrespective of the contract size/price. The final and signed copies of the LMP along with a certificate duly signed by the Director / Principal/ Vice Chancellor confirming that the land used is free of enclosures/ squatters (sample copy is provided in **Annexure I**) will be shared with ICAR/NAHEP for records.

## 1.2 Construction Activities Guideline

2. The Labor Management Plan outlines Environmental, Occupational Health & Safety and Social (OHSS) guideline, management system and governance controls on these issue for the implementation of NAHEP. Through this guideline and associated standard operating procedures, it has been intended to integrate the social, occupational health and safety principles of the National, and World Banks Social Standards guidelines with the working strategy of the project.
3. The AUs/Institutions shall ensure safety and health of the workers, compliance to the existing labor laws with respect to daily working hours, payment of wages, welfare and compensation etc. during construction of the infrastructure proposed under the project. The AUs with the guidance of PIU, NAHEP shall monitor the compliance by the contractor. The guidelines will broadly cover the following:
  - Compliance with the provisions of the labor laws applicable to construction industry;
  - Ensuring prohibition of the engagement of child labor;
  - Location of labor camp, provision of sanitary facilities, drinking water etc.;
  - Health and safety programs for the workers;
  - Awareness on HIV/AIDS/ sexual health;
  - Prevent the use of all forms of forced labor and child labor (no child below the age of 18 will be allowed to work in hazardous circumstances).

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<sup>1</sup> The Dean, AU will also approve / sanction LMP for the associated colleges / institutions, part of NAHEP

- Avoid discrepancy in wages to male and female workers for similar nature of works and
  - Preference to the local laborers, women in construction works.
4. The health and safety related Acts and Rules applicable in the project activities have been summarized in the **Annexure 2** Elements of the LMP/ Guidelines on Managing Adverse Impact
5. The purpose of this LMP is to offer NAHEP's AUs the general and specific guidance for ensuring that all contractors / sub-contractors<sup>2</sup> will be able to protect the workers' rights, health, safety, and security during the project implementation period. LMP sets the norms and regulations that will have to be respected by all contractors, which will work for NAHEP project. In, all the contractor(s) / sub-contractor(s) shall meet national legislation (as stated above), but not restricted to the following:
- Ensure that all workers on site are provided with information on their terms and conditions, including hours, wages, breaks and holidays, discipline, and termination procedures in a language they understand.
  - The construction workforce has minimal impacts / no interface on the students and faculty by putting adequate barricading, signage boards, and other safety measures.
  - Provide guidance / training on the detrimental effects of the abuse of alcohol and drugs and other potentially harmful substances and the risk and concerns relating to HIV/AIDS and of other health risk-related activities to workers.
  - Provide training on gender-based violence to avoid sexual harassment of female students and faculty and other exploitative sexual relations.
  - Ensure that all workers on site understand how to access an easily accessible, confidential process for making complaints/ grievances<sup>3</sup> about their employment:
    - This will require establishing a coherent and integrated grievance mechanism for all workers engaged in the NAHEP project
    - In addition, there should be adequate provision/mechanisms for reporting cases of sexual harassment and abuse, with a time frame within these are addressed and resolved. This can be tied the internal complaints committee set up within the project
  - Provision of facilities to workers such as provision of sanitary (separate toilets for men and women), portable water, first aid and medical facilities. – rest shed
  - Development of workers accommodation plan that should consider aspects such as: i) the provision of minimum amounts of space required for each worker; ii) provision of sanitary (separate toilets for men and women), laundry and cooking facilities and potable water; iii) creche facility for small children of working women; iv) the location of accommodation in relation to the workplace; v) the provision of first aid and medical facilities.- Labor camp

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<sup>2</sup>The provisions of this LMP is also applicable to the sub-contractors

<sup>3</sup>Grievance Redressal Mechanism for workers to be provided by the contractor

- Maintaining discipline in the Camp. The contractor / sub-contractor will be responsible to ensure:
  - workers shall abide by camp rules which includes a disciplinary process. Contractor/sub-contractor shall ensure adherence to the code of conduct by the workers in the camp.
  - provide briefing to all migrated workers on camp rules, behavior between fellow workers and the students and faculty. The objective of this orientation will be to increase awareness about the institution, and cultural sensitivities.
- Emergency plans on health and fire safety are prepared for minimizing the accidental and intended critical situations, including a plan for fire safety, including training of workers, periodic testing and monitoring of fire safety equipment and periodic drills. Depending on the local context, additional emergency plans are prepared as needed to handle specific occurrences (earthquakes, floods, cyclones, etc.).
- Maintain a register on accidental incidents and actions taken to avoid similar situations.
- Each contractor/sub-contractor should develop a register for all their workers. This register should contain data such as: name, age, sex, hours worked, wages, payments (including overtime payments) made and any deductions made from their wages. The register should be in line with national requirements on registration of workers.
- Each contractor/sub-contractor should specify the minimum age for employment or engagement in connection with the project, which will be the age of 14.
  - A child over the minimum age (14) 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.

## 2 Responsibility

6. The Nodal officer for Social / GRM in each AU/Institution will be responsible for ensuring implementation and monitoring the LMP.

| Role                                    | Responsibilities                                                                                                                                                                                                                                                                                                                                                                                            |
|-----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Dean / Vice-Chancellor / Principal      | Approves the Labor Management Plan                                                                                                                                                                                                                                                                                                                                                                          |
| Nodal Officer, Social, AU / Institution | <ul style="list-style-type: none"> <li>• Ensure implementation of LMP, including contractor implementation</li> <li>• Develop, monitor, and revise LMP, as and when required, in consultation with the ICAR/NAHEP and Bank</li> <li>• Periodical inspections / audits of contractors /sub-contractor’s performance and</li> <li>• Take stock of all risks, lack of conformities and incidents to</li> </ul> |

| Role | Responsibilities                                                                                                                                                                                                                                                                                                                                   |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|      | ICAR/NAHEP <ul style="list-style-type: none"> <li>• Periodic verifications of accommodation conditions / labor camps</li> <li>• Quarterly report to ICAR/NAHEP on LMP implementation, including details about workers lives conditions and any incidents (especially regarding incidents of Gender Based Violence) and other grievances</li> </ul> |

### Annexure 1: Certificate

AU's / Institute's Letter head

Date: -----

I, \_\_\_\_\_, is working as the Director / Principal/ Vice Chancellor of the \_\_\_\_\_ (the name of institute/AU/Institute) hereby submits my undertaking on behalf of the AU/ Institute that:

all the civil works will take place on the lands that are free of encroachers, squatters, and other claims or encumbrances.

shall ensure safety and health of the workers, compliance to the existing labour laws with respect to daily working hours, payment of wages, welfare and compensation etc. during construction of the infrastructure proposed under the project.

(Head of the AU/ Institute)

(Seal of the Institute/ATU)

## Annexure 2: Acts/ Laws related to health and safety

| Sl. No | Acts/ Laws related to health and safety                                         | Objectives                                                                                                                                                                                                                                                                                                                                                            | Applicability                                                                                                                                                                                         |
|--------|---------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1      | Minimum wages Act, 1948                                                         | The Minimum Wages Act, 1948 safeguards the interests of workers by providing fixation of minimum wages mainly focusing, e.g., The employer is supposed to pay not less than the Minimum Wages fixed by appropriate Government as per provisions of the Act                                                                                                            | In compliance with the Act, the wage to be paid to the laborers engaged in any civil work, supported under NAHEP shall not be less than the latest minimum wage fixed by the state.                   |
| 2.     | The Child Labor (Prohibition and Regulation Amendment Act, 2016                 | <ul style="list-style-type: none"> <li>• Ban of employment of children below 14 years in specific occupation and processes.</li> <li>• Lay down the procedure to decide modifications to the schedule of banned occupation and processes.</li> <li>• Regulate the conditions of work of children in employments where they are not prohibited for working.</li> </ul> | Children below the age of 14 shall not be engaged in construction works as laborers, in hazardous works like handling pesticides, fertilizers etc. at participating institutions                      |
| 3.     | The Contract Labor (Regulation and Abolition) Act, 1070                         | To regulate the employment of contract laborers in certain establishments and to provide for its abolition in certain circumstances and for matters connected therewith.                                                                                                                                                                                              | The laborers hired by contractors for engaging in construction/up-gradation at institutions shall be provided with facilities like rest rooms, drinking water sanitary provisions, first aid box etc. |
| 4.     | Equal Remuneration Act, 1976                                                    | To provide for the payment of equal remuneration to men and women workers and for the prevention of discrimination, on the ground of sex, against women in the matter of employment and for matters connected therewith or incidental thereto.                                                                                                                        | Women engaged in the activities supported by the project should be paid at par with their male counterparts                                                                                           |
| 5.     | The Building and Other Construction Workers Related Laws(Amendment) Bill, 2013: | To regulate the employment and conditions of services of building and other construction workers and to provide their safety, health and welfare measures and for other                                                                                                                                                                                               | The Act shall be applicable to the contractors to be engaged for the construction/ expansion of buildings and other                                                                                   |

| Sl. No | Acts/ Laws related to health and safety         | Objectives                                                                                                                                                                                                                 | Applicability                                                                                                                      |
|--------|-------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
|        |                                                 | matters connected therewith or incidental thereto.                                                                                                                                                                         | infrastructure                                                                                                                     |
| 6      | Workmen's Compensation Act, 1923 (Amended 2009) | Provides for compensation in case of injury by accident arising out of and during the course of employment                                                                                                                 | The Act shall be applicable to the contractors to be engaged for the construction/ expansion of buildings and other infrastructure |
| 7.     | The Bonded Labor (Abolition) Act 1976           | An Act to provide for the abolition of bonded labor system with a view to preventing the economic and physical exploitation of the weaker sections of the people and for matters connected therewith or incidental thereto | Applicable to the contractors to be engaged under the project                                                                      |