

Draft Labor Management Procedure

(LMP)

for the

Strengthening Digital Governance for Service Delivery Project

P178162

in

Republic of Kosovo

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LIST OF ACRONYMS

AI	Administrative Instructions
AIS	Agency for Information Society
CTO	Chief Technology Officer
DTC	Digital Transformation Commission
DTU	Digital Transformation Unit
E&S	Environment and Social
EHS	Environment, Health and Safety
ESF	Environmental and Social Framework
ESCP	Environmental and Social Commitment Plan
ESS2	Environmental and Social Standard 2
FM	Financial Management
GFP	Grievance Focal Point
GRM	Grievance Redress mechanism
GRS	Grievance Redress Service
GM	Grievance mechanism
ILO	International Labor Organization
IPF	Investment Project Financing
LMP	Labor Management Procedures
LSHW	The Law on Safety and Health at Work
MIA	Ministry of Internal Affairs
MFLT	Ministry of Finance, Labor and Transfers
MIET	Ministry of Industry, Entrepreneurship and Trade
OHS	Occupational Health and Safety
PDO	Project Development Objectives
PIU	Project Implementation Unit
PMC	Project Management Committee
OPM	Office of the Prime Minister
POM	Project Operational Manual
SEP	Stakeholder Engagement Plan
SEA/SH	Sexual Exploitation and Abuse/Sexual Harassment
TA	Technical Assistance
ToRs	Term of References
WB	World Bank

1. INTRODUCTION

This document is a Labor Management Procedures (LMP) and is developed as a requirement of the World Bank in support to an Investment Project Financing (IPF) for Strengthening Digital Governance for Service Delivery Project (P178162) in Republic of Kosovo. It involves the policies, rules, regulations, procedures and competencies which govern and regulate workforce in an organization/agency. The LMP will be used to identify main labor requirements and risks associated with the project, as well as determine measures to manage risks associated with employment under the project and the necessary resources for effective planning and management.

The proposed Project activities are expected to have some low negative impacts/risks related to labor working conditions and SEA/SH risks. These risks are understood and will be manageable by the procedures set out in this Plan. The government is committed, on a continuous basis throughout the life of the project, to evaluate risks and impacts and to have in place adequate measures and procedures to manage adverse impacts.

1.1. Objective and Purpose of Labor Management Procedures

This document (LMP) will guide the Implementing Entity (AIS) on how to manage employment related aspects of the project and to minimize potential labor risks arising during implementation. It identifies categories of workers and the activities they will be employed in, risks related to these and proposes the implementation of compliance measures. The document also sets out the terms and conditions for employment or engagement of workers on the Project, specifies the requirements and standards to be met and the policies and procedures to be followed for effective planning and management.

LMP will comply with World Bank Environmental and Social Framework (ESF), objectives set out in the ESS2 and National Regulations/laws on labor and OHS in order to;

- promote safety and health at work, fair treatment, nondiscrimination, and equal opportunity of project workers
- protect project workers, including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with this ESS2) and migrant workers, contracted workers, community workers and primary supply workers, as appropriate.
- prevent the use of all forms of forced labor and child labor.
- support the principles of freedom of association and collective bargaining of project workers in a manner consistent with national law, and
- provide project workers with accessible means to raise workplace concerns.

The LMP applies to all Project workers whether full-time, part-time, temporary, seasonal or migrant workers. The LMP is a live document and can be updated to meet the demands of the project.

1.2. Objectives and activities of Project

The proposed Project is designed to improve the quality of and user access to selected public administrative services in Kosovo. It will support the achievement of the following agreed result indicators of the PDO;

- Number of transactions completed through e-Kosova per month (access)
- Percentage of women accessing public services through e-Kosova (access)
- Percentage of targeted vulnerable groups accessing public services through e-Kosova (i.e., poor, RAE, individuals with disabilities) (access)
- Compliance with “service standards” for services under pilot life event categories (quality)
- Number of web services automating secure and reliable data exchange via the Government Gateway (GG) (or Government Service Bus) (quality)

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The total cost of the project ‘on Strengthening Digital Governance for Service Delivery Project (P178162)’ in Republic of Kosovo will be around USD 20 mill. The project will be implemented by the Agency for Information Society (AIS) with support of the PIU.

The project comprises the following components:

- **Component 1: Digital transformation of government**

This component will support initiatives to establish the “whole of government”¹ architecture and shared platforms necessary for the digital transformation of the government and the facilitation of citizen centric public service delivery. This includes improving the interoperability of government systems, disaster recovery/business continuity solutions, and shared platforms (e.g., Government Gateway, SDC/DRC arrangements, Whole of Government platform). In particular, the component will support the following areas:

Subcomponent 1.1: Developing interoperability standards and protocols, and appropriate infrastructure.

This subcomponent aims to strengthen the foundation for digital service provision through the development of interoperability standards and appropriate associated infrastructure. It will include:

- (i) Development and implementation of a National Interoperability Framework in line with the new European Interoperability Framework (EIF);
- (ii) enhancement of the National Open Data Portal² through the development of processes to enable more frequent updates and of additional

¹The *whole-of-government* approach emphasizes integration in terms of joint activities, plans, and platforms across government units instead of fragmentation and departmentalism. GovTech envisions a whole-of-government approach with interoperable government systems, seamlessly connected e-service solutions, and citizen service centers providing access to all public services and fostering easily accessible, efficient, and transparent government with citizens at the center of reforms.

²[Open Data Republic of Kosovo](#)

Application Programming Interface (API) capabilities, (iii) assessment and enhancement of the Government Gateway (GG) to automate secure data exchange for key government systems as well as the G2G and G2C/G2B services provided through e-Kosova portal, and expand its use, including energy efficient hardware as needed; (iv) improvements to the interoperability of base registries and selected core public entities; and (v) associated capacity building and change management activities.

Subcomponent 1.2: Strengthening the SDC/DRC arrangements and transition towards a government cloud platform.

The objective of this subcomponent is to strengthen the state data center (SDC) and disaster recovery center (DRC) arrangements and support a transition to cloud computing, in order to enhance the resilience of government business operations to disruptions from, inter alia, climate change natural disasters and other events, in Kosovo. It will include:

(i) Support for the establishment of a shared DRC for short-term needs to host selected government critical information systems requiring near zero downtime or data loss in the event of primary data center disruption; (ii) development of a Cloud Computing Transition Plan providing a roadmap for transitioning to a hybrid government cloud platform and ensuring data and information systems confidentiality, integrity, and availability, in addition to ensuring security and portability; a migration plan for the public sector; and support to the preparation of associated policies aimed at ensuring the cloud readiness and cloud awareness of all new information systems; and (iii) acquisition of energy efficient critical equipment for the SDC/DRC, as needed, to safeguard the information stored and maintained in the Government's registries.

Subcomponent 1.3: Developing a "Whole of government" platform.

The objective of this subcomponent is to develop a whole-of-government platform that will serve as a go-to hub for public servants and improve internal processes, communication, and collaboration. It will include:

(a) Design, development and phased deployment of a whole-of-government platform aimed at improving communication, collaboration, and engagement between public servants, as well as monitoring the implementation of the National Development Strategy 2030 and other government policies, including inter alia, functional areas related to organization and human resources, collaboration, resource management, news, workflow/case management (including linkages with the document management system and national electronic signature tools), e-archiving, and monitoring and performance management tools; and associated capacity building and change management activities.

(b) Assessment of government network (GovNet) infrastructure needs and support for the expansion of GovNet infrastructure, including energy efficient equipment as needed.

• **Component 2: Digital transformation of public service delivery**

This component will support the expansion of government e-services through an upgraded e-Kosova and pilot an innovative approach to proactive citizen-centric service delivery organized around life events. In parallel to supporting enhancements to the e-Kosova platform and an expanded number of services available, the Project will support activities that help Kosovo to transition to citizen-centric services through adopting a multichannel approach to delivering services and advancing an innovative

approach of clustering services around life events to proactively engage with citizens/users. Project support will be structured around four subcomponents.

Subcomponent 2.1. Enhancement and upgrade of the e-Kosova platform and base registries

The objective of this subcomponent is to support the expansion of government digital services in an upgraded e-Kosova portal and support the interconnection of base registries, especially the civil registry. In particular, it will include:

- (a) Technical enhancements to the e-Kosova platform that improve availability, scalability, performance, security and accessibility, and the inclusion of services already available as e-services or in the process of being digitalized³.
- (b) Improvements in accessibility through an upgraded e-Kosova application design to improve the user interface including for users with special needs, meeting WCAG 2.0 or later standards for individuals with disabilities; and development of an upgraded e-Kosova mobile application;
- (c) Further interconnection of key base registries, particularly of the Kosovo Civil Registration Agency (CRA) database, with e-Kosova and use by other organizations to promote integrated services through, inter alia: (i) creation of an electronic file archive of all key individual identification documents issued in Kosovo during the former Yugoslavia and later during the occupation of Kosovo that allows links to other relevant registers of CRA and interconnection with other base registries, databases; (ii) development of a centralized, electronic open data platform for the CRA that helps other interested organizations and citizens link to updated, real time data from the CRA system; (iii) the advancement and maintenance of the driver's license system; (d) support the interconnection of CRA databases and other government electronic systems; and (e) acquisition of energy efficient equipment as needed.
- (d) Strengthening of the dedicated AIS teams that are responsible for managing the e-Kosova platform as well an increased focus on data analytics and user research, including setting up key performance indicators (KPIs) and service-level agreements (SLAs) for any selected service that is accessed on e-Kosova, developing a performance dashboard, monitoring reports, and quality enhancement recommendations based on the information generated.

Subcomponent 2.2. Increasing Multichannel Access to Citizen-Centric Digital Services

The objective of this subcomponent is to operationalize multichannel access to services, including a communications campaign to mobilize citizens as service users and a modernized customer service architecture. In particular, it will include:

³Although the project's main focus for the digitalization of services would be on the identified life event categories under subcomponent 2.3, if feasible the project will also support the necessary software enhancements for services that are in the process of being digitalized or available as e-services to become available in e-Kosova. For example, e-procurement services with the national procurement agency, planned services related to the judiciary, licenses and permits provided by the Ministry of Environment and services by the Ministry of Agriculture in addition to the few services (information and grant-related) already on e-Kosova.

(a) Design and upgrading of a new, multi-channel, digitalized e-Kosova Contact Center within AIS, including, inter alia: (i) development of integrated Help-Line software which is connected to e-Kosova and other relevant systems; (ii) deployment of customer relationship management (CRM) software to support troubleshooting of digital service use, including ticket management, real-time monitoring, a text and voice virtual assistant to filter user service queries; and collection of user feedback through text messaging; (iii) acquisition of associated energy efficient hardware and network equipment, as well as furnishing needed for the e-Kosova Contact Center; (iv) analysis of user data, including data drawing upon new exit surveys for individual users who have accessed an e-service; and (v) additional identified training needs of the Contact Center workforce.

(b) Establishment of a pilot Integrated Service Center (ISC) in Pristina within an existing government location, including, inter alia, (i) financing for a feasibility study, and a competition for the design and area master plan; (ii) support minor refurbishment needs and additional investments in energy efficient hardware and software to make the new ISC operational and maximize its energy efficiency; and (iii) a communication campaign to raise awareness about the Pristina ISC, and linked to activity 2.2(c).

(c) Development and deployment of an active information, education and communications (IEC) outreach communications campaign to increase awareness and mobilize citizens on the multi-channels of access to e-services, including, inter alia, (i) a survey in the first year that targets the vulnerable groups (senior citizens, women, RAE communities) to better design an IEC-outreach program; (ii) additional surveys designed and implemented at project mid-term and subsequently (Y4, Y5) to monitor and improve the impact of the IEC-outreach program and targeted mobilization efforts to especially reach the identified vulnerable groups.

Subcomponent 2.3. Piloting Citizen-Centric Digital Services with a life event approach

This subcomponent aims to support the development of citizen-centric service delivery by piloting a life event approach⁴ as an important demonstration effect of innovations to providing proactive integrated services that are resilient to disruptions in physical access to government buildings. In particular, it will include:

(a) Analysis of global experience in using a life event approach and the finalization of the services to be selected for support under the Project; clustering of existing digital services associated with the selected life event on the e-Kosova portal;

(b) Reengineering of services around two priority life event related category of services (based on agreed criteria with the Government, including readiness of the e-service; service importance and user demand for impact; and gender and overall inclusion considerations⁵), such that the package of services clustered around the life event is delivered in a proactive manner once the triggering event is verified. For each life event category, selected associated services will undergo, where needed: (i) ICT and automation upgrades to increase proactivity, including where

⁴The most advanced digital governments (incl., Estonia, Denmark, UK, Singapore, Australia, New Zealand) have, in recent years, transitioned to delivering services that are proactive and integrated around a citizen or user reporting a life event, such as getting married, becoming a new parent, buying a new home etc.

⁵Criteria for selection: (i) those life events that are most “ready” in terms of e-service organization, institutional ownership, level of automation and policy/legal readiness, (ii) those life events that touch a significant number of users and, (iii) those life events that impact the project’s target vulnerable groups, such as women and the disabled.

relevant integration of machine-learning methods and artificial intelligence to improve user pathways, provide user-context suggestions, detect user behavior anomalies, and predict high-loads; (ii) administrative rationalization and simplification; and (iii) support to necessary regulatory and legal amendments.

Subcomponent 2.4. Innovation.

The subcomponent will support the Government's aim to establish an innovation cell within AIS to leverage innovative digital transformation solutions for improving access to and the quality of public services. In particular it will provide support to:

- (a) the establishment of an innovation cell within Government as the responsible authority to engage with interested developers and to harness additional donor financing for innovative solutions that currently exist. Possible areas could include: climate resilience, innovation in procurement of digital goods and services, innovations in citizen engagement and service delivery tools; and
- (b) Selected activities that will contribute to strengthening the innovation ecosystem by tapping into the capacity of the private sector and the diaspora, and promote a culture of innovation within Government, such as, inter alia, (i) use of frontier technologies (satellite-based technology, AI, machine learning, big data); (ii) crowdsourcing of ideas about public policies and strategies, and (iii) private sector involvement to address public sector challenges (start-ups).

- **Component 3: Institutional strengthening, change management, and project management**

This component aims to provide targeted technical assistance to support institutional strengthening and change management activities required for the successful implementation of the Project and achievement of results. It includes three subcomponents:

Subcomponent 3.1. Institutional strengthening. This subcomponent aims to provide specialized technical assistance to strengthen the data governance policy and institutional framework necessary for driving the digital transformation of government and services and foster a culture of trust and collaboration among public entities. This will include, inter alia:

- (a) Strengthening of the data governance institutional and legal framework through, inter alia, (i) the establishment of a data governance body⁶ responsible for the development and implementation of a data governance strategy; (ii) development of a data-classification methodology, standards, and protocols as well as improvements in the legal and organizational framework, (iii) revisions to the legal framework to enhance compliance with relevant EU regulations; (iv) devising privacy and security measures, and other legal safeguards and enablers; (v) strengthening the Information and Privacy Agency; and (vi) designing and implementing incentives for better ICT investment management such as spending controls policy; and
- (b) Strengthening of the institutional and coordination structure envisioned in the e-Government strategy 2023-2027 (including the establishment of a Digital Transformation Unit within the Prime Minister's Office).

⁶ The data governance body could be a new institution or an existing one that undertakes such responsibility.

Subcomponent 3.2. Change management. This subcomponent aims to support the change management and capacity building processes important for ensuring the success of digital government reforms. In particular, it will:

- (a) Identify targeted change management and capacity building support related to (i) leadership level skills to plan and implement reforms in a timebound manner (e.g., applicability of rapid results approaches); (ii) managerial skills (non-IT or non-specialized) to support prioritization of reforms and selection of services to be digitized being primarily responsive to user needs; and (iii) broader technical (including IT-related) skills that need to be in place within key ministries, departments and agencies to provide a catalyst for wider adoption of the new IT-systems and whole of government platform supported through the project.

Subcomponent 3.3 Project management. This subcomponent aims to strengthen the capacity of the Agency for Information Society to manage the Project. In particular, it will include: staffing of the PIU (including, inter alia, expertise on M&E, technical coordination, project planning, procurement and contracts management, and financial management).

2. OVERVIEW OF LABOR USE ON THE PROJECT

The LMP applies to all Project workers whether full-time, part-time, temporary, seasonal, or migrant workers. The ESS2 categorizes project workers into: direct workers, contracted workers, community workers, primary supply workers and government civil servants. Within the framework of this project, it is expected that project will include the following categories of workers:

- Direct workers - Workers employed or engaged directly by the Project proponent and the project implementing Institution. Here are included: workers employed on a regular basis by the Borrower in the Project Implementation Unit (PIU Staff under AIS); individual consultants and advisory professionals; and core staff of the Digital Transformation Unit (DTU) within OPM.
- Government Civil servants – includes existing government employees working under the project, such as those of the implementing institution (AIS) and other key institutions to work specifically in relation to various activities under the project and new employees in the Contact Center within AIS, and employees of the pilot Integrated Service Center (ISC) in Pristina.
- Contracted workers - workers employed or engaged through third parties to perform work related to core functions of the project, regardless of location. This category will include employees of: Software development companies (for design, development, reengineering process); Strategies and Plan Development consultancy companies; Companies for developing feasibility studies; Environmental consultancy companies; Training companies; Hardware supply and installation companies; Communication consultancy companies; Other Training and Advising companies.
- People employed or engaged by the Borrower’s primary suppliers - primary supplier workers. The primary suppliers for the project will mainly be for construction material suppliers, electrical and electronic devices suppliers, IT and communication equipment suppliers, etc.

Community workers will not be engaged in the project. Those working in borrow pits, quarry sites and construction materials suppliers are also not relevant in this project.

2.1. Number and characteristics of Project Workers

The precise number of project workers (direct, contracted or civil servant workers) who will be engaged/employed for the project is not yet precisely known. Relevant information regarding the exact number of workers to be engaged on this project will be defined as soon as Project activities are defined and details will be set into Project Operation Manual.

For the Project will need mainly skilled and competent labor with formal education or skills acquired through experience and qualification. Skilled labor in this phase shall include; skill labor specialists on coordination, procurement, financial management (FM), environmental and social, monitoring and evaluation, communications experts; technician for the digital infrastructure, business process reengineering, change management and coordination; professional technician for installation of hardware and software and specialists/experts of the contracted companies with professional experience on development of plans, design of platforms, diagnostic, reengineering of services, change management and capacity building, outreach campaign and communication, legal expertise, drafting strategies, surveying, etc.

The Project implementation will also entail semi-skilled labour, such as ancillary staff with relevant vocational training (e.g. drivers for the transportation of equipment's) and unskilled labour with basic awareness provided on manual handling etc needed for activities related to rooms renovation, loading, offloading of materials). This should preferably be nationals and local to the project site. Relevant and successful professional experience for all engaged workers will also be major demand.

2.1.1. Direct workers

The PIU will be staffed with a core team including a Project Director, Project coordinator and a procurement specialist. It will also hire qualified and experienced staff to fill specific operational and advisory roles related to financial management (FM), environmental and social, monitoring and evaluation, and communications.

The DTU under Prime minister office which will serve as a center for digital transformation will be staffed by a Chief Technical Officer (CTO).

All engaged direct workers are expected to be sourced nationally, and will have adequate educational level.

The Borrower commits to follow Bank's procurement guidelines on the employment of Project workers (direct workers in the PIU and all consultants engaged in project activities). These workers will be engaged through the standard form of Contracts for Goods, Works, Non-Consulting Services and Consulting Services provided by the World Bank and the requirements of ESS2 should be fulfilled.

2.1.2. Government Civil Servants

The precise number of existing and new civil servants engaged in the project is not yet known, but it will include; AIS project team engaged on project implementation, employees of other institutions/agencies engaged on certain project activities such as; employees of Ministry of Internal Affairs, department of Public Administration, Ministry of Industry, Entrepreneurship and Trade (MIET), Ministry of Finance,

Labor and Transfers., Ministry of Economic Development, and other line ministries, the Civil Registry Agency, Kosovo Cadastral Agency, etc; public servants that will provide support for the DTU and new employees in the ISC in Pristina and those of the Contact Center and the Help-Line System call center.

Existing civil servants assigned to work on project related activities, regardless of whether they work full time or part time, will continue to work under the terms and conditions of their existing contracts or appointments in the public sector. They will, however, be covered by project measures to address OHS issues (ESS2 paragraphs 24 to 30), and measures to protect the workforce in terms of child labor and forced labor (ESS 2 paragraphs 17 to 20). If the employment or engagement of a civil servant will be transferred to the Project in accordance with all legal requirements, transferred workers will be subject to all requirements of the ESS2. The new civil servants employed in the new ISC and the Contact Center will be employed under the terms and conditions of the contracts in the public sector.

Some of the existing civil servants will be part of the following operational bodies:

- Project Management Committee (PMC), established as part of the Project implementation arrangements headed by the Chief Technology Officer, and comprised of institutional representation from the different agencies responsible for both coordination and technical implementation.

The Digital Transformation Commission (established recently more broadly than for the Project itself) headed by the Prime Minister, and with the participation of Heads of the Ministry of Finance, Ministry of Interior, and others stakeholders will provide high level strategic advice to whole-of-government efforts on digitalization and bring together high level decision makers from multiple agencies involved in the Government's implementation of the digital government agenda (and as such, the Project).

2.1.3. Contracted workers

AIS/PIU will hire contracted workers to provide technical assistance for the project implementation. The activities to be performed by workers of consulting firms shall include project designing, diagnostic and development, process reengineering, feasibility study, plan and strategies communications, trainings and surveying, legal expertise, etc. In this category all personnel utilized shall be skilled labor. The DTU will draw on skills from private sector, including core staff with technical responsibilities related to digital infrastructure, business process reengineering, change management and coordination. The project will also contract construction companies for minor refurbishing/rehabilitation works and for installing servers and hardware or equipment in the DRC, ISC and Contact Center. Number of contracted workers are not yet known. Contracted staff will be subject to the LMP. There is possible that international workers may be engaged for different activities.

Most of the Contracted workers are expected to be experts in their fields, supported by experienced professionals. The experience of all engaged contracted workers should be on a level of the complexity of the given tasks/assignment. The contractual and legal relationship between the contracted workers and the AIS will be established through contracts awarded in line with the standard procurement procedures

and bidding documents of the World Bank for specific project activities which have a standard wording for labor and working conditions requirements.

The Borrower has to include in the ToRs and contracts for consultants and consulting firms measures to ensure compliance with the ESS2, satisfactory to the Bank. In addition, it will include grievance mechanisms that the project workers can use if they feel their contractual rights are not respected.

2.1.4. Primary supplier's workers

The primary suppliers for the project will mainly be for construction materials (for minor rehabilitation works) suppliers, electrical and electronic devices suppliers, for the Disaster Recovery Center and ISC. Based on the requirement of each activity under subcomponent 1.2 (establishment of a DRC and acquisition of energy efficient critical equipment for the SDC/DRC); subcomponent 2.1 (acquisition of energy efficient equipment) and Sub component 2.2 (Establishment of a pilot Integrated Service Center (ISC) and minor refurbishment needs and additional investments in energy efficient hardware and software), primary supply workers will be recruited by the suppliers as required. It will be ensured (and monitored periodically by the PIU) that no children are recruited and workers are not subject to 'forced labour' in any manner. The PIU will be responsible to make sure that these standards are followed strictly.

2.2. Timing of Labor Requirements

Direct workers in the PIU and DTU and existing civil servants for performing certain project activities and the new civil servants for the ISC and the Contact center are needed for the whole Project duration (5 years, between 2023-2028). Direct workers in the PIU and DTU will have individual full time contracts. Direct workers in key implementing agency and of other institutions engaged on certain activities for the project are full time public servants workers. The PIU and DTU will employ consultants and support staff who are working on contractual bases as part of the Project Implementation. Terms and conditions of these consultants are guided by the National Labor Law and ESS2. Consultants with operational, advisory roles and technicians (Consultants for the leadership, Training and Preparation for procurement and financial management, Revision of documentation, technical support on ICT and change management, Training and Monitoring of SEP, LMP, ESCP and validation of Environmental and Social Risks at midterm) for the implementation support will be engaged under a short term period (on fixed number of days/weeks) and the labor requirement including the schedule and deliverables are stipulated in their respective contracts. They will be engaged during the first twelve months of the project, second year of the Project and for the rest of the Project.

Contracted workers will be engaged either under long term period of not less than 12 months, and short term period of not more than six months and the timeline will be defined on demand basis, throughout the project period. Short-term Contracted workers will be engaged on fixed number of days depending on the type and amount of work. The time schedule and deliverables will be stipulated in their respective contracts. Timing for involvement of Contracted workers will be known at later stage, when detailed activities on various sub-components are defined. Contracted staff will be subject to the LMP. Contractors will also be required to ensure that any subcontractors also adhere to the LMP. The tenure service for primary suppliers will be based on supplies as procured.

The following table shows main type of direct workers/consultants and technicians anticipated to work under this project.

Table 1 Category and Types of Workers, skills needed for the Project and Employment Terms

Time	Category of Project workers	Focus	Skills needed	Resources estimates
Direct workers				
Full time	Civil Servants - employed in a regular basis by the borrower (AIS) and in other key implementing ministries/agencies depending on implementation of various sub-components	Project activities implementation	Project activities implementation	They have Full time Contracts according to Kosovo Labor law
Full time	New employees of the contact center and Integrated service center in Pristina	Operationalize multichannel access to services, provide troubleshooting for digital service use	To be defined later	They will have Full time Contracts according to Kosovo Labor law
Full time	Direct workers in the PIU	Overseeing day-to-day project management preparation and execution annual work plans, budgets Procurement, performance of fiduciary functions; and preparation of financial and performance reports, including semi-annual progress reports	Project Director Project Coordinator Procurement specialist Financial management specialist, Environmental and social specialist, Monitoring and evaluation Specialist, and Communications specialist	Full time contracts for the entire project implementation phase Contracts for Consultancy services
Time	Focus	Skills Needed	Resource Estimate	Partner Role
First twelve months	Task management	Task team leader/ Public sector specialist	20 Staff Weeks (SWs)	
	Procurement	Procurement specialist	6 SWs	Training and Preparation
	FM	FM specialist	6 SWs	Training and Preparation
	Operations support	Operations officer	2 SWs	Revision of documentation
	Technical support	ICT specialists/Change Management Specialist	25 SWs	Technical support
	ESF Support	Environmental/Social Specialists	2 SW	Training and Monitoring of SEP, LMP, ESCP
12-48 months	Task management	Task team leader/ Public sector specialist	60 SWs	Task Leadership

	Procurement	Procurement specialist	12 SWs	Training and Supervision
	FM	FM specialist	12 SWs	Training and Supervision
	Operations support	Operations officer	3 SWs	Revision of documentation
	Technical support	ICT Specialists/Change Management Specialist	25 SWs	Technical support
	ESF Support	Environmental/Social Specialists	3 SW	Monitoring of SEP, LMP, ESCP; validation of Environmental and Social Risks at midterm
Other				

3. ASSESSMENT OF KEY POTENTIAL LABOR RISKS

3.1. Project Activities

Main types of activities to be supported from direct, contracted workers, primary supply workers for the Project and government civil servants include the following;

- Implementation and achievement of the Project results (AIS), implementation of certain activities of the Project (*public servants of other institutions involved*)
- Support the Task Team in AIS with responsibilities in overseeing day-to-day project management, including the timely preparation and execution of annual work plans and budgets; preparation, execution, and updating of procurement and implementation plans; performance of fiduciary functions; and preparation of financial and performance reports, including semi-annual progress reports, preparing reports for the Chief Technology Office in the DTU, specific operational and advisory roles related to financial management (FM), environmental and social, monitoring and evaluation, and communications (*Direct workers in the PIU*)
- Support and coordinate across programs aimed at digital transformation (*direct workers in the DTU*)
- Operationalize multichannel access to services, provide troubleshooting for digital service use (*direct workers of the call center and service integration center in Pristina*)
- TA and support for the establishment of Data Governance body, establishment of a shared disaster recovery center (DRC) (*Contracted workers*)
- Development of national interoperability standards, protocols and Framework, data-classification methodology, Cloud Computing Transition Plan, strategy for transitioning to a hybrid government cloud platform, intranet platform (*Contracted workers*)
- TA support to enhance the e-Kosova platform application design, digitization or integration of other registries, Enhancement of existing National Open Data Portal (*Contracted workers*)
- Design of Government Intranet and preparation of bidding docs, new digitalized e-Kosova Help-Line System call center, spending controls policy (*Contracted workers*)
- Installing hardware, software, network equipment (*Contracted workers*)
- Surveys for individual users for analysis of user data (*Contracted workers*)

- Feasibility study, area master plan; communication plan and campaign, citizen engagement strategy (*Contracted workers*)
- Support for innovative digital solutions (*Contracted workers*)
- Revisions to the legal framework to enhance compliance with relevant EU regulations (*Contracted workers*)
- Capacity building activities for key stakeholders (e.g., AIS), Training for Help-Line system call center (*Contracted workers*)
- Acquisition of critical DRC equipment's and hardware/ software for the ISC (*primary suppliers*)

3.2. Potential Project Labor related Risks

Given the nature of activities supported by the Project which are related with project management, preparation of work plans and budgets, performance reports, development/design of platform, development of standards, protocols, plans and strategies, framework, technical Assistance, trainings and communication, installation of hardware/software, etc and possibly only small physical works for refurbishment of existing facilities (rooms for the equipment) for the DRC and New ISC and Contact Center, the overall labor risks are expected to be low and manageable. These are summarized below:

Labor risks associated with project workers. Consultants/experts to be hired through PIU/AIS will be recruited using procedures as specified in the World Bank's Procurement Regulations and Procedures. The project activities for which LMP applies will be mainly of consultancy nature and only small scale civil works. Key overall risks include the applicability of labor laws, issues related to non-discrimination and equal opportunity, accessibility of the grievance mechanism system by all workers, and occupational health and safety aspects specific to office works. Risks associated with extended hours, terms of employment not secured by contractual agreements for the workers engaged on civil works will be low since the national labor law will be applied, especially according article 56 of the law for the compensation of overtimes and article 10 of the labor law.

The probability of the incidence of child labor or forced labor is also minimal, negligible and are managed through national legislation. The project requires technical staff with skills that require experience and education, which will not be possible for children or those below the age of 18 y.o. The national labor law prohibits forced labor and all types of discrimination. Labor influx is not relevant.

Occupational Health and Safety (OHS) risks are low due to the type of activities to be implemented, mainly consultancy nature and possibly small scale civil works (rooms for equipment). The possibility of the staff not working in properly ventilated buildings or buildings not equipped with proper cooling facilities is negligible. There is a low/negligible risk for vision, physical and mental fatigue for the employees working with display screen equipment in case the working environment will not be unsuitable. AIS and contractors will strictly apply the Minimum safety and Health requirements for works related with display screen Equipment's⁷, and also provision of the Labor Code for Working Conditions (Article 45, 54) and implement OHS measure.

Additionally, those who will be installing hardware are faced with low level of Electrical works and accordingly low risk of Electrocutions and arc fault burns and risk of traffic accidents due to the transport of equipment. OHS risks associated with establishment/installation of backup facility /shared disaster

⁷ As defined in Annex 1 of the Regulation no. 06/2016 on the Minimum safety and Health requirements for works related with display screen Equipment's

recovery center, such as height, physical and environmental hazards are considered low. No significant fire hazards are expected during establishment and operation of the DRC. Fire safety solution (fire suppression system) will be in place during operation of the DRC.

Discrimination, SEA/SH risks. Women who seek employment in all employment categories (direct workers, contracted workers) may face sexual harassment including demands for sexual favors before being employed. However, the Project is assessed as Low for risks related to Human rights abuse especially discrimination, sexual exploitation and abuse in the recruitment process to young women. Mitigation measures to address SEA/SH risks are included in the following table and in the section on Policies and Procedures.

The following table provides summary of labor-related risks associated with the project and proposed mitigation measures.

Table 2 Key identified labor risks and proposed measures

Project steps	Key identified labor risks	Proposed mitigation measures
<p>Labour recruitment and working conditions</p>	<ul style="list-style-type: none"> • Low possibility on H&S risk of employees due to unsuitable working environment • Low possibility for risks associated with extended hours, employment terms not secured by contractual agreement • Low risk related to Human rights abuse especially discrimination of the vulnerable groups (young women, people with disabilities, Roma and Ashkali community) in the recruitment process • Low possibility for risk related to sexual exploitation and abuse/sexual harassment in the recruitment process and the workplace 	<ul style="list-style-type: none"> • Implement Safety And Health Requirements For Working With Display Screen Devices • Overtime provisions specified in the Contract and implemented according to the law in force. Workers engaged for civil works will have term of employment specified in written contract • All project workers will be informed on the Project Code of Conduct and sign the code of conduct sensitized to SEA/SH issues. • The none-discrimination project related policy will be discussed during inductions to all staff. • Channels for reporting any actual or suspected abuse (GRM) of human rights including aspects related to vulnerable groups and SEA/SH will be available • Training

<p>Small scale civil works Installation of hardware, establishment of DRC, ISC, contact center, transportation of equipment</p>	<ul style="list-style-type: none"> • Low risk for accidents/injuries when handling heavy equipment • Low risk for injuries of workers handling with installation of hardware due to electrical works (electrocutions), refurbishment of room for DRC and ISC • Low risk on health and safety of employees engaged on establishment and operation of disaster recovery center 	<ul style="list-style-type: none"> • Implement OHS measures • Ensure that workers are trained and aware on safety standards • Ensure that safety guidelines including; electricity safety standards for equipment and staff; arc flash safety standards; physical boundaries for work on electrical systems; fire and environmental storage standards for rechargeable batteries; fire suppression system standards are in place and implemented • Strict procedures for de-energizing and checking of electrical equipment should be in place before any maintenance work is conducted or move or insulate electrical installations to minimize the hazardous effects; • Contractor shall develop, adopt and sensitize all site workers on Standard Operating Procedures guiding working at heights, driving under the projects, health and hygiene (as applicable to the sub-project) • Appropriate PPE to be provided to workers
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4. LEGAL AND REGULATORY FRAMEWORK FOR LABOUR AND WORKING CONDITIONS

The following section present a summary of the national policies, regulatory or laws and systems in Kosovo that are applicable to the implementation of the project.

4.1. Brief Overview Of National Labor Legislation: Terms And Conditions

The legal framework of Kosovo governing the employment relationship consist mainly on Labor Law No. 03/L-212 and Law No. 06/L – 114 on Public Officials. The legislation on labor protection is based also on the Constitution of the Republic of Kosovo and other regulatory legal acts as mentioned below;

- Law on Labor No. 03/L-212.
- Law on Public Officials No. 06/L - 114
- Law on Safety and Health at Work No. 04/L-161.
- Law on Foreigners No. 04/L-219, 2013.
- Law on the Protection of Breastfeeding No. 05/L-023.
- Law for Organizing Trade Unions in Kosovo No. 04/L-011.
- Law on Strikes No. 03/L-200, as amended by law no.04/L-119.
- Law on Social Economic Council No. 04/L-008.
- Law on Labor Inspectorate No. 2002/9, as amended by law no. 03/L-017.
- Law on Protection of Whistleblowers No. 06/L-085.
- Law on the Protection from Discrimination No. 05/L-021.

- Secondary legislation (i.e regulations and administrative instructions).

Law on Labor (03/L-212) regulates the rights and obligations from employment relationship. It provides special protection for employees in the private and public sectors. It also protects foreign employees and persons without citizenship who are employed in the territory of the Republic of Kosovo. The Law accords special protection to employed, pregnant and/or breastfeeding women, employees under the age of 18, as well as employees with disabilities. An employment relationship may be concluded by any person of eighteen (18) years of age or above. An employment relationship may also be established with a person between fifteen (15) and eighteen (18) years of age, who may be employed for easy labor that do not represent a risk for his health, safety or morals. Point 5 of the article 45 of the labor law also define the types of hazardous works which are prohibited to be performed by a worker under 18 y.o. No employer may conclude an employment contract with a person below fifteen (15) years of age. Law stipulates terms and criteria for establishing employment relationships and requirements for the working conditions, including working hours, remuneration schedule and other employment benefits. Termination of contracts are also regulated by this law. The law establishes a social dialogue, which is further elaborated in the Collective Contract. Article 28 of the Constitutions of Kosovo and article 6 of the Labor law stipulates that no one should be forced to perform forced labor.

Considering the above mentioned provisions of the labor law, the recruitment of project workers will be free from any kind of discrimination as provided by point 1, article 5 of the Labor law of Kosovo, which stipulates prohibition of discrimination in employment, profession, employment recruitment process. The same principles for the protection of employees against any discrimination have also been provided by Law on the Protection from Discrimination (05/L-021) which provides a general legal framework for prevention of and protection from all forms of discrimination on any rounds in public and private life. Sexual harassment is strictly prohibited. Under the Law on Protection from Discrimination, the Ombudsperson and the Office for Good Governance within the OPM are entitled to conduct general training concerning any type of discrimination; however, such training is not mandatory. According to article 12 of this law, each person or group of persons may submit a complaint to the Ombudsman in case of any discriminatory behavior. Regulation no. 03/2017 promulgated by the Kosovo Government defines rules and responsibilities of government stakeholders with regard to the legal framework implementation and protection against discrimination.

Employment relationship. For this project, written employment/agreements contracts shall be fixed and signed by both parties, the employee and the employer (according to Article 10 of the labor Law).

Working hours. The normal duration of the weekly working time is 40 hours (article 20 Labor Law). The normal daily working time is no more than 8 hours, with less allowed for those under 18 (not more than 6 hours). According to the Law on Protection of Breastfeeding, the employers must provide employed breastfeeding woman one or two hours of paid time each day, at the beginning, in the middle or at the end of the working hours, in agreement with the employer. The Project will comply with the Labor Law for maximum working hours per week.

Night works. The employee should not perform work at night without interruption for longer than one (1) working week. The employee who works at night should be compensated with an additional wage of 30 % per hours for night work.

Overtime work. For works beyond the normal working hours the employee must be paid with an additional salary of 30% per hour for overtime work, 50% per hour for work performed during the weekends and during official holidays (point 2 article 56 of the labor Law).

Rest time (breaks) and Leaves. Types of rest time are defined in Chapter V of the Labor Law. The employee with a full uninterrupted work schedule has the right to a break of at least thirty (30) minutes during the working day, and the employee who works between (4) hours and less than six (6)) hours a day, has the right for a break with a duration of fifteen (15) minutes (article 28). Daily rest is not less than 12 hours. The weekly rest is not less than 24 hours without interruption. In addition to national holidays (Article 34), employees have to receive at least 4 calendar weeks during the current working year (article 32). When the employee has not completed a full year of work, the duration of paid annual leave is determined in relation to the duration of the employment relationship. The employee is entitled to at least one and a half (1.5) days off for each calendar month spent at work, if there are not six (6) months of uninterrupted work since the beginning of the employment relationship. Other leaves are also foreseen: in case of marriage of the employee or in case of death of a close family member; in case of illness, or in case of childbirth, other cases as defined in the Collective Contract and for every case of voluntary blood donation (Article 39). Women are provided maternity leave upon application.

Wages. Contracts and collective agreements and Employer's Internal Act establish the form and amount of compensation for work performed. The wage is paid at least once a month. Labor Law also provides an obligation of the Government to establish a minimum wage for the next year which has been proposed by the Socio-Economic Council. The employee has the right to salary compensation, in cases where he works during official holidays; during the use of annual leave; during the training and professional improvement for which he was sent, and during the exercise of public functions for which he is not paid (Article 58).

Labor disputes. The employee and the employer can resolve labor disputes through mediation (Article 81 of the labor law). Other procedures the employee should follow for achieving the rights from the employment relationship are defined in article 78 of the labor law, article 79 for the protection of the employee in court, article 82 on protection of the employee from the labor inspectorate. According to point 9 of article 90, Economic and Social Council is established with representatives of employers, employees and the government as social partners with a special legal-by-law act for peaceful settlement of various disputes and development of consultations in the field of employment, social welfare and labor economic policies.

As for the grounds of **termination of employment**, article 70 of the Labor Law stipulates that the decision of the employer on termination of agreement should be on grounds related to the employee's performance or behavior, or relating to economic, technical or organizational reasons of the company. The employer should deliver a prior notification to the employee, and require a meeting to discuss their intentions to terminate the employment. The deadlines of the notification for the termination of the employment contract are determined in the article 71 of the Labor law. The decision for termination of the employment is notified in writing and include the reason of termination.

Working conditions are further regulated by a set of administrative instructions (AI), which prohibit prevent and prohibit hazardous child labor in the Republic of Kosovo (such as AI no. 05/2013), define grievance mechanisms and disciplinary procedures (regulation no. 01/2018 on employment relationship), maternity leave and remuneration during maternity leave (AI no. 01/2018), establish the minimum wage (AI no. 09/2017), etc.

4.2. Brief Overview Of National Labor Legislation: Occupational Health And Safety

Kosovo's OHS legislation is based on the EU Framework Directive and its secondary legislation is based on the EU Individual Directives. The basic rights to health care and social insurance in Kosovo are ensured by article 51 of the Constitution of the Republic of Kosovo.

Specific and relevant legislation on occupational safety and health is found under the Law No. 04/L-161 on safety and health at work. The law follows most of the EU Framework Directive 89/391/EEC requirements, and is applicable to all sectors except the security force, the police, firefighters and rescuers.

Other laws/AI/regulations which provide specific provisions in relation to OHS aspects are: i) The Labour Law no. 03/L-212 (in Chapter IV) regulates some aspects of OHS, including requirements related to working time and special provisions for women (such as the prohibition of potentially harmful work for pregnant and breastfeeding women) and employees under 18 years of age; ii) Article 12 of the law No. 04/L-125 'on health' specifically mentions the prevention of work-related injuries and occupational diseases; iii) Chapter III of the Law No. 05/L-020 on gender equality specifies employment conditions and creates obligations for employers to prevent violence at work and create equal working conditions (articles 15, 16 and 17). iv) The Administrative Instruction 05/2013 aim to prevent and prohibit hazardous child labour in Kosovo. The Instruction contains the list of general activities and sectors to be prohibited for children under the age of 18; v) Regulation No. 04/2014 as amended by Regulation No. 01/2020 define the minimum safety and health requirements for the workplace and Regulation No. 02/2020 on amendment of the Regulation No. 05/2014 on the minimum safety and health requirements for the use of work equipment by workers at the workplace describe the requirements for specific risk factors in greater detail.

The purpose of the Law no. 04/L-161 on Safety and Health at Work (16.05.201) is to set measures for improving the level of safety and health of employees at work. Provisions of this Law are applied in public, private and public-private sector and in state administration sector at central and local level. Provisions of this Law are applied for interns, pupils and students carrying out practical work during their schooling, persons serving sentences engaged in work, visitors, business partners, users of services and persons attending vocational training and re-training with employer. It is applicable to all domestic and foreign employers regardless of their size and to all domestic and foreign employees regardless of their employment status. The law contains general principles for prevention of occupational hazards, elimination of hazardous and accidents factors, information, consultation, balanced participation in improving the level of safety and health at work, treatment of employees, their representatives and general guidelines for implementing such principles, and also defines employer (article 5-20, 22) obligations and employees obligations (article 21). According to article 10 of this law, employer employing up to fifty (50) employees, if competent, can personally take over the responsibility for implementing measures determined by this law; Employer employing over fifty (50) employees and less than two hundred and fifty (250) employees, is obliged to appoint an expert, for carrying out tasks related to safety and health at work; Employer employing over two hundred and fifty (250) employees should engage one (1) or more experts to carry out activities related to safety and health at work. According to article 18 of the Law 04/L-161, all employees (whether direct/ contracted/ migrant) should be provided with information concerning any risk (if any) in the workplace, risk evaluation, as well as about the safety measures that must be taken to control these risks. According to Article 12 of the law on Safety and Health at Work, the employer is obliged to compile a document for risk evaluation and prevention, which

contains measures of a technical, organizational, hygienic-sanitary nature, which will be implemented according to the specific conditions of the workplaces for the relevant activity. Article 20 stipulates that the employer should ensure that each employee is trained in safety and health at work, and that the employees of the contracted entity receive adequate instructions for safety and health at work during their activity. According to the LSHW, the National Council for Safety and Health at Work is established to propose, recommend and draft policies for improving safety and health levels at workplace and constantly follows safety and health situation of employees at workplace. The law has been harmonized with the ratified ILO Conventions and the EU Directives and complies with WB ESS2.

The main OHS responsibilities are given to the Ministry of Labour and Social Welfare (MLSW) and the Labour Inspectorate. The MLSW plays a leading role in OSH and is responsible for the development, planning and coordination of the OSH system and OSH policy and enforcement through the Labour Inspectorate in Kosovo. The Labour Inspectorate is the main institution for supervision and control in the field of OSH, which inspect and supervise how the law is enforced in employment relationships, OHS and other areas defined by law; collect, process, analyze and publish information on employment relationships and OHS gathered at the central, regional, sectorial, company and workplace levels; prepare proposals for the MLSW; prepare annual work plans defining priority areas for action; carry's out work accident investigations and records and registers these accidents in compliance with the procedures defined by law; investigate cases of occupational disease in compliance with the procedures defined by law; Controls work equipment at the workplace, the use of individual and collective protection equipment by employees, reviewing the complaints and requests received by employees and employers; provide free advice for employers and employees related to the legal requirements related to employment relationships and OSH, etc.

4.3. The World Bank Environmental and Social Standards (ESS): Standard 2

The World Bank's requirements related to labour are outlined in its ESS2. This help the Implementing agency (AIS) to promote sound worker-management relationships and provides safe and healthy working conditions. Key objectives of the ESS2 are to:

- Promote safety and health at work;
- Promote the fair treatment, non-discrimination and equal opportunity of project workers;
- Secure protection of project workers, including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with this ESS2) and migrant workers, contracted workers, community workers and primary supply workers, as appropriate;
- Prevent the use of all forms of forced labour and child labor;
- Support the principles of freedom of association and collective bargaining of project workers in a manner consistent with national law; and
- Provide project workers with accessible means to raise workplace concerns.

ESS2 applies to project workers including fulltime, part-time, temporary, seasonal and migrant workers. Where government civil servants are working in connection with the project, whether full-time or part-time, they will remain subject to the terms and conditions of their existing public sector employment agreement or arrangement, unless there has been an effective legal transfer of their employment or engagement to the project.

Project workers will be provided with information and documentation that is clear and understandable regarding their terms and conditions of employment. The information and documentation will set out their rights under national labour law and ESS requirements, including their rights related to working hours, wages, overtime, compensation and benefits. This information will be provided at the beginning of the working relationship and when material changes occur.

The employment of project workers will be based on the principle of equal opportunity and fair treatment, and there will be no discrimination with respect to any aspects of the employment relationship.

5. RESPONSIBLE STAFF

A Project Operational Manual (POM) detailing responsibilities, accountabilities, processes and procedures governing the Project will be adopted in a manner acceptable to the Bank before effectiveness. It will contain detailed guidelines and procedures for the implementation of the Project with respect to administration and coordination; monitoring and evaluation; financial management, procurement and accounting procedures; environmental and social safeguards; corruption and fraud mitigation measures; the grievance redress mechanism; and roles and responsibilities for project implementation. All amendments to the POM will be agreed with the World Bank.

The key implementing Agency for the Project is the Agency for Information Society (AIS). The PIU will be responsible for overseeing day-to-day project management, including timely preparation and execution of annual work plans and budgets; preparation, execution, and updating of procurement and implementation plans; performance of fiduciary functions; and preparation of financial and performance reports, and semi-annual progress reports. Headed by a Project Director, PIU will require at least: (a) Project Coordinator, and (b) a procurement specialist and will hire, qualified and experienced staff, acceptable to the Bank to fill specific operational and advisory roles related to financial management (FM), environmental and social, monitoring and evaluation, and communications.

Project Management Committee (PMC) comprised of institutional representation from different agencies responsible for both coordination and technical implementation will be responsible for overall coordination and oversight of project implementation.

Digital Transformation Unit (DTU) established within the Office of the Prime Minister will support and coordinate across programs aimed at digital transformation.

For direct workers, Head of Human Resource Department of relevant institution (AIS, PMC and DTU) will be responsible. This also refers to other existing Public Servants of the involved institutions engaged in certain activities of the Project and new employees of the call center and Integrated Service center in Pristina. For direct workers engaged as external individuals (consultants or advisory/training personnel) the PIU (Project Director) will be responsible for complete implementation of the Labor Management Procedure provision. For contracted workers, if the workers are employed in the company, it will be the HR professional of the respective company, or another designated person with adequate skills within the company.

PIU will also be responsible to:

- Implement this LMP;

- Ensure that contractors comply with, labor management and OHS policies and procedures outlined in this LMP. In accordance with contract specifics, the contractor/s will be guided by the LMP to understand requirements on Labor issues.
- Monitor Contractors implementation of LMP on a monthly basis or at shorter intervals
- Monitor that the contractors are meeting obligations towards contracted and sub-contracted workers as included in the General Conditions of Contract, the World Bank Standard Bidding Documents, and in line with ESS2 and national labor law.
- Maintain records of recruitment and employment process of direct workers.
- Ensure all project workers have signed the code of conduct sensitized to SEA/SH issues.
- Monitor training of the project workers on OHS, SEA/SH prevention, and any other required trainings.
- Ensure that the grievance mechanism for project workers is established, monitor and report on its implementation.
- Have a system for regular monitoring and reporting on labor and occupational safety and health performance.
- Monitor implementation of the Worker Code of Conduct.
- Establish and implement a procedure for documenting specific incidents such as project-related occupational injuries, illnesses, and accidents. Maintains such records and require from all third parties to maintain them. Such records will form an input into the regular review of OHS performance and working conditions.
- In instances of medium, severe, fatal and mass accidents, inform the law enforcement bodies and Labor Inspectorate.

The project, through PIU, will engage qualified Environmental and Social specialists who will monitor implementation of this LMP, supervision of labor contracts as per the LMP on the behalf of the PIU.

The Contractors will be responsible for the following:

- Follow the labor management procedures and occupational health and safety requirements as stated in the contracts signed.
- Employ or appoint qualified social, labor and occupational safety experts to prepare and implement project specific labor management procedure.
- Develop their own labor management procedure and occupational health and safety plan (if needed), consistent with this LMP and ESS2, which will apply to contracted and sub-contracted workers.
- Supervise the subcontractors' implementation of labor management procedures and occupational health and safety requirements.
- Maintain records of recruitment and employment of contracted workers as provided in their contracts.
- Communicate clearly job descriptions and employment conditions to all workers.
- Develop, and implement workers' grievance mechanism and address the grievance received from the contracted and sub-contracted workers
- Make sure every project workers hired by contractor/subcontractor are aware of the GRM (dedicated phone number, email address, and web portal through which anyone can submit grievances)
- Deliver regular work induction trainings including but not limited to OHS, HSE, social induction, SEA/SH prevention training to employees.

- Have a system for regular review and reporting on labor, and occupational safety and health performance.
- Ensure that all contractor and sub-contractor workers understand and sign the Code of Conduct sensitized to SEA/SH issues prior to the commencement of works.
- Establish and implement a procedure for documenting specific incidents such as project-related occupational injuries, illnesses, and accidents. Maintain such records, and require all third parties to maintain them.
- In instances of medium, severe, fatal and mass accidents, inform the law enforcement bodies and the Labor Inspectorate.

After the bidding process is completed and the Contractors are known, this labor management procedure can be updated to include additional details about companies, as necessary.

6. TERMS AND CONDITIONS

The terms and conditions of employment in Kosovo are governed by the provisions of the Labor Law, while occupational health and safety is guided by the LHSW. Terms and conditions of external direct workers are determined by their individual contracts.

The terms and conditions of employment/engagement of the project worker must meet the following standards:

- Project worker (direct and contracted) may be employed or engaged for work on the project only after negotiating a written contract and signed (article 10) by the employer and the employee. The contract includes the elements defined according to Article 11 of the Labor law.
- The project worker can be employed on a permanent (open-ended contract) or temporary (fixed-term contract) basis, or can be engaged for specific jobs and tasks
- If the project worker is employed / engaged in his/her domicile country other than Kosovo, they can establish employment relations according to this law, but under the conditions and criteria defined by a special law for the employment of foreign citizens and according to international conventions.
- Working time, for all workers engaged on this project should not exceed 40 hours per week, 8 hours per day, unless otherwise determined by this law.
- Project workers will be paid on a regular basis as defined by the Agreement/Contract or the Internal Act of the Employer, at least once a month. In cases an employee can work extra hours he/she will be compensated for overtimes according to requirements and conditions set out in the labor law (article 56) and the Contract.
- The project worker is entitled to: at least 30 minutes breaks during the working day (for those with a full-time uninterrupted working time and fifteen (15) minutes breaks for those who work longer than four (4) hours, and less than six (6) hours a day; a daily rest between two (2) consecutive working days for a duration of at least twelve (12) hours without interruption; a weekly rest of at least 24 consecutive hours.
- The project worker is entitled to annual, marriage and maternity leave, illness and in case of death of a close family member, as required by the national legislation. Project workers who for the first time establishes an employment relationship or who does not have an interruption of more than five (5) working days, acquires the right to use annual leave after six (6) months of uninterrupted work, in proportion to the months of work. The employee has the right to at least one and a half

days (1.5) of leave for each calendar month spent at work. Project workers who has not used the annual leave or a part of the leave due to the fault of the employer, has the right to use that leave during the following period or get monetary compensation

- An employment contract or engagement agreement, except in case of permanent employment, ends on the date of its expiry, unless both parties have agreed otherwise. In case of an early termination of the contract from employees with a fixed-term contract, a written notice will be submitted at least 15 days in advance. Meanwhile for employee with an indefinite contract the written notice should be submitted at least thirty (30) days in advance. The termination of employment contract and payment of any related entitlements will be done in compliance with the national legislation.
- The employer will assess the risk related to specific jobs. In conformity with the national legislation (LHSW), the third party will be responsible for taking preventive and protective measures to ensure a safe and healthy work environment and informing the project workers on all the relevant issues and conditions affecting his/her health and safety at work. The project worker will respect regulations relating to safety and protection of life and health at work in order not to put in danger his life and health or life and health of others.
- The employer will make effort to establish mechanisms that will prevent discrimination, harassment, sexual harassment and abuse at work and ensure equal treatment and equal opportunity for all. The grievance mechanism for the Project will be SEA/SH sensitized allowing everyone to raise such grievances. The service providers working in Kosovo should follow the procedure laid out by the national legislation regulating the area of discrimination, harassment and equal opportunity.
- Employees are guaranteed freedom of association and action without interference from any organization or public body.
- The project worker will be able to raise his/her grievances using the grievance mechanism defined in Section 9.

The contractors' labor management procedure will set out terms and conditions for the contracted workers. These terms and conditions will be in line, at minimum, with this labor management procedure, national Labor Law and General Conditions of the World Bank Standard bidding documents. The contractor/s will submit copies of employment contracts to the PIU.

The ToRs and contracts for consultants will include measures to ensure compliance with the ESS2, satisfactory to the Bank. Recruitment procedures will be documented and filed in accordance with the requirements of national labor legislation and the ESS2 and it will be free from any kind of discrimination. Terms and conditions of employment will be made clear to the workers prior to commencement of the work.

7. POLICIES AND PROCEDURES

This section outlines main policies and procedures to be followed for the project implementation. The policies adopted for the project will contribute to the achievement of ESS2 objectives.

As specified in the Labor Law of Kosovo, the employment of project workers will be based on the principles of non-discrimination and equal opportunity. There will be no discrimination with respect to any aspects of the employment relationship, such as recruitment process, training, employment promotion, employment conditions, disciplinary measures, termination of the employment contract or other matters

of the employment relationship. Criteria and equal opportunities will be established for employment of both women and men in the same job. Project workers are entitled to fair treatment and protection from harassment and sexual harassment and abuse at work. Project workers will have to sign the code of conduct sensitized to SEA/SH issues. The project workers will be recruited and assessed on the basis of their competence and professional achievements. Provided that project workers are expected to be established experts/consultants and technicians, no person under the age of 18 years will be employed or engaged for work on the project.

All direct or contracted project workers must ensure safety and health at work. Strict adherence to the legal provisions under the LHSW is required. It is the responsibility of the Implementing Agency - AIS and contractors to fulfill all the obligations stipulated by the law. This includes assessment of the OHS risks and hazards, informing and training of project workers on the occupational health and safety issues, and taking preventive measures prior and during the work process in order to mitigate or diminish risks for project workers' health and safety. The work environment should be adapted in such a manner to make them safe and hazard free. Records must be kept regarding health and safety at work, and duly report work-related injuries, near misses, fatalities and diseases, in compliance with the law.

The Contractors will prepare labor management procedures in line with this labor management procedure and national labor law. OHS Plan will be developed by the Contractor if risk assessment determines need for performing works that include construction activities, use of chemicals and OHS plan must be developed in compliance with WBG EHS guidelines. All contractors will develop and implement Code of Conduct and will include provisions relating to SEA/SH prevention. The contractors will be required to provide the periodic information on the performance in terms of labor, occupational health and safety issues. A Supervision Consultant (on behalf of the PIU) will conduct periodic supervision of contractor's OHS performance. The supervision consultant will review and approve contractors' safety plans and procedures, if such need occurs.

All project workers will perform work or provide services under conditions set in their engagement/employment contract or agreement. Their status must be clearly defined in line with the national law. Any form of disguised employment will not be acceptable. For short term and part time workers, the agreement on work should foresee the possibility of providing some rights typical of the employment relationship (refund of travel expenses, leaves, etc.). All project workers are entitled to fair treatment and protection from harassment and sexual harassment and abuse at work. The contracted party must install mechanisms to protect the project worker from incidence of mistreatment. The grievance mechanism for the Project will be SEA/SH sensitized allowing everyone to raise such grievances. If it happens anyway, the grievance mechanism should be in place to enable the project worker to file grievances and be informed on the actions taken subsequently in relation to his grievances, without prejudice to his/her right to seek judicial protection. In no way any project worker will be prevented from joining a trade union or any other worker organization. The principle of free association and collective bargaining will be strictly respected.

PIU/AIS will inform the Bank, within 48 hours, about any incident or accident related to the project which has or is likely to have a significant adverse effect on the environment, the affected communities, the public or workers (labor, health and safety, or security incident, accident or circumstance), but no later than five calendar days after the occurrence of the event. Such events can include strikes or other labor protests, serious worker injuries or fatalities, project-caused injuries to community members or property damage. the PIU will prepare a report on the event and the corrective action and submit to the Bank within 30 calendar days of the event.

Adherence to law and good practice and a high level of integrity is expected from all participants in the project. The Borrower should make it clear in tender documentation that non-compliance with the national legislation, particularly the legislation regarding terms and conditions of employment, labor rights and occupational health and safety, may constitute the ground for termination of the contract with a contracted party and exclusion of that party from the project.

The following principles and procedures will be developed to ensure fair treatment of all employees:

- As per Labor law requirements, recruitment procedures will be transparent, public and non-discriminatory with respect to ethnicity, religion, sexual orientation, disability, gender, and other grounds included in the Labor law and other relevant laws.
- Applications for employment will be considered in accordance with the application procedures established by the contractors.
- Clear job descriptions will be provided in advance of recruitment and will explain the skills required for each post
- All workers will have written contracts describing terms and conditions of work and will have the contents explained to them. Workers will sign the employment contract. Terms and conditions of employment will be available at work sites.
- Depending on origin of the employer and employee the contracts will be developed in corresponding language understandable for both parties.
- Prior to termination of the contracts for any of the reasons as specified in article 70 of the labor law, the employers must issue a written notice to their employees informing them of the reasons for termination.
- Foreign workers will require residence permit, which will allow them to work in Kosovo.
- PIU will include in contracts that all contractor (and subcontractor) personnel must be of the age of 18 years or more.

8. AGE OF EMPLOYMENT

Kosovo has adopted ILO conventions on child labor and incorporated them in the legal system. An employment relationship may be established by any person of eighteen (18) years of age or above. Individuals between fifteen (15) and eighteen (18) years of age may be employed only for easy work that does not represent a risk to their health or development and does not interfere with their education.

The implementing agency standard for minimum age of employment/work will be 18 years, as direct and contracted workers are expected to employ or engage highly qualified, experienced and competent project workers. PIU will advise the contractor/s to be in compliance with the law and to respect the standard for minimum age of employment. If any contractor employs or engages a person under the age of 18 years, that contractor will not only be terminated and excluded from the project but will also be reported to the authorities (Labour Inspectorate). The contractors will be required to verify the identity and age of all workers. This will require workers to provide official documentation, which could include a birth certificate, national identification card, passport, or medical or school record.

9. GRIEVANCE MECHANISM

The PIU will develop and implement a grievance mechanism for direct workers and public servants to address workplace concerns arising during the project implementation and this GM will be in compliance

with the ESS2 before the Project Effectiveness. PIU will require contractors to develop and implement a grievance mechanism for their workforce including sub-contractors, prior to start implementation. The workers grievance mechanism will include:

- a procedure to receive grievances such as comment/complaint form, suggestion boxes, email, a telephone hotline.
- stipulated timeframes to respond to grievances and to address cases.
- a register to record and track the timely resolution of grievances.
- a responsible department to receive, record, address and track resolution of grievances.

The Grievance mechanism will be based on the following principles:

- GRM will be easily accessible and used by all project workers (direct workers and contracted workers) to raise workplace concerns.
- There will not be discrimination against those who express grievances and any grievances will be treated confidentially;
- The process will be transparent and allow workers to express their concerns and file grievances;
- Anonymous grievances will be treated equally as other grievances, whose origin is known;
- Management will treat grievances seriously and take timely and appropriate action in response.
- Does not impede access to other judicial or administrative remedies according to the law or through existing arbitration/dispute resolution procedures, if the grievance is not resolved within the organization.
- Workers will be informed on how their grievances are resolved;
- Resolution of anonymous grievances will be announced to the wider workforce;

Information about the existence of the grievance mechanism will be readily available to all project Workers (direct and contracted) at the time of recruitment, during meetings and training and through notice displaying boards, the presence of “suggestion boxes”, and other means of communication as required (written, telephone, fax, social media etc). A Grievance logbook will be maintained in the PIU and the procedures to record and track the timely resolution of grievances. Responsible focal person to receive, record and track resolution of grievances, and to communicate with workers who submit grievances will be assigned.

Direct Workers GRM structure

Direct workers can raise their grievances at the PIU level. A reference to this effect will be made in their contracts as well. Environmental and Social specialist/s in the PIU will be responsible for tracking, handling and monitoring of the entire GM process. E&S specialists will be responsible to coordinate with relevant departments/organization and persons to facilitate addressing these grievances in effective and timely and confidential manner. If there is a situation in which there is no response from the PIU or if the response is not satisfactory then complainants and feedback providers have the option to contact the Focal Person in Human Resources Departments of AIS directly to follow up on the issue. If the response is not satisfactory or the issue is not resolved then complainants have the option to address the issue at other instances as allowed by the law.

Contracted workers’ GM structure

Contractor's level. Contractor/s will design and implement its own grievance mechanisms. The Contractor will assign a Grievance Focal Point (GFP), which will file the grievances and appeals of contracted workers and will be responsible to facilitate addressing the grievances. The workers grievance mechanism will be described in staff induction training, which will be provided to all project workers, and a description added to Worker's Code of Conduct. The contractor will be required to prove that each employee has been inducted and signed that they have been inducted on the GRM procedure. The PIU designated specialist (E&S specialists) will monitor the contractors' recording and resolution of grievances, and report a summary on a monthly basis.

PIU level. If there is a situation in which there is no response from contractor's level, or if the response is not satisfactory then complainants and feedback providers have the option to contact PIU's designated specialists (Project director and E&S specialists) directly to follow up on the issue, before proceeding to the Labor Inspectorate (if the issues falls under the competence of this body), or in the competent Court. A template of the Complaint Form is attached to ANNEX 1 - COMPLAINT FORM.

The project workers may also submit complaints to the WB's Grievance Redress Service (GRS). Project workers may submit their complaint to the WB's independent Inspection Panel which determines whether harm occurred, or could occur, as a result of WB non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank's (GRS), please visit <http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>. For information on how to submit complaints to the World Bank Inspection Panel, please visit www.inspectionpanel.org.

Contact information

Contact information of the PIU specialist responsible for GM will be updated upon establishment and staffing of the PIU.

10.CONTRACTOR MANAGEMENT

The PIU/AIS will use the requirements in the Procurement Regulations for IPF Borrowers: Goods, Works, Non-Consulting Services and Consulting Services dated July 1, 2016, revised November 2017 and August 2018 for solicitations and contracts. The Project Procurement Strategy for Development (PPSD) will outline the selection methods to be followed by the borrower. The contracts with selected contractors will include provisions related to labor and occupational health and safety, SEA/SH, as provided in the World Bank and Kosovo law. A procurement expert will be outsourced under PIU structure to prepare and update procurement plan.

As part of the process to select contractors who will engage contracted workers, PIU may review the following information:

- Information in public records, for example, corporate registers and public documents relating to violations of applicable labor law, including reports from labor inspectorates and other enforcement bodies;
- Business licenses, registrations, permits, and approvals;
- Documents relating to a labor management system, including OHS issues, for example, labor

- management procedures;
- Identification of labor management, safety, and health personnel, their qualifications, and certifications;
- Workers' certifications/permits/training to perform required work;
- Records of safety and health violations, and responses;
- Accident and fatality records and notifications to authorities;
- Records of legally required worker benefits and proof of workers' enrollment in the related programs;
- Worker payroll records, including hours worked and pay received;
- Copies of previous contracts with contractors and suppliers, showing inclusion of provisions and terms reflecting ESS2.

Contractors are responsible for management of their workers or subcontracted workers in accordance with this LMP, which will be supervised by the Project Coordinator in PIU. Contractors will be responsible for the following:

- To obey requirements of the national legislation (and this LMP);
- Establish a Code of Conduct for all workers sensitized to SEA/SH issues;
- Maintain records of recruitment and employment process of contracted workers;
- Communicate clearly job description and employment conditions to contracted workers;
- Provide workers with evidence of all payments made, including benefits and any valid deductions;
- Maintain records regarding labor conditions and workers engaged under the project;
- Ensure no child or forced labor is involved in the project;
- Maintain records of training/induction dates, number of trainees, and topics.
- Implement the grievance mechanism for workers; and
- Establish a system for regular review and reporting on labor, and occupational safety and health performance.

PIU Director will manage and supervise the performance of Contractors in relation to contracted workers, focusing on compliance by contractors with their contractual agreements (obligations, representations, and warranties) where applicable. This may include periodic audits, inspections of labor management records and reports compiled by contractors. Contractors' labor management records and reports may include: (a) a representative sample of employment contracts or arrangements between third parties and contracted workers; (b) records relating to grievances received and their resolution; (c) reports relating to safety inspections, including fatalities and incidents and implementation of corrective actions; (d) records relating to incidents of non-compliance with national law; and (e) records of training provided for contracted workers to explain labor and working conditions and OHS for the project.

11. PRIMARY SUPPLY WORKERS

Based on the requirement in components activities, primary supply workers may be recruited by the suppliers as required. This LMP requires that under the Kosovo Digital Governance Project any primary suppliers should ensure that no children are recruited as worker and that workers are not subject to 'forced labour' in any manner. The PIU will be responsible to monitor periodically and make sure that these standards are followed strictly. If any deviation is identified, the PIU will take action as prescribed in the contract/ agreement following the LMP. Primary supplier will maintain records related to occupational injuries and lost time accidents and report on fatalities or serious injury, and informs

government authorities in accordance with national reporting requirements as well as to the PIU. If there are any risks related to child and forced labour, and safety identified, in case of occurrence, the sanctions stipulated by Kosovo Labour law and Law on Health and Safety at Work and reporting to concerned authorities will be applied. The PIU then report the incidences to the WB.

ANNEX 1 - COMPLAINT FORM

Reference Number	
Full name (optional) <input type="checkbox"/> I wish to raise my grievance anonymously. <input type="checkbox"/> I request not to disclose my identity without my consent.	
Contact information. Please mark how you wish to be contacted (mail, telephone, e-mail).	<input type="checkbox"/> By Post: Please provide mailing address: _____ <input type="checkbox"/> By telephone: _____ <input type="checkbox"/> By E-mail
Preferred language of communication	<input type="checkbox"/> Albanian <input type="checkbox"/> Serbian <input type="checkbox"/> English <input type="checkbox"/> Other: _____
Information about the Grievance	What happened? Where did it happen? Who did it happen to? What is the result of the problem?
Date of Incident / Grievance	
	<input type="checkbox"/> One-time incident/grievance (date _____) <input type="checkbox"/> Happened more than once (how many times? _____) <input type="checkbox"/> On-going (currently experiencing problem)
What would you like to see happen?	
<i>Contact information for enquiries and grievances:</i> Attention: Name & Surname Agency for Information Society Address: Street "Luan Haradinaj" n.n. 10000 Pristina, Republic of Kosovo Tel: +383 38 521 033 E-mail: zip-mpb@rks-gov.net	Signature: _____ Date: _____

Grievances Close Out Form

Grievance Number.....

Define immediate action required:.....

Define long term action required (if necessary).....