

Training Proposal for Labour Rights in Impact Assessment

7 July 2016, Marielle Rowan

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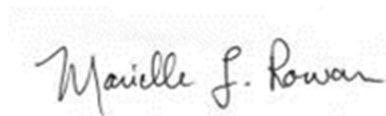
Section 1 – Basic information

- (a) [Labour Rights in Impact Assessment](#)
- (b) Level: [foundation](#)
- (c) Prerequisites for participants: [interest and enthusiasm for the issue](#)
- (d) Language of delivery: [English](#).
- (e) Duration: [1 day](#)
- (f) Maximum number of participants: [30](#)
- (g) Is each participant required to bring his/her own laptop? [No](#)
- (h) Name and contact details of each trainer, including whether each is an IAIA member and has signed IAIA's Code of Conduct.
 - o Marielle Rowan – IAIA member, signed code of conduct below

- **I, MARIELLE ROWAN, COMMIT MYSELF:**

- o To conduct my professional activities with integrity, honesty, and free from any misrepresentation or deliberate bias.
- o To conduct my professional activities only in subject areas in which I have competence through education, training, or experience. I will engage, or participate with, other professionals in subject areas where I am less competent.
- o To take care that my professional activities promote sustainable and equitable actions as well as a holistic approach to impact assessment.
- o To check that all policies, plans, activities, or projects with which I am involved are consistent with all applicable laws, regulations, policies and guidelines.
- o To refuse to provide professional services whenever the professional is required to bias the analysis or omit or distort facts in order to arrive at a predetermined finding or result.
- o To disclose to employers and clients and in all written reports, any personal or financial interest that could reasonably raise concerns as to a possible conflict of interest.
- o To strive to continually improve my professional knowledge and skills and to stay current with new developments in impact assessment and my associated fields of competence.
- o To acknowledge the sources I have used in my analysis and the preparation of reports.
- o To accept that my name will be removed from the list of self-ascribed professional members of IAIA should I be found to be in breach of this code by a disciplinary task-group constituted by the IAIA Board of Directors

July 7, 2016,



Section 2 – Course description

- (a) Summary of the purpose(s), content, and anticipated learning outcomes of the course (maximum 300 words). Please include within the text the level of the course and its prerequisites. An edited version of this text will be published on the IAIA17 website.

The purpose of the course is to understand labour rights safeguards and how they need to be reflected in an environmental and social impact assessment. The course will introduce labour safeguard requirements typified by IFC PS2 on Labour and Working Conditions. The scene will be set with labour terminology. Next the safeguard requirements will be presented: namely, the need to encourage healthy worker-management relationships; promote fair treatment, non-discrimination and equal opportunity; protect vulnerable workers; promote safe and healthy working conditions and the health of workers; avoiding the use of forced labour. How to implement a labour grievance mechanism and categorise labour grievances will be addressed. The difference between child labour and youth labour will be explained.

With an understanding of typical lender requirements related to labour rights as the basis, we will next address ways to integrate labour issues in the social impact process. Baseline characterization and typical data collection for employment and livelihoods will be identified. Then, ways to determine impacts and attribute significance using magnitude and sensitivity criteria will be introduced. Issues related to labour force origin and skills levels will be highlighted.

With labour impacts identified, we will move to typical mitigation and enhancement measures. Typical problems that arise in infrastructure projects related to working hours, timekeeping, use of excessive overtime, sub-contracting, passport and personal identification retention, and worker accommodation and ways to address them will be discussed. We will look at occupational health and safety and workers' accommodation using some bad and good examples. Typical management measures such as labour project commitments, worker codes of conduct and skills development activities will be presented.

The training will be a mixture of presentation, individual exercises, small group work and plenary discussion.

Possible edited version:

The purpose of the course is to understand labour rights and how they need to be addressed in a social impact assessment. The course will introduce labour safeguard requirements (IFC PS2, EBRD PS2) and labour terminology. Next ways to address labour issues in the impact process will be discussed. Last, typical mitigation and enhancement measures will be presented. The training will be a mixture of presentation, individual exercises, small group work and plenary discussion.

- (b) The target audience (who should attend), and potential local participants who may be interested, but not in the circle of the usual IAIA members, (e.g. other professional associations, companies and enterprises etc.): [Social impact assessment \(SIA\) practitioners, ESIA Project managers, labour auditors looking to expand their skill set to include SIA](#)
- (c) Detailed description of the course structure and content (2 – 5 pages), including an outline of participatory and/or case study-based exercises. Interactive approaches to courses are strongly encouraged.

[See below as an Annex the course structure and content](#)

- (d) Description of the materials participants will receive prior to or during the course. *An introduction letter will be issued which would include some resources if participants want to read up. The expectation is that the course will present fundamentals.*
- (e) Description of any technology/equipment required to facilitate this course beyond the usual flip charts and PowerPoint projectors. *Nothing extra needed*
- (f) Provisions for pre-conference and post-conference communication with participants. *Trainers are expected to register for and attend the full conference to allow for maximum face-to-face communication immediately following course delivery. I intend to register and attend the course. I will be available for one on one meetings during the conference and email communication prior and following the conference.*

Section 3 – Qualifications of the trainer(s)

- (a) An abridged curriculum vitae (*maximum 1 page*) for each trainer. *Attached separately*
- (b) History of the course: title(s), number of times, where and to whom it has previously been delivered and evidence of its success, number of attendees.
 - *IFC PS2 (labour and working conditions) as a half day module of larger social and environmental training to about 20 participants (Project sponsor and contracting staff) in Pakistan in 2015.*
 - *IFC PS2 (labour and working conditions) as a full day course to about 50 participants (Project sponsor and contracting staff) in Honduras in June 2016. Evaluation results attached.*
- (c) If the course is new, give history of a comparable course, with the same information as in 3b. *Parts of this proposed course is new, namely the connection between labour requirements and the SIA process, as well some of the mitigation information has not been included in training previously. If IAIA requires I can provide the ppt presentation for the Honduras course mentioned above which will be used along with new content.*

Section 4 – Commitment of the trainer(s)

- (a) Identify how many times any course by any of the trainers has been offered. If applicable, explain the reasons why a course offering has been cancelled. *I often give training (formal and on-the-job) as part of my work as a Principal Social Safeguard specialist. This is the first time I am presenting a proposal to IAIA. The recent one day course in Honduras was very successful and enjoyable and that has prompted me to present this proposal. I'm very interested in addressing labour rights through my work and it is a growing area that I think there will be interest in. I've not cancelled any course trainings.*
- (b) Similarly, identify earlier approved training courses you were involved in organizing, but where changes in trainers or course structure were amended, and explain the reasons for this. *I do not have any such experience.*
- (c) Indicate the level of commitment to give this course at IAIA17 by noting any circumstances that would cause the course to be cancelled (other than if the minimum enrolment is not reached) or circumstances that would cause the instructor(s) not to be in Montréal to offer the course. Note also that courses that require a minimum of more than 10 participants will be at a disadvantage. *Requesting a minimum of 10 participants would be appropriate for this course. There is some group work and other activities planned that would make the minimum appropriate. I live in Ottawa which is a 2 hour drive from Montreal. I have submitted a proposal to be a session leader for IAIA2017.*
- (d) Note backup strategy in the event an instructor must withdraw unexpectedly. *I have colleagues from my social safeguard team based in the United States and England.*
- (e) Statement agreeing to provide free places to students based on formula described in the "Student participation" below. *I agree to provide one student to participate in the course at no fee for up to 9 paying participants, two students for 10-19 paying participants, and three students for 20 or more paying participants.*

Annex A Course Structure and Content

Morning

- A) Icebreaker – Activities: identification of favourite personal protective equipment, questions about labour rights and SIA experience where participants stand and go to different section. Introductions of selves to others in group at same level.
- B) Labour terminology – Workers (direct, third party, and supply chain), grievance, living wage, freedom of association and collective bargaining, child labour, forced labour, non-discrimination and equal opportunity, retrenchment. Activity sheet: Connect words with definitions. Then presentation with some added details, for instance difference between child labour and youth labour.
- C) Lender requirements related to labour and working conditions – IFC PS2 and EBRD PR2 objectives and requirements by topic will be explained
 - o Working Conditions and Management of Worker Relationship
 - HR Policy and procedures
 - Working Conditions & Terms of Employment. Contract activity sheet: take list of items and decide which ones must be included in a contract, can be included in a contract, and are not needed in a contract. Compare with slide with answers. Ask for questions or any items that were not clear.
 - Workers' accommodation
 - Workers' organisations
 - Non-discrimination and equal opportunity: Group work in groups of 5-8: on personal characteristics, requirements for the job, cultural awareness
 - Labour grievance mechanism: Who needs to be involved? What steps are required? What makes one grievance more significant/important /risky than another? Activity – write down initial ideas, then share with neighbor. Then presentation of this info. Activity – Plenary brainstorm – what are grievances you have encountered on Projects? Activity – Grievance categorization – 6 examples provided, small groups to work on 2 each and then share answers back to plenary

Tea Break

- o Protecting the Workforce – differences between child labour and youth labour; forced labour and how it can manifest itself on projects
- o Workers Engaged by Third Parties
- o Supply Chain

LUNCH

AFTERNOON

Continuation with:

- Occupational health and safety – Activity: small groups to draw a construction worker with PPE. Good and bad examples presented with illustrations.

D) Integrating Labour Issues in SIA

- Overview of SIA Activity: each participant is given a word and they have to self order into the SIA process. Depending on number of participants there may be two or three groups.
- Baseline characterization – types of information to be collected related to economy and employment; skills availability in the Project study area; housing availability for workers;
- Identifying impacts – employment generation during the construction phase and operations phase. Pwalugu case study of focus group about which jobs on a construction worksite women can do.
- Attributing significance using magnitude and sensitivity criteria. Explanation of magnitude and sensitivity criteria. Activity: small groups to consider case studies and attribute significance

E) Mitigation and Enhancement for Labour Issues

- Typical requirements. 1-2-4-all activity - based on discussion so far – list five items you think the ESMP needs to include. Then share with your neighbor, then another couple, then whole group. Slide will show items we normally include.
- Project commitment to labour rights – review of content
- Code of conduct for workers

Tea Break

F) Mitigation and Enhancement continued

- Construction labour monitoring. Activity: Plenary brain storm on: Who monitors?, What do they monitor? How? When and with what frequency? Where? Presentation on why and answers to questions with pictorial examples.
- Key issues to monitor: contracts, working hours and what excessive overtime means, wages and payment, accommodation, food, passport and identification retention

G) Labour scenarios –Small group work to review case studies – which Performance Standards does it address, how would it be captured in an SIA, what mitigation and enhancement would be appropriate

Summary CV

Marielle Rowan

Profile

Marielle Rowan has 24 years of experience focussing on community development and the social impacts of infrastructure projects. She routinely addresses social impacts, land acquisition and resettlement, labour management and working conditions, community health and safety, cultural heritage, indigenous peoples, stakeholder engagement, community resilience, livelihoods, equality, inclusion, gender and inclusion. Marielle has an academic background that covered the theories of how adults learn. She enjoys using participatory techniques in training activities that address theory, observation, practice and analysis.

Experience and skills

Mott MacDonald, Principal Social Scientist (2005 – present)

International Development Research Centre, Liaison Officer, Mozambique (1996 – 2004)

UN Development Programme, JPO Programme Officer, Mozambique (1994 – 1996)

International Development Research Centre, Evaluation Intern, Canada (1993)

Selected projects

Pwalugu Multipurpose Dam, Ghana (2013 on-going) – On behalf of the Volta River Authority, Marielle is Project Manager for a multidisciplinary team undertaking an ESIA and resettlement planning for the scheme with energy generation, irrigation development and flood management objectives. Deliverables produced in reference to World Bank requirements. Training on ES issues including ESIA for hydropower projects, stakeholder engagement, ES supervision and monitoring, resettlement and GIS.

Karot Hydropower Project, Pakistan (2015) – On behalf of the Karot Power Company (Pvt) Ltd with IFC funding, Marielle was responsible for production of the social impact assessment and overseeing the production of the stakeholder engagement plan, project labour commitments, and health assessment undertaken by junior staff. She undertook two site visits, including one

to give training on IFC's requirements for social impact management and resettlement planning.

Construction Labour Audit, Jordan (2010-2012): As part of a lender's engineer contract for a group of international development banks, Marielle was responsible for carrying out 6 labour audits for the Disi Water Transfer Scheme in Jordan. The assignment entailed site visits to observe labour conditions at work sites, interview workers, review timekeeping and payroll systems, and inspect labour accommodation facilities in relation to contractual requirements and international standards.

Confidential Client, Abu Dhabi (2014) – A multinational corporation contracted Mott MacDonald to provide labour and human rights advice and monitoring for some building construction. Marielle prepared the standards for protecting the labour rights of the third party workers. The standards include commitments and implementation guidelines contractors must meet as well as monitoring checklists.

Training facilitation and materials:

Marielle has been involved in:

- material preparation and facilitation of 8 days of training on stakeholder engagement, ESIA for hydropower projects, mitigation and enhancement, and resettlement planning for a project in Ghana

- material preparation for half day and day courses on IFC PS2, labour and working conditions for use in South Africa, Ghana and Honduras

- material preparation for a 3 day course on resettlement & field survey techniques for a roads project in Afghanistan (2011)

- material preparation for a 2 day course on sustainable livelihood assessment using participatory rural appraisal techniques

- material preparation & facilitation of a 3 day course on environmental and social management and a 1 day course on stakeholder engagement for electricity utility staff in Mozambique

- facilitated numerous community development workshops (1997-2004) in Mozambique.



Position

Principal Social Scientist – Energy Unit

Year of birth

1966

Nationality

Canadian

Language

English – mother tongue

Portuguese – fluent

French - basic

Spanish - basic

Qualifications

MSc Rural Extension Studies

HBA, Applied Studies English,

Rhetoric and Professional Writing

Member of the International Association for Impact Assessment

Key skills

Specialisation – social impact assessment, social due diligence, resettlement planning, labour monitoring.

Special areas of expertise – institutional assessment, stakeholder engagement planning and implementation, cumulative impact assessment, benefits enhancement.

Mott MacDonald Evaluation Form Results

Training on Stakeholder Engagement, Labour Rights and Resettlement, Karot Project, June 2015

.Rating scale:

1	2	3	4	5
Poor	Fair	Good	Very good	Excellent

Area	Number of Responses (Total 21) by Rating Scale				
	1	2	3	4	5
Usefulness/relevance to your work		1	1	11	8
Effectiveness of the trainer <i>e.g knowledge of the topic, delivery of the objectives, quality of instruction, approachableness</i>			3	3	15
Quality of responses to questions			6	8	7
Course organisation			4	10	7
Training methods <i>e.g were activities appropriate, was there a good mix of presentation and participation?</i>				11	10
Quality of presentation slides			3	8	10
Your overall rating of the course			2	13	6

Further comments

What did you like most?	<p>The definitions and basic concept clearance, and linking with the practical aspects</p> <p>Stakeholder engagement plan and land acquisition and resettlement</p> <p>Labour management</p> <p>Human resource management</p> <p>Good presentation and discussion in some different groups</p> <p>Useful recommendations</p> <p>The interactive activities and scenario discussions</p> <p>Interactions and activities</p> <p>Stakeholder engagement principles, IFC Performance Standards, Sustainable</p>
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	<p>livelihood theory</p> <p>The overall training courses are very useful and helpful for my work and experience</p> <p>Introduction of IFC Standard and description of case studies which happened in other countries</p> <p>I think I'm interested in this training</p> <p>Labour and working conditions</p> <p>Topics discussed regarding LARP were very knowledgeable and information on stakeholder engagement was good enough</p> <p>Communication and discussion between each other</p> <p>The part covering the commitments of the contractor as well as the labour code of conduct has been very detailed</p> <p>Activities</p> <p>The interactive way, role-play, comprehensive, simple</p> <p>No answer – 3</p>
What did you like least?	<p>Tea break were without tea/coffee</p> <p>Arrangements of the training course</p> <p>I'm interested in this training</p> <p>Theoretical discussions</p> <p>Definition explanations</p> <p>Livelihood restoration</p> <p>The slides were full of text. It would be nice if more graphical material be added to slides</p> <p>Nothing -6</p> <p>No answer -8</p>
Do you have any recommendations to improve the training?	<p>Time period can be increased to develop more understanding with a field exposure and participants</p> <p>Excellent</p> <p>Issue training material documents in advance</p> <p>You did very well</p> <p>Make some survey among the people who will get the training before, collect some requirements and questions</p> <p>You may prepare more charts, tables and figures in ppt</p> <p>Overall good interactive sessions. Maybe include some real life examples from previous project – might make it more interesting for the participants</p> <p>More interactions and more examples</p> <p>More query by example</p> <p>I think if there are cases related how to solve similar questions that will be better</p> <p>Videos and examples must be according to local environment</p> <p>Case studies should be included to understand the ground realities</p> <p>Give use more examples and pictures to help us understand some topics and options</p> <p>Timings should be reduced, not the full day, less time for formal education/training and more time for informal training.</p> <p>None - 2</p> <p>No answer – 5</p>

Proyecto ADASA: Capacitación sobre la Norma de Desempeño 2: Trabajo y Condiciones Laborales

Junio de 2016

Esperamos que esta capacitación haya sido de utilidad para usted. Le agradecemos completar la siguiente evaluación para poder mejorar capacitaciones futuras. Escala:

1	2	3	4	5
Deficiente	Normal	Bueno	Muy bueno	Excelente

Por favor marque con una **X** el número que represente su opinión sobre los siguientes temas:

Tema	Total Number of Participants: 53 in morning, 47 in afternoon Total Number of Evaluation Responses: 41 Nivel: 1 es el puntaje mas bajo y 5 es el puntaje mas alto					Comentarios adicionales (opcional)
	1	2	3	4	5	
Utilidad/relevancia con respecto a su área de trabajo/ Usefulness/relevance to your work			1 (2%)	7 (17%)	33 (80%)	
Eficacia del presentador <i>Por ejemplo: conocimiento sobre el tema, cumplimiento de los objetivos de la capacitación, calidad de la capacitación, disponibilidad del presentador/</i> Effectiveness of the trainer				8 (19%)	33 (80%)	3 comments: improving language
Calidad de las respuestas proporcionadas/ Quality of responses to questions				12 (29%)	29 (70%)	
Logística y organización de la capacitación/ Training logistics and organisation				8 (19%)	31 (75%)	No answer: 2

Por favor continúe en la siguiente página

Métodos de entrenamiento <i>Por ejemplo: relevancia de las actividades, combinación de la presentación y participación de lo oyentes</i> Training methods				6 (14%)	30 (73%)	5 people (12%) chose twice – 4 & 5 because the line went to next page. We called them 4.5 1 comment: excellent, very dynamic, alot of participation
Calidad de la presentación de diapositivas/ Quality of presentation slides			2 (4%)	8 (19%)	31 (75%)	1 comment: excellent, good basic content
Puntaje general de la capacitación / Overall course rating				9 (21%)	30 (73%)	No answer – 2

Comentarios adicionales

¿Que aspectos de la capacitación fueron mas de su agrado? What did you like most?	Safety (11); Labour rights (6); Labour hours (6); Information tailored to Project (5); PPE (5), Workshop dynamic (5), Equality/equity/non-discrimination (3); Day of rest (2); Grievance mechanism (2); labour contractors (2); compliance need (2); Employee wellbeing (2); All (2); excercises and participation (1); Organisation and methodology (2);Knowing about IFC (2); Freedom of speech (1); Contracts (1); Types of work not allowed (child and forced labour) (1); No answer (1)
¿Que aspectos de la capacitación fueron menos de su agrado? What did you like least?	None/no answer (27); Language (3); One comment each for: changes in weekly hours; cultural conscienseness; rest; not base don local regulations; work planniing to visit families; no morning break; not much mention of profesional workers; too long; too short on Honduran experience
¿Tiene alguna recomendación para mejorar esta capacitación? o ¿existe algún tema en particular sobre el cual le gustaría conocer más? Do you have any recommendations to improve the training or topics you would like to learn more about?	PS1 (10) ; PS4 (10); PS6 (4); PS3 (4); PS5 (3); More labour rights or labour code (3); None/no answer (3); Language use or translator (2); PS8 (2) Safety/OHS; Weather as part of labour planning; Workshop among contractors to share and act in an aceptable way ;); EIA; Risk assement; Give another one (no topic identified); Video material; Sub-subcontractors included; less time; Very good; More tolerance to local customs; Changes to IFC; Paper for notes; Give material; don't like to comply – no tranistion time; longer to have deeper discussions

Al comienzo de esta capacitación mi conocimiento sobre temas relacionados a los derechos laborales era: Bajo __ Medio__ Alto __

Después de la capacitación mi conocimiento de sobre temas relacionados a trabajo y condiciones laborales es: _____

No answer = 2

Low to médium = 4

Low to médium high =1

Low to high = 2

Medium to médium = 5

Medium to the necessary/good =3

Medium to very good/optimal = 4

Medium to high = 17

High to high =3

Evaluation responses from:

ADASA Team: 9

William and Molina: 5

SEDECO: 5

SERMACO:4

Mexpressa: 4

La Roca:4

Name but no Company: 4

ICIDOMEL – 2

PRODECON – 2

FICHOSA – 2

Present in morning: Jessica and Hugo from ADASA