

EVALUATION REPORT – CONSTRUCTION ACTION PROGRAMME (CAP)¹

September 2006

1. BACKGROUND

A key preliminary event for the CAP was the ILO Tripartite Meeting *The Construction Industry in the Twenty-First Century: Its Image, Employment Prospects and Skill Requirements*, held in Geneva during 10-14 December 2001 (ILO, 2001). This meeting noted that the construction industry makes a major contribution to the economy of all countries, providing significant opportunities for employment worldwide and contributing to the alleviation of poverty. The Meeting also discussed problems that need to be addressed if the full potential of the industry is to be realized. Three major problems were highlighted in the Conclusions to the Meeting (ILO, 2001, 2004):

- . *Employment practices:*

In a number of countries, changes in employment practices in recent years, in particular the trend to labour subcontracting, have created serious problems. This is particularly so in developing countries where labour subcontracting and casual forms of employment predominate, with negative impacts on occupational safety and health, on training and on the ability of workers and employers to organise.

- . *Occupational Safety and Health:*

Construction is widely recognised as one of the three most hazardous sectors of the economy in which to work. Thousands die each year from construction accidents. Many more suffer and die from occupational diseases. The numbers are not known because records are not kept and compensation is seldom paid. Casual employment and subcontracting are complicating factors in this situation. Yet the causes of accidents in the construction industry are fairly obvious and almost all are easily preventable.

- . *Training:*

Informal methods of acquiring skills in the construction industry may need to be supplemented from time to time by more formal training (for example, when new technologies are introduced or when higher quality output is required). Cooperation is needed to share the costs of training between workers, employers and governments. The shift towards subcontracting and casual employment has made cooperation more difficult in both the funding and the delivery of training.

¹ For the sake of simplification, the Construction Action Programme will be referred to in the paper as “CAP”.

The above problems concern the low quality of jobs in the construction industry. A further issue relates to the quantity of jobs.

. *Employment creation:*

It is widely recognised that the construction industry around the world generates much needed employment. However, there is evidence that the employment generating potential of construction investment is not yet fully realised in some countries and areas of work. In developing countries, more jobs could be created if the barriers to using labour-based methods were removed and the local industry encouraged to develop. Employment friendly investment policies, combined with decent working conditions could make a major contribution to poverty reduction.

The broad strategy adopted for the CAP has been to try to find solutions to the aforementioned problems through a process of tripartite social dialogue. The focus of dialogue is at the national level. A Tripartite Planning Meeting was convened in Geneva on 3-5 November 2003 to discuss the activities to be included in the CAP. The meeting proposed three inter-related long-term objectives: (i) to create an enabling environment for the sustainable development of the local construction industry; (ii) to improve the conditions of work in the industry; and (iii) to expand opportunities for productive employment. Following, the 2003 Meeting proposed four areas of activity. They correspond to the four problem areas identified in the 2001 Meeting (noted above), and are elaborated in Annex I.

The underlying approach of the CAP is to use the process of social dialogue in construction as a means to achieve the long-term objectives. Therefore the process of social dialogue became a goal in itself. Actually, the CAP can be seen as an experiment to test the contribution of social dialogue to improvements in the sector.

The decision on specific activities to be implemented, within the four areas of the CAP, takes place at the national level, involving the Government, and representatives of workers and employers. The process in each country is distinctive from the others. The concrete activities to be implemented are also specific to each country – while related to the broad CAP framework.

During the 2003 Meeting, five countries were selected to pilot the CAP: Brazil, Egypt, India, Ghana and Tanzania.

2. PURPOSE AND SCOPE OF THE EVALUATION

The purpose is to evaluate the Construction Action Programme, taking stock of its implementation and drawing lessons either for the possible continuation of this programme or/and for others.

The scope specifies the coverage of the evaluation. In this regard, the scope is the CAP from inception to the present. The scope also specifies key issues and aspects on which the evaluation should focus. In this respect, the scope is given by the set of indicators presented in the next section. As also noted in such a section, the main actors in the evaluation are the national partners, who responded the questionnaires. Overall, the exercise seeks to evaluate whether the CAP has set up a process of tripartite social dialogue in the construction sector at the national level in each pilot country; created a tripartite National Steering Committee which would adopt a Plan of Action, implemented initial concrete activities within the given funding limitations, explored ways of funding for more activities, and, finally, pursued a strategy concerning the sustainability of the programme.

3. METHODOLOGY EMPLOYED

The following have been defined as indicators for the progress of the CAP:

- (i) The functioning of the process of social dialogue in the majority of the pilot countries.*
- (ii) The preparation of a Plan of Action in the majority of the pilot countries 15 months after initiating the programme, through a process of tripartite social dialogue in consultation with the members of the national steering committee and other stakeholders suggested by the group.*
- (iii) Discussion of a strategy for funding the activities of the Plan of Action after 18 months in the majority of the pilot countries, through a process of tripartite social dialogue based in the steering committee and other forums as appropriate.*
- (iv) Implementation of concrete activities derived from the Plan of Action after 18 months from the beginning of the Construction Action Programme in the majority of the pilot countries.*
- (v) The usefulness of the process of tripartite social dialogue in each pilot country at present, through its activities.*
- (vi) The perceived future usefulness of the activities of the process of tripartite social dialogue in each pilot country.*

The main sources of information for obtaining data on the above have been the representatives of the workers, employers and government agencies with a stake in construction in each pilot country. A questionnaire was prepared, with questions related to each of the above (Annex II). In addition, it should be noted that the minutes of CAP meetings and workshops as well as reports related to the plans of action and the implementation of activities also include evidence about the indicators.

It was agreed beforehand that in each country the questionnaire could be answered either separately by the respective representatives of workers, employers and government in the sector, or by such stakeholders together. In Ghana the questionnaire was answered by tripartite bodies (explained in 5.3.). In the other countries it was answered by the different stakeholders separately.

While the overwhelming majority of the answers addressed their respective questions, there were a few cases of non-accurate answers. It was not possible to return such answers to their respective respondents and request clarification, because of lack of time. This is a limitation of the evaluation process chosen. The solution has been to clearly explain each non-accurate answer in Section 5 of this document, and, when appropriate, to present an attempt to understand each answer, and if necessary complemented with references to documentation. Nevertheless, the few non-accurate answers have not compromised the overall evaluation, as elaborated in Sections 5 and 6.

4. REVIEW OF IMPLEMENTATION

Representatives from the five pilot countries took part in the planning meeting of the CAP in November 2003. The ILO Offices in the field were also contacted before the start of the activities at the country level. The implementation of the CAP started in early-2004, and entails four phases, described below:

1. *Social Dialogue Start Up*: this is the initial stage, during which the partner organizations in each country and the ILO Office responsible for the country are contacted again to discuss the course of action. The process entails mainly bilateral meetings, and if possible also multistakeholder meetings. The partner organizations should include not only the ‘traditional’ tripartite members – the ministry of labour and representatives of workers and employers – but also other organizations with an important stake in construction, such as for example the respective ministries of housing and/or urban development, construction, local government, etc. The foundations for a CAP National Steering Committee are laid at this stage.
2. *Plan of Action*: the process of social dialogue in each country focuses on the formulation and finally approval of a Plan of Action containing the concrete activities to be implemented. This entails a number of meetings involving all the partners to discuss ideas to be included in the Plan, as well as bilateral in-depth consultations to obtain details of proposals from individual partners. The CAP National Steering Committee should be formalized at this stage (or during the previous one). This phase concludes with another meeting of the partners – now the National Steering Committee – to approve the Plan of Action and to agree on the next steps.
3. *Concrete Activities*: this is the phase in which the activities of the Plan of Action are implemented. The CAP has seed money to fund a number of priority activities, to give an initial push for the implementation. The remaining activities should be funded by the national partners, other ILO departments and/or donors. Therefore, resource mobilization is also an important part of the CAP.
4. *Sustainability*: ideally the CAP should not stop when the initial Plan of Action is completed. Social dialogue is a process, and it usually takes considerable time and effort to set its structure in place. When such structure is finally ready in a given country, it should be used for a long time, to compensate the investment. During the process of implementation of the Plan of Action, further needs and requests for action are likely to be unveiled, thus generating further activities, and so on. The way to secure the sustainability of the CAP is still an issue, and such point will be resumed in the next section of the paper.

At the beginning of the CAP it was difficult to foresee the length of each phase in each country. As noted before, the way social dialogue develops depends very much on local circumstances. In addition, the timeframe for the implementation of the concrete activities depends on the size of the Plan of Action in each country as well as on the speed of resource mobilization and the implementation capacity of the partners. Therefore, the length of each

phase of the CAP is country-specific. A summary of the status of the CAP in each pilot country is presented below, complemented by remarks about other countries. The challenges encountered along the process are also presented below.

5. PRESENTATION OF FINDINGS REGARDING PROJECT PERFORMANCE

This section is divided by country (noted in Section 1). The presentation of each country is divided according to the six outputs (noted in Section 3). One country – Tanzania – has an in-depth study, as opposed to the others.

5.1. Tanzania

In this country the National Steering Committee is operational since mid-2004 (see Table 1 for institutional membership). The Committee identified a set of problems to be addressed, all related specifically to one of the four themes of the CAP – namely, occupational health and safety. There is a need to strengthen legislation as well as to train stakeholders to enforce it. The Committee decided to concentrate efforts on this field rather than to spread resources thinly.

The questionnaires were answered separately by representatives of workers (Anna Ngondo and Victor Kassian² – in the process of forming a new union); employers (CATA – Contractors Association of Tanzania) and government (TANROADS). The answered related to each indicator are presented below.

5.1.1. Functioning of the process of social dialogue

All answers were positive. TANROADS also noted that the process enabled a number of stakeholders to meet, identify and analyse key issues in the construction sector. CATA emphasised that the process has created awareness among contractors and other construction industry stakeholders on the key safety and health issues for the industry, enabled them to identify challenges in creating better work places, chart out some of the strategies and action plan. The workers stated that the process of the CAP is the right platform on which workers ideas and issues related to occupational health and safety in construction can be reviewed and shared with other actors. According to them, it is the right step towards improving safety and health awareness and working standards.

Furthermore, according to the workers, ...”This process brought actors together, giving them room and an opportunity to exchange ideas as the process is rightly geared towards changing the mental set of many of the employers’ traditional attitude; that implementation of OSH is expensive; But the process is helping them realize the opposite: that observation of OHS is more cost-effective, and leads to better working environment and efficiency. Prevention is better than cure...”

Table 1 – The CAP Steering Committee in Tanzania

REPRESENTING WORKERS:

² Ms. Ngondo and Mr. Kassian have been the most active workers’ representatives in the CAP in Tanzania. At the beginning of the CAP they were affiliated to TAMICO (Tanzanian Mines and Construction Workers Union) but left such union to form another one. During such a process they have remained active in the CAP.

-Tanzania Mines and Construction Workers Union (TAMICO) - new union ³
REPRESENTING EMPLOYERS:
-Association of Tanzanian Employers (ATE) -Contractors Association of Tanzania (CATA) - Tanzania Civil Engineering Contractors Association (TACECA) - Institute of Engineers Tanzania (IET) - Association of Architects Tanzania (AAT) - Tanzania Institute of Quantity Surveyors (TIQS)
REPRESENTING GOVERNMENT:
- Occupational Safety and health Authority (OSHA) under the Ministry of Labour - Contractors' Registration Board (CRB) under the Ministry of Works - National Construction Council (NCC) “ - Tanzania Roads Agency (TANROADS) “
PROFESSIONAL REGULATORS:
- Engineers Registration Board (ERB) - Architects and Quantity Surveyors Registration Board (AQRB)
OTHER STAKEHOLDERS
- Tanzania Occupational Health Service (TOHS) - British Petroleum (Tanzania) Ltd. (major client) - University of Dar es Salaam (UDSM)

5.1.2. The Plan of Action

All respondents confirmed that a Plan of Action has been designed. The answer of TANROADS also explained the functions of the Steering Committee. The respective answers of the workers and CATA also provided details of the process of formulation of the plan, including the roles of the CAP Steering Committee.

The formulation of the Plan of Action was completed in early 2005. As noted before, the Steering Committee chose to concentrate on safety and health. Therefore, the Plan focuses on such a theme. The Plan includes a set of training activities for stakeholders based in Dar Es Salaam, summarized in Table 2, below (for a detailed view of the Plan, see Annex III). The CAP only had resources to pilot a number of operational activities. Following, it was felt that the limited budget of the CAP would be better used by concentrating the activities in one place. It was also felt that Dar Es Salaam should be chosen because, as the most important city in the country, information could be spread more easily from there to other parts. After the piloting of the activities in Dar, resources should be mobilized to implement similar activities (with the necessary adaptations) in other key places in the country. The possibility of replicating in other countries in the region has also been considered (more information below). It should also be noted that the CAP Plan also included policy advice – related to the inclusion of appropriate safety and health clauses in the new procurement regulations. This was not budgeted, therefore it is not included in Table 2.

³ Please see footnote 2.

Table 2: CAP Plan of Action, Tanzania: Proposed Activities, Outputs, Costs

Objective	Activity	Output	Actors	Anticipated Cost (US\$)
To increase knowledge among the members of the steering committee on H&S issues, so they can teach and inform others (training the trainers)	4 day intensive course run by team of 3 from South Africa for members of the steering committee (maximum 25)	A small number of key stakeholders with increased knowledge of H&S and of the multi-stakeholder approach, some able to teach others	Members of the steering committee	US\$ 7,500
To raise awareness among key clients, professional advisers, contractors and others of the benefits of a multi-stakeholder approach and their role in it	One day seminar for high level stakeholders or representatives of stakeholder organisations (clients, professionals, contractors and workers)	<ul style="list-style-type: none"> - Stakeholders more aware - some key clients willing to take the approach forward - professionals and contractors requesting training 	All	US\$ 1,500
To increase knowledge of the technical aspects of H&S among key stakeholders	General intensive course on major hazards and how to avoid them (delivered to a mixed group of 50 persons over 3 days)	An increasing number of people from all stakeholder groups with knowledge of technical issues	All	US\$ 2,500
To raise awareness among workers of their rights and provide practical information on H&S issues	Short training sessions for workers and managers on construction sites in Dar es Salaam, built around the film ('Hard hats are not enough') and emphasizing workers' rights	Gradual building of awareness among construction workers and managers of their rights and responsibilities for H&S and understanding of H&S issues	TAMICO + others	US\$ 1,000
To impart specialised knowledge to specific stakeholder groups	<u>Separate 2 day courses on:</u> <ul style="list-style-type: none"> - undertaking risk assessment and developing H&S plans - costing, pricing and evaluating tenders for H&S - inspection and monitoring - development of internal company procedures for H&S 	An increasing number of people from the various stakeholder groups with the specialised knowledge needed to meet their responsibilities	Professions/ Contractors/ Quantity Surveyors professions/ OSHA Contractors	US\$ 6,000 (US\$ 1,500 per course)

5.1.3. Funding strategy

All answers were positive, and also noted that funding strategies have been identified, with target donors such as government agencies and international agencies. The workers also noted that the Steering Committee held meetings on how its members should pro-actively mobilize resources.

In terms of funding for what has already been implemented, the BWI (Building and Wood Workers International) provided training for one of the activities, and the remainder was funded out of the CAP budget. The ILO Dar Es Salaam Office has provided in-kind support.

Funding possibilities for the future include.

- DANIDA: this bilateral donor has a specific line of support to OSHA (the Tanzanian government agency for occupational health and safety). Following, the DANIDA office in Dar Es Salaam suggested that the request for support to CAP activities should be submitted via OSHA. This is very pertinent, because OSHA plays a major role in the CAP framework. The Steering Committee has been informed about such an opportunity; also bearing in mind that OSHA is part of the Committee.

- EAP (Engineers Against Poverty): this international NGO has expressed a particular interest in the framework of action of the CAP in Tanzania (safety and health in construction) and has used the CAP Plan of Action as a guideline for preparing project proposals. Therefore such proposals entail the implementation of parts of the Plan. Recently EAP submitted a project proposal to the Nuffield Foundation for funding.

- SAFEWORK: the possibility of linking the CAP to the National Safety and Health Plan of Action in Tanzania (as well as other countries) has been discussed.

- Project document for the Dutch and/or British TC-RAM: if the priorities of one or both match the CAP's framework of action, a project document should be prepared and submitted.

The above are some possibilities, and it is also necessary to keep in close contact with donors in Tanzania (see also comment on 6.1., below).

5.1.4. Activities implemented

Table 3 presents the training activities. In addition, policy advice has also been carried out – regarding the insertion of health and safety in the new procurement regulations.

All respondents to the questionnaire confirmed the implementation of activities. The representatives of the workers also mentioned the specific activities that targeted their peers, while CATA and TANROADS provided a more comprehensive account (given that workers were only one of the stakeholders, therefore a number of activities targeted other stakeholders).

Table 3 – Activities implemented in Tanzania

S.No	Dates	Location	Activity
1	21 st . April 2004.	Dar es Salaam (ILO conference room)	The first stakeholders workshop organised by the construction specialist.
2	24 th -27 th January 2005	Dar es Salaam (ILO conference room)	Training session for members of the steering committee conducted by a team of three OHS experts from South Africa
3	17-18 th March 2005	Dar es Salaam (Dar es Salaam Institute of Technology conference room)	Practical training session for a mixed group (comprising of representatives from Government, employers and workers organisations) conducted by Fiona Murie from the International Federation of Building and Woodworkers (IFBWW) headquarters in Geneva
4	29 th April, 2005	Dar es Salaam (Golden Tulip Hotel)	High level seminar for Clients and decision makers (to convince major clients (mostly government) and construction industry professionals that they have a role to play in promoting and monitoring OHS in projects and that this needs to be clearly spelled out and reinforced through appropriate procurement procedures and contract documentation. Secondly to convince those responsible of the need to develop and disseminate revised regulations and guidelines to promote OHS in the construction industry)
5	12-13 th July 2005	Dar es Salaam (ILO conference room)	OHS awareness for contractors (Conducted by Mworira – a member of the steering committee)
6	28 th July 2005	Dar es Salaam (ILO conference room)	OHS awareness for workers (Conducted by Anna Ngondo and Victor – members of the steering committee)
7	29 th September 2005	Dar es Salaam (ILO conference room)	OHS awareness for consultants (Conducted by Kabyemera & Manyele – members of the steering committee)
8	15-16 th December 2005	Mwanza (St. Dominic Pastoral Centre, Nyakahoja)	OHS awareness for contractors (Conducted by Mworira – a member of the steering committee)
9	28-29 th December 2005	Mwanza (Nyakahoja conference hall)	OHS awareness for workers (Conducted by Anna Ngondo and Victor – members of the steering committee)
10	20 th December 2005	Mwanza (New Mwanza Hotel conference room)	OHS awareness for consultants (Conducted by Kabyemera & Manyele – members of the steering committee)
11	Throughout 2006	Dar es Salaam (various places)	The focus during this year has been on policy advise regarding OHS regulations and on mobilization of resources (Conducted by the ILO Consultant). The trainers trained via the previous activities have also transmitted their acquired knowledge to other professionals.

5.1.5. Present usefulness of the activities of the process

All answers were positive.

TANROADS highlighted the following:

- . Increase in the decision-makers' awareness of the importance of health and safety in construction,
- . Contractors are now sensitive to implementing health and safety regulations,
- . Employers are now keen in putting special clauses in contract documents.

CATA, in turn, noted:

- . General awareness among construction industry players significantly raised,
- . Contractors and workers gradually accepting that both are responsible for health and safety including implementation of regulations,
- . Client acceptance of the responsibility for health and safety in the projects they develop, and providing funding for it,
- . Review of health and safety regulations and guidelines.

CATA concluded by noting that construction is the second largest employer in Tanzania and a major contributor to the country's economy, therefore improvements in the construction workplaces have direct socio-economic benefits both for individuals and the country in general.

The workers response concentrated on the benefits for their peers, stating that ..."results including workers becoming aware, confident and motivated through such activities hence they are now demanding for more regular training activities".

5.1.6. Perceived future usefulness of the process

All answers were positive. Both CATA and TANROADS noted that the CAP will lead to changes in policy, regulations and enforcement. The workers noted that the CAP involves collaboration with other stakeholders in the construction sector, leading to social and labour benefits. According to the respondents, this will be possible if the CAP leads to sustainable activities, noting that the Steering Committee is working towards such an end.

5.2. Egypt

In Egypt, the National Steering Committee is in place since 2004. Contrary to the case of Tanzania (whose Committee concentrated on one theme, safety and health), the Egyptian Committee decided to tackle activities related to three CAP themes: training, the informal sector and occupational safety and health.

The questionnaires were answered separately by representatives of workers (NUCWW – National Union of Construction and Wood Workers); employers (CC – Chamber of Construction) and government (MMM – Ministry of Manpower and Migration).

5.2.1. Functioning of the process of social dialogue

All answers positive. The NUCWW also mentioned the different stakeholders involved and noted that ..."the process resulted in identifying the strategic objective of the comprehensive development for the vocational training process... This was based upon

what each constituent presented as practical problems each in his field"... The MMM expressed full satisfaction with the process, ..."due to the active partners on the steering committee"...The CC also noted that ..."the social dialogue process is working effectively with all the support that is given from all partners involved"...

5.2.2. The Plan of Action

As noted before, the Steering Committee decided to tackle activities related to three CAP themes. Following, the Plan of Action encompassed such three themes.

The answers from the three respondents confirmed that the Plan of Action has been formulated. The answer of the NUCWW also explained in the detail the elements of the Plan. The MMM highlighted the fact that it was a fully tripartite participatory process. It also noted that, from the government side, the Ministry of Building and Construction has also been involved. The CC noted that the Plan highlighted problems impeding the growth of the construction sector. The answer of the CC also mentioned the involvement of the Ministry of Housing, Utilities and Urban Communities.

5.2.3. Funding strategy

All answers positive. The NUCWW noted that the ILO is not a funding agency, and as a consequence it was agreed to re-activate the training fund of the government of Egypt and to contact donors. Both the CC and the MMM also mentioned the training fund and mentioned other resources.

In terms of funding for the activities which have already been implemented, the CAP provided the bulk of the financial resources, complemented by the ILO SRO, which also provided in-kind support. The BWI (Building and Wood Workers International) provided a training activity. In parallel, the British Council identified vocational training activities included the CAP Plan of Action which also fit its own training programme. Subsequently, meetings were held with potential donors, namely, EU, GTZ / Mubarak-Khol Initiative, World Bank, Italian Cooperation and USAID. The EU has a project on fostering the supply of vocational training in construction and other sectors, in which the GTZ / Mubarak-Khol Initiative is also involved. The World Bank has a project on fostering the demand to vocational training in construction and other sectors. The Italian Cooperation and USAID at present do not have specific projects related to construction but are willing to explore possibilities of future partnerships. All the aforementioned agencies contacted expressed interest in taking part on a round table of donors, which was held with the CAP Steering Committee on 20 July 2006. In addition, the World Bank expressed interest in the CAP Steering Committee as a platform to discuss and follow the future activities of his project – and it is important to note that key components of the CAP Plan of Action can be implemented via such a project.

5.2.4. Activities implemented

Two sets of training activities of the Plan have already been implemented with the limited CAP budget, entailing workshops for trainers on improvement of skills and on safety and health. The BWI has also contributed with a parallel set of training.

The answers from the CC and NUCWW confirmed the implementation of activities, and the latter also gave details on the training sessions and on the number of workers that have been trained. The answer of the MMM to the specific question about the implementation of activities does not address such a question properly⁴. At any rate, implementation of activities is mentioned in different parts the MMM questionnaire. Therefore, it can be concluded that the answers from all three respondents were positive.

5.2.5. Present usefulness of the activities of the process

All answers positive. The NUCWW noted the usefulness in terms of better qualification of the workers trained and the raised awareness and improved knowledge of construction companies about safety and health. The CC noted the identification of important problems of the construction sector and highlighted the formation of the Steering Committee and its roles. The answer of the MMM detailed the employment creation aspect of the Plan of Action, noting that it would lead the Steering Committee to:

- . Assess the job creating potential in the different branches of construction,
- . Review the strengths and weaknesses of the construction labour market and evaluation of labour practices and working conditions,
- . Review the means of boosting employability and encouraging adaptability to technological advances through the improvement of skills and efficiency of labour services,
- . Examine the social dialogue relation among tripartite partners and its effectiveness in the creation of more employment.

5.3.6. Perceived future usefulness of the process

All answers positive. The NUCWW noted that the process will contribute to solving unemployment problems and developing vocation training to cope with modernization. Mentioned also the importance of the broad emphasis on safety and health, and finally highlighted the linkages between training and provision of job opportunities.

According to the MMM, the CAP will lead to social and labour benefits, including:

- . Formulation of balanced employment policies and the full development of human resources,
- . Upgrading of skills in the different trades of the construction industry to match market needs and ensure labour remuneration and high quality service,
- . Improvement of the quality of the construction data relating to employment.

The CC, in turn, noted the following benefits:

- . Improvement in the vocational training centres and consequently improvement in the workers skills and effectiveness,
- . Increase in the numbers of establishments and work force that apply health and safety standards and requirements.
- . Improvement of the work environment and decrease of the potential accidents and diseases related to the sector.

⁴ This could be due to a problem of misinterpretation or inappropriate translation (the questionnaire had to be translated from English into Arabic, and the answers back to English).

5.3. Ghana

In Ghana, the ILO has an umbrella initiative, the Decent Work Pilot Programme (DWPP). The CAP linked up to the DWPP in order to integrate ILO initiatives in the same country, to maximize the CAP's limited resources by exploring synergies with the larger programme, and to utilize the existing DWPP tripartite National Steering Committee as an agreed decision-making body consistent with the ILO's Governing Body decision on action programme steering, thereby saving time and resources to begin preparatory work.

The operational activities of the DWPP have focused on two pilot districts, Awutu-Effutu-Senya and Ajumako-Enyan-Essian. Each district has a Sub-Committee on Productive and Gainful Employment (SPGE), which is a tripartite body. The activities of the CAP have been implemented in the pilot districts. Therefore, the questionnaires were answered by such tripartite SPGEs (one per SPGE).

5.3.1. Functioning of the process of social dialogue

Both SPGEs were positive about the functioning of the process of social dialogue.

In more detail, the Awutu-Effutu-Senya SPGE noted the ...”involvement of the various social groups, stakeholders and local people in the decisions that affect their daily lives, correct the Decent Work deficits, especially with the aim of creating jobs”... Furthermore, this SPGE has noted that the construction-related activities implemented have ...”served, to a large extent, as a way of involving the local people in the community, in the construction industry”...

The Ajumako-Enyan-Essian SPGE noted a series of workshops on (construction) labour based technology, contract management, procurement and monitoring procedures for local contractors and consultants (the CAP Plan of Action in Ghana has concentrated on such issues). It also highlighted the results of the broader process of social dialogue of the DWPP as a tool for influencing the government's development strategy (including, for instance, the Growth and Poverty Reduction Strategy phase II, and the Ghana National Youth Employment Programme).

5.3.2. The Plan of Action

The Awutu-Effutu-Senya SPGE confirmed that the CAP Plan of Action was prepared, making positive remarks about the importance of its contents.

The Ajumako-Enyan-Essian SPGE noted that (labour-intensive) construction has been incorporated into the Sub-committee' strategic action plan. The answer of this SPGE confirms the particular nature of the CAP in Ghana, linked to the DWPP. I.e. the CAP Plan of Action was incorporated into the SPGE strategic action plan at the district level.

5.3.3. Funding strategy

The two SPGEs confirmed that funding has been discussed. Both noted that meetings on this subject were held with the local stakeholders at the districts, organized by the ILO. The Ajumako-Enyan-Essian SPGE elaborated on the discussions involving potential funding at the national level (e.g. Ministry of Roads and Highways; Dept. of Feeder Roads; contractors; Ministry of Employment, Youth and Manpower). The Awutu-Effutu-Senya SPGE mentioned both national and international donors, being JICA and DANIDA among the latter.

The activities already implemented have been funded out of the CAP budget, with strong in-kind support from INTEGRATION and EMP/INVEST. Such in-kind support included for example technical backstopping in the field. Without such support, the CAP would have had to hire a local consultant, which would have represented a problem given the limited budget. The possibility of funding for the future is elaborated in 6.3.

5.3.4. Activities implemented

The activities of the CAP consisted of training workshops in the two pilot districts for different local stakeholders focusing on the new decentralized regulations for procurement, related to the implementation of labour-based techniques in construction. In their respective answers to the questionnaire, both SPGEs confirmed that such activities have been implemented. The answers have also provided description of the implementation.

5.3.5. Present usefulness of the activities of the process

The answers of both SPGEs have confirmed, with details, that the activities of the CAP have provided benefits. For instance, the Awutu-Effutu-Senya SPGE noted that... “these activities have positively influenced the performance of contractors, consultants and clients in the construction industry”... Furthermore ...”stakeholders make full use of the contract selection, through tender to the execution and handling over of projects employing the concepts of Decent Work”...

The Ajumako-Enyan-Essian SPGE made similar remarks, for example, that ...”The promotion of labour-based technology has contributed significantly to job creation for the youth and also facilitated the transfer of skills and technology to local people. This, it has been achieved through the capacity building programmes [of the CAP] for local contractors and key stakeholders in the construction industry”...

5.3.6. Perceived future usefulness of the process

Both SPGEs have agreed that the process will lead to social and economic benefits in the future. The Awutu-Effutu-Senya SPGE, for example, stated that... “these activities create the economic and congenial atmosphere for job creation in the informal economy as many of the youth are employed as the work force in and around communities of the construction sites. The problem of idleness and youth unemployment is therefore being tackled”...

The Ajumako-Enyan-Essian SPGE noted the potential of the CAP-DWPP linkage, enumerating the possible benefits. Furthermore, noted that ...”if the construction is fully integrated into the national development agenda, it will in the long run promote the transfer

of skills and technology to the local communities. Besides, it will also stimulate job creation for the youth and promote community contract”...

5.4. Brazil

In Brazil, the National Steering Committee is in place since 2005. Similarly to the case of Egypt, the Brazilian Committee opted for a broad range of activities, related to the four CAP themes.

The questionnaires were answered separately by representatives of workers (SINTRACON – Sindicato dos Trabalhadores nas Industrias da Construcao Civil / Union of Construction Workers); employers (CBIC – Camara Brasileira da Industria da Construcao / Brazilian Chamber for the Construction Industry) and government (MTE – Ministerio do Trabalho e Emprego / Ministry of Labour and Employment).

5.4.1. Functioning of the process of social dialogue

CBIC's answer was positive, explaining details of the process since its inception to the discussion and approval of the Plan of Action, and, following, to the implementation of a workshop on the certification of the home-builders. MTE's answer was also positive, and elaborated on the area of training (professional qualification and certification), also citing the partners involved.⁵ SINTRACON's answer noted that there has been participation of the workers (in the CAP meetings) since the beginning of the programme, and also that CAP consultants held a separate meeting with the workers. The SINTRACON respondent also suggested to expand the process with a future chronogram of meetings and related information. In sum, the SINTRACON respondent did not address clearly the core of the question, but the overall answer was positive.

5.4.2. The Plan of Action

As mentioned in the beginning of 5.4, the Steering Committee chose to address activities related to the four CAP themes. The Plan of Action included all such themes.

All answers positive. The SINTRACON and CBIC respective answers clearly confirmed the formulation of the Plan of Action. CBIC's answer also noted that the Plan was elaborated through a tripartite process of social dialogue, highlighting that such a Plan..."is realistic and objective, including synergies with existing activities plus new pilot activities to be tested for eventual widespread replication in the country"... While the MTE answer is also positive, it concentrated on a specific plan of the MTE for training in construction – which at any rate is part of the CAP Plan of Action (the reason for such a focus on training is analysed in footnote 5).

⁵ The CAP in Brazil encompasses all four themes: safety and health, employment, formalization of the informal sector and training. The Steering Committee includes different staff members of the government (in addition to workers and employers). As previously noted in this document, only one questionnaire was sent to each one of the stakeholders (government, workers and employers). It is up to each stakeholder to decide the specific person who will answer. In the case of the Brazilian government, the respondent was the member of the MTE responsible for training. This may explain the fact that his answers have a preponderant focus on the training aspect.

5.4.3. Funding strategy

SINTRACON's answer was positive and explicitly confirmed the issues related to funding discussed in the CAP tripartite meetings, namely: the need of each CAP partner to contribute with its own resources, to insert the CAP proposals in the activities of each institution, and that each partner should also mobilize resources in Brazil and abroad. MTE's answer was also positive and explained funding for training activities. CBIC's respondent, in turn, declared that during the CAP meetings he had to leave earlier, therefore he may have missed such a discussion.

In sum, there is evidence that funding has indeed been discussed, as attested by SINTRACON's and MTE's answers as well as noted in the minutes of meetings.

In terms of funding for the activities which have already been implemented, the CAP provided the bulk of the financial resources, complemented by the ILO Brasilia Office, which also provided in-kind support. The Federal University of Minas Gerais in partnership with the Municipality of Belo Horizonte have funded one specific activity.

For the future activities, there is a heavy accent on the mobilization of resources from national institutions. Brazil is not a priority country for donors, and at the same time is wealthy (at least in terms of developing countries). The possible exception in terms of external funding is the Ribeira Azul project of the World Bank, which may fund an ILO component.

5.4.4. Activities implemented

The CAP funded the implementation of two activities of the Plan of Action, namely, the workshop on the certification of home-builders, and a mission / report to the Ribeira Azul slum upgrading and employment generation project. The community contract project, coordinated by the Federal University of Minas Gerais in partnership with the Municipality of Belo Horizonte, is under implementation since July 2005 with its own funding. In addition, the CAP Plan of Action also entails synergies with a number of other activities which are currently on-going.

The response of the MTE was positive, with details of the workshop on the certification of home-builders. SINTRACON's and CBIC's answers were also positive.

5.4.5. Present usefulness of the activities of the process

All responses positive.

The MTE has noted the usefulness of the activities in terms of:

- . The implementation of a pilot experiment of inclusive public policy through social dialogue, and
- . The identification of professional certification as a mechanism capable of addressing concrete demands of workers and enterprises for social and professional training.

The SINTRACON has also given a positive but generic answer, referring to the usefulness of all CAP activities.

5.3.6. Perceived future usefulness of the process

All answers positive. CBIC also noted the importance of a tripartite committee to coordinate the implementation of the Plan of Action and suggested that the Ministry of Labour and Employment should have an Executive Secretariat for such an end. The responded also suggested that the CAP should emulate the positive experience of the tripartite Permanent National Committee of Conditions and Environment of Labour in the Construction Industry, which has been active for ten years. MTE in its turn noted that the CAP process fosters tripartite dialogue as a strategy for building up win-win processes, promoting possible consensus among social partners. SINTRACON noted the importance of the continuity of the process, so that the partners can together seek solutions for the problems of the construction sector.

5.5. India

A number of bilateral meetings with the national partners have taken place since the beginning of the CAP. In addition, a few tripartite meetings have also taken place. The most important was the tripartite workshop held in March 2005 jointly organized by the ILO and the ADB (Asian Development Bank). The workshop laid the foundations for a Steering Committee, which met again in July 2005.

The questionnaires were answered separately by representatives of workers (INBCFWWF – Indian National Building, Construction, Forest & Wood Workers’ Federation); employers (EFI – Employers Federation of India) and government (MLE – Ministry of Labour and Employment).

5.5.1. Functioning of the process of social dialogue

The answer of the MLE provides information about the meetings which took place, but does not analyse the functioning of the process. The respective answers of the INBCFWWF and the EFI were negative.

5.5.2. The Plan of Action

While the proper term “Plan of Action” has not been used in the CAP in India, a document containing its elements – analysis of problems and proposals to address them – has been produced and subsequently discussed in the March 2005 tripartite workshop. The answer of the EFI to the questionnaire acknowledged this. In regard to the answer of the MLE, although it does not mention the Plan of Action as such, it explicitly notes that the tripartite workshop of March 2005 led to the organization of other construction-related workshops in Thiruvananthapuram, Ahmedabad and a third one organized by the Directorate General of Factory Advise Services and Labour Institute (place not specified). Therefore, it can be concluded that the answer of the MLE is also positive in regard to the Plan. The answer of the INBCFWWF, in its turn, simply stated that ...”ILO Office did not respond”... It is

difficult to understand the meaning of such an answer to a question about the formulation of a Plan of Action. The respondent from INBCFWWF may have misinterpreted the question, as the answer does not address it. At any rate, based on the answers from the EFI and MLE, there is confirmation about the formulation of a plan of action – at least of a first embryonic document and although not formally processed as in the other CAP countries.

5.5.3. Funding strategy

The ADB has demonstrated interest in the CAP, and the ILO SRO held a number of meetings to discuss this. An evidence of such a process is the fact that the ADB was heavily involved in the March 2005 tripartite workshop, including in the function of co-organizer. Funding possibilities were also discussed with DFID. Subsequently, during his mission in Delhi in July 2005, the SECTOR Construction Specialist was present in a meeting which again discussed funding. The respective answers from the EFI and the MLE acknowledged that funding has been discussed. The answer from the INBCFWWF is negative, but does not provide any explanation. It is difficult to understand such an answer, without requesting further clarification. One possibility is that the INBCFWWF respondent did not remember the discussions, which took place last year. Despite of such a negative answer from the workers, there is confirmation that funding has indeed been discussed, not only from the answers from EFI and MLE, but also from the respective reports of the March 2005 tripartite workshop and the July 2005 mission.

So far, the CAP provided the bulk of the financial resources for its implementation in India, complemented by the ILO Delhi Office, which provided in-kind support. For the future activities, there is a heavy accent on the mobilization of resources from the ADB, DFID and national institutions.

5.5.4. Activities implemented

In 2005 the CAP provided funding for the implementation of an activity which entails a workshop related to the BOCW Act. This was the top priority of the tripartite partners in the CAP process. The activity was planned for December 2005 but the MLE requested to postpone it. According to the ILO SRO, it was further postponed due to the UNDAF process and the 2006 ILC. The activity is now due to take place in September 2006 in Chennai.

Despite of the postponement of the aforementioned activity, it is important to note that the CAP process has generated construction-related meetings and a workshop. Also, according to information from the ILO SRO, a special group has been established under the Prime Minister's office to look at the implementation of the BOCW Act.

The answer from the MLE acknowledges the implementation of the aforementioned workshop, as noted in 5.5.3. The respective answers from the EFI and the INBCFWWF did not mention any activity, and the explanation may be that the three workshops noted in 5.5.2. were implemented at state level but the national level partners were not informed, being India a very large country.

5.5.5. Present usefulness of the activities of the process

The answer from the MLE is somehow vague, as it explains the importance of the construction sector in India. At any rate, it also states that the Government has set up a working group on construction industry related to the development of this sector in the Eleventh Five Year Plan – 2007-2012 (which is different from the BOCW Act group noted in 5.5.4.). The responses from the EFI and the INBCFWWF follow their responses to 5.5.4., as they are interrelated.

5.5.6. Perceived future usefulness of the process

All answers were positive. The EFI also suggested one area of concentration for future activities, i.e. the improvement of the performance of the system of tax collection from construction companies at the state level and its use in benefit of the workers through welfare funds. The INBCFWWF did not elaborate its answer. The MLE stated the following: ...”ILO Construction Action Programme will also supplement other initiatives both at National and States level towards improving the socio-economic conditions of construction workers in general”...

5.6. Other countries

In addition to the pilot countries, embryonic initiatives related to social dialogue in construction at the national level have been planned and/or already implemented elsewhere. E.g. Algeria, Bahrain, Barbados, Kazakhstan, Kenya, Montserrat, and Uganda. These have been demand-driven, and have not used CAP financial resources.

6. CONCLUSIONS

6.1. Tanzania

The answers (explained in 5.1.) are positive regarding all the six indicators. Regarding the impact of the CAP activities, it is reasonable to conclude that the work on the safety and health regulations has laid foundations for a long-term impact of the CAP in the country. This is complemented by the work on awareness raising and enforcement, including the training of trainers for all the different types of stakeholders.

It is also important to discuss the sustainability of the process of tripartite social dialogue, which will depend on a combination of factors. The CAP Steering Committee in Tanzania has been very active, which is a crucial element for sustainability. At the same time, the future of the process will also depend on resources for concrete activities, as the Steering Committee will only continue to meet if there are tangible issues on the table. Section 5.1.3. explained all the potential sources of funding that have been explored. The resource mobilization exercise should continue. The Steering Committee together with the ILO Dar Es Salaam Office have a very important role to play, because most of the donors have offices in Tanzania, and at the same time donors give preference to demands coming from the field rather than from headquarters of UN agencies. SECTOR can play a complementary role in resource mobilization via CODEV and contacts with SAFEWORK.

6.2. Egypt

The answers (noted in 5.2.) are positive regarding the six indicators. In regard to sustainability, the situation is in some respects similar to that of Tanzania. I.e. the Steering Committee is ready, but resources for follow-up concrete activities are needed. At the same time, there is a very important element specific to Egypt. I.e. the ILO SRO has proposed to the MMM the formation of sectoral tripartite councils, including one in construction. Such a construction industry council would constitute a major step for the sustainability of the CAP process of tripartite social dialogue, as it then becomes part of the official MMM functions. The potential funding sources for future CAP activities (explained in 5.2.3) are promising, and again the Steering Committee (or the future MMM-led council) and the ILO SRO have a crucial role to play. Like in the case of Tanzania, SECTOR can play a complementary role.

6.3. Ghana

The answers (5.3.) are positive regarding all the six indicators. In regard to the sustainability of the activities of the CAP in Ghana, two facts should be noted. Firstly, a number of funding sources have already been identified (see 5.3.3.). Secondly, the Institute of Local Government Studies, which was contracted by SECTOR to carry out the CAP training activities in the pilot districts, is already offering by itself such activities to the other districts in the country, without any funding from the ILO. This is very reassuring.

The sustainability of the CAP process, in its turn, is linked to the DWPP itself. In this regard, it should be noted that a project document for the extension of the DWPP – to be

submitted to the Dutch TC-RAM of the ILO or/and other donors – includes the continuation of the CAP-related activities.

6.4. Brazil

All the answers regarding the six indicators (5.4.) were affirmative, except one answer about funding, which was neutral (CBIC's respondent declared not to be present during the discussion). Despite of such an answer from CBIC, there is enough positive evidence about the indicator on funding – i.e. the respective answers from SINTRACON and MTE, plus minutes of meetings and reports.

In regard to sustainability, the situation was also broadly similar to that of Tanzania and Egypt: readiness of the Steering Committee and in parallel the need for resources for follow-up concrete activities. Efforts have been made to find a way to transfer the CAP platform of social dialogue to a national institution(s), which would constitute a breakthrough for the process. A number of possibilities were discussed, with four major alternatives:

- (i) There is a Permanent National Committee of Conditions on Health, Safety and the Environment of Labour in the Construction Industry (CPN), which is based on tripartite social dialogue and has been active for ten years (mentioned in 5.4.6.). The focus is on safety and health. One suggestion is to discuss with such committee the possibility of incorporating the other CAP themes in Brazil, namely employment, formalization of the informal sector, and training. Therefore such a permanent committee would absorb the CAP Steering Committee as a whole.
- (ii) To break up the different themes of the CAP in specialized committees under national institutions with respective expertises in the fields. The aforementioned Permanent National Committee of Conditions and Environment of Labour in the Construction Industry is already in charge of safety and health, therefore there would be no change in such a component. The training component, in turn, would be under the leadership of SENAI (Servico Nacional de Aprendizagem Industrial / National Agency for Professional Training in Industrial Sectors), which is the main government authority providing professional training (including construction). Therefore SENAI would be responsible for the coordination of a tripartite committee specific to training in construction. The employment component would be under SEBRAE (Servico Brasileiro de Apoio as Micro e Pequenas Empresas / Brazilian Agency for Small and Micro Enterprises), which would coordinate a tripartite committee in such a sector. The component on the formalization of the informal sector is linked with employment in the CAP in Brazil.
- (iii) The Brazilian Parliament has just passed a bill creating the National Council for Labour Relations. One possibility would be to create sectoral councils – including construction – under such an umbrella national council. (This proposal is similar to the one that is being discussed for Egypt.)

- (iv) The Ministry of Cities (which is a CAP partner) has set in place a “Social Housing System”, which is composed of several stakeholders including the CAP tripartite members. The Social Housing System includes special councils to discuss specific issues, and also has a fund to finance the decisions of such councils. The possibility of setting up a specific council for labour in construction was suggested – which could be the follow-up (sustainability) of the CAP. This course of action will depend mainly on the decisions taken in the next meeting of the CPN.

On 23 August 2006, the CPN had a meeting, and agreed to adopt option “i” (above). Therefore, *ceteris paribus*, the sustainability of the CAP process of social dialogue has been secured.

In parallel, the Director of the Department of Professional Qualification of the Ministry of Labour and Employment noted that a process of social dialogue has recently been established for training and certification in the construction industry specifically. Therefore, there is no need to include training and certification in the proposal for the CPN.

In terms of funding for future operational activities, as noted in 5.4.3. there is a strong focus on national institutions, with the possible exception of the World Bank funded Ribeira Azul project – which also has a large replicability potential. Similarly to the cases of Tanzania and Egypt, the Steering Committee (in its present or whichever future form) and the ILO Brasilia Office have a crucial role to play to mobilize resources nationally. Also like in the other countries, SECTOR can play an advisory role in this respect.

6.5. India

The answers regarding the indicators reveal that the CAP has had some achievements in India and that there are prospects for the future. At the same time, the process of social dialogue needs to be improved.

While two respondents felt that so far the process of social dialogue of the CAP has not been effective⁶ (5.5.1.), all three respondents were unanimous in stating a positive view on the future social and labour benefits (5.5.6.). Indeed the process in India has entailed fewer meetings in comparison to the other CAP pilot countries. This may explain the opinion of two respondents regarding social dialogue (which normally takes place through meetings). It may also explain why one respondent did not acknowledge the process of formulation of the Plan of Action (5.5.2.) and the discussion on funding (5.5.3.) and two respondents did not acknowledge the implementation of activities (5.5.4./5.5.5.), despite of positive evidence about all these issues – plus other answers which also confirm them.

Therefore, it can be concluded that the process of social dialogue in India has been limited. At the same time, it can also be concluded that it has generated a process with potential for sustainability. Firstly, the government has already taken initiatives (three workshops plus two

⁶ The answer of the third respondent (MLE) did not apply – see 5.5.1.

working groups on construction) described in 5.5.2. and 5.5.4., with no funding from the CAP. Secondly, the construction industry has been chosen by the ILO SRO as a priority for the Decent Work Country Programme in India – and again without CAP funding. And thirdly, the interest of the ADB in construction (noted in 5.5.2), with all its funding potential, should not be forgotten. As already noted in this document, a steering committee (or another type of group) will only keep meeting and practicing social dialogue if concrete activities exist. Therefore, the set of on-going and planned construction-related activities of the ILO SRO and MLE respectively should be used to boost the process in India.

6.6. Other Countries

The fact that new countries (other than the pilot ones) are also interested in social dialogue in construction at the national level is a reassurance about the value-added of the CAP. But of course such replication will depend on a combination of factors, analysed in Section 7.

6.7. Summary of conclusions

The set of six indicators used in this evaluation, followed by an analysis of achievements, are:

(i) *The functioning of the process of social dialogue in the majority of the pilot countries.* Positive answers for four out of the five countries: Tanzania, Egypt, Ghana and Brazil.

(ii) *The preparation of a Plan of Action in the majority of the pilot countries 15 months after initiating the programme, through a process of tripartite social dialogue in consultation with the members of the national steering committee and other stakeholders suggested by the group.* Positive answers for at least four out of five countries: Tanzania (Plan completed in September 2004), Egypt (November 2004), Ghana (July 2004) and Brazil (June 2005). In India, as explained in 5.5.2., although the term “Plan of Action” has not been used in such country, a document containing its elements – analysis of problems and proposals to address them – has been produced and subsequently discussed (March 2005).

(iii) *Discussion of a strategy for funding the activities of the Plan of Action after 18 months in the majority of the pilot countries, through a process of tripartite social dialogue based in the steering committee and other forums as appropriate.* Tanzania, Egypt and Ghana had positive answers from all the respective respondents. Brazil and India had two positive answers each. While one respondent in Brazil gave a neutral answer and one in India gave a negative answer, there is enough positive evidence about such indicator in both countries – i.e. the respective answers from the two other respondents in each country, plus minutes of meetings and reports. In sum, it can be concluded that all five countries have had a positive performance regarding such indicator.

(iv) *Implementation of concrete activities derived from the Plan of Action after 18 months from the beginning of the Construction Action Programme in the majority of the pilot countries.* Tanzania, Egypt, Ghana and Brazil had positive answers from all the respective respondents. India implemented activities not specifically taken out of the Plan of Action, but inspired by the CAP, therefore putting the country in a borderline position regarding the achievement of this specific

indicator (there were two negative and one positive answer). In sum, it can be concluded that the majority of the countries achieved this indicator.

(v) *The usefulness of the process of tripartite social dialogue in each pilot country at present, through its activities.* The majority of the answers were positive. All answers positive for Tanzania, Egypt and Ghana. Two positive answers for Brazil, being the negative one a consequence of the aforementioned misconception / misunderstanding. India's position is borderline, a consequence of the previous set of answers.

(vi) *The perceived future usefulness of the activities of the process of tripartite social dialogue in each pilot country.* All answers positive for all five countries.

In sum, based on the set of six indicators, overall the CAP has delivered what it set out to do, namely: to set in place a process of tripartite social dialogue in construction at the national level, to constitute a Steering Committee, to formulate a Plan of Action via the Steering Committee, to implement some activities – within the limitations of the CAP funds –, to explore possibilities of funding for further activities, and, ultimately, to explore possibilities for the sustainability of the process.

There have been some comments from ILO international partners about the possible 'slowness' of the process, especially at the initial stages in each country. However, there has been no definition about the 'ideal pace' of the process, therefore it is difficult to evaluate such an element. The establishment of a process of sectoral social dialogue at the national level takes time, and this needs to be understood. The CAP started such a process in the pilot countries from scratch. Also, the achievements of the CAP have to be understood within the context of its financial and human resources framework.

7 RECOMMENDATIONS

In each pilot country, the efforts to secure the sustainability of the process of tripartite social dialogue in construction should continue. The specific way to do this in each country is indicated in Section 5.

The demand-driven expressions of interest for replication (from individual countries and/or ILO offices) need to be dealt with on a case-by-case basis. The replication of the programme needs to take into consideration that there is no funding from SECTOR. Therefore it will depend on the availability of such resources from other ILO units, donors and/or national institutions.

The CAP pilot countries were chosen in agreement with the ILO international representatives of employers and workers (and their international counterparts for the construction sector). The way to go ahead with new possible countries needs to be discussed with them.

The piloting of a programme in a small number of countries makes more sense if such programme can be scaled-up. Therefore, it is important for SECTOR to discuss a strategy to promote the scaling-up of the CAP (and the other action programmes). A demand-driven approach (which is already happening in a few places) could be stimulated with an information campaign. Such a campaign should clearly indicate the possible value-added of the CAP and provide guidance, but would also need to clarify the (non) funding situation.

In parallel, a scheme to establish a CAP network and to promote inter-country cooperation should also be sought. It will lead to the transference of knowledge and mutual support.

The Ghana case has shown the advantages of linking the CAP to another ILO initiative. It is important to further explore this type of possibility in the future.

Both in Tanzania and Ghana the CAP concentrated only in one theme (safety and health in Tanzania and employment in Ghana). This has led to a greater focus on discussions and on implementation. The process in Egypt, Brazil and India has been more challenging, due to a broad range of issues covered in each country. For the case of future 'supply-driven' CAP-related initiatives, it is recommended that a single theme should be chosen. Additionally, such theme should also be a priority for the ILO international representatives of employers and workers and their international counterparts for the construction sector. This would pave the ground for greater collaboration. Of course the theme chosen should also be of significance for each country to receive support.

It is possible to implement the CAP both via a supply-driven or a demand-driven approach, or a combination of the two. In all cases, it is very important to have beforehand a firm commitment of all the partners involved – including the ILO office responsible for the country(ies). It is also important to have beforehand a good estimate about the human resources (in terms of person/time) as well as financial resources that will be necessary in each case. The role of the ILO office in the country is absolutely crucial. Geneva-based

specialist(s) may supervise, coordinate, guide and/or advise, but do need field colleagues for hands-on operations.

8 LESSONS LEARNED

While the CAP did include a period of substantial planning before implementation at country level, some lessons may be taken for the future regarding such a preparatory process. Other lessons come from implementation itself.

Firstly, it may be necessary to have a firmer commitment from the ILO office responsible for each country, as well as a firmer commitment from the national partners, from the very beginning. The role of the ILO country office ‘in the ground’ proved to be crucial for the implementation of the CAP. However, in most cases, the staff member of each office appointed to support the CAP was already overworked. Following, despite of the goodwill and good efforts of such colleague in each country, her/his work in the CAP represented an extra challenge. The solution in some cases was to hire a local consultant to supplement the work of the ILO office. But this has financial implications, and still needs some supervision from the ILO office (as well as from SECTOR). In sum, it is fundamental to estimate a priori the resources needed, both human and financial, for the ILO office.

The social partners, in turn, had some difficulty to attend some meetings – although, as noted in Sections 4 and 5, the process of social dialogue did work in the majority of the pilot countries. Considering that the CAP (like the other action programmes) was an experiment, the level of inputs from each partner was not initially estimated. Therefore there were cases of turnover of members of the Steering Committee, and also a few cases in which a given partner could not take part in a meeting. In India this situation was particularly acute.

The broad thematic framework of the CAP proved to be a challenge. This was also noted in the previous section, where the experiences of Tanzania and Ghana, on the one side, were contrasted with those of Egypt, Brazil and India, on the other.

The international institutions (both general and sectoral) representing workers and employers respectively have taken part in the planning and monitoring of the CAP, and such a partnership has been very important. For the future, it would also be of value to discuss ways through which such partners could provide as well concrete support to activities in the field (so far only one partner did so). More cooperation could have been mobilized if the CAP had focused on a specific theme to relate with those partners.

Finally, the implementation of the programme with a very limited budget proved to be quite challenging. The budget was hardly enough to establish the process of social dialogue itself, which entails costs with meetings and workshops (many times including travel of participants), consultants, missions, translations, reporting, among others. Therefore, funding for implementation of concrete activities was minimum (and fully used). However, it became clear from the CAP process that social dialogue will only work with a purpose. I.e. the stakeholders will only meet if they have something concrete to discuss and if they see a value-added. Therefore, it has been a challenge to keep the momentum with such funding limitations.

9. ANNEXES

Annex I: The Four Themes of the Construction Action Programme

. Formalizing the informal

To address the problem of labour subcontracting and casual employment, action is proposed on two fronts:

- (i) The regulation and licensing of contractors. This could involve:
 - a tripartite initiative to develop a licensing system and register of sub-contractors.
 - identification of ways in which governments can create an environment that encourages formalisation, for example through tax incentives, training, advice on OSH, upgrading technology etc.
 - raising awareness of the risks of engaging unregistered contractors.
- (ii) The registration of workers. This could involve:
 - a national tripartite review of forms of employment in the industry
 - raising awareness among informal workers of the laws and regulations concerning registration and workers' rights
 - identification and dissemination of good practice on how to register workers and provide them with training, social security and welfare protection
 - facilitating the establishment of labour exchanges
 - paying particular attention to disseminating information on ways of promoting women workers' access to training, education and childcare facilities.

. Occupational Safety and Health:

National tripartite structures are proposed to review the situation and develop a two year national action plan to prevent work-related accidents and ill-health. The tripartite structures will also follow-up on the action plans. The means for implementation could include the following:

- the establishment of workplace safety committees
- training of company safety officers, workers representatives, trainers and inspectors
- promotion of the systems approach within companies (ILO's management systems approach and Convention 167, Safety and Health in Construction)
- campaigns on the prevention of specific hazards including HIV/AIDS

In support of the above, best practices (such as health and safety representation for construction workers, tool box meetings and the inclusion of health and safety requirements in contracts) will be documented and disseminated.

. Training for work in construction

There are several aspects to training for work in construction:

- (i) Vocational training and certification:
 - Tripartite national structures should analyse needs and demands for training and develop a national action plan.

- Assessment will be made of the existing provision and agreement reached on improvements to training delivery and systems of accreditation and certification.
- Advocacy may be needed on the training needs of the industry to government, training providers and financiers.

(ii) Basic training:

- Illiterate and semi-literate construction workers, including women, need access to basic training.
- Incentives that can be offered by Government and social partners to extend training to these groups will be identified and disseminated, together with ways of addressing health and safety issues in all training

(iii) Enterprise development:

- Construction industry development councils and the social partners will develop training for small and medium enterprises in the construction sector

4. Employment creation

Tripartite participation will be encouraged in the development of strategies for construction and infrastructure planning that optimise employment, promote construction industry development and avoid “stop and go” practices (through the use of Poverty Reduction Strategies, Public-Private Partnerships, national budgets)

Annex II: Questionnaire⁷

1. Do you perceive the social dialogue **processes** of the Construction Action Programme in your country to be functioning effectively? Please give details or/and examples .
2. Was a **plan of action** or similar document adopted for the construction sector as part of the Construction Action Programme? If yes, how do you appraise the document? If not, what were the reasons?
3. Has the issue of funding for the **plan of action** been discussed with representatives of workers, employers and government? Please give details.
4. Has (have) any activity (or activities) of the plan of action been implemented? When? Please give details.
5. What have been the **results** of such activities? What is their relevance to the social and economic development of the construction sector in your country? Please give details or/and examples .
6. Do you think the Construction Action Programme will lead to social and labour benefits in your country in the **future**? Please explain.

⁷ This is the basic questionnaire. In each country the questionnaire was usually answered separately by representatives of workers, employers and government agencies with a stake in construction. In one country (Ghana) the questionnaire was answered jointly by a tripartite committee.

Annex III – Plan of Action CAP Tanzania (September 2004)

Introduction

Best practice around the world requires the cooperative effort of all stakeholders to ensure the occupational health and safety of construction workers and the public at large. Clients, professional advisors, designers, quantity surveyors, project managers, contractors, workers and regulators each have a role to play. The particular responsibilities of each are suggested below, together with the kind of training that is required. The proposal is based on an analysis of the South African and UK regulations.

The *South African regulations* (2003) require a series of sequenced interventions and production of a number of documents involving all stakeholders. These documents (H&S specifications and plans) are **project specific**. ...the contractor, designer, client all have to produce plans and appraisals for each particular site. The production of these plans focuses attention on H&S from the start. Early production of a H&S specification enables the contractor to know something of the risks and hazards before tendering, hence to incorporate appropriate costs into his bid. It seems like an excellent system and is broadly in line with UK regulations.

There is nothing in the South African regulations that is contrary to current Tanzanian regulations. In fact the new Tanzanian safety and health act goes further in its involvement of the workers in the preparation of H&S plans (workers are not much mentioned in the South African regulations.). However it requires contractors to produce general policies rather than project specific plans. Focus on the latter would be more appropriate in the context of the construction industry with its constantly shifting workplaces (cf. a factory setting where only one policy is required)

Responsibilities of stakeholders

Clients have ultimate responsibility for H&S on a project. On large projects the clients will usually delegate their responsibility to a professional adviser, who will in turn delegate certain responsibilities to designers and contractors. The client has a general duty to ensure that anyone appointed by him or on his behalf is qualified for the tasks assigned and that they have the necessary information and resources. For example, the contractor (at the bottom of the hierarchy) must have the competence to carry out the work safely and have allocated sufficient resources to do so. Regular audits are required.

Professional advisers (architects, engineers, project managers) may undertake to accept the responsibility for H&S (together with other aspects of management) on behalf of the client. The professional adviser acting in this capacity is responsible for ensuring that any others appointed by the client (designer, engineer, quantity surveyor, contractor) have the competence required to carry out their responsibilities and the information and resources to do so. Particular responsibilities are to:

- prepare a H&S specification (based on information from the designer) and make it available to contractors bidding for the work

- ensure only competent firms are bidding and that they have made provision for the cost of H&S measures in their tender
- discuss and approve the contractor's H&S plan and
- conduct regular inspections and audits to ensure the plan is followed

Designers (architects and engineers) have a responsibility to avoid anything in the design that requires the use of dangerous procedures or hazardous substances, for assessing any remaining risks or hazards and passing on information on any processes or materials that may cause harm. They also have responsibility for inspection to see that the construction is according to the design and the H&S plan.

Quantity Surveyors have an important role in ensuring that contractors bidding for the construction of a project include in their tender adequate funds to enable them to carry out the project safely.

Contractors carry the largest share of responsibility for ensuring the H&S of the workforce and others affected by the work. They are responsible for the following:

- ensuring adequate resources in the tender to carry out the work safely
- preparing a H&S plan (incorporating a risk assessment, fall protection plan etc) in collaboration with the workers
- developing with the workers a plan for implementation and monitoring
- cooperating with other contractors on the site to ensure H&S
- providing information and training to their workers on the requirements of the H&S plan, on forthcoming inspections, and on any incidents that have occurred
- reporting any accidents or incidents to the inspectorate

Workers are expected to cooperate with employers in measures to ensure their H&S and that of other persons on the site. They have an obligation to inform the supervisor of dangerous practices but also the right to refuse dangerous work.

The responsibility of regulators is to ensure that appropriate regulations are in place and that they are observed. They cannot achieve this by inspection alone, they have also to be educating and informing. OSHA staff should be out on sites informing and guiding contractors in the proper observance of H&S measures.

Training needs

All stakeholders need to be made aware of their responsibilities for OHS. To carry out their duties properly, they also have to have in depth knowledge of the dangers of work on construction sites, of hazardous materials and processes. Basic training on the technical aspects of H&S is required by all groups of stakeholders. Courses are proposed on the dangers and hazards of construction work and how to avoid them.

Particular groups have additional training needs, as outlined below:

Professional advisers and designers need to know how to undertake a risk assessment, how to combat risks on site, how to evaluate a contractors H&S plan and how to monitor and audit the implementation of the plans.

Quantity Surveyors working for contractors need instruction in how to allow for the cost of H&S measures when pricing a document, while quantity surveyors working for the client need to know how to evaluate the cost estimates to assess whether adequate funds have been included.

Contractors need considerable assistance in drawing up and implementing H&S plans and in pricing for H&S .

Workers may need information on some of the hazards to which they are exposed and how these can be avoided. Above all else they require information on their rights and on agreed procedures for their H&S (including the role of H&S committees), as well as a means of redress when these are abused.

Regulators need training in all aspects of H&S, including inspection and monitoring. ce.

The responsibilities and training needs outlined above are summarized in Table A.

Table A: Summary of Responsibilities and Training Needs

	<u>Responsibilities</u>	<u>Training needs</u>
<u>Client</u>	<u>Ultimate responsibility for H&S:</u> <ul style="list-style-type: none"> • Ensure others are competent and have the information and resources required 	<u>Information on their responsibilities and how to comply</u> <i>(note that all groups require this)</i>
<u>Professional Adviser/Client's Project manager</u>	<ul style="list-style-type: none"> • <u>Prepare H&S specification</u> • <u>Check competence and resources of bidders</u> • <u>Approve contractors H&S plan</u> • <u>Conduct inspections and audits</u> 	<ul style="list-style-type: none"> • <u>All technical aspects of H&S – major dangers and hazards and how to avoid them (including appropriate PPE)</u> • Evaluating contractors competence and resources (tenders) • Undertaking risk assessment and preparing H&S plans • Monitoring and inspection for compliance with H&S plan
<u>Designer</u>	<ul style="list-style-type: none"> • <u>Eliminate potential hazards from design</u> • Assess remaining risks (materials and processes that may cause harm) • Carry out inspections 	<ul style="list-style-type: none"> • All technical aspects of H&S – major dangers and hazards and how to avoid them • Undertaking risk assessment and preparing H&S spec. • Monitoring and inspection for compliance with H&S plan
<u>QS</u>	<ul style="list-style-type: none"> • <u>Prepare tenders for H&S provision</u> • <u>Assess tenders for H&S provision</u> 	<ul style="list-style-type: none"> • <u>Costing of H&S measures/pricing of BQs</u> • Assessing tenders for H&S provision
<u>Contractor</u>	<ul style="list-style-type: none"> • <u>Ensure adequate resources for H&S</u> • <u>Undertake a risk assessment</u> • Develop a H&S plan, incorporating fall protection plan • Train workers in safe procedures 	<ul style="list-style-type: none"> • <u>All technical aspects of H&S – major dangers and hazards and how to avoid them (including appropriate PPE)</u> • <u>Costing of H&S measures/pricing BQs</u> • Undertaking risk assessment and preparing H&S plans • Internal company procedures for H&S (including training)
<u>Workers</u>	<ul style="list-style-type: none"> • <u>Cooperate in steps to protect their H&S</u> • Inform supervisors of dangers to themselves or others 	<ul style="list-style-type: none"> • <u>All technical aspects of H&S – major dangers and hazards and how to avoid them (including appropriate PPE)</u> • <u>Information on their rights & provisions of new H&S Act</u>
<u>Regulators</u>	<ul style="list-style-type: none"> • <u>Educate and inform others on dangerous procedures and hazards to health</u> • <u>Demonstrate how to work safely</u> • Monitor and enforce the regulations 	<ul style="list-style-type: none"> • <u>All technical aspects of H&S – major dangers and hazards and how to avoid them (including appropriate PPE)</u> • Undertaking risk assessment and preparing H&S plans • <u>Monitoring and inspection for compliance with H&S plan</u>

Proposal for an Action Programme

The roles and responsibilities outlined above are not yet incorporated into Tanzanian regulations. The first priority is therefore to ensure that all groups of stakeholders are fully aware of what is being proposed and are prepared to 'buy in' to the proposal, in the understanding that it will have the status of a 'code of conduct' until such time as it is embodied in regulation. A workshop is proposed along the lines suggested by CRB to which all groups will be invited (maybe one day in the New Africa Hotel).

The next step is training. From the summary table it can be seen that many of the anticipated training needs of the various stakeholder groups overlap. This means that stakeholders from different groups can be trained together. This may bring additional advantages as (i) they can learn from each other's experience and (ii) they should develop a common understanding which will help in subsequent situations, for example where one group of stakeholders finds itself inspecting another.

The training needs can be ordered as follows:

1. **All technical aspects of H&S – the major dangers and hazards and how to avoid them.** (professional advisers, contractors, workers, regulators)
2. **Undertaking risk assessments and developing H&S plans.** (PA, designer, contractor, regulator)
3. **Monitoring and inspection** (PA, designer, regulator)
4. **Costing and pricing for H&S** (PA, QS, contractor)
5. **Internal company procedures for H&S** (contractors, maybe others)
6. **Workers rights** (workers, contractors)

A series of courses of varying lengths are required and these will need to be repeated at frequent intervals. A number of questions arise:

If there sufficient expertise in Tanzania to develop and deliver all of these courses?
Do we have sufficient number of trainers to deliver courses on the scale required?
Do we need some inputs from outsiders? If so, in which particular area?

If it is decided that outside help is needed, the South Africans would seem most qualified to deliver this. A possible way forward would be to invite the South African team who guided the SA Government in the development of the new regulations and who offer intensive courses to multi-stakeholder groups in South Africa, to come to Dar and deliver an intensive course (4 days). The course could be offered first to those who are operating in a training capacity or who might be prepared to become trainers themselves; secondly to other members of the steering committee and third to other interested and influential people.

The intensive training workshop would be followed by a series of courses at regular intervals. The courses will be organized and led by those who participated in the intensive course with the additional help of local practitioners, consultants, contractors or academics who can be persuaded to participate. These courses can be run on a low budget, involving only the fees of the instructors and some minimal funding for materials. It is anticipated (hoped) that professionals and contractors will be queuing to attend and willing to make a contribution to the cost.

The number of courses that can be funded by the ILO under the current proposal will be limited but if the initiative takes off additional funding, although not guaranteed, is most like to materialize. One possibility is for Tanzania to ratify Convention 167, at which point the H&S department of ILO Geneva is more or less obliged to provide assistance. Bi/lateral donors and/or the World Bank can also be approached once we have something to 'sell'.

The proposed activities, outputs and costs are set out in Table B.

The next steps in the process are outlined below:

November 2004

- meeting of steering committee to discuss and agree way forward
- proposal sent to ILO

December 2004

- Meeting of steering committee to make arrangements for intensive course

January 2005

- Intensive course for select group (maximum 25)?

February 2005

- Meeting of steering committee to evaluate course and plan next activity
- One day 'awareness raising' meeting for all stakeholders

March 2005

- Meeting of steering committee to plan training sessions

April-December

- Training sessions in Dar es Salaam
- Feedback from training sessions

Note: Further funds will be needed to extend the training programmes to the regions.