

Labor Management Procedure (LMP)  
for the  
Maldives Learning Advancement and Measurement  
Project (Maldives LAMP)

Ministry of Education & Ministry of Higher Education  
February 2020

## 1. OVERVIEW OF LABOR USE ON THE PROJECT

### ***Number of Project Workers:***

A Project Monitoring Team comprising of about 5 staff members from the Ministry of Education (MoE) will coordinate and monitor the implementation of the project; aimed at improving the literacy and numeracy of foundation stage and primary grade children in the Maldives. An estimated 30-40 staff in departments and institutions within the MoE and MoHE will also contribute to executing the project. An estimated 10-25 persons will be hired either as individual consultants, contract staff or staff of consulting agencies to provide technical assistance services under the project.

It is expected that the Project will engage the following categories of project workers as defined by LAMP.

### ***Direct workers:***

Direct workers would include the individual staff of MoE working on the Project Monitoring Team. They will be responsible for the project implementation, management, fiduciary, environmental and social management and other compliance aspects of the LAMP.

### ***Contracted Workers:***

Contracted workers would be hired as consultants and contract staff for technical assistance activities under the project. The number of contracted workers is currently estimated at 10-25.

Nine Hub schools to support children with special education needs will be developed through the Project, however these hub school will not involve construction work as they will be integrated into existing schools.

### ***Timing of Labor Requirements:***

The exact timing and sequencing of labor will be determined once the sequencing of the implementation plan and procurement plans are finalized.

## 2. ASSESSMENT OF KEY POTENTIAL LABOR RISKS

### ***Project activities***

The Project activities include systemic interventions in:

- Improved quality of English language education in foundation and primary grades across the selected schools for the Project.
- Improved quality of Mathematics education in foundation and primary grades across the selected schools for the Project.
- Improved quality of Dhivehi language education in foundation and primary grades across the selected schools for the Project.
- Enhanced Teacher Education and Development.
- Modernized measurement of learning outcomes for policy formulation.

### ***Key Labor Risks***

Activities related to LAMP are training, research, technical assistance and consulting activities for improving the literacy and numeracy of primary grade children in the Maldives. Key overall risks include the applicability of labor laws, issues related to non-discrimination and equal opportunity, accessibility of the grievance mechanism system by all workers, and occupational health and safety aspects.

Key risks related to occupation and health safety are associated but not be limited to the following:

- Travelling by sea to islands for training and research purposes;
- Working environment; and
- Working hours may go beyond regular hours due to added travel time to reach remote islands.

Although Maldives has a significant number of migrant teachers, the project is evaluated low on gender-based and race-based violence risks and other migrant worker related risks as the planned activities are mainly studies and do not involve any civil works. However, the Monitoring and Evaluation Consultant will monitor the development and adjust the risk profile in case of changes.

### COVID 19 Situation

As the project is being implemented in the context of COVID 19 pandemic, the MoE and its consultant will follow the World Bank's Technical Note on "Public Consultations and Stakeholder Engagement in WB-supported operations when there are constraints on conducting public meetings". The detailed project-specific measures have been included the project's SEP. Social distancing and all measures on infection control stipulated in the Standard Operating Procedures issued by the Ministry of Health Maldives, which are in line with the guidelines of the World Health Organization, will be implemented by the project PMU in parallel to measures stipulated in the this document.

## 3. BRIEF OVERVIEW OF THE MALDIVES EMPLOYMENT ACT: TERMS AND CONDITIONS

Below is the overview of the key aspects of the national Labor Code with regards to terms and conditions of work.

### ***3.1 Wages and deductions***

Except for wages to be paid to a temporary employee, all other employees shall be paid at least on a monthly basis.

Temporary employees shall be paid on a daily basis in general. However, the employer and the temporary employee can agree that such payments shall be made on a weekly, bi-weekly or monthly basis.

Employees may be fined for absenteeism from work during official working hours, such fine to be deducted from his/her wages and to be commensurate to the time absent from work. No other fines shall be imposed by the employer on account of absenteeism.

### ***3.2 Working Hours***

No employee shall be required to work more than 48 (forty-eight) hours a week. This principle does not include overtime carried out in accordance with the Employment Act of the Maldives. No employee shall be required to work more than 6 (six) consecutive days a week (on a day that is normally a day off or has been agreed as a day off), without being provided with twenty-four consecutive hours of leave.

No employer shall require or authorize an employee to carry out the following:

1. Work consecutively for more than five hours without allowing at least a 30 (thirty) minute break for mealtimes; or
2. Require an employee to work during mealtimes;

Despite the provisions of subsection (a), the mealtimes of employees exempted pursuant to Section 34(a) of this Act, shall be determined in agreement with the employer.

### **3.3 Time for prayer**

Every employee shall be allowed 15 (fifteen) minutes to pray during each prayer period in such a manner that it does not disrupt work. In the event that a 15 (fifteen) minute break for prayer, as specified in subsection (a) is not allowed, a fifteen-minute break shall be allowed every four consecutive hours of work.

### **3.4 Overtime Work**

Employees shall not be required to work overtime except unless this has been agreed in the employment agreement. Any work carried out over time shall be subject to the requirements of subsection (b) and Section 38 of this Act. An employee working overtime shall be paid 1 ¼ times his hourly working wage as over time, and if working overtime on a Friday or a public holiday shall be paid 1 ½ times his hourly working wage as over time.

### **3.5 Working on Public holiday**

An employee required to work normal hours on a public holiday shall be paid at least an amount equivalent to half of the minimum wages earned on a normal day of work in addition to over time.

### **3.6 Annual leave**

Unless otherwise provided herein, upon completion of one year of employment, an employee is entitled to 30 (thirty) days of paid annual leave. An employer shall not require an employee to carry out any work whilst the employee is on paid leave pursuant to Section 39 of this Act. Nor shall the employer authorize work in this manner.

Annual leave specified in Section 39 of this Act shall be provided in the following manner:

- The employer shall decide the date of commencement of leave after consultation with the relevant employee;
- Such commencement date shall fall no later than within twelve months from the expiry of the year in which the leave was acquired;
- Annual leave shall not be given such that it includes sick leave granted pursuant to Section 42, maternity leave granted pursuant to Section 43, or notice period prior to termination of employment.

### **3.7 Duties of employer**

The employer shall implement measures for the health and safety of employees at the work place without charging any fee from employees. Such measures shall include:

- Implementation of a safe work place and procedures, procurement of secure tools and machinery for carrying out work, and ensuring the continued safety of the same; and
- Provide safe materials to work with;
- Provide or arrange for the appropriate medical care for employees injured while carrying out employment; and
- Arrange the facilitation of first aid to employees in emergencies or accidents.

### **3.8 Obligation of employees**

The following are duties imperative upon every employee:

- Maintenance of safe work practices at work to avoid danger to the safety and wellbeing of the employee and co-workers which may be caused by inattentiveness to safety and security measures;
- Assist the employer and co-workers in maintenance of measures designed to ensure safety and health; and
- Inform the employer or his designated supervisor of any accidents or damage sustained occurring at work or related to work.

### **3.9 Occupational Health and Safety**

- Laws relating to occupational health and safety under the Employment Act are included under 3.6, 3.7 and 3.8.
- Laws included in the Employment Act which are related to occupational health and safety, related to the usage of heavy machinery and chemicals in the workplace are not included in this plan, as they are not relevant to the Project.

## **3. RESPONSIBLE STAFF**

The overall responsibility for the implementation of all aspects of the project lies with the Project Coordinator (PC) who is a staff member of the Ministry of Education. The Minister of Education has appointed the PC. The responsibility for substantive input will rely primarily on the existing sections, departments and institutions within the MoE and MoHE responsible for the areas covered by the project.

A Project Monitoring Team (PMT), comprised by one Project Coordinator, one Implementation, Monitoring and Evaluation (IME) Specialist (Consultant), and three staff will be established and will help to implement the Maldives LAMP. Both the Ministry and the World Bank team expect the same PMT to continue with the implementation of the Project. The PMT may have to hire an environmental and social safeguards consultant to monitor the enforcement of the World Bank's Environmental and Social Standards. Alternatively, the functions may be reallocated to the existing consultants. The Project Coordinator will be responsible for implementing the labor management procedures concerning the direct and contracted workers. The IME Specialist will be responsible for the abovementioned aspects of the employment act.

#### 4. GRIEVANCE MECHANISM

The LAMP Project has a GRM in place for project stakeholders, all types of project workers and other interested parties to submit questions, comments, suggestions and/or complaints and provide any form of feedback on all project-funded activities. The GRM has been elaborated in the Stakeholder Engagement Plan.