



THE REPUBLIC OF UGANDA

District Road Works

VOLUME

5

District Administrative and Operational Guidelines

Manual E:

Occupational Health and Workplace Safety Guidelines



ACKNOWLEDGEMENTS

These manuals have been prepared by the Ministry of Works, Housing and Communications, Uganda.

The aim of the manuals is to complement the Ministry's effort in providing guidance and building capacity of Local Governments to enable them handle their mandated roles in planning and management of the road sector development.

This manual is part of a set titled District Road Works. The set consists of 5 Volumes, each volume comprising a series of manuals covering varying aspects under the following headings:

Volume 1	Planning Manuals
Volume 2	Contract Management Manuals
Volume 3	Implementation and Monitoring Manuals
Volume 4	Technical Manuals
Volume 5	District Administrative and Operational Guidelines

The Manuals describe in detail the organization and techniques for planning, implementation and administration of a district road network. The manuals support Government strategies on sustainable maintenance of district roads; they encourage community participation, promote use of labour based methods and gender balance, ensure protection of the environment, foster work place safety and health in implementation of road works by adopting appropriate contracting practices and support the local construction industry.

They are primarily aimed at Road Engineers, Planners and Managers involved in the planning and management of district road works.

In line with the topics covered in these manuals, related training modules have been designed and are incorporated in the curriculum of the Mount Elgon Labour Based Training Centre.

The manuals are the property of the Ministry of Works, Housing and Communications, but copying and local distribution is not restricted.

We wish to acknowledge the efforts of COWI Consulting Engineers and Planners AS who assisted in the compilation of the Drafts and the invaluable support of the Danish International Development Agency for the financial assistance extended to the Ministry in preparing the manuals.


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Volume 5 Manual E

Occupational Health and Workplace Safety Guidelines

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General Information

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General Information

This Manual read together with -

- Volume 1 Manual D (Annual District Road Work Plan for Routine and Periodic Maintenance, Rehabilitation and Spot Repairs)
- Volume 2, Manual A1 (Conditions of Contract Documents)
- Volume 5, Manual B (Environmental Guidelines)
- Volume 5, Manual C (Gender Guidelines)
- Volume 5, Manual D (HIV/AIDS: Guidelines)
- Volume 5, Manual F (Road Safety)

provide guidelines on how to mainstream workplace safety and health issues when undertaking district road works especially in the areas of:

- Routine Maintenance
- Periodic Maintenance
- Rehabilitation
- Spot Repairs

Occupational (workplace) health refers to the health status of the working population (free from illness or ailment) in relation to work and working condition at the workplace.

Occupational safety refers to all activities involved in the development and implementation of programmes for safety promotion, preventive measures, hazards and risks identification at the workplace.

Other related concepts used in the manual include:

- Occupational accidents - sudden unplanned and unintentional occurrences normally causing bodily harm or injury. It occurs during work hours or on the way to and from workplace.
- Occupational hazards - a factor(s) in work environment, which creates a risk of injury or disease and may result in occupational accident or disease.

The objectives of occupational health and safety include among others:

- Ensuring safe and healthy working environment
- Safe and healthy workers
- Reduced accidents and death occurrences
- Reduced compensation
- Reduced cost/expenditure
- Continuous increased production
- High quality end products
- Reduced loss of work hours
- Increased earnings to workers in form of bonuses and wages

Apart from preventing and resolving conflicts, attaining the goals would result into efficiency and increased productivity. It is within the above background that attempts are being made to address workplace conditions and environment in the road and transport sector.

To be able to address workplace conditions and environment at work sites during road improvement works, it is important to consider it in the overall road improvement cycle. These would include:

PLANNING

- Road Inventory and Condition Survey (ADRICS)
- Road Prioritisation and Selection
- Detailed Survey and Design
- Procurement of Contractors

IMPLEMENTATION

- Road Works
- Monitoring and Reporting

IMPACT EVALUATION

An institutional framework for the management of occupational health and safety concerns in road improvements including the core actors and their roles and responsibilities have been proposed. The important factor is that the framework is rooted in the existing local government and community structures for sustainability purpose.

The Manual is a flexible document which recognises road improvement cycle as an ongoing process. Improvements in the process shall therefore be encouraged on the basis of the experience gained in the application of the Manual.

Use of the Manual shall follow the planning and implementation timetable of the districts as follows:

- November/December of the current financial year, implementation of **ADRICS** (Volume 1, Manual B) to update road inventory and condition data
- November/December of the current financial year, using **ADRICS** data in the **RAMPS** (Volume 1, Manual C) to determine road works priorities and associated cost estimates
- December/January of the current financial year, attendance at the **LGBFP** (Local Government Budget Framework Paper) workshops at which funding sources and ceiling amounts for the following financial year are identified and confirmed
- January/February of the current financial year, preparation of the first draft of the **ADRWP** (Volume 1, Manual D)
- March of the current financial year (and by no later than the 31st March), draft **ADRWP** transmitted to MoWHC-DUR Desk in Entebbe
- March/April/May (and by no later than the 15th May) of the current financial year, the final draft of the **ADRWP** transmitted to MoWHC-DUR Desk in Entebbe
- April/May of the current financial year, pre-qualification of suitable contractors for implementation of maintenance, spot repairs/improvements and rehabilitation works
- June of the current financial year, preparation of contract documents for tendered works
- July - October of the new financial year, procurement and implementation of contracts

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Overview of Workplace Safety and Health in Road Improvement Works

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Overview of Workplace Safety and Health in Road Improvement Works

2.1 INTRODUCTION

For a long time, workplace has been associated to formal and large-scale production sites such as factories and in construction sites in the urban centres. Recently workplace definition has become more accommodative to include the very existence of contracts.

The new definition therefore transcends the traditional factory setting to include small-scale and rural workplaces. Recent debates have also widened the definition of occupational health and safety from the narrow "work safety" of the "Factories Acts" to the broader concepts of reducing risks to safety and health through the establishment of safe work environments and safe work organisation, and through adapting work to workers¹.

High productivity has always been the goal of any firm in any of its undertakings. It is for this reason that equipment-based technology has been preferred since it is believed to be efficient and produces high outputs within the shortest possible time.

Labour-based technology has been avoided with the belief that it is inefficient. What have often been ignored however are the factors responsible for efficiency in using labour-based methods. One of these key factors is condition obtaining at workplace. Productivity and high level performance is to a great extent determined by health, safety and relations between the workers and contractors.

In the road sector, government and the MoWHC has placed emphasis on poverty reduction among the rural poor through promotion of labour-based technology in road improvement works.

Use of labour-based methods would offer the local people employment and thereby a chance to earn income which they can use for improving their livelihood. The implication is involvement of a high number of workers.

This calls for an effort to pay attention to the rights of workers as the quest for high productivity and profit maximisation by contractors is likely to compromise their objectivity.

The present contracting arrangements have not taken workplace conditions and environment seriously, which has been responsible for the so-called low productivity of labour-based methods. It is only imperative that these issues are considered as a matter of improved productivity of workers and human rights of workers.

2.2 WHY MAINSTREAM WORKPLACE SAFETY AND HEALTH IN ROAD WORKS

Management of risks, health and safety considerations in road works is a continuous process and it is of paramount importance to the Ministry of Works Housing and Communications (MOWHC) operations and activities in its areas of mandate. This calls for the need to regularly identify the hazards and assessing the risks associated with its activities in the various sub-sectors at large and roads in particular. Therefore, appropriate actions are undertaken to manage the risks and hence, prevent or reduce the impact of potential accidents or incidents.

¹ ILO/Finnish Institute of Occupational Health, African Newsletter on Occupational Health, December 1998

2.2.1 POLICY BACKGROUND

The Sustainability Policy of the MoWHC

In 2002, the MOWHC established a formal Quality Management System, which reflects its commitment to adopt effective and efficient strategies and processes in a drive to deliver its mandated services to government and people of the Republic of Uganda within a culture of continual importance.

The system is driven by Management Policies, one of which is the Sustainability Policy. The Sustainability Policy pursues amongst other, the objectives of:

Endorsing and integrating with our operations, the Government policies on public health, poverty alleviation and gender equality programmes

Fostering an awareness of mitigating the potential impact of our activities on the safety and health of the public

Therefore, integrating Occupational Health and Safety in the MOWHC road works is in line with its broad Quality Management system in general and Sustainability Policy.

The Poverty Eradication Action Plan

The Poverty Eradication Action Plan recognises that poverty is partly a result of increasing population and unsustainable utilisation of natural resources. Thus one of the strategies for eradicating poverty is improved natural resource conservation and management. This will be achieved through enforcement of laws to promote sustainable use of available resources, public education and awareness of the link between environmental degradation and poverty, and the promotion of good land husbandry, which addresses environmental concerns.

The Final Draft White Paper on Sustainable Maintenance of District, Urban and Community Access Roads

The Draft White Paper on Sustainable Maintenance of District, Urban and Community Access Roads provides an action plan for integrating environmental including workplace safety and health issues in road works and outlines the actions to be undertaken to include:

- Carry out sensitisation workshops for involved stakeholders at all levels
- Develop indicators to monitor performance in terms of environmental including workplace issues

Danida's Transport Infrastructure Sector Policies (1999)

It contains a chapter on environmental sustainability, further divided into policies on natural and working environments. Working environment is a crosscutting issue in Danida assistance to the transport sector in Uganda. Danida supports government in establishing occupational health and safety regulations for the transport sector and developing systems to monitor change and support government in implementing and enforcing these regulations.

A recent study commissioned by Danida notes that while there is general awareness of occupational health and safety issues among sector agencies, particularly in the area of workers' compensation, little attention is given to workplace issues such as ensuring adequate salaries/wages and their timely payment, personal safety and provision of amenities such as proper tools, drinking water or protective clothing².

² Studies for the Road Sector Programme Support, Report on Environment and Gender Action Plans, Vol. 2, IT Transport, May 2000

2.2.2 LEGAL OBLIGATIONS

The Constitutional Responsibility

The 1995 constitution of the Republic of Uganda has a number of substantive provisions for safety, HIV/AIDS and gender integration into activities.

Article 39, creates a right to a clean and healthy environment implying that workplace safety and health is a basic right to every citizen.

Other Legal Frameworks

In Uganda, some of the relevant national and institutional policies and strategies that reflect the understanding that improved working conditions and environment is not only essential for high level productivity but also as human right and development asset include:

- The Employment Decree No. 4 (1975)
- The Factories Act Cap. 198 (1964)
- Trade Union Decree No. 20 (1976)
- The Minimum Wages Advisory Board and Wages Council Act Cap. 196
- The Poverty Eradication Action Plan
- The Final Draft White Paper on Sustainable Maintenance of District, Urban and Community Access Roads
- The Danida Transport Infrastructure Policy

ILO Conventions

The ILO was set up in 1919 to bring governments, employers and Trade Unions together for united action in the cause of social justices and better working conditions everywhere. The main task of ILO at the outset was to improve conditions of life and work by building up a comprehensive code of law and practice. The number of international labour instruments - conventions and recommendations adapted by International Labour Conference since 1919 is 345 (169 Conventions and 176 Recommendations), and more than 5400 ratification of Conventions have been registered. Uganda has been a member of ILO since June 1963 and has ratified 27 ILO Conventions and translated them into national laws (List provided in the Annex).

ILO Conventions cover a wide field of social problems including basic human rights issues such as freedom of association, abolition of forced labour, elimination of discrimination in employment, minimum wages, labour administration, industrial relations, employment policy, working conditions, social security, occupational safety and health, employment promotion and protection against unemployment, the rights of indigenous people.

2.2.3 EMPLOYMENT DECREE NO. 4 (1975) AND EMPLOYMENT REGULATIONS (1977)

This is the basic law governing employment covering the following aspects of employment contract of service; termination of contract, termination notice, protection of wages, hours of work, rest and holidays, employment of women, employment of young persons and care of employees.

It is within this legal framework that the relationship between workers and their employers (contractors) are regularised. The workers are protected from exploitation by the contractors on the one hand while ensuring that the workers fulfil their part of obligation on the other. In a nutshell, this law is crucial in addressing work condition.

The Factories Act Cap. 198 (1964)

The aim of Factories Act is to make provisions for health, safety and welfare of persons employed in factories and other places. Much as this law is limited to safety regulations in a factory, it provides the premise for provision of health, safety and welfare of workers at workplace given the contemporary definition of workplace that includes the existence of contracts (which would automatically include small-scale and rural-based workplaces).

The law also provides for the compensation of workers injuries suffered in the course of employment. Although this may not apply to the wage labour force, which is the case for majority road workers, it is symbolic enough to be recognised by both contractors and workers.

The Trade Union Decree No. 20 (1976)

The aim of the Trade Union Decree was to consolidate the law establishing and regulating the National Organisation of Trade Unions (NOTU). It was further meant to provide for the formation by workers of independent trade unions and branch unions of their choice. In all it provides for freedom of association of workers.

The work duration in most road maintenance work sites is usually short and may not provide the workers with the opportunities to organise. However, this law provides the foundation upon which workers whether on a short contract can organise. It also provides a premise for district technical staff, especially the District Engineer and the Labour Officers to provide whatever support would be required by the workers to organise and have themselves heard.

The Minimum Wages Advisory Board and Wages Council Act Cap. 196

This is the law under which the Minister is empowered to appoint a Minimum Wages Advisory Board to advise him on what minimum wages should be paid in the country. Establishment of minimum wage to be paid to workers, which is included in the contract administrative documents, is within this legal framework. It is therefore the obligation of the relevant technical persons especially the District Engineer and the Labour Officer to ensure that this is complied with by the contractors.

It is within these related national and institutional policies and experience with local, district and national stakeholders that this Manual has been developed.

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Mainstreaming Workplace Safety and Health in Road Improvement Works

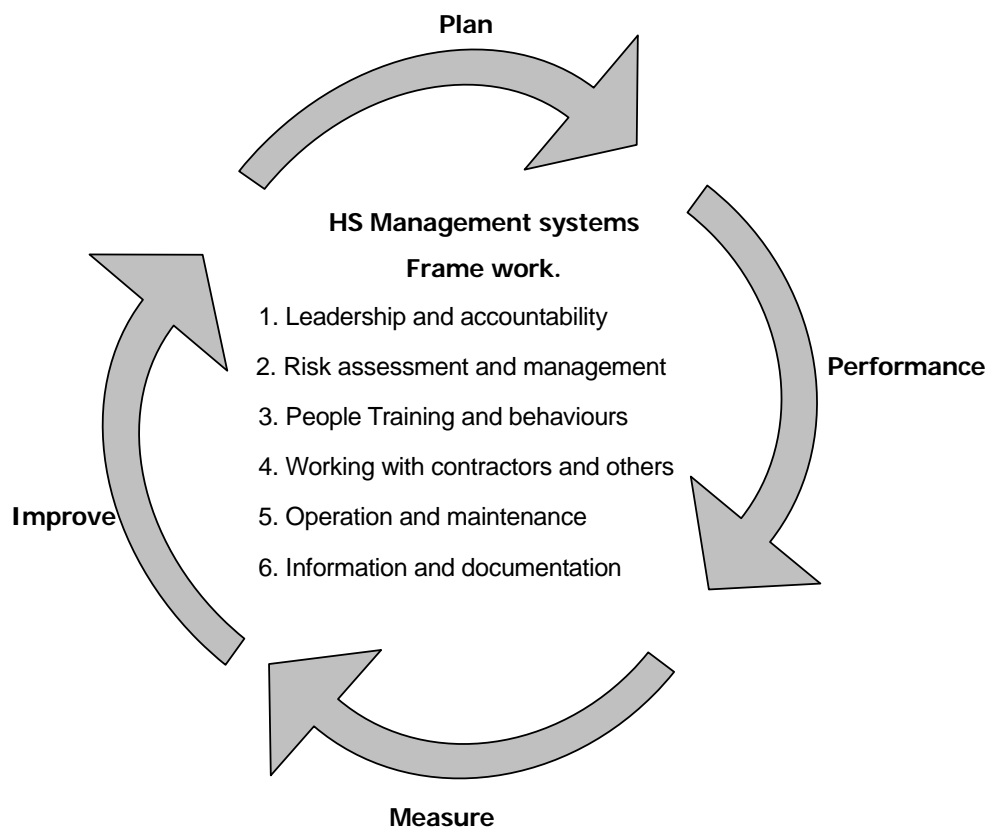
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Mainstreaming Workplace Safety and Health in Labour-Based Road Works

3.1 HOW TO MAINSTREAM OCCUPATIONAL HEALTH AND WORKPLACE SAFETY IN LABOUR BASED ROAD WORKS

The mainstreaming of workplace safety and health issues in Labour-Based Road Works (LBRWs) assumes a cyclic pattern in terms of; Planning, Performing, Measuring, and Improving on the over all performance of a Program. The framework is driven by a set of elements that fulfil the objectives of the sustainability Policy of the MOWHC in the area of workplace safety and health. This can be summarised in the form of the cyclic pattern below.

Cyclic Pattern of Mainstreaming Occupational Health and Safety in a Programme



(Adopted from BP Amoco HSE Guide, 1999.)

Principally, in all activities and operations on the road, the emphasis on workplace safety and health will seek to:

- Ensure full compliance with all national legal requirements on Occupation Health and Safety and to strive to fully achieve them.
- Provide a secure working environment by protecting workers, equipment and contractor's personnel against risks of injury, loss of lives or loss from undesirable act.
- Ensure that all the workers, contractors and others are well informed, trained, engaged and committed to Health and Safety observance. Safety operations depend not only on the technically

sound plant and equipment but also on competent and informed issues of Occupational Health and Safety.

- Full participation of all persons involved in the works in risk assessments and management of overall achievement of Occupational Health, Safety and accident prevention.

3.2 WHEN TO MAINSTREAM OCCUPATIONAL HEALTH AND WORKPLACE SAFETY IN LABOUR BASED ROAD WORKS

3.2.1 PREAMBLE

The proposed activities seek to mainstream workplace safety and health concerns in road improvement cycle as follows: preparation and planning, implementation and impact evaluation. The activities are described in detail in the following sections and presented in summary form including distribution of responsibilities at the end.

3.2.2 PLANNING AND PREPARATION

Activities under planning and preparation include **ADRICS**, road prioritisation and selection, mobilisation and sensitisation, contract procurement and training. This section outlines how to integrate workplace safety and health in the planning and preparation stage in road improvement cycle. Under planning and preparation, occupational health and safety shall be addressed during design, preparation of contract documents, mobilisation and sensitisation, contractor procurement and training. These have been elaborated as below:

Sensitisation and Awareness Raising

There are indications of poor workplace safety and health awareness among the stakeholders (including contractors, workers, district technical staff and politicians among others) in general and in the roads sector in particular. This calls for a concerted effort to carry out extensive sensitisation and mobilisation campaigns for increased awareness of all stakeholders. It is therefore imperative that sensitisation and mobilisation be carried out for the different target groups as follows:

Workplace Safety and Health issues in road works should be part of sensitisation and mobilisation campaigns conducted at community and sub-county levels (to target sub-county works or general-purpose committee, members of the communities who are potential workers, sub-county officials and politicians) in those sub-counties where roads works would take place. This can be done through community meetings, radio programmes and display of posters.

This should also be conducted as part of the community meeting referred to as ***Mobilisation Site Meetings*** (refer to information sheet and checklist in **Annex 3** for details). Mobilisation Site Meetings are held prior to the beginning of road improvement works by the Contractor. During the meeting, the District Engineering staff assisted by the Labour staff must remind the Contractors and their staff including members of the community who are potential labourers about workplace safety and health issues. Strategies on how to address the workplace safety and health issues should be part of the discussions.

During road improvement works, the Contractors and workers will have the opportunity to be sensitised on workplace safety and health issues during ***Monitoring Site Meetings*** (refer to Information Sheet and Checklist in the Annex). Monitoring Site Meetings are convened on a monthly basis to monitor progress in road improvement activities and check compliance with crosscutting issues. During such meetings, the District Engineering and Community Development staff must ensure that workplace safety, and health issues are presented and discussed as provided for in the Information Sheet and Checklist for Monitoring Site Meetings. The Contractors should be encouraged to inform the meeting on how they are addressing workplace safety, and health issues.

Mt. Elgon Labour-Based Training Centre (MELTC) is the national labour-based road maintenance and construction training centre for training District Staff, Politicians and Contractors. Contractors going for training at MELTC will be sensitised formally as part of contractor training programme.

Contractor Procurement

The contractor procurement process from pre-qualification to tender award shall be sensitive to workplace safety and health issues. This means the Technical Evaluation Committees and the District Tender Boards being aware of and sensitive to workplace safety and health issues. It is highly recommended that the districts send their Technical Evaluation and Tender Board members for training at **MELTC**.

Pre-qualification of contractors should favour those who shall demonstrate capability and willingness to address workplace safety and health issues. The Detail Analysis Form (DAF) must be checked for sensitivity to workplace safety and health issues (Refer: **Volume 2, Manual A1**). The District Engineering and Labour staff should play a key role in providing technical advice to the Technical Evaluation Committee and the District Tender Board so that the Contractors pre-qualified are sensitive to workplace safety and health.

During contract procurement, the Tenderers shall be reminded of workplace safety and health issues through **Pre-tender Site Meetings**. Pre-tender Site Meetings are held prior to the Tenderers preparing tender documents to verify the situation on the ground regarding physical works. This also provides an opportunity for Site Investigation on availability of and access to materials, safe water source, labour availability, campsite location, availability of storage facilities, and crosscutting issues related to road works among others. This means the Tenderers shall go into the bidding process when they are well aware of the workplace issues.

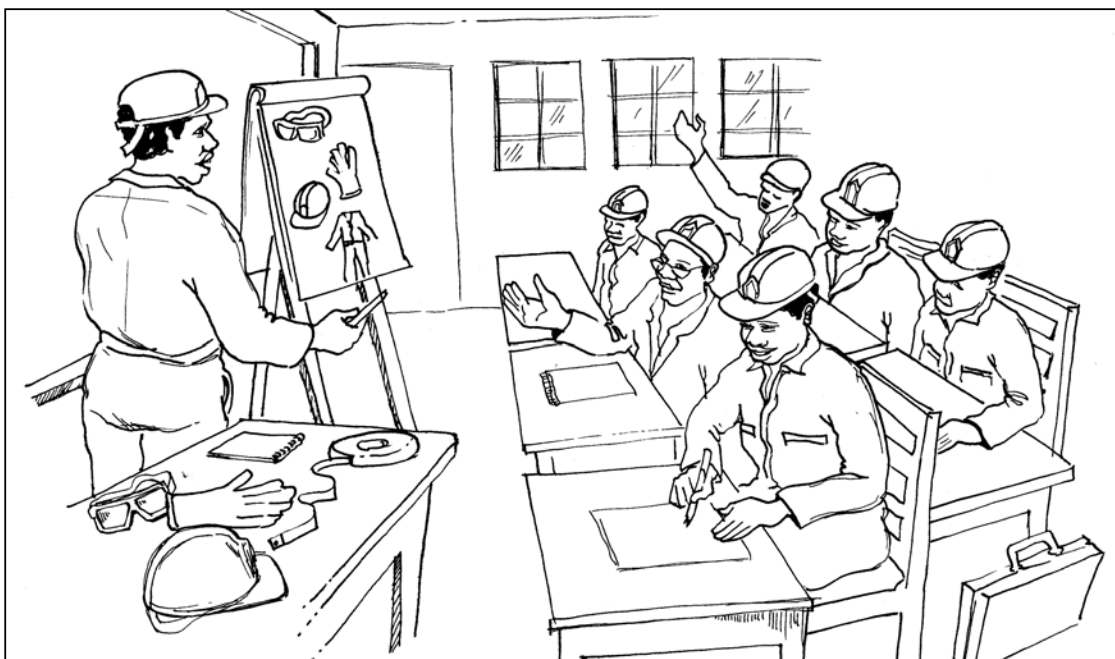
In addition to technical and financial evaluation therefore, Tenderers will be evaluated in regard to their response to workplace-related issues and their proposal to address them. The tender evaluation form is designed in such a way that it makes provision for appraisal of workplace safety and health (Refer to: **Volume 2, Manual A1** for samples of tender evaluation forms). The most important is adequate provision for workplace safety and health issues as an item in the Bill of Quantities by the Tenderer.

The District Tender Board based on the advice and recommendations provided by the Technical Evaluation Committee will take the final decision as to contract awards.

To ensure that workplace issues are reflected in decision making, the Labour Officer must be co-opted in the Technical Evaluation Committee.

Training

Workplace Safety and Health sensitisation is already an integral part of the technical training provided at **MELTC**. **MELTC** is a national institution responsible for all the training related to labour-based road



improvement and maintenance of district roads. Workplace safety and health have been provided for in the **MELTC Curriculum** under the **Labour and Workplace Safety Module**.

The implication is that everybody going for training at **MELTC** shall receive training in workplace safety and health issues in road works. It will be the responsibility of the districts with the advice of the District Engineer to screen and send contractors including district technical staff (both engineering and non-engineering) and relevant political leaders for training at **MELTC**.

The training at **MELTC** will be further reinforced through sensitisation and mobilisation campaigns at the sub-county and community levels, site meetings and follow up of road works activities at the sites. At the sub-county level, the Road Inspectors should work with the Community Development Assistants in carrying out the sensitisation and mobilisation campaigns, site meetings and follow up activities. In doing so, the Sub-county Works Committee should be actively involved.

3.3 IMPLEMENTATION OF ROAD IMPROVEMENTS AND SUBSEQUENT MAINTENANCE

The Government of Uganda through the MoWHC seeks to promote the use of labour-based methods, which is seen as a short-term poverty eradication strategy. The use of labour-based methods is the more reason for good workplace safety and health awareness. This is because use of labour-based methods involves more people in contract works, which requires good working environment as a matter of human rights. Use of labour-based methods shall be made a contractual obligation of Contractors in that special provisions shall be made in the contract administrative documents, especially Conditions of Contract (refer to **Volume 2, Manual A1**: Conditions of Contract document for details).

Before physical road works begin, the following shall be done:

- Mobilisation Site Meeting
- Site Investigation
- Site Set-up

3.3.1 MOBILISATION SITE MEETING

Mobilisation Site Meeting shall be convened at a selected place on the road to be improved, which is easily accessible. Notice of the meeting shall be given to the concerned parties by the district engineering staff two weeks in advance before the meeting. The purpose of the meeting shall be to confirm what were discussed during Pre-Tender Site Meeting, and mobilise the required resources for implementation of works.

Those to attend the meeting shall include among others:

- District Engineering including other relevant staff
- Contractor
- Members of the sub-county Works Committee
- Representatives of the community including special interest groups such as women, youth and persons with disabilities
- Representatives of the district and sub-county community development, environment and labour staff
- Representative(s) of the Donor Agency / NGO where funding source for the works originates there from



Issues to be discussed shall include among others:

- Confirm locations for site camp, and other facilities including latrines, waste disposal etc ...
- Discuss labour mobilisation strategy and recruitment method for both male and female, working conditions, working hours, salary structure including minimum wage and frequency of payment

- Locate and acquire storage facility in the community including the costs involved
- Agree on any measures necessary to ensure security of the Contractor's property and all those workers employed from the local communities

By participating in this meeting, the Contractors are not simply reminded of their contractual obligations but shall become partners in addressing workplace issues during physical works. It is the responsibility of the District Engineering staff to ensure that Mobilisation Site Meetings are successfully convened with minutes taken and circulated to the relevant stakeholders for easy follow up in future.

3.3.2 SITE INVESTIGATION

Prior to beginning physical works, it is important to find out about the likely hazards that may be encountered. Site investigation shall also provide detail information on issues discussed at Mobilisation Site Meeting.

These shall include:

- Labour availability
- Location of campsite, sanitary and other facilities
- The working norms of the local people who are supposed to provide labour
- Availability of materials, location of and condition of access to their sources
- Modalities for accessing these materials and the cost if any thereof
- Detail security arrangements for Contractor's equipment and workers

The District Engineering and Labour staff should be part of the Site Investigation Team.

3.3.3 SITE SET-UP

- Quality safety and health standards at workplace can be achieved by early provision of:
- Clearly defined working areas (physical workplace, office, stores, etc ...)
- Clearly defined procedures posted in easily accessible place (such as on public notice boards)
- Clearly define roles and responsibilities of contractor staff and other workers
- Clearly defined site access
- Toilets and other sanitary facilities

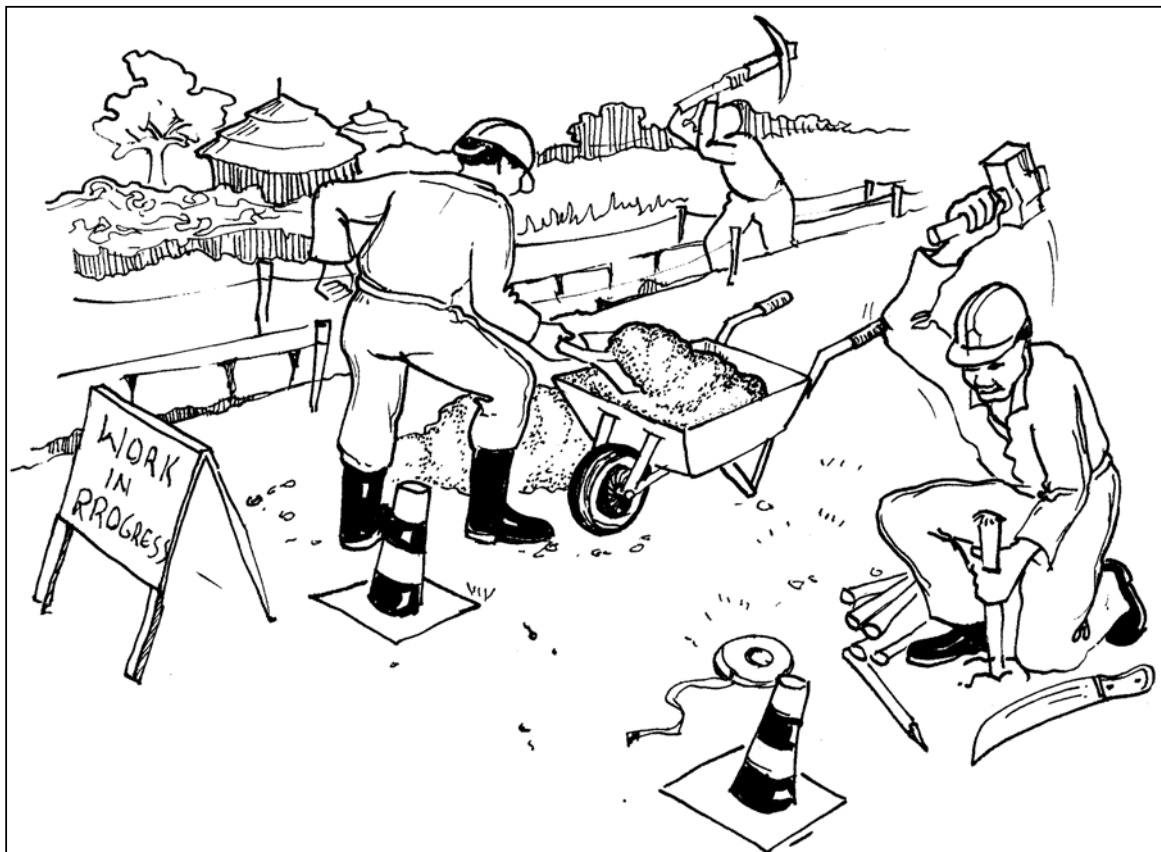
During the first visit to the site by the Engineering and Labour staff, they should check for the provision of and availability of the above (which should have been catered for in the Bill of Quantities). The result of the first site visit should then become the point of reference for upcoming Monitoring Site Meetings.

3.3.4 SUPERVISION OF WORKS

During physical works, the Engineering and Labour staff should pay routine and regular visits to the site. It is important that during physical works, the Contractor must ensure the following:

- Apply labour-based methods whenever the character of work allows. For activities that are hazardous and unsafe to physical handling by the labourers, equipment should be used.
- Provide quality hand tools to workers as appropriate. Consideration should be made to provide the workers with the tools widely used in the area.
- Provide safe drinking water and good quality food at workplace either in kind or cash. In case meals are to be provided in cash, workers' consent must be sought.

- Pay workers reasonable wages as agreed and in time. Consideration should be given to the prevailing market rates and what is reasonable to meet the livelihood needs of the workers.
- Provide protective wear to workers as appropriate (the right protective wear for a particular job).
- Provide first aid kits available at the site all times with a trained person to administer.
- Provide separate sanitary facilities for male and female workers.



It is the responsibility of the District Engineering and Labour staff to ensure that the above are provided at the work sites as catered for in the Bill of Quantities. Apart from the regular site visits a follow up on the Contractor's compliance in providing for the above, Monitoring Site Meetings shall be held on a regular basis.

3.3.5 MONITORING SITE MEETINGS

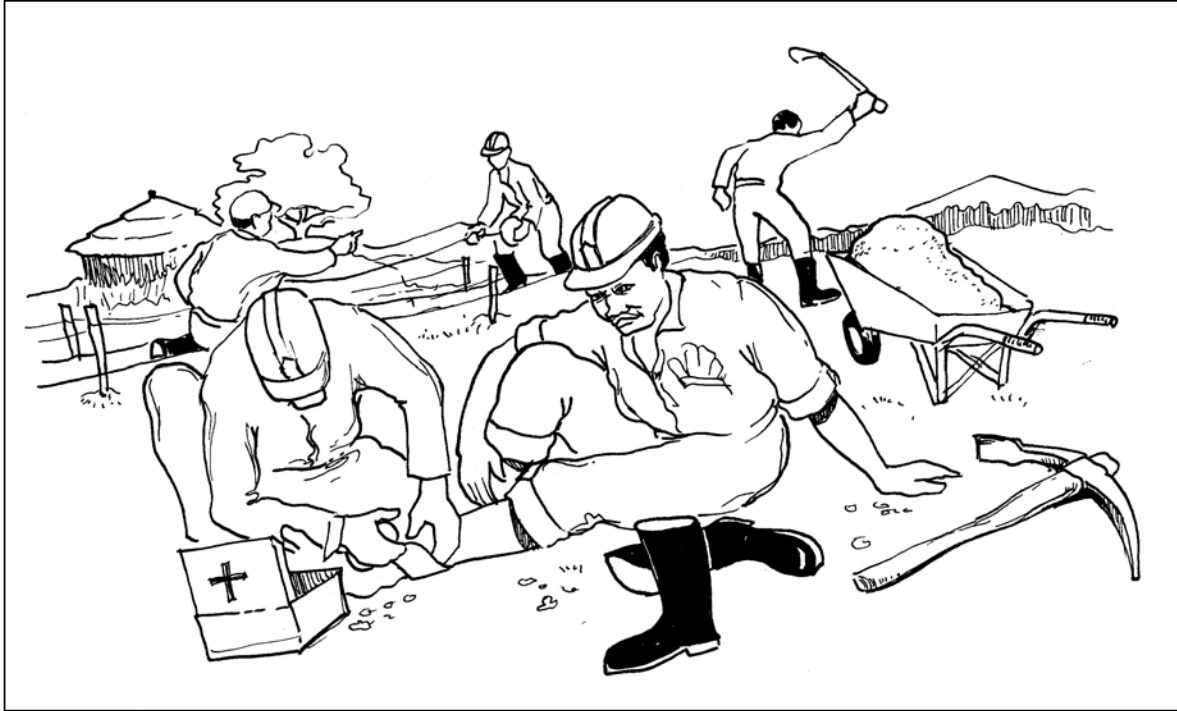
Monitoring Site Meetings shall be convened regularly, preferably on a monthly basis as a means to following the extent to which Contractors are meeting their contractual obligations in complying with safety and health issues. The participants at the meetings shall be those attending the Mobilisation Site Meetings. The Monitoring Site Meetings shall provide the various stakeholders: the Contractors, workers, Sub-county Works Committees and members of the community a forum where they can raise and discuss issues that affect the successful undertaking of road works including safety and health.

The questions that can be asked and discussed at the meeting would include:

- Are workers provided with the right and quality hand tools? If not why and if yes to what extent?
- Are there sanitary facilities at the site? Are they provided separately for men and women?
- Are meals and safe water provided for? If yes, what is the quality and if no, why are they not provided?

- Are workers paid in time?
- Are workers provided with the right protective wear for the jobs they perform?
- Are first aid kits available at the site at all times and who administer it?

Asking these questions will generate discussions and check on the Contractors to fully comply with safety and health issues. In all cases, the District Engineering and Labour staff should attend and provide guidance in the discussions.



3.4 MONITORING AND REPORTING

During road improvement works, monitoring and reporting will be an integral part of the process. Monitoring activities shall be to check the progress in implementation of physical works with the aim of establishing the extent to which the Contractors are complying with crosscutting issues including safety, health and HIV issues. Monitoring shall be done by both technical staff (the Engineering and Labour staff) and non-technical persons (including politicians).

Monitoring mechanisms to be employed shall include but not limited to **Site Visits** and **Monitoring Site Meetings** (refer to **Annex 3** for details). Site Visits shall be done on a monthly basis to physically check on progress on implementation of road works while directly observing Contractor's compliance with safety and health and issues. Monitoring Site Meetings shall precede Site Visits. Minutes of the Monitoring Site Meetings shall be kept by one of the Engineering staff, produced and circulated accordingly to the relevant persons.

The labour staff, members of Sub-county Works Committee, contractor and their staff, representative workers' and members of the community shall attend the meetings among others. Apart from the general discussions on crosscutting issues, specific focus shall be on workplace safety and health issues, especially the extent of compliance by contractor.

In order for the relevant departments in the district to follow the process, monthly reports shall be prepared. The reports will elaborate on the extent to which the contractor is addressing safety and health issues. At the sub-county level, it will be the Road Inspectors and the Community Development Assistants. They will submit their reports to the District Engineer and the Community Development Officer respectively who shall be responsible to prepare and distribute the reports to the relevant offices in the district.

3.4.1 HANDING OVER

Prior to handing over of the road works, the Labour Officer will issue a compliance certificate confirming that that the contractors has fully complied with the health and safety issues as per the conditions of contract. The certificate will be based on the report of the Labour Officer who will inspect the site before completion of works. Final payment to the contractor shall only be effected after issuance of the certificate (refer to Workplace Safety and Health Compliance Monitoring and Evaluation Form in Annex).

3.5 IMPACT EVALUATION

Data from baseline survey shall be used as benchmarks for impact evaluation. The Labour staff shall collect post-road works data on the impact of work situation on the health and safety of workers (Refer to Impact Evaluation Forms in Annex for details).



Section E1	:	General Information
Section E2	:	Overview of Workplace Safety and Health in Road Improvement Works
Section E3	:	Mainstreaming Workplace Safety and Health in Road Improvement Works

Section E-4

Proposed Institutional Framework, Roles and Responsibilities of Key Actors

Annex 1	:	Workplace Safety and Health Compliance Monitoring and Evaluation Checklist
Annex 2	:	Meeting Information Sheets and Checklists
Annex 3	:	Road Improvement Cycle
Annex 4	:	Institutional Framework of Key Players in Occupational Health and Safety in Road Improvement Works
Annex 5	:	List of References

Section E-4

Proposed Institutional Framework, Roles and Responsibilities of Key Actors

Proposed Institutional Framework, Roles and Responsibilities

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Proposed Institutional Framework, Roles and Responsibilities of Key Actors

4.1 PREAMBLE

The responsibility for integration of workplace safety and health issues into the planning, implementation, supervision and monitoring of road improvements will be anchored in the local government system to ensure sustainability of the process. That is, it will be as per the institutions and actors that are responsible for road works and occupational health and safety issues respectively as laid down in the Local Government Act. (Refer to institutional set-up in the **Annex 1**).

4.2 DISTRICT LEVEL

At district level the District Works Departments, the District Works Committee, and the District Tender Board are overall responsible for road works and they act as client on behalf of the District Government.

The Works Committee and the Tender Board are decision-making bodies whereas the Works Department through the District Engineer, Supervisor of Works and Road Inspectors are the executing body.

The Works Department is supported by the Labour Officer and the District Director of Health Service in as far as workplace safety and health issues are concerned.

The roles of institutions and relevant staff can be summarised as follows:

The District Works Committee approves the proposal of roads selected for improvement by the District Works Department and participates in site meetings for supervision and monitoring of road works, including the compliance of the contractor with environmental conditions stipulated in the contract administrative documents.

The Tender Board takes the final decision as regards contract awards based on the recommendation of Technical Evaluation Committee. As regards environmental issues, the Tender Board ensures that contracts are awarded to contractors that are responsive to the environmental conditions stipulated in the tender evaluation and contract administrative documents.

The District Engineer and the Road Inspectors are responsible for the execution of road improvements – they plan and design the road works, deal with contract management, and supervise and monitor road works. They are responsible for the integration of workplace safety and health issues in their plans and to ensure that contractors comply with their obligations. They also ensure that site meetings (pre-tender, mobilisation, monitoring and maintenance meetings) are conducted (with the facilitation of Labour staff and/or **CDAs**) and that health and safety concerns are discussed on these meetings.

In matters of occupational health and safety the District Engineer and the Road Inspectors work closely with the Labour Officer (Production Department). They will assist in integrating workplace safety and health issues in work plans of the Works Department and in ensuring that the health and safety issues are complied with as provided for in the contract administrative documents. They assist in supervision of contract works as regards occupational health and safety issues (through among others participation in monitoring site meetings).

The Labour Officer shall issue a certificate in respect to contractor's compliance with occupational health and safety issues prior to handing over of roads by contractor to the district.

4.3 SUB-COUNTY

At the sub-county level, the Sub-county Works or General Purpose Committee is the focal point for road improvement and it represents the interest of the respective communities. The Road Inspectors (assigned for each county) and Labour staff provides technical support to the committee.

The Sub-county Works or General Purpose Committee takes part in the monitoring of road works through participation in site visits and meetings where it represents the communities and parishes and their political institutions. It also supports the sensitisation of the population in their area on workplace environmental issues and good workplace practices as well as use of labour-based road works.

The Road Inspectors and Labour staff assists the Committee in carrying out its responsibilities, give professional advice and participate in site meetings and supervision. The Labour staff is responsible for workplace issues and training at local level until environment assistants are employed at the sub-county level¹.

The communities pursue their interests as regards road works monitoring and protection of workers rights through the Sub-county Works or General Purpose Committee and participate in site meetings with contractors, employees and technical staff.

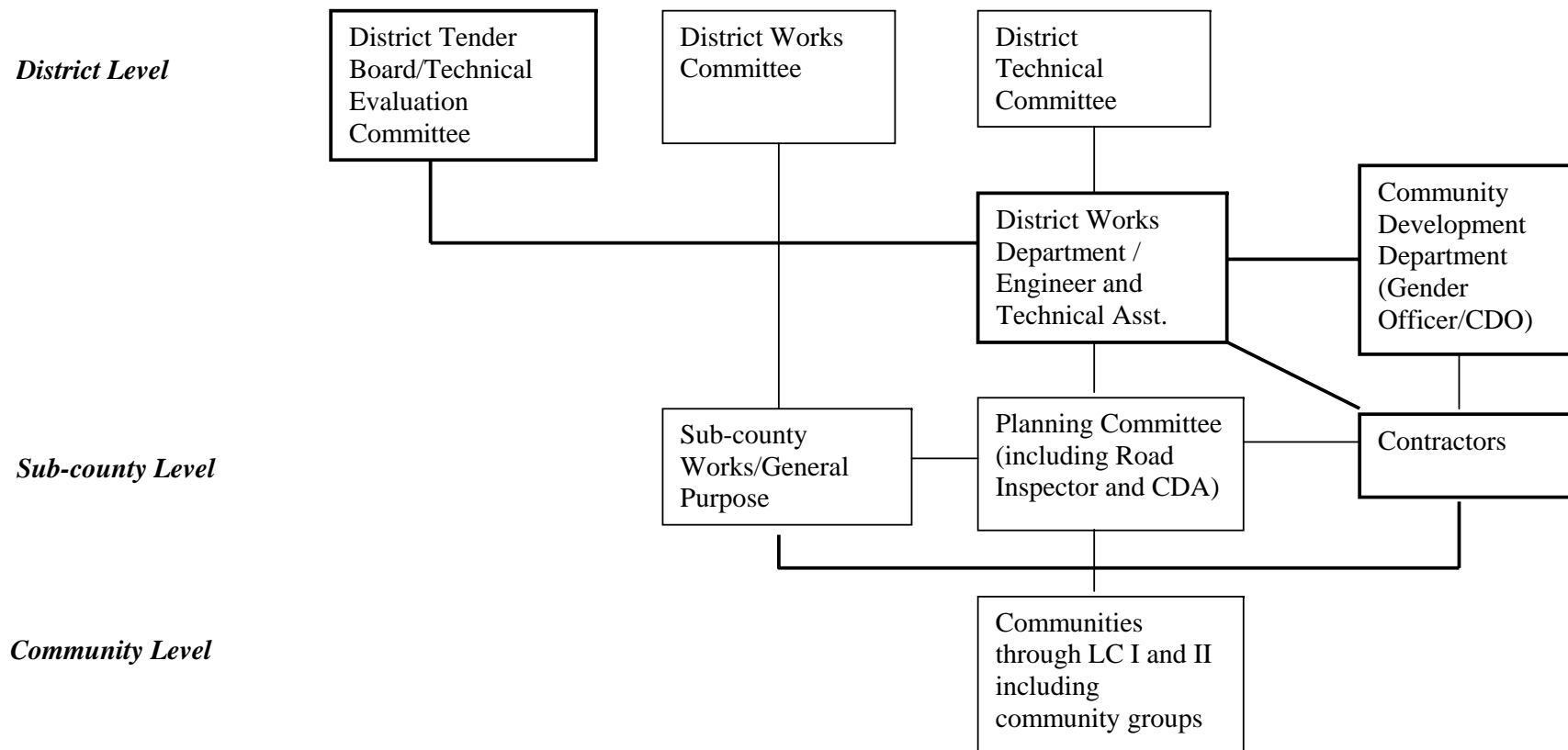
The contractor is responsible for the execution of road works in accordance with the workplace conditions stipulated in the contract. He is obliged to conduct and participate in site meetings and the agenda for these meetings will make provision for workplace issues.

¹ This was an explicit request by the participants of the stakeholder workshop conducted in April 2001.

Annex 1

Proposed Institutional Framework of Key Players

Proposed Institutional Framework of Key Players in Occupational Health and Workplace Safety in Road Improvement Works



Annex 2

Road Improvement Cycle

Road Improvement Cycle

Preparation and Planning

Annual Road Inventory and Condition Survey (including technical and gender disaggregated socio-economic data collection)

Road Prioritisation and Selection (use of gender disaggregated socio-economic data and RAMPS computer programme)

Procurement of Contractors (Contractor pre-qualification and award process gender sensitive)

Detailed survey and Design (bills of quantities and contract documents provide for gender issues)

Implementation

Road Works- Contract administration, carry out planned works, supervision on performance including compliance with gender

Monitoring and reporting on Road Works - Site
Monitoring Meetings to monitor compliance with gender issues and regular reporting

Impact-Evaluation

Impact Evaluation -
Collection and Processing of comparative gender disaggregated socio-economic data to determine impact after 1 and 2 years

Annex 3

Meeting Information Sheets and Checklists

PRE-TENDER MEETING / SITE VISIT

Meeting Information Sheet and Checklist

Preamble

Following advertising for Tenders (Bids) and procurement of Contract documentation by Pre-qualified Contractors, and prior to preparation and submission of Tenders to the Client, all Tenderers shall attend the Pre-Tender Meeting / Site Visit to determine and/or clarify matters concerned with performance of the whole of the Works.

The Pre-Tender Meeting / Site Visit will include the following:

- Tenderers who have expressed interest in and procured contract documentation for the Works,
- Client's / Employer's representative(s)
- Representatives of the Local Community / Communities, including members of their Sub-County Works Committee(s), in which the Works are to be performed
- Community representatives of special interest groups including Women and Youth organisations
- Representatives of district / sub-county Community Development, Gender and Environment staff
- Representative(s) of the Donor Agency / NGO where the funding source for the Works originate there from.

All Tenderers, on completion of attendance at the Pre-Tender Meeting / Site Visit, shall be responsible for having their Certificate of Tenderer's Site Visit signed by the Client's / Employer's representative as proof of attendance and this Certificate (copy attached) shall be included as part of the Contractor's Tender for the Works.

Failure by any Tenderer to attend the Pre-Tender Meeting / Site Visit may result in loss of points during Tender Evaluation and failure to be considered for an Award of Contract.

Checklist

- The following Check List of activities, to be undertaken during the Pre-Tender Meeting / Site Visit, is for guidance only and may not be fully inclusive.
- Meet with Local Community leaders as a precursor to development of good working relationships. Such meeting(s) should include discussion of mutual obligations by the Contractor to the Community and by the Community to the Contractor, including all issues relating to gender sensitivity, environmental protection, work place health and safety including HIV / AIDS, etc.; refer Conditions of Contract and Contract Data.
- Comparison of the BoQ with the Scope of the Works on the Site, including a study of all Items to be performed, their timing, resource requirements, etc.
- Agree with the Local Community location(s) for the Site Camp and other facilities including latrines, waste disposal, etc.
- Determine the availability of Labour, both male and female, within the Local Community / Communities, and discuss and agree the working conditions, method of recruitment, working hours, salary structure including the minimum wage, frequency of payment, etc. (refer Clauses 9 and 50 of Conditions of Contract and Clause 32 of Contract Data).

- Determine the availability and locations of and condition of access to sources of Materials approved by the Client for fill, surfacing, aggregate, sand, water, etc., and agree with the Local Community / Community's representatives how best to access these resources and the costs, if any, thereof.
- Agree with the Local Community / Community's representatives locations for safe parking and servicing of equipment, storage of fuels and lubricants, etc.
- Determine the scope of work required to ensure Environmental Conservation during performance of the Works and subsequent Environmental Restoration activities required on completion of the Works.
- Agree any measures necessary to ensure Security of the Contractor's property and all those workers employed from the Local Community / Communities.
- Particular attention should be paid to BoQ, Bill number 6, Preliminary and General Items, to ensure adequate and realistic provisions are made for those Items included in the Contract.
- Other issues / matters as the Tenderer sees appropriate to the Scope of Works.

MOBILISATION SITE MEETING

Meeting Information Sheet and Checklist

Preamble

Following the award of tender/procurement of contract by the client to the pre-qualified contractor, all the relevant stakeholders shall attend a Mobilisation Site Meeting to confirm what were discussed during Pre-Tender Site Meeting, and mobilise the required resources for implementation of works.

The Mobilisation Site Meeting shall be attended by the following:

- Client's representative
- Contractor
- Members of the sub-county Works Committee
- Representatives of the community including special interest groups such as women, youth and persons with disabilities
- Representatives of the district and sub-county community development, environment and labour staff
- Representative(s) of the Donor Agency / NGO where funding source for the works originates therefrom

The Client's representative shall ensure that minutes are duly taken and produced during and after the meeting respectively, and distributed to all the relevant stakeholders. Failure by the Contractor to participate in Mobilisation Site and other subsequent meetings may result in poor communication between the contractor and the communities in which road works would be taking place. The Client and the Donor Agency / NGO providing funds for works will bear no responsibility whatsoever in the event that this leads to the cancellation of contract.

Checklist

The following checklist of activities, to be undertaken during the Mobilisation Site Meeting, is for guidance only and may not be fully inclusive.

- Meet with members of the local communities and sub-county stakeholders as a precursor to development of good working relationship. The meeting will discuss and confirm among others mutual obligations by the contractor to the community and by the community to the contractor, including issues relating to gender sensitivity, environment conservation, workplace health and safety issues including HIV/AIDS prevention
- Presentation and discussion of work plan
- Confirm locations for site camp, and other facilities including latrines, waste disposal etc.
- Discuss labour mobilisation strategy and recruitment method for both male and female, working conditions, working hours, salary structure including minimum wage and frequency of payment (Clauses 9 and 50 of Conditions of Contract and Clause 32 of Contract Data)
- Confirm the availability, location of and condition of access to sources of materials approved by the Client for fill, surfacing, aggregate, sand, water, etc. and agree with representatives of the local communities modalities for accessing these materials and the cost if any thereof
- Locate and acquire storage facility in the community including the costs involved

- Agree on any measures necessary to ensure security of the Contractor's property and all those workers employed from the local communities
- Other issues/matters as the Meeting find appropriate

MONITORING SITE MEETING

Meeting Information Sheet and Checklist

Preamble

Following the commencement of road works by the Contractor, Monitoring Site Meetings shall be held on a monthly basis. These shall be attended by all the relevant stakeholders to ascertain whether the Contractor is carrying out his/her work in line with gender, environment and workplace health and safety issues contained in the contract documents.

The Monitoring Site Meeting shall be attended by the following:

- Client's representative
- Contractor's representative
- Workers' representative (male and female representation)
- Members of the sub-county Works Committee
- Representatives of the community including special interest groups such as women, youth and persons with disabilities
- Representatives of the district and sub-county community development, environment and labour staff
- Representative(s) of the Donor Agency / NGO where funding source for the works originates therefrom

Minutes of the meeting shall be taken by the client's representative who shall produce and distribute to all the relevant stakeholders. Failure by the Contractor to organise and participate in Monitoring Site Meetings may result in poor communication between the contractor and the communities in which road works would be taking place. The Client and the Donor Agency / NGO providing funds for works will bear no responsibility whatsoever in the event that this leads to the cancellation of contract.

Checklist

The following checklist of activities, to be undertaken during the Mobilisation Site Meeting, is for guidance only and may not be fully inclusive.

- Meet with members of the local communities and sub-county stakeholders as a precursor to maintaining good working relationship. The meeting will follow up on mutual obligations by the contractor to the community and by the community to the contractor, including issues relating to gender sensitivity, environment conservation, workplace health and safety issues including HIV/AIDS prevention as agreed in Pre-Tender and Mobilisation Site Meetings
- To clarify the mode of operation such as work methods (task allocation and rates, working hours). This should include the period of time the Contractor expects to keep each recruited worker on the job for purposes of maintaining a constant workforce so that the work schedule is not affected.
- To explain the target group eligible for employment. In all cases, it must be stressed that, both men and women are eligible for employment. Explain the likely application of 50% quota system in the recruitment to allow for a ratio of 1:1 of women: men or where this is not achievable, at least 30% of the labour force should be women. Emphasise that women's participation should not be restricted to only work that is traditionally associated with women but that it should include supervisory roles and other otherwise "manly" work. Youth and Persons with Disabilities should also be considered as special cases.
- Confirm locations for site camp, and other facilities including latrines, waste disposal etc.

- Follow up on availability of materials approved by the Client for fill, surfacing, aggregate, sand, water, etc. and find out whether the Contractor is getting any problem in accessing these materials
- Revisit security issues related to the Contractor's property and all those workers employed from the local communities
- Explain terms and conditions of employment
 - mode of payment (amount to be paid for each categories of workers and after how long.) Basing on what is stated in the Conditions of Contract document, the wage amounts should not vary so much from what the community would have proposed during Pre-tender Site Meetings since it is the basis on which the contractors prepare their bills in the bid documents.
 - Provision of clean drinking water and meals at the site
 - Provision of First Aid Kit
 - Provision of quality hand tools, etc.
- Present and agree on the work plan for execution of works and particularly set the date and venue at which recruitment meeting shall be held.
- Discuss the labour mobilisation strategy and recruitment method for both male and female Provide the local leaders with the Standard Notice of Recruitment (SNR) for display at public places in their respective communities. In this case, local leaders shall include **LC** officials, officials of community and women groups, church and youth leaders among others. Standard notices shall be posted to public places such as schools, announcements at market places, trading centres and road junctions, floats in busy such as sub-county notice boards, tree trunks along roads and at health units notice boards among others.
- Other issues/matters as the Meeting find appropriate

MAINTENANCE MEETING

Meeting Information Sheet and Checklist

Preamble

Immediately following substantial completion of the whole of the contracted works, a Maintenance Site Meeting shall be convened at the works site to determine and clarify matters concerned with the future Routine Maintenance of the whole of the Works. Reference is made to the **PAF** Guidelines for Planning and Operation of District Road Maintenance and Rehabilitation Programmes.

The Maintenance Site Meeting will include the following:

- Client's / Employer's representative(s)
- Members of the Sub-county Works Committee
- Representatives of the community including special interest groups such as women, youth and persons with disabilities
- Representatives of the district and sub-county community development, environment and labour staff
- Representative(s) of the Donor Agency / NGO where funding source for the works originates from
- Intending Contractors

The meeting shall be convened by the Client with minutes taken regarding appropriate arrangements for Routine Maintenance of the whole of the Works agreed prior to the issuance by the Client to the Contractor of Certificates of Completion and Environment Restoration.

Checklist

The convening of this Maintenance Site Meeting in no way exonerates the Contractor from his/her obligations to complete the whole of the Works, including correction of defects during the Defects Liability Period and undertaking Environmental Restoration of the Site(s).

The Meeting shall address and agree who will be the Routine Maintenance Contractor responsible for undertaking routine maintenance activities; possibilities include:-

- an individual from the Local Community / Communities concerned,
- an individual representing a special interest group including women and youth organisations,
- the Contractor responsible for the ongoing Works, or
- some other suitable arrangement.

The Meeting shall also discuss and agree who will be responsible for the supervision of routine maintenance Contract including the roles and responsibilities of relevant stakeholders including:-

- the Community / Communities (where the Contract is not with the Community),
- the Sub-county Works Committee, or
- other suitable arrangement

The Meeting shall take full cognisance of the PAF Guidelines for Planning and Operation of District Road Maintenance and Rehabilitation Programmes, which require routine maintenance works to be undertaken by labour-based methods; taking into account

- labour mobilisation strategy, especially using women to perform the works
- ways of addressing gender and environment issues,

- workplace health and safety issues including HIV/AIDS prevention in routine maintenance contracts,
- availability of and access to materials for use in maintenance work,
- other issues/matters as the Meeting find appropriate

The meeting shall identify training needs for all those responsible for performance including implementation and management of routine maintenance Contract

Annex 4

Workplace Safety and Health Compliance Monitoring and Evaluation Checklist

Ministry of Works, Housing and Communications

District Road Works Workplace Safety and Health Compliance Monitoring and Evaluation Checklist

I Background Information:

Name of contractor:

Contract identification:

Location:

Total distance:

II Nature and extent of work:

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III Workplace Safety and Health including HIV/AIDS Concerns:

(a) Availability and quality of hand tools

Type of Hand Tools Provided	No. in Good Cond.	No. in Poor Cond.	Total

(b) Provision of drinking water at site: Yes/No (tick as appropriate and give source)

(c) Provision of meals at site (tick as appropriate)

Meals provided in kind	
Meals provided in cash (how much?)	
Meals not provided at all	

(d) Number of accidents at site

Nature	Male	Female	Total	Action Taken

(e) Availability and use of First Aid Kits (FAKs).

Availability (observe) Yes/No

(f) Number of People who used FAKs during the month

Males	
Females	
Total	

(g) Provision of sanitary facilities for men and women (tick as appropriate)

Type of sanitary facility	Men	Women

(h) Payments; Amount payable per day in UGX (compare with amounts in contract document)

Category	Male	Female	Remarks
Skilled			
Semi-skilled			
Unskilled			

(i) Timely payment of workers (after how many days from end of work period interval?)

(j) Provision of protective wear to workers

Nature of Work	Protective Wear Required	No. of Workers Involved		No. of Workers with Protective Wear	
		Male	Female	Male	Female

(k) Observe availability of road signs installed at the site and gender sensitivity of language used

IV HIV/AIDS Awareness:

(a) Awareness of transmission and prevention

Awareness Levels	Workers		Community Members	
	Male	Female	Male	Female
Awareness of how HIV is transmitted				
Awareness of how HIV is transmission can be Prevented				

NB. Express above numbers out of every 10 people

(b) Number of HIV/AIDS sensitisation site meetings held

(c) Number of condoms distributed

V Innovations at coming up with measures to address workplace safety and Health concerns

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VI Conformity to existing policies, legal framework and workplace safety/health issues in the condition of contract

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VII What has been the impact of Road improvement activities on the health and safety of the road workers and the community at large.

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VIII General Comments/Recommendations

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Name of Monitoring/Evaluation Personnel:

Designation:

Signature/Date:

Annex 5

List of References

List of References

Report of the Joint Annual Sector Review, February 2001. Danida/Government of Uganda

Transport Infrastructure, Danida Sector Policies, Copenhagen 1999. Danida

Inception Report, 1999 District Road Network Support

Report on Stakeholder Workshop on Gender and Environment Management and Action Plans, May and September 2000 and March 2001. District Road Network Support

Study Report on Environmental and Gender Action Plans, Studies for the Road Sector Support Programme, May 2000. IT Transport

Handbook for Mainstreaming Gender Perspectives in the Rural Transport Sector, Stockholm, 1997. SIDA

Final Draft White Paper on Rural, Urban and Community Access Roads, Ministry of Works, Housing and Communications, February 2001. The Republic of Uganda

Project Inception Report, Final Version, May 2000. The Republic of Uganda/Ministry of Foreign Affairs/Danida: Support to District Road Networks in Six Districts

Poverty Eradication Action Plan, Vol. 1, Revised Draft, Kampala, May 2000. The Republic of Uganda

The National Gender Policy, Ministry of Gender and Community Development, Kampala, 1997. The Republic of Uganda

LIST OF ILO CONVENTIONS RATIFIED BY UGANDA AS AT JUNE 2001

No.	Convention	Ratification Registered
5	Minimum Age (Industry) Convention 1919	04 - 06 - 1963
11	Right of Association (Agriculture) Convention 1921	04 - 06 - 1963
12	Workmen's Compensation (Agriculture) Convention 1921	04 - 06 - 1963
17	Workmen's Compensation (Accidents) Convention 1925	04 - 06 - 1963
19	Equality of Treatment (Accident Compensation) Convention 1925	04 - 06 - 1963
26	Minimum Wage Fixing Machinery Convention 1925	04 - 06 - 1963
29	Forced Labour Convention 1930	04 - 06 - 1963
45	Underground Work (Women) Convention 1935	04 - 06 - 1963
50	Recruiting of Indigenous Workers Convention 1936	04 - 06 - 1963
64	Contracts of Employment (Indigenous Workers)	04 - 06 - 1963
65	Penal Sanctions (Indigenous Workers) Convention 1939	04 - 06 - 1963
81	Labour Inspection Convention 1947	04 - 06 - 1963
86	Contracts of Employment (Indigenous Workers) Convention 1947	04 - 06 - 1963
94	Labour Clauses (Public Contracts) Convention 1949	04 - 06 - 1963
95	Protection of Wages Convention 1949	04 - 06 - 1963
98	Right to Organise and Collective Bargaining Convention 1949	04 - 06 - 1963
105	Abolition of Forced Labour Convention 1957	04 - 06 - 1963
122	Employment Policy Convention 1964	23 - 06 - 1967
123	Minimum Age (Underground Work) Convention 1965	23 - 06 - 1967
124	Medical Examination of Young Persons (undergoing Work) Convention 1965	23 - 06 - 1967
143	Migrant Workers (Supplementary Provisions) Convention 1975	31 - 03 - 1978
154	Promotion of Collective Bargaining	27 - 03 - 1990
158	Termination of Employment at the Initiative of the Employer	18 - 07 - 1990
159	Vocational Rehabilitation and Employment (Disabled Persons)	27 - 03 - 1990
162	Safety in the Use of Asbestos	17 - 03 - 1990
144	Tripartite Consultations (International Labour Standards 1976)	Jan. 1994
182	Worst Forms of Child Labour	June 2001

