

APPENDIX B:
ENVIRONMENTAL, SOCIAL, HEALTH AND SAFETY (ESHS)
CODE OF CONDUCT

Part 1: PREAMBLE

This ESHS code of conduct shall be adopted and embodies the commitment of the Contractor (including Sub-Contractors and day workers) to conduct construction related activities in accordance with all applicable laws, rules and regulations with high ethical standards.

The Contractor and its subsidiaries shall comply with this Code of Conduct and in a manner consistent with high ethical standards. Failure to observe this Code of Conduct may subject you to disciplinary action by the firm, up to and including termination. Furthermore, violation of this Code may also be violation of the law and due result in civil and /or criminal penalties for you, your supervisors and/or the firm.

The Contractor employees, Managers and Directors shall take all responsible steps to prevent a violation of this Code, to identify and raise potential issues, and to seek additional guidance when necessary, if you have any question's regarding the best course of action in a particular situation on this Code you should therefore promptly contact the project proponent for assistance.

In principle this Code of Conduct is an extraction of the Environmental Code of Practice for Road Works 2009. In this regard, the implementation of this Code of Conduct should be in consistency with the Environmental Code of Practice for Road Works of 2009.

Part 2: MINIMUM REQUIREMENT OF CODE OF CONDUCT

This Code of conduct identifies risks associated with: environmental and social management, resettlement, labor influx, spread of communicable diseases, sexual harassment, gender based violence, criminal behavior, crime, child labour, and safety.

The Code of Conduct contains obligations to all project staff (including sub-Contractors and day workers) in minimum specific requirements as follows:

- a) The Contractor and its subsidiaries shall comply with applicable Laws, Rules and Regulations of the jurisdiction;
- b) The Contractor shall prepares specific Health and Safety Management Plan (HSMP), Specific Environmental and Social Management Plan (ESMP), HIV/AIDS awareness programme, Road Safety Awareness Programme, Traffic Management Plan (TMP), Borrow pit and Quarry Operation Plan, Occupational Health and Safety Awareness Programme of the proposed road project prior to the actual execution of the construction works based on the Design and Environmental and Social Impact Assessment Reports;
- c) The Contractor and its subsidiaries shall comply with applicable health and safety requirements (including wearing prescribed Personal Protective Equipment (PPE), preventing avoidable accidents and a duty to report conditions or practices that pose a safety hazard or threaten the environment);

- d) The Contractor and its subsidiaries shall provide temporary speed calming measures, temporary speed limit signs to the highly populated areas such as at road sections under construction, approach to trading centers, villages, school premises and health centers and ensure that drivers observe speed limits for safety of other road users;
- e) The Contractor and subsidiaries are required to review the road levels before construction starts in order to blend aesthetically the horizontal and vertical alignment of the road with reference to the natural ground levels in order to allow communities to access their homes social amenities and businesses smoothly by providing proper access roads and crossing slabs to deep open drains to avoid storm water flowing into adjacent houses;
- f) The Contractor and its subsidiaries are required to avoid unnecessary clearance of trees and vegetation, avoid conflicts of water resources use with respective communities.
- g) The Contractor and its subsidiaries are required to make every effort to avoid water, air, soil pollution, land degradation and any related harmful that can damage the environment. Also all construction activities should strive to attain the high environmental standards;
- h) The Contractor and its subsidiaries are required to ensure safety of its workers and experts by providing them the required Personal Protective Equipment (PPE) to ensure safety. The standard safety signs and road marking should be provided during and after completion of road construction activities to ensure safety for all road users;
- i) The Contractor and its subsidiaries are required to provide sanitations facilities along the construction corridor (for example, to ensure workers use safe drinking water, specified decent sanitary services provided by their employer and not open areas);
- j) The Contractor and its subsidiaries after completion of construction activities are required to landscape and reinstate all the damaged areas through tree and grass planting to control soil erosion as stipulated in the "Environmental Code of Practice for Road Works, 2009". Among others, such damaged areas are borrow pits, quarry sites, road diversion, stockpiled material yards, workshop, crusher sites, batching plant, asphalt mixing plant, water dams or reservoir, waste dump area and used fresh/fuel oils storage areas and campsites along the construction corridor.
- k) The Contractor and its subsidiaries are prohibited to practice any kind of discrimination (for example to job seekers on the basis of family status, ethnicity, race, gender, religion, language, marital status, birth, age, disability, or political conviction);
- l) The Contractor and its subsidiaries shall adhere to the labour laws during labour recruitment to ensure skilled and unskilled laborers are given specified work Contracts, registered with National Social Security Schemes and contribute to "Pay As You Earn (PAYEE)" tax;
- m) The Contractor and its subsidiaries are required to interact with the community members (for example, to convey an attitude of respect and non-discrimination);

- n) The Contractor and its subsidiaries are prohibited of the sexual harassment (for example, to prohibit the use of abusive language or filthy behavior, in particular towards women or children, that is sexually provocative, demeaning or culturally inappropriate);
- o) The Contractor and its subsidiaries are prohibited to conduct any violence or exploitation (for example, the prohibition of the exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliation, degrading or exploitative behavior);
- p) The Contractor and its subsidiaries are required to protect children (including prohibitions against child labor, abuse, defilement, or otherwise unacceptable behaviors with children, and ensuring their safety in project areas);
- q) The Contractor and its subsidiaries are required to avoid conflicts of interest (such that benefits, contracts, or employment or any sort of preferential treatment or favors, are not provided to any person with whom there is a financial, family, or personal connection);
- r) The Contractor and its subsidiaries are required to protect, provide safe equipment's and proper use of construction properties found along construction corridor and campsites (for example, to prohibit theft of construction equipment and material, carelessness or waste);
- s) The Contractor and its subsidiaries are prohibited to demolish or relocate any affected properties followed by the construction corridor prior to effecting compensation to the Project Affected Persons (PAPs);
- t) Non retaliation against workers who report violations of the Code, if that report is made in good faith; and
- u) All workers and Contractor's Experts are responsible to read, accept and sign the requirements of this Code of Conduct as condition of employment and any violation of this Code can result to serious contractual measures to be taken including contract termination, dismissal, or referral to legal authorities.

CONTRACTOR CERTIFICATION:

I agree/I do not Agree.....

Name and Signature of an Authorized Person of the Company.....

Name of the Company.....

Address of the Company.....

Address and Stamp of the Company

APPENDIX B:

ENVIRONMENTAL, SOCIAL, HEALTH AND SAFETY (ESHS) - TECHNICAL SPECIFICATIONS / EMPLOYER REQUIREMENTS

The Technical Specification/Employer's requirements have been prepared to guide the undertaking of the Environmental, Social, Health and Safety (ESHS)" for the proposed road projects. The Technical Specification/Employer requirements are subject to the variations and additions as deemed necessary by the Employer. Among others, the Technical Specification to be included in the Bidding Documents are as follows:

- a) The Qualified Environmental and /or Social Specialist and Health & Safety Officers shall be employed by the Contractor before the actual execution of the construction works. The Environmental and /or Social Specialist and Health & Safety Officers will be responsible for preparation of the Specific Environmental and Social Management Plan (ESMP); Borrow pit and Quarry Operation Plan, Specific Health and Safety Management Plan (HSMP); Environmental Awareness Programme, HIV/AIDS Awareness Programme, Occupational Health and Safety Awareness Programme and Road Safety Awareness Programme.
- b) The working permits shall be obtained by Contractor and its subsidiaries prior to the actual works of the construction activities. The permits among others shall include; Working Permit for Non-Resident experts, Water-Use Permit, EIA Permit, Working Permit in Protected Areas, OSHA Permit, Explosive Use Permit and other permits required by the National Laws. The obtained permits and their status shall be reported regularly.
- c) The Specific Environmental and Social Management Plan (ESMP) shall be prepared and submitted to Client for approval prior to the execution of the proposed road project. The ESMP among others shall include sub-plans such as Environmental Management Plan, Monitoring Management Plan, Emergency Preparedness Plan, Waste Management Plan, Grievances Preparedness Plan, Borrow Pits and Quarry site Operations Plan and Reinstatement Plan.
- d) The specific Health and Safety Management Plan (HSMP) shall be prepared and submitted to the Client for approval prior to the execution of the proposed road project. The HSMP among others shall include sub-plans such as the Occupational Health and Safety Awareness Programme, Traffic Management Plan, Monitoring Management Plan, Emergency Preparedness Plan, Accident Management Plan. The Occupational Health and Safety Awareness Program shall cover among others, proper use of First Aid Kits, Fire marshal training, Proper use of PPE equipment's, emergency First Aid delivery, self-prevention of epidemic and pandemic diseases including Malaria, diarrhea and tuberculosis.
- e) The Traffic Management Plan (TMP) shall be prepared and submitted to the Engineer for approval prior to commencement of the construction works to ensure smooth traffic flow and improve safety of road users, adjacent communities especially children, the elderly and people with disabilities during construction period. This plan shall include but not limited to the methods of protection of communities, give details of operation hours,

types and number of safety devices, details of the location and design of diversion roads; temporary structures, barricades, temporary signs, flagmen, signals and other physical features necessary to accommodate traffic flow during construction;

- f) The HIV/AIDS awareness programme shall be prepared and submitted to the Client for approval prior to be implemented to the communities at all villages/street/centers and to all project workers along the road project. The programme shall cover among others, Training on HIV/AIDS Prevention and control, HIV awareness and Counselling, VTC and Testing, capacity building to peer educator/mentor. The programme activities shall be reported quarterly.
- g) The Road Safety Awareness Programme shall be prepared and submitted to Client for approval prior to be implemented to communities at all villages/street/centers along the road project to road users, and to all project workers. The programme shall cover among others, traffic management, proper use of road signs, safe driving to drivers and cyclic, safe use of road to pedestrians, regular sensitization on accidents risks, control measures to the Machines' operators, construction sequencing, public information announcements, use of traffic control devices and other activities designed to minimize traffic disruption. The programme activities shall be reported quarterly.
- h) Labour recruitment for both (skilled and unskilled) shall adhere to the Labour Laws during the project implementation and ensure the laborers are given the Contracts, registered with National Social Security Schemes and contribute to "Pay as You Earn (PAYEE) Tax". The Monthly Progress Report should be produced reflecting the number of skilled and unskilled labour, number Contracts provided, gender consideration, types of social security schemes chosen.(workers are free to choose their preferred schemes).
- i) Vegetation (grasses) and Trees shall be planted along the road project in harmony with the road categories and function. The Vegetation, (trees and grasses) shall be planted at the exhausted areas such as borrow pits, quarry areas, campsite, diversion and stockpiled materials at storage yards in the major villages streets and centers. Monthly Progress reports should be produced reflecting a number of trees planted, area covered with grass and shrubs, number of villages along the road planted with trees, number of borrow pits and quarry site planted with trees/grass.
- j) The air quality baseline data shall be obtained along the road project during the mobilization phase prior to the execution of the actual, construction works. The air quality analysis shall be done at the major villages/street/centers along the project road during the construction at least twice a year (during dry and wet season) as stipulated in the "Environmental Code of Practice for Road Works of 2009". The air quality data shall be reported quarterly.
- k) The water quality baseline data shall be obtained along the road project during the mobilization phase prior to the execution of the actual construction works. The analysis shall be done to all water bodies during road construction at least twice a year (during dry and wet season) as stipulated in the "Environmental Code of Practice for Road Works of 2009". The water quality data shall be reported quarterly.

- l) The dust control shall be done by water sprinkling at the construction site, borrow pits and quarry site access road, quarry site, diversion road and along the major centers at least three time per day during dry season. Wet crushing shall be deployed. The dust control measures shall be reported in monthly and quarterly progress reports.
- m) Noise and vibration shall be avoided at the major villages/street/centers along the road project during construction phase. The impacts shall be avoided by conducting regular maintenance of operation vehicles and machinery, blasting works shall be done during day time after notifying the communities along the area as stipulated into "Environmental Code of Practice for Road Works of 2009". The noise and vibration control measures shall be reported in monthly progress reports.
- n) Solid waste collection and separation or sorting shall be done on construction site, campsites, workshop and other project facilities in accordance to standard stipulated into "Environmental code of practice for Road Works, 2009". The hazardous solid waste shall be collected for disposal by authorized dealer. Other waste shall be disposed in the authorized dumpsite or managed at site. The solid waste control measures shall be reported in the monthly progress reports.
- o) Liquid waste collection shall be done on construction site, campsites, workshop and other project facilities in accordance with the standard stipulated in the "Environmental Code of Practice for Road Works of 2009". The hazardous liquid waste shall be collected by the authorized dealer for disposal. Waste water from toilets and kitchen, cafeteria shall be managed on site through septic tanks and souk away pits. The liquid waste control measures shall be reported in the progress reports.
- p) Prepare Grievance Redress Mechanism for resolving grievances related to the road project. Prepare a grievance register form for registering all the grievances that may arise during the construction. The progress report shall be prepared indicating how the grievances were resolved.
- q) The PPE shall be provided to all workers on site and ensure proper regular use of them by workers measures to enforce the use of PPE should be applied. The PPE shall include groves, gumboot, overall, sun google, ear musk, reflective jackets, helmet, safety signs and other as necessary. The provision and the use of PPE to workers shall be reported in the monthly progress reports.
- r) Temporally speed calming measures, road signs, barricades and warning signals shall be installed to the highly populated areas such as at road section under works, approach to trading centers, streets, villages, school premises and health centers on the road project. The installed road signs, barricades and warning signals shall be standard and reflective. Damaged and vandalized road signs shall be replaced immediately within 3 days. Any accident that may occur on daily basis shall be reported to the traffic police and accidents records must be kept and reported. Status of road safety measures shall be reported on monthly basis.

- s) The Billboard signs shall be installed at the beginning and the end of the road project and among others the billboard shall include a message on HIV/AIDS prevention. Other billboards with HIV/AIDS and Environmental management message shall be installed at all major centers/villages along the project road.

Among others, the undertaking of the road project activities shall comply with the following requirements:

- (i). Environmental Management Act, 2004, EIA and Audit Regulations of 2005;
- (ii). Environmental Code of Practice for Road works, 2009;
- (iii). Environmental and Social Impact Assessment Report (ESIA) for the project;
- (iv). Road Sector Compensation and Resettlement Guidelines, 2009;
- (v). Road Act, No.13 of 2007 and Road Management Regulation of 2009;
- (vi). Land Act, No.4&5 of 1999, Land Compensation Regulation of 2001;
- (vii). Occupational Health and Safety Act (OSHA, 2003);
- (viii). Traffic Act, 1996; and
- (ix). Development Partners Safeguard Policies

Copies of the relevant National Laws, Guideline, Regulation and Donors Safeguards Policies can be obtained from:

1. Tanzania National Roads Agency

P.O BOX 11364

DAR ES SALAAM

3rd Floor, Airtel House, Ali Hassan Mwinyi/ Kawawa Roads Junction,

P. O. BOX 11364, Dar es Salaam Tanzania

Tel: +255 222 926 001 – 6, Fax: +255 222 926 011

Email: tanroadshq@tanroads.go.tz

Website: www.tanroads.go.tz

2. The website of Tanzania Parliament. www.Parliament.go.tz

3. Development Partners/ Donors websites.

APPENDIX D:

METRICS FOR PROGRESS REPORTS

The following are minimum contents of the monthly and progress reports that reflect the employer's Environmental, Social, Health and Safety policies and /or the ESHS requirements of the project. The Contractor shall be responsible for preparation of the monthly and quarterly progress reports as per Contract requirement. The contents of the project ESHS reports should be determined by the ESHS risks of the Works and not necessarily by the scale of Works.

A. Minimum requirement for Metrics for Regular Reporting:

- a) Environmental incidents or non-compliances with contract requirements, including contamination, pollution or damage of ground water or surface water supplies; health and safety incidents, accidents, injuries and all fatalities that require treatments;
- b) Interactions with the Regulators: identify agency, dates, subjects, outcomes (report the negative if none)
- c) Status of relevant permits acquisition : full site inspections (by area: road section, work camp, accommodations, quarries, borrow areas, spoil areas, clinic, HIV/AIDS center, community centers, etc.);
 - Status of relevant permits and consents: number required, number received, actions taken for those not acquired:
 - List of areas/facilities with permit required (quarries, water, asphalt and batch plants), dates of application, dates issued (actions to follow up if not issued), dates submitted to the Resident Engineer (or equivalent), status of the area (waiting for permits, working abandoned without following the Reclamation Decommission Plan being implemented, etc);
 - List of areas with landowner agreements required (borrow and spoil areas, camp sites) dates of agreements, dates submitted to Resident Engineer (or equivalent);
 - Identify major activities undertaken in each area being reported monthly and highlights of environmental and social protection (land clearing, boundary marking, topsoil salvage, traffic management, decommissioning planning, decommissioning implementation);
 - For quarries; status of relocation and compensation (completed, or details of monthly activities and current status).
- d) Health and Safety supervision:
 - Safety officer: number of days worked, number of full inspections & partial inspections, reports to construction/project management;
 - Number of workers, work hours, metric of PPE use (percentage of workers with full and or partial, Personal Protection Equipment (PPE) etc.) workers violations

observed (by type of violation, PPE or otherwise), warning given , repeated warnings given, follow-up actions taken (if any);

e) Workers conditions and accommodations;

- Number of skilled and unskilled labour and their gender;
- Number of day workers, and campsite workers;
- Types and number of provided basic services to workers; e.g. drinking water, Hearth services;
- Dates of last inspections, and highlights of inspection including status of accommodations' compliance with national laws and good practice, including sanitation hygiene, space, etc;
- Number of received complaints, solved and unsolved complaints.
- Actions taken or recommended to improve the conditions;

f) Provide HIV/ AIDS status; health services, information and/or training, location of clinic, number of non-safety disease or illness treatments and diagnosis.

g) Provide Gender issues (for experts and local separately); number of female workers received training on road safety for using flag signs, percentage of workforce, gender issues raised and addressed (cross-reference grievances or other sections as needed);

h) Environmental and Social Training;

- Number of new workers, number of workers received induction training, dates of induction training ;
- Number of dates of toolbox talks, number of workers received Occupational Health and Safety (OHS) training, environmental and social training;
- Number and dates of HIV/AIDS sensitization training, number of workers received training (being reported monthly);

i) Environmental and Social Supervision:

- Environmentalist: days worked areas inspected and numbers of inspections of each (road section, campsite, accommodations, quarries, borrow areas, spoil disposal areas, swamps, forest crossing etc.) Highlights of activities/findings (including violations of the environmental and/or social best practices, actions taken), report to environmental and/or social specialist/construction/site management;
- Sociologist: days worked, number of partial and full site inspections (by area: road section, work camp, accommodations, quarries, borrow areas, spoil areas, clinic, HIV/AIDS center, community centers, etc.); highlights of activities (including violations of environmental and/or social requirements observed ,

actions taken) report to environmental and/or social specialist/construction/site management.

- Health and Safety persons: days worked (full site inspections at road construction sections, campsite, quarries, borrow areas, spoil areas, diversion, workshop etc.) number of injuries and accident per day, number PPE used per month, number of road signs installed at site and used etc.), report to environmental and/or social specialist/construction/site management.
- j) Grievances : There shall be a grievance register special form for registering all the grievances happening during construction, Number of complaints registered by dates, solved and unresolved by date, how received, to whom referred to for action, resolution and date (if completed), data resolution reported to complainant, any required follow-up (Cross-reference other sections as needed):
- Workers and Community Grievances
- k) Traffic and vehicles/equipment:
- Traffic accidents involving project vehicles and equipment; provide date, location, damage, cause, follow-up;
 - Accidents involving non-project vehicles or property (also reported under immediate metrics): provide date, location, damage, cause, follow-up;
 - Overall condition of vehicles/equipment (subjective judgment by environmentalist); non-routine repairs and maintenance needed to improve safety and/or environmental performance (to control smoke, etc.).
- l) Environmental mitigations and issues (what has been done):
- Dust: number of working bowsers, number of watering/day, number of complaints, warnings given by environmentalist, actions taken to resolve; highlights of quarry dust control (covers, sprays, operational status); % of rock/moram/spoil lorries with covers, actions taken for uncovered vehicles;
 - Erosion control: controls implemented by location, status of water crossings, environmentalist inspections and results, actions taken to resolve issues, emergency repairs needed to control erosion/sedimentation;
 - Quarries, borrow areas, spoil areas, asphalt plants, batch plants: identify major activities undertaken this month at each, and highlights of environmental and social protection; land clearing, boundary marking, topsoil salvage, traffic management, decommissioning planning, decommissioning implementation;
 - Blasting; number of blasts (and locations), status of implementation of blasting plan (including notices, evacuations, etc.), incidents of off-site damage or complaints (cross-reference other sections as needed). Early warning to the communities and workers at the site.

- Liquid Waste, if any: material spilled, location, amount, actions taken, material disposal (report all spills that result in water or soil contamination).
- Waste management: types and quantities generated and managed, including amount taken offsite (and by whom) or reused/recycled/disposed on-site;
- Details of tree and grass plantings and other mitigation measures taken on site monthly;

m) Compliance:

- Compliance status for conditions of all relevant consents/permits, for the Work, (including quarries, water etc.): statement of compliance or listing of issues and actions taken (or to be taken) to reach the compliance;
- Compliance status of ESMP and HSMP requirements: statement of compliance or listing of issues and actions taken (or to be taken) to reach compliance;
- Other unresolved issues from previous months related to environmental and social: continued violations, continued failure of equipment, continued lack of vehicle covers, spills not dealt with, continued compensation or blasting issues, etc. Cross-reference other sections as needed.