

BAF II Grant Recipient Code of Conduct

The BAF II Grant Recipient (from here on ‘‘the grantee’’) is committed to ensuring that the project is implemented in such a way which minimizes any negative impacts on the environment, business communities, and public. This will be done by respecting the environmental, social, health and safety (ESHS) standards, and ensuring appropriate occupational health and safety (OHS) standards set out in SEP and ESAP are met. The grantee is also committed to creating and maintaining an environment in which sexual exploitation and abuse (SEA) and sexual harassment (SH) have no place, and where they will not be tolerated by any employee, associate, or representative of the firm. Therefore, to ensure that all those engaged in the project are aware of this commitment, the company commits to the following core principles and minimum standards of behavior that will apply to all firm employees, associates, and representatives including sub-contractors, without exception:

General

- 1.** The grantee and therefore all employees, associates, and representatives commit to complying with all relevant national laws, rules, and regulations.
- 2.** The grantee receives a website link directing the firm to the Project Environmental and Social Action Plan (ESAP) and the Stakeholder Engagement Plan (SEP) and the code of conduct and agrees to act in accordance with and follow the rules in these plans.
- 3.** The grantee commits to treating women, children (persons under the age of 18), and men with respect regardless of race, color, language, religion, political or other opinion, national, ethnic, or social origin, property, disability, birth, or other status. Acts of SEA and SH are in violation of this commitment.
- 4.** The grantee shall ensure that interactions with stakeholders are done with respect and non-discrimination.
- 5.** Demeaning, threatening, harassing, abusive, culturally inappropriate, or sexually provocative language and behavior are prohibited among all company employees, associates, and its representatives as well as in interactions with project beneficiaries, communities, and third parties.
- 6.** Respect reasonable work instructions (including regarding environmental and social norms).
- 7.** Protect and ensure proper use of property (for example, to prohibit theft, carelessness, or waste) Health and Safety.
- 8.** The grantee will ensure that the project's occupational health and safety (OHS) requirements defined in ESAP, and SEP are effectively implemented. The grantee will:

i) Prohibit the use of alcohol during office hours. And ii) Always prohibit the use of illegal substances.

9. The grantee will ensure that adequate, i.e., well maintained, well-functioning, sex-disaggregated, sanitation facilities are available at its project offices for both employees and visitors, including specific sanitation measures/facilities required to prevent the spreading of Coronavirus.

Sexual Exploitation and Abuse and Sexual Harassment

10. Acts of SEA or SH constitute gross misconduct and are therefore grounds for sanctions, which may include penalties and/or termination of employment. All forms of SEA and SH, including grooming are unacceptable, regardless of whether they take place at office, the office surroundings.
11. In addition to grantee sanctions, legal prosecution of those who commit acts of SEA or SH will be pursued if appropriate.
12. Sexual contact or activity with children under 18-including through digital media-is prohibited. Mistaken belief regarding the age of a child is not a defense. Consent from the child is also not a defense or excuse.
13. Sexual Harassment-for instance, making unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct, of a sexual nature, including subtle acts of such behavior, is prohibited. Ex. Looking somebody up and down; kissing, howling or smacking sounds; hanging around somebody; whistling and catcalls; giving personal gifts; making comments about somebody's sex life; etc. is prohibited.
14. Sexual favors - for instance, making promises or favorable treatment dependent on sexual acts-or other forms of humiliating, degrading or exploitative behavior are prohibited.
15. Unless there is full consent by all parties involved in the sexual act, sexual interactions between the consulting firm's employees (at any level) and between firm's employees and members of the communities surrounding the office are prohibited. This includes relationships involving the withholding/promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex-such sexual activity is considered "non-consensual" within the scope of this Code.
16. All grantee employees, including volunteers and sub-contractors are highly encouraged to report suspected or actual acts of SEA and/or SH by a fellow employee using the BAF Grievance and Redress Mechanism (GRM) or the project Grievance Redress Mechanism (GRM);
17. Reports must be made in accordance with BAF GRM or project GRM Allegation/Reporting Procedures.

18. Managers are required to report suspected or actual acts of SEA and/or SH either through the BAF GRM, or the project GRM, as they have a responsibility to uphold the consulting firm's commitments and hold their direct reports responsible.

Implementation

To ensure that the above principles are implemented effectively the grantee commits to ensuring that:

19. A legal representative signs the 'BAF II Grant Recipient Code of Conduct', on behalf of the grantee, detailing the latter's responsibilities for implementing the code commitments
20. Distributed copies of the Code of Conduct in Lao language to employees.
21. The grantee acts in accordance with OHS and ESHS standards set out in SEP and ESAP.
22. The grantee recognizes the risks and the project requirements and informs BAF team and project management immediately of any incidents
23. All employees attend an orientation session prior to commencing work on project activities to ensure they are familiar with the grantee's commitments to ESHS and OHS standards, and the project's SEA and SH Codes of Conduct.
24. All employees understand the project Grievance Redress Mechanism and how to use it (hotline, anonymity, website, etc.)

Sanctions

I understand that if the grantee I hereby represent breaches any provisions included in the present code, it will be subject to sanctions that could include:

- Suspension of grant payment for a minimum period of 1 month up to a maximum of 6 months. The grantee firm would be informed that activities being supported would need to be suspended, until the problem was rectified, or until the firm itself took appropriate internal disciplinary action, deemed acceptable to BAF and NIU. If the firm did not take such remedial action, then the grant would be cancelled. No further grant-supported activities could take place. The firm would receive a reimbursement for work undertaken up to the point of suspension. No further grant applications would be accepted.
- Termination of grant agreement.

All grantee's staff will be informed that if they witness any misbehavior by others working on the project, they understand that it is their responsibility under this code of conduct to report this using the BAF II Grievance Redress Mechanism or in other ways, whether in their name or through an anonymous means.

As the official representative of the grantee, I do hereby acknowledge that I have read the foregoing BAF II Grant Recipient Code of Conduct, and on behalf of grantee including all its employees and consultants agree to comply with the standards contained therein. I understand my role and responsibilities to support the project's OHS and ESHS standards, and to prevent and respond to SEA and SH. I understand that any action inconsistent with this BAF II Grant Recipient Code of Conduct or failure to act mandated by this Code of Conduct may result in disciplinary action.

BAF II Grant Recipient representative name:

Signature:

Printed Name:

Title:

Date