

Call for Expression of Interest

TERMS OF REFERENCE

**Capacity Building of Kurdistan Region's labour inspectors on Effective and Gender-Responsive Labour
Inspection Procedures, and
Gender-mainstreamed Training Program for the Employers and Workers organizations on the role of labour
inspectors, OSH and principles and rights at work for the Republic of Iraq and the Kurdistan Region of Iraq
(KRI)**

Deadline for submission of proposals: 20th of October 2021

I. INTRODUCTION

The International Labour Organization, with support from the European Union, is implementing a project to enhance labour governance, inspection and working conditions in Iraq, in response to the COVID-19 pandemic. The project addresses a number of labour market challenges imposed by the pandemic, as well as some of the longer-term decent work priorities of Iraq.

It focuses on strengthening the labour inspection system and improving occupational safety and health (OSH) in line with international labour standards, through policy development and capacity building. The project will also work closely with social partners to raise their awareness on labour inspection, OSH and fundamental principles and rights at work, so they can better engage in programs to promote compliance with labour legislations and respond to COVID-19.

II. OBJECTIVE

It is very crucial to stress on the importance of good governance and build the capacity of governments, including labour inspectors on modern labour inspection procedures and relevant International Labour Standards, as well as employers' and workers' national organizations, to better engage them in programs to promote compliance with labour inspection mandates and legislations also facilitating remote and flexible work of the target people within this service provision.:

This will be done through delivering 2-consecutive hands-on training programs to the labour inspectors from the Kurdistan Region of Iraq (KRI) on modern labour inspection procedures and relevant International Labour Standards, as well as workers' and employers' representatives from the federal Iraq and KRI on the role of labour inspectors, OSH and principles and rights at work for the Republic of Iraq and the Kurdistan Region of Iraq (KRI)

The purpose of this capacity building is to:

Raise awareness of the labour inspectors representing the Ministry of Labour and Social Affairs (MoLSA - KRI) and workers and employers organizations of both Federal Iraq and Kurdistan Region of Iraq (KRI) in a pragmatic and intensive training program on the role and functions of the labour inspectors of the Tripartite Committees on labour inspection aiming at building and increasing their knowledge and skills, following a consultative process that will serve to:

- Introduce labour inspectors, workers and employers organizations on the main principles and their main roles and duties of their profession. Through this course, ILO intends to disseminate its international experience and facilitate knowledge sharing and discussion of selected innovative and successful strategies on inspection.

- Ensure building and strengthening the capacity of labour inspectors and workers' and employers' organizations on labour inspection practices and mechanisms.
- Familiarize workers, employers with the roles and functions of the national tripartite committees on labour inspection in Federal Iraq and the Kurdistan Region of Iraq (KRI).
- Train and familiarize labour inspectors on gender-mainstreamed labour inspections modern structures and mechanisms, and making sure they are technically empowered to undertake examinations to ensure compliance with the labour inspection and working condition standards, principles and rights at work.
- Making sure that the training is geographically tailored addressing the emerging needs, concerns, challenges, gaps and weaknesses of labour inspections when highlighted by the workers and employers organizations during the trainings per each target area (Federal Iraq and Kurdistan Region of Iraq) to fulfil the goals of the training program.

Specific objectives

At the end of the training, participants will be able to:

- Describe the principles, functions and main characteristics of Labour Inspection and Labour Administration.
- Apply the key principles in the preparation, conduction, and follow-up of an inspection visits.
- Describe the main issues concerning the inspection of working conditions.
- Identify the key issues for the planning and implementation the labour inspection policy.
- Explain the differences and inter-linkages between various compliance strategies.

III. CONTENTS:

- International Labour Standards on labour inspection
- Challenges to labour inspection in Iraq
- The role of social partners in labour inspection
- The labour inspection visit
- The inspection of working conditions
 - Wages and incomes
 - Working time
 - Maternity and family related working conditions
 - Violence at Work
- Strategic Compliance Planning for the labour inspectorate
- Labour Inspection role in the abolition of Forced Labour
- The Labour inspection and Child Labour
- The inspection of the employment relationship
- The role of the Labour inspectorate in combatting trafficking
- Prosecuting procedures in labour issues.
- Labour inspection and gender issues
- Role of effective social dialogue in enhancing labour inspection effectiveness

IV. METHODOLOGY

The consultant in close consultation with the Regional Senior Labour Inspection and OSH Specialist, Chief Technical Advisor and the project team will conduct capacity building training to:

- KRI Labour Inspectors with primary focus on:

Achieving decent and productive work in conditions of freedom, equity, security and human dignity. This aim has been summed up in the concept of "decent work". Labour inspection is an important public function provided by the State and is an essential part of the labour administration system to achieve that purpose. Labour inspection plays a key role to ensure fairness in the workplace and good governance of the labour market. Labour inspection has a three-fold role:

- Secure the enforcement of the legal provisions relating to conditions of work and the protection of workers while engaged in their work (provisions relating to hours, wages, safety, health and welfare, the employment of young persons);
 - Supply technical information and advice to employers and workers concerning the most effective means of complying with the legal provisions;
 - Bring to the notice of the competent authority defects or abuses not specifically covered by existing labour law provisions.
- Employers' and worker's organizations, with primary focus on:
- Strengthening coordination and collaboration mechanisms with the employers and workers' representatives at all levels.
 - Assessment of employers' and workers' representatives mandates and programs regarding labour inspection practices.
 - Regulatory framework including laws and regulations, and labour inspection guidelines and technical systems.
 - Any communication tools and means to promote decent work and raise awareness about labour inspection privileges.
 - Legal provisions and mechanisms relating to the roles and notifications of the labour inspectors.
 - International standards in regards to the fundamental principles and rights at work.
 - Labour inspection committees in the enforcement systems, and other initiatives and strategies, having a significant role in the application of their mandates.
 - National perspectives in regards to gender-inclusion in the areas of labour inspection.
 - Overall human capital active in the area of labour inspection.

V. SCOPE OF WORK

The consultant will:

- Develop a detailed work plan that identifies key activities/training sessions with target groups including Labour Inspectors, Employers' and workers' representatives.
- Tailor gender-mainstreamed training programs to the target groups.
- Guarantee the harmonization and adaptation to the national legislations.
- Design a holistic and integrated approach to support the implementation of the training programs set forward in terms of capacity building and national tripartite committees on labour inspection.
- Collect data and information from reliable sources about national labour inspection structures and mechanisms.
- Strengthen (if existing) and/or encouraging the national tripartite committees on labour inspection as part of the training program with reference to ILO standards, instruments and practices.
- Lead and facilitate the preliminary assessment to help identify gaps and weaknesses of the tripartite labour inspection model existing in the Republic of Iraq and Kurdistan Region of Iraq.
- Through capacity building training course, address all the relevant gaps and weaknesses of the labour inspection practices identified earlier to render it more effective with reference to ILO standards, instruments and practices.

- In particular, the consultant will technically focus on;
 - Assessing current needs of KRI labour inspectors and employers' and workers' organizations from federal Iraq and KRI.
 - Preparing and updating the training technical materials including its agenda reflecting the manuals, mandates, national legislations, ILO standards, instruments and best practices ...etc. upon the identified needs.
 - Delivering program-tailored training to the target people including 35 labour inspectors and 20 members of the employers' and worker's organizations on the roles and functions of the labour inspection practices and fundamental principles and rights at work.

- Training Settings:
 - Training Series:
 - A 5-day training of labour inspectors on Effective and Gender-Responsive Labour Inspection Procedures. To be consequently followed by;
 - A 3-day training on the role of labour inspectors, OSH and principles and rights at work.
 - Dates: 21-29 November 2021
 - Location: Erbil
 - Timing; 09: 00 AM – 05: 00 PM.
 - Target Groups;
 - Labour inspectors from KRI, Workers' and Employer's representatives of Federal Iraq and Kurdistan Region of Iraq.
 - Workers' and employers' organizations of Federal Iraq and the Kurdistan Region of Iraq (KRI).
 - Target number: 35 labour inspectors and 20 representatives of workers and employers organizations. Total: 65 participants.

1- DELIVERABLES

- A work-plan to be submitted to the ILO within five-5- days of signing the contract illustrating breakdown as below:
 - Preliminary assessment to identify the needs, gaps and resources to build up the training manual on its basis.
 - Agenda of capacity building on Effective and Gender-Responsive Labour Inspection Procedures for labour inspectors, in addition to gender-mainstreamed training programme for employers and workers representatives on the role of labour inspectors and principles and rights at work.
 - Pre-post-tests formats to evaluate the impact of the training programs. Updating and submitting training materials including; agenda, tools, manuals, technical materials...etc. Conduct trainings for workers' and employers' representatives (65 participants in total) based on the needs addressing the Gender-Responsive Labour Inspection Procedures, role, functions of labour inspectors and principles as well as rights at work separately for labour inspectors and workers and employers organizations.
- Conducting two consecutive trainings; 5-day training on Effective and Gender-Responsive Labour Inspection Procedures for labour inspectors for labour inspectors from the KRI, to be followed by a 3-day gender-mainstreamed training programme for employers and workers representatives from across Iraq on the role of labour inspectors and principles and rights at work.
- Final report on the outcome of each training in English and Arabic that include the pre/post-training test analysis results.

2- DURATION OF THE ASSIGNMENT

The duration of the contract will be from October to early December 2021.

3- SCHEDULE OF PAYMENT AND PAYMENT TERMS

The consultant is expected to deliver the specific deliverables as set out in the below table, at the approval and satisfaction of the Chief Technical Advisor of the project and the Regional Senior Labour Inspection and OSH Specialist:

Deliverable	Disbursement in USD
1- Work plan that outlines clearly the items mentioned above.	30%
2- Conducting two consecutive training programs on labour inspection for labour inspectors from KRI, and workers and employers organizations across Iraq.	70%
3- Final reports on the outcomes of each training in English and Arabic that include the pre/post-training test analysis.	

4- MANAGEMENT AND OTHER ARRANGEMENTS

Partners and Counterparts

The capacity building will be conducted in close collaboration with the Regional Senior Labour Inspection and OSH Specialist, and the Chief Technical Advisor of the project as well as the project team.

Required Expertise

- Relevant technical expertise in law, social sciences, health.
- Understanding of the labour inspection context and issues in Iraq including Kurdistan Region of Iraq.
- Understanding of Iraq's social and labour laws and policies in Iraq. .
- Profound experience of working with employers and workers representatives as well as labour inspectors and profound understanding on the role of labour inspectors, OSH and principles and rights at work in the region.
- Understanding of ILO Conventions and Recommendations on OSH and Labour Inspection, and core international human rights instruments.
- Fluent written and spoken Arabic and English and excellent report writing skills.
- At least 10 years' demonstrated experience in analysis and strategic planning.
- Ability to organize and manage stakeholders as a working group.
- Experience in drafting/preparing assessment reports and strategic plans.
- Well experienced preparing hands-on training programs to different target populations, specifically to representatives amongst employers and workers and labour inspectors.
- Experience working with the ILO or other UN agency, donor agency or international NGOs, is considered an asset.

Supervision and Logistical Arrangements

The consultant will perform their responsibilities under the supervision of Chief Technical Advisor of the project and the Regional Senior Labour Inspection and OSH Specialist.

Confidentiality and Intellectual Property Rights

All data and information received from ILO for this assignment are to be treated confidentially and are only to be used in connection with the execution of these Terms of References ToRs). The contents of written materials obtained and used in this assignment may not be disclosed to any third parties without the express advance written authorization of the ILO. All intellectual property rights arising from the execution of these ToRs are assigned to the International Labour Organization. The intellectual property rights of the materials modified through the assignment remains with the International Labour Organization.

5- MISSION ARRANGEMENTS

The field mission to Erbil (where the service provision will be carried out in) will be conducted under the assignment shall be approved by the ILO, followed by a submission of a short report indicating the number of days in the field and the work that have been done. The travel cost is to be paid in a separate payment based on the actual cost and receipt of travel supporting documents.

Transportation cost of any field visits will be covered by the ILO.

6- APPLICATION SUBMISSION

Interested consultants should submit their technical and financial proposals in English that should clearly outline:

1. Relevant experience (CV) the information provided shall clearly show that the qualifications required are met.
2. Understanding of the task and approach/methodology suggested carrying out the assignment; description of and timeline for actions to be taken by the potential consultant to fulfil the assignment.
3. Consultants must select/identify which topics provided in **(III. CONTENTS:)** within their specialization they would like to deliver.
4. The financial proposal should outline an estimated budget for the cost estimates with breakdown by necessary budget lines based on the topics they select to deliver.
5. The ILO will decide later on the training accommodation, which topics need to be delivered in person and/or virtually via online applications.
6. Please mention **“Capacity Building of; Employers and Workers organizations from across Iraq on Labour Inspectors role, functions and rights at work. Also Gender-Responsive Labour Inspection Procedures for labour inspectors in KRI”** in the subject of the email.

The technical and financial proposals together should not exceed three pages. Proof of similar assignment (including papers produced if possible).

- **Proposals evaluation**

The proposals will be evaluated according to the criteria described below:

- Company's profile and previous experience
- Technical compliance with the Terms of Reference and its response to the planned deliverables
- The proposed approach and timeframe/work plan

- The qualifications and experience of proposed key personnel
- The overall cost
- The budget is realistic
- The breakdown of the budget and costing per budget line

The process of evaluating the proposals will be based on the following percentage combination of Technical and Financial elements:

	Percentage
Technical Proposal	70%
Financial Offer	30%
Total	100%

- A two-stage procedure will be utilized in evaluating the Proposals, with evaluation of each Technical Proposal being completed prior to any Financial Offer being opened. The passing score of the technical proposal is (70%).

Timeline

- Submission of technical and financial proposals to; hamad@ilo.org , khidhir@ilo.org by **20th of October, 2021.**