

Applicability – This code of Conduct applies to:

Direct Workers – IA/PIU Staff and individual Consultants engaged directly by PIU

Contracted workers – All Contractors including those engaged on civil works and Contractor/Employer’s Personnel”

All Consultants and Workers are required to sign this Code of Conduct as a condition of employment or engagement on a World Bank Project in the Republic of the Marshall Islands

CODE OF CONDUCT

The Project Implementation Unit (PIU) (the Project) has a duty to implement measures to address environmental and social risks related to the Works including risks of sexual exploitation and abuse and harassment (SEAH), violence against children (VAC) and Human Trafficking (HT).

This Code of Conduct is part of measures required under the Project to deal with potential environmental and social risks related to construction works and other activities undertaken under the Project. It applies to all Project Implementation Unit (PIU) staff and individual consultants engaged on the Project; consultant firms providing technical advisory services; and contractors engaged on civil works for the Project. It also applies to the personnel of each subcontractor and any other personnel assisting the contractor in the execution of the Works. All such persons are referred to as “Contractor/Employer’s Personnel” and are subject to this Code of Conduct.

This Code of Conduct identifies the behavior that the Project requires from all Contractor/Employer’s Personnel.

The workplace is an environment where unsafe, offensive, abusive, or violent behavior will not be tolerated and where all persons should feel comfortable raising issues or concerns without fear of retaliation.

REQUIRED CONDUCT

I, the undersigned worker/contractor, understand that adhering to the following professional requirements and behavioral standards, including those related to environmental, social, health and safety (ESHS); occupational health and safety (OHS); sexual exploitation and abuse (SEA), sexual harassment (SH) and treatment of children is compulsory under my employment contract.

I agree that while working on the Project I will:

General

1. Comply with this Code of Conduct and all laws of the Republic of Marshall Islands, regulations, and other requirements, including protecting the health, safety and well-being of other employees, consultants, contractors, and the public.
2. Consent to a background check in any place I have worked for more than six months.
3. Attend training courses related to ESHS, OHS, and SEA/SH or any other aspect of this Code as requested by my employer.
4. Disclose and take reasonable steps to avoid any conflicts of interest (such as benefits, contracts, or employment, or any preferential treatment or favors) that could benefit a person(s) with whom I have a financial, family, or personal connection).
5. Disclose any gifts, hospitality or benefits offered or received in the course of my work that could reasonably be perceived as influencing decisions or representations. Any gift with a monetary

value of USD 200 must be recorded in the Gift Register maintained by the CIU Finance Manager.

6. Refrain from any form of Fraud and Corruption.
7. Report any breaches of this Code of Conduct to my manager as soon as possible.
8. Understand that failure to comply with this Code of Conduct constitutes an act or acts of gross misconduct and is therefore grounds for sanctions, penalties, and/or potential termination of employment. Prosecution by the police of those who break the law of the Republic of Marshall Islands may be pursued as appropriate.

Professional Conduct

9. Carry out my duties competently, diligently and to the best of my ability.
10. Behave, at all times, in a way that upholds the integrity and good reputation of my employer.
11. Ensure the proper use of all worksite and workplace materials by not engaging in theft, carelessness, misuse and wastefulness.
12. Maintain confidentiality about stakeholder, employee and organizational information and data involved with my work.
13. Comply with any lawful and reasonable direction given by a person in the organization who has the authority to give this direction.
14. Not consume alcohol or use of narcotics, drugs or other substances which can impair faculties during work activities, including attending work under the influence of these substances.
15. Be sensitive to Marshall Islands culture and protocols in planning and implementing work.
16. Use specified sanitary facilities provided by the employer and not open areas.

Treatment of Others

17. Not discriminate against any person based on family status, ethnicity, race, gender, sexual orientation and identity, age, language, religion, marital status, political or other opinion, national origin, disability, health, or other status.
18. Treat all members of the community and any affected person(s) with respect.
19. Not perpetrate any form of physical or sexual violence on any person, including respecting their religion, culture, beliefs, and traditions.
20. Not use language or behavior toward any person that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.

Violence Against Children (VAC)

21. Not participate in any sexual contact or activity with children under the age of 18, except in the case of a pre-existing marriage. Mistaken belief regarding the age of a child or "consent" from the child are not an acceptable defense or excuse¹.
22. Ensure the protection and safety of children under the age of 18 by:
 - Informing my manager of the presence of any children in project offices or sites who are or may be exposed to hazardous activities.

¹ **Consent** is defined as the informed choice underlying an individual's free and voluntary intention, acceptance, or agreement to do something. No consent can be found when such acceptance or agreement is obtained using threats, force or other forms of coercion, abduction, fraud, deception, or misrepresentation. Consent cannot be given by a child under the age of 18, even where legislation in the RMI has a lower age.

- Ensuring that another adult is present when working close to children wherever possible.
- Not inviting unaccompanied children, who are not my family, into my home.
- Not accessing child pornography.
- Refraining from physical punishment or discipline of children.
- Taking appropriate caution when photographing or filming children for work-related purposes.

Sexual Exploitation Abuse and Harassment (SEAH) and Human Trafficking (HT)

23. Comply with all laws of the Republic of the Marshall Islands, including but not limited to, not perpetrating any form of physical or sexual violence.
24. Not exploit or sexually exploit or abuse (SEA) any person² including rape³ and sexual assault⁴.
25. Not engage in any form of sexual harassment including unwelcome sexual advances, requests for sexual favors, and other unwanted verbal or physical conduct of a sexual nature toward a colleague, contractor, project beneficiary, or member of the public.
26. Not engage in sexual favors with any colleagues, contractors or members of the community.
27. Not use prostitution in any form at any time.
28. Not engage in human trafficking of any person or exploit a trafficked person.

Occupational Health and Safety

29. Maintain a safe working environment by:
 - Ensuring that workplaces, machinery, equipment, and processes are safe.
 - Wearing personal protective equipment when required at project sites.
 - Using appropriate protective measures relating to chemical, physical, and biological substances and agents.
 - Following applicable emergency operating procedures.
 - Reporting work situations that are not safe or healthy.
 - Removing myself from a work situation where there is imminent and serious danger to my life or health.

Raising Concerns

30. If any person observes behavior that they believe may represent a violation of this Code of Conduct, or that otherwise concerns them, they should raise the issue promptly by contacting the Project Manager of the World Bank Project under which the works are undertaken (or

² **SEA** means any actual or attempted abuse of position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another. In Bank financed projects/operations, sexual exploitation occurs when access to or benefit from Bank financed Goods, Works, Consulting or Non-consulting services is used to extract sexual gain.

³ **Rape** means physically forced or otherwise coerced penetration—even if slight—of the vagina, anus or mouth with a penis or other body part. It also includes penetration of the vagina or anus with an object. Rape includes marital rape and anal rape/sodomy. The attempt to do so is known as attempted rape.

⁴ **Sexual assault** means any form of non-consensual sexual contact that does not result in or include penetration. Examples include attempted rape, as well as unwanted kissing, fondling, or touching of genitalia and buttocks.

delegate nominated in writing).

31. The Project Manager (or delegate) shall deal with the matter under the Project Grievance Mechanism and Incident Response Procedure as appropriate.
32. The person's identity will be kept confidential. Anonymous complaints or allegations may also be submitted and will be given all due and appropriate consideration
33. There will be no retaliation against any person who raises a concern in good faith about any behavior prohibited by this Code of Conduct. Such retaliation would be a violation of this Code of Conduct.

Consequences of Violating the Code of Conduct

34. I understand that failure to comply with this Code of Conduct constitutes an act or acts of gross misconduct and is therefore grounds for sanctions, penalties, and/or potential prosecution by the police for those who break the law of the Republic of Marshall Islands.
35. If I breach this Code of Conduct, my employer will take disciplinary action which could include:
 - Informal or formal warning.
 - Additional training.
 - Loss of up to a salary for a period of time.
 - Suspension of employment (without payment of salary), for a period of time.
 - Termination of employment.
 - Report to the police or other relevant authorities.

Acknowledgement and Agreement

36. I hereby acknowledge that I have received and read this Code of Conduct in a language that I understand, and that I had the opportunity to have my questions answered prior to signing this Code of Conduct, and that
37. I agree to abide with the standards contained therein, and that
38. I understand my roles and responsibilities in preventing and responding to ESHS, OHS, and SEAH.

Name:	Signature:
Position:	Date:
Name of Witness:	Signature of Witness: