A BRIEF INTRODUCTION ABOUT THE PROCESS OF DEVELOPING THE SET OF QUANTITATIVE AND QUALITATIVE CRITERIA AND CHECKLIST FOR GENDER-RESPONSIVE WORKING CONDITIONS FOR WORKERS

There is an increasing demand for raising awareness about the concepts of gender equality in labor relations and upscaling good practices at the national levels in line with the principle of responsiveness to differing problems and needs of women and men, as outlined in the Constitution, the Gender Equality Law and the Labor Law of Mongolia, the Government Policy on Decent Work, the Sustainable Development Goals and the gender policy planning in Mongolia.

The "Policy on Gender-Responsive Workplace" has been developed and approved by the Tri-partite National Committee for Labor and Social Partnership in line with the principle of equal consideration of the differing needs of women and men, ensuring gender equality in decent employment by women and men, promulgated by the national gender policy and the International Labor Organization.

The "Policy on Gender-Responsive Workplace" has the objectives to ensure that any workplace meets the differing gender needs of women and men; to ensure work-life balance by respecting personal freedoms, equality, family and societal values; equal provision of healthy, safe, and friendly work environment; within the scope of social protection, ensure equity and provide support to all employees, make accessible especially those who face gender discrimination and inequality and to leave no one behind.

Hence, the "set of quantitative and qualitative criteria for assessing the gender-responsiveness of the working conditions of workers" and "checklist for workplaces" for the Construction and Urban Development sector has been developed based on the "Policy on Gender-responsive Workplace" in accordance with the activity 1.6 of the Work Plan of the Gender Sub-Committee for 2024. The International Finance Corporation Performance Standard: Labor and Working Conditions, Worker's Accommodation: Processes and Standards, A Guidance note by IFC and EBRD, the training material on "Gender-responsive budgeting: Seeing the bigger picture" developed by the MERIT project and the Academy of Management were used as reference documents.

In addition to consideration of the above legal framework of Mongolia and international standards, the process of developing the "set of quantitative and qualitative criteria for assessing the gender-responsiveness of the working conditions of workers" and "checklist for workplaces" was based on the real practices of the contractors and national companies within the framework of implementation of the gender and social inclusion plans as part of the Water Supply Project, implemented in 2021-2026 under the Water Compact by the Government of Mongolia and the Millennium Challenge Corporation, the USA.

The purpose of the "set of quantitative and qualitative criteria for assessing the gender-responsiveness of the working conditions of workers" and "checklist for workplaces" is to assess companies and projects engaged in construction activities in terms of incorporating gender equality concerns in their policies, planning, operation and work environment. Moreover, it will improve the availability of sectoral qualitative and quantitative data as it will rely on the information directly received from the companies and enterprises.

The terms used in the criteria and checklist are aligned with the Gender Equality Law of Mongolia and related documents.

THE MINISTRY OF CONSTRUCTION AND URBAN DEVELOPMENT

DECREE OF THE MINISTER FOR CONSTRUCTION AND URBAN DEVELOPMENT OF MONGOLIA

Date: 07 June 2024

Reference No.110

Ulaanbaatar

Approving a set of quantitative and qualitative criteria and checklist for gender-responsive working conditions for workers

Based on Article 24.2 of the Mongolian Law on Government, Article 19.1.1 of the Law on Gender Equality, and the "Policy on Gender-Responsive Workplace" approved by Resolution #38 of 2022 of the Tri-partite National Committee for Labor and Social Partnership and for the purpose of their implementation, the following are ORDERED:

1. Approve the sectoral "set of quantitative and qualitative criteria for assessing the genderresponsiveness of the working conditions of workers" and "checklist for workplaces" by Annexes 1 and 2 respectively.

2. Assign the Department of Public Administration (Ts.Gansukh) with the responsibility for undertaking activities on the collection of data in accordance with the approved set of quantitative and qualitative criteria and the checklist from the sectoral organizations, entities, and project units, data analyses and incorporating into policies.

3. Assign the sectoral organizations, entities, and project units with the responsibility to submit biannual and annual reports on the approved set of quantitative and qualitative indicators and the checklist twice within 20 July and 21 February of the following year respectively, to the "Construction Development Centre" – the state enterprise.

4. Assign Mr.Ts.Batbayar, the acting State Secretary to be responsible for overseeing the Decree's implementation.

Signature

Ts.Davaasuren

Annex I to the Decree of the Minister for Construction and Urban Development of Mongolia No 110 dated June 7, 2024

A SET OF QUANTITATIVE AND QUALITATIVE CRITERIA AND CHECKLIST FOR GENDER-RESPONSIVE WORKING CONDITIONS FOR WORKERS

Date: 2024/06/07

Name of the organization and contact details (phone number):
Area of operation:
Organization's address:
Name of a responsible person:
Position and phone number of a responsible person:

N⁰	Criteria	Not	Needs	Sufficient	Justification for
		included	Improvement		the evaluation
			1		score
Α	Evaluation (point)	0	3	5	
1	Organizational strategy,				
	business plan, and				
	human resources policy				
	include statements on				
	the principles and norms				
	to promote human rights				
	and gender equality				
2	The current				
	organizational annual				
	business plan includes				
	the objectives and				
	measures to promote				
	human rights and gender				
	equality				
3	Organizational internal				
	labor regulations include				
	the principles and				
	measures to promote				
	human rights and gender				
4	equality				
4	Organizational internal				
	labor regulations include				
	employer's rights and				

1. Criteria for gender-responsive organizational policy and administration documents:

				1 1
	obligations to promote			
	human rights and gender			
	equality			
5	Organizational labor			
	regulations include the			
	principles and measures			
	to promote life-work			
	balance ensuring			
	different needs of men			
	and women and other			
	social groups			
6	Organizational internal			
_	labor regulations include			
	the principles,			
	requirements, and			
	-			
	measures on child labor			
7	Organizational internal			
	labor regulations include			
	the principles,			
	requirements, and			
	measures for the			
	employment of people			
	with disabilities			
8	Organizational internal	<u> </u>		
0				
	labor regulations include			
	the prevention measures			
	from workplace			
	harassment and sexual			
	harassment and			
	grievance redress			
	mechanism			
9	There is an official			
_	organizational policy on			
	addressing the			
1	grievances of employees,			
1				
1	customers, citizens, and			
	third parties			
10	Organizational internal			
	labor regulations include			
1	the grievance redress			
	mechanism to receive			
1	complaints from			
	employees, customers,			
	citizens, and third parties			
11				
11	1 2			
1	contract considers			
	workplace harassment			
	and sexual harassment as			
	serious violations			

12	Organizational internal		
	labor regulations are set		
	to survey the		
	implementation of the		
	internal labor regulations		
	and employees'		
	satisfaction		

2. Gender-responsive criteria for organizational statistic data collection, planning, and budgeting:

№	Criteria	Not included	Needs Improvement	Sufficient	Justification for the evaluation
					score
Α	Evaluation (point)	0	3	5	
1	The organization collects comprehensive gender statistics (quantitative and qualitative indicators) on the employees' social, economic, and family conditions including gender, age, income, educational level, and residence address.				
2	The obligations to collect information on gender equality promotional measures and gender statistics are included in the responsibilities of a particular official or assigned to a responsible person.				
3	Gender statistical data and performances are transparent and disseminated to the organizational officials				
4	Gender statistical data and performances are used at all stages of organizational policy planning, execution, evaluation, and reporting				
3	Gender-disaggregated data on beneficiaries of organizational programs,				

	activities, products, and services are collected.		
6	Gender-disaggregated data on the beneficiaries of the organizational programs, activities, products, and services is used at all stages of the organization's policy development, planning, implementation, evaluation, and reporting.		
7	Gender analysis on the organization's policy planning, strategy, business plans, and budgeting is conducted		
8	A result of the gender analysis on budgeting and its implementation is used in the next stage planning and budgeting process.		

Organization's gender-disaggregated statistics:

	Indicators		l	Male	Fe	emale
			Quantity	Percentage	Quantity	Percentage
Total						
Details:	All employees	AE				
		(HA)				
	Managers	MA				
		(YA)				
	Executive officials	EO				
		(ΓA)				
	Skilled workers	SW				
		(MA)				
	Assistant workers	AW				
		(TA)				
	Retired	R				
		(OHTT)				
	People with disabilities	PwDs				
	_	(ХБХ)				
	Minors	MI				
		(HXA)				
	Pregnant workers	PW				
		(ЖЭ)				

Parents with children from	0-3		
0 - 3 years old			
Parents with twins up to 4	PwTs		
years old	(ИХЭЭ)		
Single parents with 3 or	SP		
more children	(ӨТЭЭ)		

Gender analysis on an organization's budget expenditures:

Indicators		Tot	al		Out of total											
					AE (HA)	MA (YA)	ЕО (ГА)	SW (MA)	AW (T A)	R (OHTT)	PwDs (X6X)	M (HXA)	РW (ЖЭ)	0-3	PwTs (ИХЭЭ)	SP (ӨТЭЭ)
Approved	d budget															
Expendit	ure															
Out of	Wage and	Quanti ty	F													
total	compe nsatio		М													
	nsatio n	Percen	F													
	(avera ge)	tage	М													
	Award	Quanti	F													
	s and benefi ts and	ty	М													
			Percen	F												
		tage	М													
	Welfar	Quanti	F													
	e	ty	М													
		Percen	F													
		tage	М													
	PPE or	Quanti	F													
	work	ty	M													
	clothe	Percen tage	F													
	s /comp lete set/	tage	М													
	PPE	Quanti	F			1										
	or work	ty	М													
	clothe	Percen	F			1										
	s /part/	tage	М													

3. Gender-responsive physical environment criteria:

N₂	Criteria	Insufficient	Needs	Sufficient
			Improvement	

	Γ 1 (,)	0	2	_
A	Evaluation (point)	0	3	5
1	Mandatory requirements on the workers'			
	accommodations (including canteen,			
	sanitary facilities, changing room,			
	dormitory, shelter, first aid room,			
	breastfeeding room, room for rest, and			
	meeting room) are defined and followed			
2	Provides facilities to live with families for			
	employees working away from home			
3	Provides separate sleeping rooms for men			
	and women			
4	Provides sanitary facilities for men and			
	women			
5	Provides separate toilet facilities for men			
	and women			
6	Provides a separate changing room for men			
	and women			
7	The physical working environment (entry,			
	exit, and sanitary facilities) is			
	accommodated for persons with disabilities.			
8	The facilities are set up with an adequate			
	outside lighting system			
9	An adequate camera system is installed			
10	Employees are provided with a			
	transportation service between home and			
	work			
L		1		

Guidance:

Give the score based on the review of all policy and administration documents;

- 0 points, if the above-mentioned terminologies and requirements are not reflected,
- 3 points for "Needs improvement" if the terminologies and requirements are reflected and basic understanding, attitude, and responsiveness are present,
- 5 points for "Sufficient" if the terminologies and requirements are reflected in the respective law, regulations, order, decision, instruction, and recommendations.

The official who conducted an assessment shall make a note and confirm the assessment results.

Terms and terminology:

Organizational documents¹ Official assignment, Commandment, Degree, Order, Decree, Resolution, Decision, Acts, Official letter, Agreement, Conclusion, Rule, Procedure, Instruction, Recommendations, Proposal, Memorandum, Report, Plan, Guideline, Program, Meeting minutes, Notice, Information, Introduction, Reference and etc.

¹ MNS 5140-2:2011 Organizational and Ordinance Documents

Managers ²	Managers include heads, directors, deputy directors, supervisors, and managers.					
Executive officers ³	Executive officers include engineers, technicians, architects, construction engineers, technologists, water supply and sewerage engineers, heating and ventilation engineers, electrical engineers, automation engineers, communication and signaling engineers, drawing technicians, etc.					
Skilled workers ⁴	Skilled workers include construction workers such as lifters, assemblers, carpenters, welders, plasterers, and concrete rebar workers.					
Assistant worker ⁵	Support workers include workers other than skilled workers who provide support in construction work.					
A minor worker ⁶	A person under the age of 18 who enters into an employment relationship in accordance with this Law;					
Persons with Disabilities ⁷	"Persons with disabilities" means those who have physical, intellectual, mental and sensory impairments, which in interaction with various barriers; hinder them from fully and effectively participating in social lives.					

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 ² Joint Degree of Minister for the Construction and Urban Development and the Director of National Statistics Office, No 206, A/184
³ ibid

⁴ ibid ⁵ ibid

 ⁶ Article 4.1.6, Labor Law of Mongolia
⁷ Article 4.1.1. Law of Mongolia on Human rigths of Persons with Disabilities

Workplaces Checklist

Category	Subcategory	Specification	Construction sector	Factors to consider
Construction workers' accommodation	Workers' dormitory Workers' camp Mobile temporary facility	permanent, long period, family	civil, infrastructure, industrial	Standard implementation, monitoring, inspection, general living conditions, salaries, and wages
			construction project	

Name of the organization and contact details (phone number):

Area of operation:
Organization's address:
Name of a responsible person:
Position and phone number of a responsible person:

Checklist for Workers' Accommodation

Regulatory framework	Yes	No	Not applicable	Note
Are mandatory provisions on workers' accommodation identified?				
Assessing the need for workers' accommodation				
Availability of the workforce	Yes	No	Not applicable	Note
Has there been an assessment of workers' availability in the neighboring communities?				
Has there been an assessment of the local workforce's skills and competencies, and how do those skills and competencies fit the project's needs?				
Has there been an assessment of the possibility of training a local workforce to fulfill the project's needs?				
Availability of housing	Yes	No	Not applicable	Note

Has there been a comprehensive assessment of the different type of housing available in the surrounding communities before building any workers' accommodation?				
Has there been an assessment of the impact on the communities of using existing housing opportunities?				
Have measures to mitigate adverse impacts on the local housing market been identified and included in the Environmental and Social Management Plan				
Assessing impacts of workers' accommodation on communities	Yes	No	Not applicable	Note
Has a community impact assessment been carried out as part of the Environmental and Social Assessment of the overall project with a view to mitigate the negative impacts of the workers' accommodation on the surrounding communities and to enhance the positive ones?				
Have the potential health and safety impacts and consequences of land acquisition and involuntary resettlement occurring during the construction phase of the workers' accommodation been included in the assessment?				
Have the impacts of workers' accommodation on community infrastructures, services and facilities been included in the assessment?				
Have the impacts on local community's businesses and local employment been included in the assessment?				
Have general impacts of workers' accommodation on communities' health, (notably the increased risk of road accidents and of communicable diseases), and community social cohesion been included in the assessment?				
Does the assessment include appropriate mitigation measures to address any adverse impacts identified?				
Types of workers' accommodation	Yes	No	Not applicable	Note
Has consideration been given to provision of family accommodation?				
Are individual accommodations comprising bedrooms, sanitary and cooking facilities provided as part of the family accommodation?				
Are adequate nursery/school facilities provided?				
Is special attention paid to providing adequate safety for children?	_			
Standards for workers' accommodation	Yes	No	Not applicable	Note
Have the relevant national/local regulations been identified and implemented?				
General living facilities				
Is the location of the facilities designed to avoid flooding or other natural hazards?				
	ł			

Are the living facilities located within a reasonable distance from the worksite?				
Is transport provided to worksite safe and free?				
Are the living facilities built using adequate materials, kept in good repair and kept clean and free from rubbish and other refuse?				
Drainage				
Is the site adequately drained?				
Heating, air conditioning, ventilation and light				
Depending on climate are living facilities provided with adequate heating, ventilation, air conditioning and light systems including emergency lighting?				
Water				
Do workers have easy access to a supply of clean/ potable water in adequate quantities?				
Does the quality of the water comply with national/local requirements or WHO standards?				
Are tanks used for the storage of drinking water constructed and covered to prevent water stored therein from becoming polluted or contaminated?				
Is the quality of the drinking water regularly monitored?				
Wastewater and solid waste	Yes	No	Not applicable	Note
Are wastewater, sewage, food and any other waste materials adequately discharged in compliance with local or World Bank standards and without causing any significant impacts on camp residents, the environment or surrounding communities?				
Are specific containers for rubbish collection provided and emptied on a regular basis?				
Are pest extermination, vector control and disinfection undertaken throughout the living facilities?				
Rooms/dormitories facilities	Yes	No	Not applicable	Note
Are the rooms/dormitories kept in good condition?				
Are the rooms/dormitories aired and cleaned at regular intervals?				
Are the rooms/dormitories built with easily cleanable flooring material?				
Are the rooms/dormitories and sanitary facilities located in the same buildings?				
Are the rooms/dormitories and sanitary facilities located in the same buildings? Are residents provided with enough space?				
Are residents provided with enough space?				

Are mobile partitions or curtains provided?				
Is suitable furniture such as tables, chairs, mirrors, and bedside lights provided for every				
worker?				
Are separate sleeping areas provided for men and women?				
Bed arrangements and storage facilities	Yes	No	Not applicable	Note
Is there a separate bed provided for every worker?				
Is the practice of "hot-bedding" prohibited?				
Is there a minimum space of 1 meter between beds?				
Is the use of double-deck bunks minimized?				
When double-deck bunks are in use, is there enough clear space between the lower and upper bunk of the bed?				
Are triple-deck bunks prohibited?				
Are workers provided with comfortable mattresses, pillows, and clean bed linens?				
Are the bed linen washed frequently and applied with adequate repellents and disinfectants				
(where conditions warrant)?				
Are adequate facilities for the storage of personal belongings provided?				
Are there separate storages for work clothes and PPE and depending on condition,				
drying/airing areas?				
Sanitary and toilet facilities	Yes	No	Not applicable	Note
Are sanitary and toilet facilities constructed from materials that are easily cleanable?				
Are sanitary and toilet facilities cleaned frequently and kept in working condition?				
Are toilets, showers/bathrooms, and other sanitary facilities designed to provide workers with adequate privacy including ceiling-to-floor partitions and lockable doors?				
Are separate sanitary and toilet facilities provided for men and women?				
Toilet facilities	Yes	No	Not applicable	Note
Is there an adequate number of toilets and urinals?				
Are toilet facilities conveniently located and easily accessible?				
Showers/bathrooms and other sanitary facilities				
Is the shower flooring made of anti-slip hard washable materials?				
Is there an adequate number of hand wash basins and showers/bathroom facilities provided?				
Are the sanitary facilities conveniently located?				
Are shower facilities provided with an adequate supply of cold and hot running water?				
Canteen, cooking and laundry facilities	Yes	No	Not applicable	Note

Are canteen, cooking, and laundry facilities built with adequate and easy-to-clean materials?			1	
Are the canteen, cooking, and laundry facilities kept in a clean and sanitary condition?				
If workers cook their meals, is kitchen space provided separately from the sleeping areas?				
Laundry facilities				
Are adequate facilities for washing and drying clothes provided?				
Canteen and cooking facilities				
Are workers provided with enough space in the canteen?				
Are canteens adequately furnished?				
Are kitchens provided with the facilities to maintain adequate personal hygiene?				
Are places for food preparation adequately ventilated and equipped?				
Are kitchen floor, ceiling, and wall surfaces adjacent to or above food preparation and cooking areas built in non-absorbent, durable, non-toxic, and easily cleanable materials?				
Are wall surfaces adjacent to cooking areas made of fire-resistant materials and food				
preparation tables equipped with a smooth, durable, non-corrosive, non-toxic, washable surface?				
Are adequate facilities for cleaning, disinfecting, and storage of cooking utensils and equipment provided?				
Are there adequate sealable containers to deposit food waste and other refuse? Is refuse frequently removed from the kitchen to avoid accumulation?				
Standards for nutrition and food safety	Yes	No	Not applicable	Note
Is there a special sanitary process such as the WHO "5 keys to safer food" implemented in relation to food safety?				
Does the food provided contain appropriate nutritional value?				
Does the food provided take into account workers' religious/cultural backgrounds?				
Medical facilities	Yes	No	Not applicable	Note
Are first aid kits provided in adequate numbers?				
Are first-aid kits adequately stocked?				
Is there an adequate number of staff/workers trained to provide first aid?				
Are there any other medical facilities/services provided on-site? If not, why?				
Leisure, social, and telecommunications facilities	Yes	No	Not applicable	Note
Are basic social collective spaces and adequate recreational areas provided to workers?				
Are workers provided with dedicated places for religious observance?				
Can workers access a telephone at an affordable/public price?				

Managing workers' accommodation				
Management and staff	Yes	No	Not applicable	Note
Are there carefully designed worker camp management plans and policies especially in the field of health and safety (including emergency responses), security, workers' rights, and relationships with the communities?				
Where contractors are used, have they clear contractual management responsibilities and duty to report?				
Does the person appointed to manage the accommodation have the required background, competency, and experience to conduct his mission, and is he/ she provided with adequate responsibility and authority to do so?				
Is there enough staff to ensure the adequate implementation of housing standards (cleaning, cooking, and security in particular)?				
Are staff members recruited from surrounding communities?				
Have the staff received basic health and safety training?				
Are the persons in charge of the kitchen particularly trained in nutrition and food handling and adequately supervised?				
Health and safety on-site	Yes	No	Not applicable	Note
Have health and safety management plans including electrical, mechanical, structural, and food safety been designed and implemented?				
Has the accommodation manager a duty to report to the health authority specific diseases, food poisoning, or casualties?				
Is there an adequate number of staff/workers trained in providing first aid?				
Has a specific and adequate fire safety management plan been designed and implemented?				
Is guidance on alcohol, drugs, HIV/AIDS, and other health risk-related activities provided to workers?				
Are contraception measures (condoms in particular) and mosquito nets (where relevant) provided to workers?				
Do workers have easy access to medical facilities and medical staff, including female doctors/nurses where appropriate?	_			
Have emergency plans on health and fire safety been prepared?				
Security on workers' accommodation	Yes	No	Not applicable	Note

Has a security plan including clear measures to protect workers against theft and attack been designed and implemented?				
Has a security plan including clear provisions on the use of force been designed and implemented?				
Have the backgrounds of security staff been checked for previous crimes or abuses?				
Has the recruitment of security staff from both genders been considered?				
Have security staff received clear instructions about their duty and responsibility?				
Have security staff been adequately trained in dealing with domestic violence and the use of force?				
Are body searches only performed in exceptional circumstances by specifically trained security staff of both genders?				
Do security staff have a good understanding of the importance of respecting workers' rights and the rights of the surrounding communities and adopt appropriate conduct?				
Do workers and communities have specific means to raise concerns about security arrangements and staff?				
Workers' rights, rules and regulations on workers' accommodation	Yes	No	Not applicable	Note
Are limitations on workers' freedom of movement limited and justified?				
Is an adequate transport system to the surrounding communities provided?				
Is the practice of withholding workers' ID papers prohibited?				
Is freedom of association expressly respected?				
Are workers' religious, cultural, and social backgrounds respected?				
Are workers made aware of their rights and obligations and provided with a copy of the accommodations' internal rules, procedures, and sanction mechanisms in a language or through a media they understand?				
Are house regulations nondiscriminatory, fair, and reasonable?				
Are regulations on alcohol, tobacco, and third parties' access to the camp clear and communicated to workers?				
Is a fair and non-discriminatory procedure to implement disciplinary procedures, including the right for workers to defend themselves, set up?				
Consultation and grievance mechanisms	Yes	No	Not applicable	Note
Have mechanisms for workers' consultation been designed and implemented?				
Are workers provided with processes and mechanisms to articulate their grievances in accordance with PS2/PR2?				

Have workers subjected to disciplinary proceedings arising from conduct in the accommodation had access to a fair and transparent hearing with the possibility to appeal the decision?				
Are there fair conflict resolution mechanisms in place?				
In cases where serious offenses occur, are there mechanisms to ensure full cooperation with police authorities?				
Management of community relations	Yes	No	N/A	Comments
Do community relation management plans include the setting up of liaison mechanisms to allow a constant exchange of information and consultation of the surrounding communities?				
Is there a senior manager in charge of liaising with the surrounding communities?				
Does workers' accommodation generate the impacts periodically reviewed, mitigated, or enhanced?				
Are community representatives provided with easy means to voice their opinions and lodge complaints?				
Is there a transparent and efficient process for dealing with community grievances following environmental and social management planning and information collection standards?				

Эх сурвалж: Worker's Accommodation: Processes and Standards, A Guidance note by IFC and EBRD <u>https://www.ifc.org/en/insights-reports/2000/publications-gpn-</u> workersaccommodation

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