

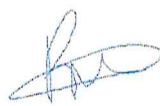
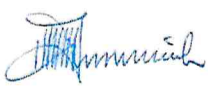
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LABOUR MANAGEMENT PROCEDURE (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED

2026

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TITLE:	LABOUR MANAGEMENT PROCEDURE (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
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	REVIEW DATE:	31/08/2029

TABLE OF CONTENT

1	INTRODUCTION	10
1.1	Overview	10
1.2	Purpose and Objectives of the LMP	11
2	OVERVIEW OF LABOR USE ON THE PROJECT	13
2.1	Overview of Labour Use	13
2.2	Project Workers Categorization	14
3	ASSESSMENT OF KEY POTENTIAL LABOR RISKS	19
4	BRIEF OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS	43
4.1	Wages and Remuneration.....	43
4.2	Working Hours, Rest and Overtime.....	43
4.3	Leave Entitlements and Benefits.....	44
4.4	Deductions and Statutory Contributions	44
4.5	Application to Different Categories of Project Workers.....	44
4.6	Occupational Safety and Health.....	45
5	RESPONSIBLE STAFF.....	57
6	POLICIES AND PROCEDURES	64
6.1	Occupational Safety and Health.....	64
6.2	Terms and Conditions of Employment	66
6.3	Non-Discrimination and Equal Opportunity	66
6.4	Prevention of Forced Labour.....	67
6.5	Worker Code of Conduct and Prevention of SEA/SH	68
6.6	Worker Grievance Mechanism.....	69
6.7	Contractor and Third-Party Worker Management	69
6.8	Training, Communication and Worker Awareness.....	70

TITLE:	LABOUR MANAGEMENT PROCEDURE (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

6.9	Reporting, Monitoring and Continuous Improvement	72
6.10	Whistleblowing and Protection Against Retaliation	73
7	AGE OF EMPLOYMENT	73
7.1	Verification of Age.....	73
7.2	Procedure for Underage Workers.....	74
7.3	Young Workers	76
8	TERMS AND CONDITIONS.....	76
8.1	Wages and Remuneration.....	77
8.2	Working Hours, Rest and Overtime	77
8.3	Leave and Other Employment Benefits	78
8.4	Collective Agreements and Freedom of Association.....	78
8.5	Employment Contracts and Communication of Terms.....	78
9	GRIEVANCE MECHANISM.....	79
9.1	General Principles	79
9.2	Submission and Resolution of Grievances.....	79
9.3	Awareness and Accessibility.....	80
9.4	Confidentiality and Sensitive Grievances	80
10	CONTRACTOR MANAGEMENT	81
11	PRIMARY SUPPLY WORKERS.....	82
11.1	Supplier Selection and Due Diligence	82
11.2	Procurement and Contractual Requirements.....	84
12	REFERENCES	85
	ANNEXES	86
	Annex 1: Notarized Individual Code of Conduct (BIOVAX Sample).....	86
	Annex 2: Incident Investigation Form.....	90
	Annex 3: Public Service Grievance Form	92

TITLE:	LABOUR MANAGEMENT PROCEDURE (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

13 POLICY REVIEW AND IMPROVEMENT 96

LIST OF TABLES

Table 1. Worker Category, Description, Estimated Numbers and Timing.....	16
Table 2. Potential Labor Risks and Mitigation Measures	23
Table 3. Legal & Regulatory Framework	47
Table 4. Commitments and responsible persons.....	59

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

ACRONYMS

COVID-19	Coronavirus Disease-2019
DOSHS	Directorate of Occupational Safety and Health Services
E&S	Environmental and Social
EHS	Environment, Health, and Safety Guidelines
ESIRT	Environmental and Social Incident Reporting Toolkit
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plans
ESSs	Environmental and Social Standards
FDI	Foreign Direct Investment
GBV	Gender Based Violence
GBVAP	Gender-Based Violence Action Plan
GHG	Greenhouse Gases
GIIP	Good International Industry Practice
GOK	Government of Kenya
GRS	Grievance Redress Service
IPF	Investment Project Financing
KDC	Kenya Development Corporation
BioVax	Kenya BioVax Institute
LMP	Labor Management Procedures
M&E	Monitoring and Evaluation
NEMA	National Environment Management Authority
NET	National Environment Tribunal

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

NGO	Non-Governmental Organization
OSH	Occupational Safety and Health
PCTs	Project Coordination Teams
PWD	Persons With Disabilities
SCD	Strategic Country Diagnostic
SEP	Stakeholder Engagement Plan
TA	Technical Assistance
VMG	Vulnerable and Marginalized Groups
WB	World Bank
WBG	World Bank Group
WIBA	Work Injury Compensation Benefit Act

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Executive Summary

The Republic of Kenya (the borrower), through the Ministry of Health, is implementing the Health Emergency Preparedness, Response and Resilience Project for Eastern and Southern Africa under Phase I of the Multiphase Programmatic Approach (the Project). The Project is financed by the World Bank (WB) under Financing Agreement No. P180127 and is being implemented with the involvement of the Kenya BioVax Institute Limited (KBI). Kenya BioVax Institute was incorporated in 2021 with a mandate to manufacture and commercialize specialized health products and technologies, including vaccines and biotherapeutics.

In accordance with the World Bank Environmental and Social Framework (ESF), BioVax is expected to develop a Labour Management Procedure (LMP) to comply with Environmental and Social Standard 2 (ESS2) on Labour and Working Conditions. The BioVax Labour Management Procedures (LMP) provide a framework for managing labour and working conditions and addressing labour -related risks associated with implementation of the Project. The Project may engage different categories of workers, including direct workers, civil servants, contracted workers and primary supply workers.

The LMP establishes measures to promote fair treatment, non-discrimination, equal opportunity, worker welfare and safe and healthy working conditions throughout the Project lifecycle. The LMP identifies potential labour risks associated with Project activities, including occupational health and safety risks, exposure to biological, chemical and pharmaceutical hazards, workplace accidents, inadequate working conditions, discrimination, child and forced labour, sexual harassment and other forms of workplace violence, as well as risks associated with contractors and primary supply chains. Measures are provided for the prevention, mitigation and monitoring of these risks.

The LMP is guided by applicable Kenyan legislation, including the Employment Act, 2007, Occupational Safety and Health Act, 2007 and Work Injury Benefits Act, 2007, together with applicable regulations, public service requirements and BioVax institutional policies and procedures. It also supports implementation of the relevant requirements of the World Bank ESF, particularly ESS2, as well as relevant provisions of ESS1, ESS3, ESS4 and ESS10.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

It provides procedures relating to recruitment and employment, terms and conditions of employment, occupational health and safety, minimum age of employment, prevention of child and forced labour, non-discrimination and equal opportunity, worker codes of conduct, training and awareness, contractor management and management of primary supply workers. The minimum employment age for Project workers is 18 years, with procedures established for age verification and management of any identified underage workers.

A Worker Grievance Mechanism is established to provide direct and contracted workers with accessible channels for raising and resolving workplace concerns. The LMP also establishes requirements for the selection, engagement and monitoring of contractors and subcontractors and a risk-based approach to managing significant labour risks associated with primary suppliers.

Implementation of this LMP will involve Human Resources, Procurement, Finance, the Project Coordinator, LMP/GRM Focal Person, Environmental and Social Safeguards team, Monitoring and Evaluation Officer, contractors, consultants, suppliers and Project workers.

The LMP will be monitored and periodically reviewed and updated to reflect changes in Project activities, workforce characteristics, applicable legal requirements and identified labour risks. Through implementation of the LMP, BioVax demonstrates its commitment to responsible labour practices, protection of workers' rights, compliance with applicable legal and regulatory requirements and World Bank ESS2, and provision of a safe, inclusive and productive working environment.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

1 INTRODUCTION

1.1 Overview

The United Nations Children's Emergency Fund Supply Division (UNICEF-SD) procurement services, through the support of the Global Alliance for Vaccines and Immunization (GAVI), is currently the predominant procurement mechanism of human vaccines for 45 of the 54 countries in Africa, Kenya included. However, since graduating to become a lower-middle income nation in 2017, Kenya is consequently expected to graduate from GAVI support program by 2035. In response, the government, through the Ministry of Health has found it critically important to implement a national strategy that will assure ensure Kenya's long-term sufficiency and sustainability of its immunization program. This eventuality calls for the country to be prepared to either procure or manufacture its own vaccines.

As part of component 1(ii) of the Eastern and Southern Africa (AFE) region Health Emergency Preparedness, Response and Resilience Program (HEPRR) and which is implemented by the Ministry of Health and financed by World Bank, Kenya BioVax Institute Ltd [BioVax] a Kenyan state corporation, incorporated in 2021 with a mandate to manufacture and commercialize specialized health products and technologies, including vaccines and biotherapeutics is developing a 3,024.5m² (32,555.45 sf) 'state-of-the-art' Aseptic "Fill and Finish" Vaccines Manufacturing facility at its existing warehouse at Embakasi, Nairobi, Kenya.

The Project is key in enabling BioVax achieve its overall goal of building its internal capacity for the production and commercialization of human as well as other routine and emergency vaccines, pharmaceutical diagnostics, health products and technologies (HPTs) to ensure Kenya's and East African region long-term sufficiency and sustainability of its immunization agenda and programme.

The proposed Aseptic "Fill and Finish" vaccines manufacturing facility shall be product agnostic, medium sized and shall have the capacity 72 Million vaccines annually with Pentavalent Vaccine, Pneumococcal conjugate vaccine and Typhoid Conjugate Vaccine as the three priority vaccines to be initially manufactured in this proposed facility followed by other vaccines, such as Human Papillomavirus (HPV) and Rotavirus and eventually graduate to other vaccines such as mRNA

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

based vaccines and other Biologicals.

In accordance with the World Bank Environmental and Social Framework (ESF), this Labour Management Procedure (LMP) has been developed to comply with Environmental and Social Standard 2 (ESS2) on Labour and Working Conditions. The LMP sets out the approach to managing labor-related risks and impacts associated with the Project, including the terms and conditions of employment, non-discrimination and equal opportunity, workers' organizations, occupational safety and health (OSH), child and forced labor prevention, and grievance redress mechanisms for Project workers.

This LMP applies to all categories of Project workers, including direct workers, contracted workers, primary supply workers, as defined under ESS2. It establishes the principles and procedures that will be followed to ensure that all workers engaged under the Project are treated fairly, work in safe and healthy conditions, and have access to appropriate grievance mechanisms.

BioVax shall ensure that the implementation of this LMP is consistent with the provisions of ESS2, relevant national labor laws and regulations of Kenya, and other applicable international standards. The LMP shall be implemented alongside other Environmental and Social (E&S) instruments, including the Environmental and Social Commitment Plan (ESCP), and shall be subject to monitoring, reporting, and periodic review throughout Project implementation.

1.2 Purpose and Objectives of the LMP

The purpose of this LMP is to facilitate labour planning for the BioVax Project by identifying the different categories of workers likely to be engaged and the labour-related risks and issues associated with their engagement. It also provides a framework for identifying the human, institutional, and other resources required to manage these issues and ensure that Project workers are managed in accordance with the requirements of ESS2, Good International Industry Practice (GIIP), International Labour laws and applicable Government of Kenya labour laws and regulations.

The LMP will also provide a methodical and coherent approach to dealing with the labor-related issues, impacts and risks likely to emanate from the implementation of this Project whilst

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

facilitating the identification of diverse types of Project workers likely to be involved in the Project. Consistent with ESS2, this LMP seeks to:

- i. Promote safety and health at work;
- ii. Promote the fair treatment, non-discrimination and equal opportunity of Project workers;
- iii. Protect Project workers, including vulnerable workers such as women, persons with disabilities, children (of working age, in accordance with this ESS);
- iv. Prevent the use of all forms of forced labor and child labor;
- v. Support the principles of freedom of association and collective bargaining of Project workers in a manner consistent with respective national law; and
- vi. Provide Project workers with accessible means to raise workplace concerns.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

2 OVERVIEW OF LABOR USE ON THE PROJECT

2.1 Overview of Labour Use

The implementation and operation of the BioVax Project will require the engagement of different categories of workers to support project activities. Labour requirements will vary depending on the phase of the Project and the nature of activities being undertaken.

During implementation, labour will primarily be required for activities associated with construction, installation, commissioning, equipment maintenance, technical support and other related activities. These activities may involve direct workers engaged by BioVax, contracted workers engaged by contractors and subcontractors, and other workers engaged to provide specialized services.

During the operational phase, BioVax will require workers to support vaccine and pharmaceutical manufacturing, quality assurance and quality control, laboratory activities, maintenance, utilities management, waste management, security, cleaning, administration and other supporting functions necessary for the effective operation of the facility.

The Project will prioritize the use of appropriately qualified and competent personnel while ensuring that all workers are engaged under fair and transparent terms and conditions of employment. The recruitment and management of workers will comply with applicable Kenyan labour legislation and the requirements of World Bank Environmental and Social Standard 2 (ESS2).

The Project may also engage external institutions, contractors, service providers and suppliers during implementation and operation. Where such workers are engaged in connection with Project activities, BioVax will apply appropriate measures to manage labour, working-condition and occupational health and safety risks in accordance with this Labour Management Procedures (LMP).

The number and composition of the Project workforce may change throughout the Project lifecycle depending on operational requirements, the implementation schedule and the availability of specialized skills.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Number and Characteristics of Project Workers

The Project workforce will comprise workers with different levels of skills, qualifications, responsibilities and employment arrangements, depending on the phase and activities of the Project. The size and composition of the workforce are expected to vary between the implementation and operational phases.

During the implementation phase, the workforce will include technical and skilled personnel involved in construction, installation, equipment commissioning, engineering and other specialized activities, as well as semi-skilled and support workers engaged by contractors and subcontractors.

During the operational phase, the workforce will include BioVax employees and other personnel required for vaccine and pharmaceutical manufacturing, quality assurance and quality control, laboratory operations, engineering and maintenance, utilities, occupational health and safety, environmental management, security, cleaning, administration and other support functions.

The Project workforce may comprise both male and female workers and workers with different professional and technical backgrounds. BioVax and its contractors shall promote equal opportunity and non-discrimination in recruitment and employment and shall ensure that workers are engaged based on appropriate qualifications, skills and experience.

The Project may also engage specialized personnel, consultants, contractors, subcontractors and service providers where specific technical expertise or services are required. The use of such personnel will be managed in accordance with the applicable provisions of this LMP and relevant contractual requirements.

The exact number of workers required will depend on the Project implementation schedule, operational requirements, contractor arrangements and staffing needs. BioVax shall maintain appropriate workforce records and update workforce estimates as the Project progresses.

2.2 Project Workers Categorization

The project will have the following categories of workers:

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

2.2.1 Direct Workers:

BioVax will engage direct workers comprising BioVax staff assigned to or performing work directly related to the Project, as well as individuals recruited or engaged directly by BioVax to undertake Project-related activities.

2.2.2 Civil Servants:

Government civil servants from other MDAs will only be considered Project workers where they are formally seconded or directly assigned to perform Project-related work and have an employment or other applicable working relationship with the Project. Civil servants who provide general government support but have no such relationship with the Project will remain subject to the terms and conditions of their employment by their respective institutions and will not be considered Project workers

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

2.2.3 Contracted Workers;

Contracted workers at BioVax will be employed or engaged by third parties, such as contractors, subcontractors, and service providers/consultants required for project implementation including in construction and rehabilitation works and supplies; this includes professionals and support staff provided by the contractor or consultants, as well as any subcontractors or subconsultants assigned to perform the services, in whole or in part. Consultant may also be hired to undertake tasks as required by the institution.

2.2.4 Primary supply workers;

workers employed or engaged by primary suppliers, providing goods and materials to the project, over whom primary suppliers exercise control for the work, working conditions, and treatment of the workers. These will include workers of suppliers of equipment at BioVax production facility.

Table 1. Worker Category, Description, Estimated Numbers and Timing

Worker Category	Phase 1: Planning & Design	Phase 2: Construction / Rehabilitation	Phase 3: Installation, Commissioning & Validation	Phase 4: Operations / Manufacturing	Phase 5: Vaccine Rollout, Where Applicable	Mode of Engagement	Timing
Direct Workers	✓	✓	✓	✓	✓	Direct employment/ engagement by BioVax	Short-term, long-term or as required throughout the Project lifecycle

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Worker Category	Phase 1: Planning & Design	Phase 2: Construction / Rehabilitation	Phase 3: Installation, Commissioning & Validation	Phase 4: Operations / Manufacturing	Phase 5: Vaccine Rollout, Where Applicable	Mode of Engagement	Timing
Civil Servants	✓	✓	✓	✓	✓	Government/public-sector employment	As required according to institutional roles and responsibilities
Contracted Workers	✓	✓	✓	✓	✓	Contractors, sub-contractors, consultants and service providers	Short-term, long-term or intermittent, depending on contract
Primary Supply Workers	✓	✓	✓	✓	✓	Employed by primary suppliers of goods and services	As required by procurement and supply arrangements

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Workforce requirement: The estimated number of Project workers is expected to vary across the different phases of implementation depending on the nature and scale of activities undertaken.

All contractors and sub-contractors that will be involved in this project will adhere to the legal frameworks of both the GoK and the WB's provisions of ESS2. Gender will be mainstreamed into the project implementation. This LMP will apply to all Project workers including fulltime, parttime, migrant, temporary and seasonal. Where consultants or other specialized personnel are engaged, their conditions of engagement and applicable labour requirements will be clearly defined in their contracts and Terms of Reference (TORs), consistent with the requirements of ESS2 and applicable national legislation.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

3 ASSESSMENT OF KEY POTENTIAL LABOR RISKS

Potential labour risks associated with the Project relate to labour and working conditions, occupational health and safety, and the protection of workers' rights. These may include workplace discrimination, inadequate or unfair terms and conditions of employment, excessive working hours, delayed or non-payment of wages, sexual harassment and other forms of workplace violence, as well as occupational health and safety risks associated with Project activities.

BioVax Institute will identify, assess and manage these risks throughout the Project lifecycle through appropriate recruitment and employment procedures, contractor and supplier management, worker training and awareness, occupational health and safety measures, and the implementation of the applicable requirements of the Employment Act, 2007, Occupational Safety and Health Act, 2007, applicable public service regulations, BioVax Human Resource Manual, and other relevant Kenyan legislation and institutional procedures.

The Project will also apply the requirements of the World Bank Environmental and Social Standard 2 (ESS2): Labour and Working Conditions and other relevant Environmental and Social Framework requirements.

The following are the key labour risks anticipated during implementation and operation of the Project.

3.1.1 Occupational Safety and Health (OSH) risks

Some of the OSH risks for the project involving civil works are manual handling of materials and equipment, falls from heights, burns, electrocution, injuries, and dust from construction. There are also risks to disease infections for all workers engaged in project activities and possible mental health disorders/illnesses emanating from project related stress and burn-out.

The preparation of Site-Specific Environmental Social Management Plans (ESMPs) will include Environmental Health and Safety Management plans that will detail how these risks will be managed for the project guided by these ESIA and ESMPs. The ESMP will be included in the bidding documents for contractors. Contractors will need to prepare and apply a C-ESMP that includes, site specific risks and hazard assessment; and OSH measures. Relevant OSH

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

plans/measures will be developed and applied for construction phase, the operation and maintenance phase of the project. To protect workers at BioVax the E&S personnel shall ensure that protocols for regular disinfection of public rooms, equipment, tools, and waste are in place and followed. An operation manual that includes a complete OSH management plan should be prepared prior to the opening of the BioVax facility to describe the working procedures to be taken by the workers to protect themselves and neighboring community.

The operational procedures shall be of a standard to meet guidance from WHO and/or CDC on infection control and ESS2 and WB Environmental Health and Social Governance (EHSG) for Pharmaceuticals and Biologics Production. The design, construction, operation of the project activities shall follow the national legal requirements, the WBG EHSGs, and other good international industry practices related to OSH hazard assessments. Relevant OSH plans/measures will be developed and applied for construction phase, the operation and maintenance phase.

3.1.2 Sexual exploitation and abuse/ harassment.

BioVax will ensure that all project activities are carried out in accordance with the guiding acts and regulations prohibiting any form of Sexual exploitation and abuse/ harassment (directly/indirectly) against an employee to guarantee equal opportunity and non-discrimination among workers employed/engaged under all employment categories. Additionally, contractors and subcontractors will be encouraged to: support equal opportunities for women and men, with a focus on equal criteria for selection, compensation, and promotion and equal application of these criteria; put in place measures to prevent harassment of project workers, including sexual harassment in the workplace; and, if migrant workers are employed, implement appropriate measures to prevent any discriminatory treatment towards them. BioVax will ensure that there are equal opportunities provided and that there is no any form of discrimination.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

3.1.3 Child and forced labor

Even though the risk is low (given the hiring standards for all government positions), it could still materialize due to contracted labor at construction site. Every contract will compel contractors including third parties to commit to not using child or forced labor. In addition, BioVax will keep track of and report on whether the contractors are abiding by ILO Conventions 105, 138, and 182 on the prohibition of child and forced labor, as well as the World Bank ESS2.

To prevent employing or engaging children under age of 18 there will be documentation and verification of age prior to the employment or engagement of a project worker and kept in a file; capacity building and awareness creation to communities; signing of individual contracts; use the project grievance management; monitoring risks and remedying them.

3.1.4 Labor disputes over terms and conditions of employment

Demand for limited employment opportunities, labor wages/rates and payment delays, disagreement over working conditions and health and safety issues at work are all likely causes of labor disputes. Additionally, there is a chance that employer will retaliate against employees who complain about unsafe or unhealthy working conditions, demand fair working conditions, or raise any other grievances; in such cases, there may be labor unrest and work stoppages. BioVax will carry out the LMP's policies and procedures which outline how project personnel will be managed in conformity with national legal requirements, ESS2, ESS4, and other applicable WB ESF standards. The procedures specify how the labor laws will be applied to various project worker categories, how third parties will manage their workforces, and how employees will be given a formal channel through which to voice complaints about their working conditions and contract terms.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

3.1.5 Discrimination and exclusion of vulnerable groups

Vulnerable groups are likely to be excluded from project job prospects. These include marginalized groups, youth, women, and people with disabilities (PWDs). The safety and wellbeing of the most vulnerable workers and the local populations could also be compromised by sexual harassment and other abusive behavior on the part of employees or management, which would also have a negative impact on the success of the project.

As part of the Environmental and Social Impact Assessments, site-specific risk, and hazard assessments will be conducted to evaluate all the potential threats that have been identified. An ESMP will be prepared to include mitigation strategies for the identified risks.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Table 2. Potential Labor Risks and Mitigation Measures

Item	Description of the Risk / impact as identified in ESS2	Proposed risk mitigation measures
1.	Non-compliance of employers to terms and conditions of employment	i. Provide project workers with information and documentation that is clear and understandable regarding their terms and conditions of employment; for illiterate workers simplified language will be used and the officer in-charge will read the terms and conditions to them and request them to specify if they require further clarification. Moreover, all important advice will be provided to all workers, as necessary. ii. The information and documentation shall include any applicable collective agreements, including their rights related to hours of work, wages; overtime, compensation, and benefits, as well as those arising from the requirements of ESS2. iii. This information and documentation shall be provided at the beginning of the working relationship and when any material changes to the terms or conditions of employment occur. iv. The project shall also have GRMs for project workers (direct workers and contracted workers) to promptly address their workplace grievances and concerns. v. All workers will be provided with written contracts.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Item	Description of the Risk / impact as identified in ESS2	Proposed risk mitigation measures
2.	Labor influx and related risks (including spread of diseases among workers and the nearby communities)	i. To reduce labour influx, BioVax will require all contractors to employ unskilled and semi-skilled workers at the local level and through the local administrators. ii. BioVax will ensure that Individual Codes of Conduct (CoC) are signed by project direct workers and all contracted workers; iii. Conduct sensitization on communicable diseases, safe sexual behaviours and proper use of condoms and contraceptives. iv. Workers will be required to use appropriate PPEs (such as helmets, gloves and masks).
3.	Occupational Health and Safety from construction activities.	BioVax will ensure the following are met: i. The contractor shall provide the workers with the required Personal Protective Equipment (PPEs) and always enforce use while at the work site; ii. The construction equipment used in the works will be routinely serviced to ensure proper and safe equipment functionality; The contractor will Carry out job risk assessment for all project workers (e.g., analysis of likely hazard and precautions required during project construction, operation and maintenance phase) before executing the assignment; and prepare and implement a Contractor Environmental and Social Management Plan (C-

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Item	Description of the Risk / impact as identified in ESS2	Proposed risk mitigation measures
		ESMP) that will include among other things the mitigation measures for identified risks, responsibilities and monitoring plan; iii. Effective construction site management and access control for visitors and intruders by fencing/ barricading, signage, manned posts, etc. iv. Provision and use of safety signage e.g., “MEN/WOMEN AT WORK” to warn the public and the workers on construction site, and other signages based on types of OSH risks to both workers and communities for the project; v. Communication of risks to workers, contractor's staff and the community; vi. Hazardous areas will be clearly marked with signs easily understood by workers, visitors and the public, as appropriate; vii. Electrical works will be performed by trained and qualified experts; viii. Electrical equipment will properly be connected before switching on sockets; ix. Use of competent drivers with defensive driving techniques with a valid driver’s license; x. Only road worthy (regularly serviced as manufacturer’s specifications) vehicles and trucks

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Item	Description of the Risk / impact as identified in ESS2	Proposed risk mitigation measures
		shall be used in transportation of materials to avoid frequent breakdowns and risks of road accidents; xi. In case on any spillage for example oil and hazardous substances at working areas, the contractor and operator must clean the spillage immediately, post slip hazard warning should be used when mopping floors to reduce chances of slip and falls; xii. All visitors shall be required to fill a visitors' form providing all personal details and purpose of the visit. A data file with information regarding visitor will be recorded and kept by SHE personnel; xiii. Implementation of individual CoC to be signed by project workers and enforced by all contractors. xiv. There will be provided First aid kits, trainings on first aid and qualified first aiders on site xv. Developing and implementing emergency response plans (ERP) xvi. Developing, adopting and sensitizing of standard operating procedures and guiding working at heights, lifting operations excavations, etc.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Item	Description of the Risk / impact as identified in ESS2	Proposed risk mitigation measures
4.	Discrimination of employment based on gender, disability or ethnicity	BioVax will ensure that: i. Hiring of project workers shall be based on the principle of equal opportunity and fair treatment; ii. No discrimination with respect to any aspects of the employment relationship, such as; recruitment and hiring, compensation (including wages and benefits), working conditions and terms of employment, access to training, job assignment, promotion, termination of employment or retirement, or disciplinary practices; iii. The Individual CoC containing provisions on discrimination to be signed by all workers aimed at preventing and addressing harassment, intimidation and/or exploitation, including sexual exploitation and harassment. Reasonable sanctions for breach of Individual CoC and related contractual obligations need to be included. iv. Provision of a wellness centre and lactation room. Contractors shall provide appropriate sanitation facilities at the workplace and appropriate PPEs for all genders and persons with disability

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Item	Description of the Risk / impact as identified in ESS2	Proposed risk mitigation measures
5.	Risks of Gender-Based Violence (GBV) incidences including Sexual Exploitation and Abuse (SEA) and Sexual Harassment (SH)	BioVax will ensure that: i. The project and the project staff implement GBV/SEA/SH management plan. ii. The project's Social Specialist will work with service providers to mitigate SEA/SH related risks and provision of aftercare services; iii. Communities are sensitized on GBV/SEA/SH and the referral pathways. iv. All project personnel should be trained on GBV/SEA/SH; v. The CoC containing provisions on GBV/SEA/SH to be signed by all workers aimed at preventing and addressing harassment, intimidation and/or exploitation. vi. Violating the CoC can have serious consequences for Project workers, e.g., disciplinary action under Kenya's employment law, including termination of employment, or claims for compensation by the Project or third parties. If violating this Code of Conduct also constitutes a criminal offence, such violation may also result in criminal proceedings, which could lead to the employee being fined or imprisoned.
6.	Likely incidences of Child	BioVax will ensure:

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Item	Description of the Risk / impact as identified in ESS2	Proposed risk mitigation measures
	labor or forced labor at sub-projects	i. All vacancy advertisements will clearly prescribe that child labor is not permitted and persons to be employed must meet the minimum age as prescribed in the Employment Act, 2007. ii. Sensitize /contractors on child labour policy and on the negative impacts of child labor; iii. Certification of laborers' age (using National Identification Card, Voters Registration Card, iv. Birth Certificate or affidavit of birth in employment of workers); v. Ensure that contractors and primary suppliers have and implement a Child Labor Policy. vi. Employment and abuse of children in the project. Include consequences of breaching the conditions, including the possible termination of the contract. vii. Engage with labour inspectors/ ministry of labour to ensure effective enforcement of national labour legislation, provide advice and information to help meet legal requirements including compliance with the Employment Act, 2007; viii. Enhanced monitoring of implementation and compliance.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Item	Description of the Risk / impact as identified in ESS2	Proposed risk mitigation measures
7.	Risks related to occupational health and safety e.g., general facility design and operation.	BioVax shall ensure that: i. Preventive and protective measures are introduced according to the following order of priority: a) Eliminating the hazard by removing the activity from the work process. Examples include substitution with less hazardous chemicals, using different manufacturing processes, etc; b) Controlling the hazard at its source through use of engineering controls. Examples include local exhaust ventilation, isolation rooms, machine guarding, acoustic insulating, etc; c) Minimizing the hazard through design of safe work systems and administrative or institutional control measures. Examples include job rotation, training safe work procedures, lock-out and tag-out, workplace monitoring, limiting exposure or work duration, etc. d) Providing appropriate personal protective equipment (PPE) in conjunction with training, use, and maintenance of the PPE.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Item	Description of the Risk / impact as identified in ESS2	Proposed risk mitigation measures
		ii. Integrity of Workplace Structures a) Surfaces, structures, and installations shall be easy to clean and maintain, and not allow for accumulation of hazardous compounds. b) Buildings shall be structurally safe, provide appropriate protection against climate, and have acceptable light and noise conditions. c) Fire-resistant, noise-absorbing materials shall be used for cladding on ceilings and walls. d) Floors should be level, even, and non-skid. e) Heavy oscillating, rotating or alternating equipment should be in dedicated buildings or f) structurally isolated sections. iii. Severe Weather and Facility Shutdown a) Workplace structures shall be designed and constructed to withstand the expected

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Item	Description of the Risk / impact as identified in ESS2	Proposed risk mitigation measures
		elements for the region and have an area designated for safe refuge, if appropriate. b) Standard Operating Procedures (SOPs) will be developed for project and will include an emergency response plan, evacuation plan to be developed and implemented by PMT and contractors. Drills to practice the procedure and plan should also be undertaken annually. iv. Workspace and Exit a) The space provided for each worker, and in total, should be adequate for safe execution of all activities, including transport and interim storage of materials and products. b) Passages to emergency exits to always remain unobstructed. Exits will be clearly marked to be visible in total darkness. Provide sufficient number and capacity of emergency exits for safe and orderly evacuation of the greatest number of people present at any time, and ensure a minimum two exits from any work area. c) Ensure inclusion in infrastructure design, facilities shall be designed and built considering the needs of disabled persons.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Item	Description of the Risk / impact as identified in ESS2	Proposed risk mitigation measures
		v. Fire Precautions a) Ensure workplace design prevents fires through the implementation of applicable fire codes in industrial settings. Other essential measures include: b) Equipping facilities with fire detectors, alarm systems, and fire-fighting equipment. The equipment will be serviced regularly, maintained in good working order and readily accessible. It should be adequate for the dimensions and use of the premises, equipment installed, physical and chemical properties of substances present, and the maximum number of people present. c) Provision of manual firefighting equipment that is easily accessible and simple to use. d) Install fire and emergency alarm systems that are both audible and visible. e) Regular fire drills. vi. Lavatories and Showers a) Adequate lavatory facilities (toilets and washing areas) provided for the number of people expected to work in the facility and allowances made for segregated facilities,

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Item	Description of the Risk / impact as identified in ESS2	Proposed risk mitigation measures
		or for indicating whether the toilet facility is “In Use” or “Vacant”. Toilet facilities should also be provided with adequate supplies of running water, soap, and hand drying devices. b) Where workers may be exposed to poisonous substances by ingestion and skin contact facilities for showering and changing into and out of street and work clothes will be provided. Standard operating procedures for laboratory testing and waste management plan will be developed and implemented. vii. Potable Water Supply a) Adequate supplies of potable drinking water will be provided from a fountain with an upward jet or with a sanitary means of collecting the water for the purposes of drinking. b) Water supplied to areas of food preparation or for the purpose of personal hygiene (washing or bathing) shall meet drinking water quality standards. viii. Clean Eating Area Where there is potential for exposure to substances poisonous by ingestion, suitable

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Item	Description of the Risk / impact as identified in ESS2	Proposed risk mitigation measures
		arrangements are to be made for provision of clean eating areas where workers are not exposed to the hazardous or noxious substances. ix. Lighting Workplaces shall be well lit with natural light and be supplemented with sufficient artificial illumination to promote workers' safety and health and enable safe equipment operation. Supplemental 'task lighting' may be required where specific visual acuity requirements will be met. a) Emergency lighting of adequate intensity shall be installed and automatically activated upon failure of the principal artificial light source to ensure safe shut-down, evacuation, etc. x. Safe Access a) Passageways for pedestrians and vehicles within and outside buildings shall be segregated and provide for easy, safe, and appropriate access. b) Equipment and installations requiring servicing, inspection, and/or cleaning shall have

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Item	Description of the Risk / impact as identified in ESS2	Proposed risk mitigation measures
		unobstructed, unrestricted, and ready access. c) Hand, knee and foot railings will be installed on stairs, fixed ladders, platforms, permanent and interim floor openings, loading bays, ramps, etc. d) Openings will be sealed by gates or removable chains. e) Covers will be installed to protect against falling items. f) Ensure adequate measures to prevent unauthorized access to dangerous areas are in place and implemented. xi. First Aid a) Ensure qualified first aid can be always provided. Appropriately equipped first-aid stations will be established and made accessible throughout the place of work. Eye-wash stations and/or emergency showers will be provided close to all workstations where immediate flushing with water is the recommended first-aid response. b) Where the scale of work or the type of activity being carried out so requires, dedicated and appropriately equipped first- aid room(s) will be provided. First aid stations and

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Item	Description of the Risk / impact as identified in ESS2	Proposed risk mitigation measures
		rooms will be equipped with gloves, gowns, and masks for protection against direct contact with blood and other body fluids. c) Remote sites will have documented emergency procedures for dealing with cases of trauma or serious illness up to the point at which patient care can be transferred to an appropriate medical facility. d) Provide emergency contacts and procedures for dealing with incidents. xii. Work Environment Temperature The temperature in work, rest room and other welfare facilities will, during service hours, be maintained at a level appropriate for the purpose of the facility.
Operations Phase E&S Risks and Impacts		
8.	Other OSH impacts and risks from operations of beneficiary enterprises or businesses.	xiii. Exposure to hazardous materials and waste a) Replacement of the hazardous substance with a less hazardous substitute b) Implementation of engineering and administrative control measures to avoid or minimize the release of hazardous substances into the work environment keeping the level of

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Item	Description of the Risk / impact as identified in ESS2	Proposed risk mitigation measures
		exposure below internationally established or recognized limits. c) Keeping the number of employees exposed, or likely to become exposed, to a minimum. d) Communicating chemical hazards to workers through labeling and marking according to national and internationally recognized requirements and standards, including the International Chemical Safety Cards (ICSC), Materials Safety Data Sheets (MSDS), or equivalent. Any means of written communication should be in an easily understood language and be readily available to exposed workers and first-aid personnel. e) Training workers in the use of the available information, safe work practices, and appropriate use of PPE xiv. Fire and explosions a) Storing flammables away from ignition sources and oxidizing materials. Further, the flammables storage area should be: i).Remote from entry and exit points into buildings. ii).Away from facility ventilation intakes or vents

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Item	Description of the Risk / impact as identified in ESS2	Proposed risk mitigation measures
		iii).Have natural or passive floor and ceiling level ventilation and explosion venting. iv).Use spark-proof fixtures. v). Be equipped with fire extinguishing devices and self- closing doors and constructed of materials made to withstand flame impingement for a moderate period. b) Providing bonding and grounding of, and between, containers and additional mechanical floor level ventilation if materials are being, or could be, dispensed in the storage area. c) Where the flammable material is mainly comprised of dust, providing electrical grounding, spark detection, and, if needed, quenching systems d) Defining and labeling fire hazards areas to warn of special rules (e.g., prohibition in use of smoking materials, cellular phones, or other potential spark generating equipment) e) Providing specific worker training in handling of flammable materials, and in fire prevention or suppression f) Installation of smoke alarms and sprinkler systems; g) Maintenance of all fire safety systems in proper working order, including self-closing

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Item	Description of the Risk / impact as identified in ESS2	Proposed risk mitigation measures
		doors in escape routes and ventilation ducts with fire safety flaps; h) Training of staff for operation of fire extinguishers and evacuation procedures; i) Development of facility fire prevention or emergency response and evacuation plans with adequate guest information. j) Regular fire safety audits k) Regular fire drills. xv. Ergonomics, Repetitive Motion, Manual Handling a) Facility and workstation design with 5th to 95th percentile operational and maintenance workers in mind. b) Use of mechanical assists to eliminate or reduce exertions required to lift materials, hold tools and work objects, and requiring multi-person lifts if weights exceed thresholds. c) Selecting and designing tools that reduce force requirements and holding times and improve postures.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Item	Description of the Risk / impact as identified in ESS2	Proposed risk mitigation measures
		a) Providing user-adjustable workstations. b) Incorporating rest and stretch breaks into work processes and conducting job rotation. d) Implementing quality control and maintenance programs that reduce unnecessary forces and exertions. e) Taking into consideration additional special conditions such as left-handed persons. xvi. Personal Protective Equipment (PPE) a) Ensure access and active use of PPE to reduce hazards or exposure. b) Identification and provision of appropriate PPE that offers adequate protection to the worker, co-workers, and occasional visitors. c) Proper maintenance of PPE, including cleaning when dirty and replacement when damaged or worn out. Proper use of PPE should be part of the recurrent training programs for employees. d) Selection of PPEs based on the hazard and risk ranking, and according to established criteria on performance and testing.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

4 BRIEF OVERVIEW OF LABOR LEGISLATION: TERMS AND CONDITIONS

The legal framework governing terms and conditions of employment for Project workers is primarily established under the **Constitution of Kenya, 2010**, the **Employment Act, 2007**, and other applicable labour legislation and regulations. For civil servants involved in Project activities, the applicable public service laws, regulations, policies and procedures shall also apply.

The **Employment Act, 2007** provides the principal legal framework governing the relationship between employers and employees in Kenya. It establishes requirements relating to employment contracts, remuneration, working hours, rest periods, leave, termination of employment and other terms and conditions of employment. The Act requires employers to provide employees with written particulars of employment, including information on remuneration, working hours and other relevant employment conditions.

4.1 Wages and Remuneration

Project workers shall be paid in accordance with applicable Kenyan legislation, their employment contracts and, where applicable, collective bargaining agreements. The Employment Act, 2007 and applicable wage regulations provide for minimum remuneration requirements for employees in relevant sectors and occupations.

Employers are required to comply with applicable statutory requirements relating to payment of wages and lawful deductions. Workers shall be informed of their remuneration and applicable deductions in accordance with their employment terms and applicable legislation.

4.2 Working Hours, Rest and Overtime

The Employment Act, 2007 provides requirements relating to working hours, rest periods and overtime. Project workers shall be provided with working arrangements and rest periods consistent with applicable legislation and their employment contracts.

Where overtime is required, it shall be managed and compensated in accordance with applicable Kenyan law, employment contracts and any applicable collective bargaining agreements.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

4.3 Leave Entitlements and Benefits

The Employment Act, 2007 provides for statutory leave entitlements, including annual leave, maternity leave, paternity leave and sick leave, subject to the applicable statutory conditions.

Project workers shall receive statutory employment benefits and any additional benefits provided under their employment contracts, applicable collective bargaining agreements or BioVax employment policies.

4.4 Deductions and Statutory Contributions

Deductions from workers' wages shall only be made where permitted or required by law or otherwise authorised in accordance with applicable employment requirements. Statutory deductions and contributions shall be administered in accordance with applicable Kenyan legislation.

4.5 Application to Different Categories of Project Workers

The applicable terms and conditions will depend on the category of Project worker and the nature of their engagement.

- i. **Direct workers** employed or engaged by BioVax shall be subject to the applicable Kenyan labour laws, BioVax Human Resource policies and procedures, and their individual employment contracts.
- ii. **Contracted workers** shall be subject to the terms and conditions established by their respective employers, including contractors and subcontractors, while the employers remain responsible for compliance with applicable Kenyan labour legislation and the labour requirements incorporated into their contracts with BioVax.
- iii. **Civil servants** involved in Project activities shall remain subject to the applicable public service laws, regulations, policies and terms of service governing their employment.
- iv. **Primary supply workers** are employed by the suppliers providing goods and services to the Project and shall remain subject to the terms and conditions established by their respective employers and applicable Kenyan labour legislation. BioVax shall apply the risk-based measures described in Section 12 of this LMP where significant risks relating to

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

child labour, forced labour or serious occupational health and safety concerns are identified.

BioVax shall ensure that the terms and conditions applicable to Project workers are consistent with applicable Kenyan legislation and the requirements of World Bank Environmental and Social Standard 2 (ESS2).

4.6 Occupational Safety and Health

The Occupational Safety and Health Act (OSHA) governs workplace safety and health. The law provides for “the safety, health and welfare of workers and all persons lawfully present at workplaces and establishes the National Council for Occupational Safety and Health”. This law is broadly concerned with potential hazards to persons in the workplace. These concerns would likely remain the same, if there’s only one individual likely to be affected; and thus, the standards set under the Act are largely focused upon the environmental risks to persons at the workplace. Part VI (on Health-General Provisions), Part VII (on Machinery Safety), Part VIII (on Safety-General Provisions), Part IX (on Chemical Safety), Part X (on Welfare General Provisions), Part XI (on Health, Safety and Welfare – Special Provisions) and Part XII (on Special Applications) provide for different occupational safety and health scenarios (in detail), with the intent of allowing for the management of the intended and unintended safety and health consequences that may be brought by potential hazards.

The Work Injury Benefits Act (WIBA) also addresses workplace safety and health and has been amended several times. It provides for compensation to employees for work-related injuries and diseases contracted in the course of their employment. The Act provides for the compensation of ‘injured’ employees as well as their dependents, who may be adversely affected by the work injuries. Part III (on Right to Compensation) addresses the entitlements and guarantees afforded in respect of compensation.

Project implementation processes will adhere to the relevant OSH legislation requirements in Kenya, including the relevant requirements of interested parties that have been identified in the ESMF and SEP. A check for legal compliance shall be undertaken to ensure that this project is compliant with the legal and other requirements, including:

- i. The National Occupational Safety and Health Policy, 2012;

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

- ii. Occupational Safety and Health Act, 2007;
- iii. Work Injury Benefits Act, 2007;
- iv. HIV/AIDS Prevention and Control Act, 2006;
- v. WBG ESF; and
- vi. WBG General EHS Guidelines.

Table 3 provides a summary of the key regulations in Kenya and their relevance to this project.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED		
	DOCUMENT NO.:	KBI-POL-011	
	VERSION:	01	
	EFFECTIVE DATE:	01/09/2026	
	REVIEW DATE:	31/08/2029	

Table 3. Legal & Regulatory Framework

S. No	Legislation	Provision	Relevance / Measures	Gap Analysis	How the BioVax LMP Will Bridge the Gap
1.	Public Health Act (Cap 242) revised 2012	Part III of the Public Health Act provides for the protection of human health through prevention and guarding against introduction of infectious diseases into Kenya from outside, to promote public health and prevention, limitation or suppression of infectious, communicable or preventable disease within Kenya. The Public Health - Prevention, Control and Suppression of Covid-19 Rules, 2020 provide	Project activities may expose the workers to communicable diseases. BioVax will develop protocols to educate the staff on risks of infection and the control measures. It will also make provisions for support for workers who get infected while on duty.	<i>The Act provides broad public health requirements but does not comprehensively address the full range of worker-management issues required under ESS2, including labor conditions, worker grievance mechanisms, non-discrimination, worker engagement and specific procedures for managing labor-related risks.</i>	<i>The LMP will complement the Public Health Act by establishing procedures for worker welfare, workplace hygiene, communicable disease prevention, worker engagement, labor-related risk management and access to a worker grievance mechanism.</i>

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED		
	DOCUMENT NO.:	KBI-POL-011	
	VERSION:	01	
	EFFECTIVE DATE:	01/09/2026	
	REVIEW DATE:	31/08/2029	

S. No	Legislation	Provision	Relevance / Measures	Gap Analysis	How the BioVax LMP Will Bridge the Gap
		additional regulatory requirements to this part.			
2.	Work Injury Benefits Act, 2007	This Act provides for compensation to employees for work related injuries and diseases contracted in the course of their employment and for connected purposes.	BioVax shall comply with part II of this Act about obligations of the employer including compensation for temporary, total or partial disablement, treatment as well as provision of first aid services to workers.	<i>WIBA focuses primarily on compensation for work-related injuries and diseases. It does not provide the comprehensive preventive OHS management framework required under ESS2, including systematic hazard identification, risk assessment, worker consultation, emergency preparedness and continuous monitoring.</i>	<i>The LMP will complement WIBA by requiring proactive OHS risk identification and management, provision and use of appropriate PPE, worker training, incident reporting, emergency preparedness, medical surveillance where applicable, and monitoring of workplace safety.</i>

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED		
	DOCUMENT NO.:	KBI-POL-011	
	VERSION:	01	
	EFFECTIVE DATE:	01/09/2026	
	REVIEW DATE:	31/08/2029	

S. No	Legislation	Provision	Relevance / Measures	Gap Analysis	How the BioVax LMP Will Bridge the Gap
3.	Occupational Safety and Health Act, 2007	This is an Act of Parliament to provide for the safety, health and welfare of all workers and all persons lawfully present at workplaces. It applies to all workplaces where any person is at work, whether temporarily or permanently	BioVax will put in place safety and health measures to ensure workers are not exposed to safety and health risks during both project planning and operational phases.	<i>OSHA provides a strong national framework for OHS; however, ESS2 requires a broader labor-management approach and application of the World Bank's Environmental, Health and Safety Guidelines (EHSG), where applicable. OSHA requirements may also not specifically address all project-specific labor risks, including contractor management, worker grievance mechanisms and SEA/SH-related workplace</i>	<i>The LMP will operationalize OSHA requirements within the project and supplement them with ESS2 requirements. It will establish project-specific procedures for OHS risk assessment, training, PPE, incident reporting, emergency response, contractor management, worker consultation, monitoring and worker grievance handling.</i>

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED		
	DOCUMENT NO.:	KBI-POL-011	
	VERSION:	01	
	EFFECTIVE DATE:	01/09/2026	
	REVIEW DATE:	31/08/2029	

S. No	Legislation	Provision	Relevance / Measures	Gap Analysis	How the BioVax LMP Will Bridge the Gap
				<i>risks.</i>	
4.	HIV/AIDS Prevention and Control Act, 2006	Part 11 Section 7 requires HIV and AIDS education in workplaces; specifically, provision of basic information and instruction on HIV/AIDS prevention and control	BioVax will create awareness to the employees on issues related to HIV/AIDS. It will produce posters/flyers to be shared with all employees and pasted at workplaces.	<i>The Act provides specific protections concerning HIV/AIDS but does not constitute a comprehensive framework for addressing all forms of workplace discrimination, harassment and unequal treatment as required under ESS2.</i>	<i>The LMP will incorporate HIV/AIDS-related protections into broader provisions on non-discrimination and equal opportunity, confidentiality, worker awareness and prevention of workplace stigma and discrimination.</i>
5.	Gender-based Violence and SEA/SH (GBV/SEA/SH)	Abuse by workers, normalization of GBV stigma led to non-reporting, poverty forces women/girls to engage	The project activities may expose workers to sexual harassment at the workplace and other forms of GBV/SEA/SH.	National legislation provides important protections against GBV and sexual harassment, but the requirements may not by themselves provide a	The LMP will establish project-specific measures for prevention and response to SEA/SH, including a Code of Conduct, worker

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED		
	DOCUMENT NO.:	KBI-POL-011	
	VERSION:	01	
	EFFECTIVE DATE:	01/09/2026	
	REVIEW DATE:	31/08/2029	

S. No	Legislation	Provision	Relevance / Measures	Gap Analysis	How the BioVax LMP Will Bridge the Gap
		in transactional sex. There is lack of access to services to address SEA/SH, stigma, corruption. Several Acts exist that provide protection against GBV/SEA/SH including: Sexual Offences Act, 2006 Penal Code HIV/AIDS Prevention and Control Act, 2000 Protection Against Domestic Violence Act, 2015 Prohibition of Genital	BioVax will ensure that: All workers sign the CoC. All workers are trained on GBV/SEA/SH. All workers are informed about the workplace GRM and the Project GRM.	project-specific operational framework for preventing and responding to SEA/SH risks in accordance with World Bank ESS2 and ESS4. There is also a need for confidential reporting, survivor-centred response and appropriate referral pathways.	awareness and training, confidential reporting channels, appropriate handling of complaints, prohibition of retaliation, and referral to established GBV service providers. SEA/SH complaints will be handled through appropriate confidential procedures and linked to the project's GRM and referral pathway.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED		
	DOCUMENT NO.:	KBI-POL-011	
	VERSION:	01	
	EFFECTIVE DATE:	01/09/2026	
	REVIEW DATE:	31/08/2029	

S. No	Legislation	Provision	Relevance / Measures	Gap Analysis	How the BioVax LMP Will Bridge the Gap
		Mutilation Act, 2011. National Gender and Equality Act, 2011			
6.	Grievance redress mechanism	Issues to do with grievances are addressed in various legal documents including: Employment Act, 2007 – Part XII: Labour Relations Act, 2007: Occupational Safety and Health Act, 2007 Work Injury Benefits Act, 2007 World Bank ESS2 – Labour	BioVax will establish a workplace GRM that will address all matters related to the project. Information on the GRM will be part of the induction process <i>BioVax will establish a worker GRM for accessible and timely</i>	National mechanisms may be formal, lengthy or unsuitable for resolving routine project-level workplace concerns. ESS2 specifically requires workers to have access to a grievance mechanism that is readily accessible, transparent and responsive, without fear of retaliation	

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED		
	DOCUMENT NO.:	KBI-POL-011	
	VERSION:	01	
	EFFECTIVE DATE:	01/09/2026	
	REVIEW DATE:	31/08/2029	

S. No	Legislation	Provision	Relevance / Measures	Gap Analysis	How the BioVax LMP Will Bridge the Gap
		and Working Conditions World Bank ESS2 – Worker GRM ILO Fundamental Labour Standards / Conventions ratified by Kenya Good International Industry Practice (GIIP)	<i>Workers' rights to organize and access statutory dispute-resolution mechanisms will be protected.</i> <i>resolution of workplace grievances.</i> <i>OSH-related grievances will be addressed through the worker GRM and</i>		

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED		
	DOCUMENT NO.:	KBI-POL-011	
	VERSION:	01	
	EFFECTIVE DATE:	01/09/2026	
	REVIEW DATE:	31/08/2029	

S. No	Legislation	Provision	Relevance / Measures	Gap Analysis	How the BioVax LMP Will Bridge the Gap
			<i>established OSH procedures.</i> <i>Workers will be informed of their rights and applicable injury compensation and reporting procedures.</i> <i>BioVax will maintain a worker GRM consistent with ESS2 and protect workers from retaliation.</i> <i>The GRM will provide accessible channels, defined timelines, confidentiality, feedback,</i>		

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED		
	DOCUMENT NO.:	KBI-POL-011	
	VERSION:	01	
	EFFECTIVE DATE:	01/09/2026	
	REVIEW DATE:	31/08/2029	

S. No	Legislation	Provision	Relevance / Measures	Gap Analysis	How the BioVax LMP Will Bridge the Gap
			<i>and escalation options.</i> <i>BioVax will uphold applicable international labour principles alongside national law and ESS2.</i> <i>Relevant GIIP will complement national legislation and ESS2 where applicable.</i> <i>The LMP will provide procedures to bridge identified labour-management gaps.</i> <i>Contracts will clearly</i>		

TITLE:		LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011	
	VERSION:	01	
	EFFECTIVE DATE:	01/09/2026	
	REVIEW DATE:	31/08/2029	

S. No	Legislation	Provision	Relevance / Measures	Gap Analysis	How the BioVax LMP Will Bridge the Gap
			<i>assign ESS2 responsibilities to BioVax, contractors and subcontractors.</i>		

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Note: Gap Analysis and Gap-Bridging Measures: The review of applicable national labour legislation, international labour standards, and World Bank ESS2 indicates that Kenya has a comprehensive legal framework governing labour and working conditions. However, certain ESS2 requirements may not be explicitly or comprehensively addressed through national legislation or existing institutional arrangements, particularly regarding project-level worker grievance mechanisms, contractor and subcontractor responsibilities, worker engagement and monitoring. These gaps will be addressed through the BioVax Labour Management Procedures (LMP), contractual requirements, worker induction and awareness, accessible worker grievance mechanisms, and monitoring of compliance. Where requirements under ESS2 are more stringent or specific than national requirements, the Project will apply the applicable ESS2 requirements in accordance with the Project's commitments.

5 RESPONSIBLE STAFF

BioVax will work with various stakeholders including NEMA and DOSHS to implement the LMP in compliance with national laws. BioVax will be responsible for the following tasks:

- i. Undertake the overall implementation of this LMP;
- ii. Engage and manage all project workers in accordance with this LMP and the applicable Procurement Documents;
- iii. Monitor project contractors and workers to ensure their activities are included in the LMP and the applicable Procurement Documents;
- iv. Monitor the potential risks of child labor, forced labor and serious safety issues in relation to primary suppliers;
- v. Provide training to mitigate social risks including GBV/SEA/SH of project workers;
- vi. Ensure that the GRM for project workers is established and implemented and that project workers are informed about it;
- vii. Monitoring the implementation of the worker CoC; and
- viii. Report to the World Bank on labor and OSH performance and key risks and complaints.

Table 4 below presents a summary of the key LMP commitments and the project staff/entity

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Page 57 of 96

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

responsible for the various key responsibility areas.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED		
	DOCUMENT NO.:	KBI-POL-011	
	VERSION:	01	
	EFFECTIVE DATE:	01/09/2026	
	REVIEW DATE:	31/08/2029	

Table 4. Commitments and responsible persons

Sr. No.	Officers responsible	Key responsibilities
1.	Human Resources (HR)	i. Ensure employment and labour-management requirements are incorporated into employment arrangements; ii. provide worker induction and information on rights and the worker GRM; iii. maintain relevant worker records and support resolution of employment-related grievances.
2.	Procurement	i. Ensure applicable LMP, ESS2 and labour requirements are incorporated into procurement documents, contracts, and agreements with contractors, consultants and suppliers; ii. ensure contractual responsibilities are clearly defined.
3.	Finance	iii. Ensure adequate resources are available for implementation of the LMP, including worker-related training, monitoring, occupational health and safety measures, and other labour-management requirements.
4.	Project Coordinator	i. Overall coordination and oversight of implementation of the LMP; ensure labour requirements are integrated into Project implementation and that responsible parties fulfil their obligations.
5.	Focal Person	i. Overall oversight of all project activities ii. Link to the World Bank

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED		
	DOCUMENT NO.:	KBI-POL-011	
	VERSION:	01	
	EFFECTIVE DATE:	01/09/2026	
	REVIEW DATE:	31/08/2029	

Sr. No.	Officers responsible	Key responsibilities
6.	Environmental & Social Safeguards team	i. Supervise workers' adherence to the LMP; ii. Prepare, review, approve the various OSH measures and plans. iii. Maintain records of recruitment and employment of contracted workers (including sub-contractors); iv. Provide induction training to heads of contracted workers organizations or EHS officers on environmental, social and OSH issues, and GBV/SEA/SH. v. Require primary supplier(s) to identify and address risks of child labor, forced labor and serious safety issues and undertake due diligence to ensure this is done; vi. Develop and implement the GRM for contracted workers, including ensuring that grievances received from the contracted workers are resolved promptly, and report the status of grievances including grievances related to GBV/SEA/SH and resolutions regularly to the PCT and World Bank. Also, BioVax shall ensure that a GRM is outlined in contractor C-ESMP vii. Ensure all contractor and subcontractor workers understand and sign the CoC prior to the commencement of works and supervise compliance with the CoC; viii. Ensure the abbreviated CoC (one-pager) is displayed in all project supported facilities; and

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED		
	DOCUMENT NO.:	KBI-POL-011	
	VERSION:	01	
	EFFECTIVE DATE:	01/09/2026	
	REVIEW DATE:	31/08/2029	

Sr. No.	Officers responsible	Key responsibilities
		ix. Report to the PCT on labor and OSH performance. x. Assess the risk of serious safety issues. xi. Develop protocols for the workplace and for individual staff including disease prevention. xii. Link with NEMA and DOSHS on all OSH related issues. xiii. Monitor, document and report on all OSH matters xiv. Support the development of a GRM structure for the workplaces. xv. Be the GRM focal point for the project. xvi. Monitor, document and report on the GRM.
7.	Monitoring and Evaluation (M&E) Officer	i. Monitor and report on implementation of LMP commitments, including relevant labour indicators, corrective actions and progress; ii. support documentation and reporting of labour-management performance.
8.	Consultants	i. Comply with applicable labour, occupational safety and health requirements and the provisions of the LMP and their contractual obligations;

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED		
	DOCUMENT NO.:	KBI-POL-011	
	VERSION:	01	
	EFFECTIVE DATE:	01/09/2026	
	REVIEW DATE:	31/08/2029	

Sr. No.	Officers responsible	Key responsibilities
		ii. report labour-related risks, incidents and grievances through established channels.
9.	Suppliers / Primary Suppliers	i. Comply with applicable labour requirements relevant to primary supply workers and contractual obligations; ii. Cooperate with BioVax in identifying and addressing significant labour risks within the primary supply chain where applicable.
10.	Project Workers	i. Comply with applicable workplace rules, health and safety requirements and contractual obligations; ii. Participate in required training and report labour, safety or working-condition concerns through established channels.
11.	Labour officers and OSH officers from the Department of Labour and DOSHS	i. Registration and renewal of workplaces and plants, ii. Workplace inspection & audits iii. Examination & testing of plants to guarantee that they are in a good working condition. iv. Accident investigation & WIBA processing. v. Authorized and certify Designated Health practitioners (DHPs) to carry out Pre-employment and

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED		
	DOCUMENT NO.:	KBI-POL-011	
	VERSION:	01	
	EFFECTIVE DATE:	01/09/2026	
	REVIEW DATE:	31/08/2029	

Sr. No.	Officers responsible	Key responsibilities
		Periodic/Surveillance Medical Examination for Employees.
12.	Contractors	i. Prepare the C-ESMP and undertake the overall implementation of OSH in compliance with the C-ESMP, ESS2. ii. Engage and manage employees in accordance with labour laws and ESS2 standards. iii. Monitor the potential risks of child labor, forced labor and serious safety issues in relation to primary suppliers. iv. Sensitize own staff on OSH and GBV/SEA/SH risk mitigation measures and sanctions for violating the CoC. v. Ensure that workers are aware and understand the Project workers GRM and how they can report their grievances. vi. Ensure own workers sign the CoC and monitor compliance. Report to BioVax on labor and OSH performance and key risks and complaints.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

6 POLICIES AND PROCEDURES

This section sets out the policies and procedures that will be applied by Kenya BioVax Institute (BioVax) to manage labor and working conditions throughout implementation of the Project. The policies and procedures are intended to ensure that Project workers are treated fairly, provided with safe and healthy working conditions, protected from discrimination and exploitation, and provided with accessible mechanisms to raise and resolve workplace concerns.

The policies and procedures are based on applicable Kenyan legislation, the World Bank Environmental and Social Standard 2 (ESS2): Labor and Working Conditions, the World Bank Environmental, Health and Safety Guidelines (EHSGs), and relevant BioVax institutional policies and procedures.

The policies and procedures will apply, as relevant, to all Project workers, including direct workers, contracted workers, consultants and other workers engaged in Project activities. Contractors and service providers will be required through their contractual arrangements to comply with the applicable requirements of this LMP and to establish procedures consistent with these requirements.

The LMP is a living document and will be reviewed and updated where necessary to reflect changes in Project activities, applicable legislation, workforce arrangements, or identified labor risks.

6.1 Occupational Safety and Health

BioVax shall provide and maintain a safe and healthy working environment for all Project workers, consistent with the requirements of the Occupational Safety and Health Act, 2007, Work Injury Benefits Act, 2007, ESS2 and the applicable World Bank EHSGs.

Given the nature of BioVax's activities, particular attention will be given to occupational risks associated with vaccine and biologics manufacturing, laboratory activities, chemical and pharmaceutical substances, biological materials, equipment and machinery, fire and other emergencies, waste handling, manual handling, and other workplace hazards.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

BioVax shall:

- i. Conduct and periodically review workplace hazard identification and risk assessments for Project activities;
- ii. Implement appropriate measures to eliminate hazards where practicable and otherwise control risks through the hierarchy of controls;
- iii. Provide appropriate and adequate PPE, at no cost to workers where required, and ensure its proper use, maintenance and replacement;
- iv. Provide workers with appropriate induction, job-specific safety training and refresher training;
- v. Establish and maintain appropriate first aid, fire safety, emergency preparedness and evacuation arrangements;
- vi. Maintain appropriate welfare, sanitation, drinking water and other workplace facilities;
- vii. Implement appropriate biosafety and biosecurity measures for activities involving biological materials;
- viii. Ensure safe handling, storage, transportation and disposal of hazardous, biological, pharmaceutical, chemical and other Project-related wastes;
- ix. Ensure that workers are not required to undertake work for which they have not received appropriate training, information or authorization;
- x. Undertake workplace inspections, statutory inspections and audits as required by law and Project procedures;
- xi. Provide occupational health and medical surveillance where required based on the nature of occupational exposures and applicable requirements; and
- xii. Investigate occupational accidents, incidents, near misses and dangerous occurrences and implement corrective and preventive measures.

Workers shall comply with applicable safety procedures, use provided PPE and equipment correctly, participate in required training, and report unsafe conditions, incidents and hazards to

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

their supervisors or designated BioVax personnel.

6.2 Terms and Conditions of Employment

BioVax shall ensure that Project workers are engaged under fair and transparent terms and conditions consistent with applicable Kenyan labor legislation, employment contracts, institutional policies and ESS2.

Project workers shall be provided with clear and understandable information concerning their employment or engagement before commencing work. Where required, workers shall receive written contracts or engagement documentation specifying applicable terms and conditions.

Terms and conditions shall address, as applicable:

- i. Job title, duties and responsibilities;
- ii. Duration of employment or engagement;
- iii. Working hours and applicable rest periods;
- iv. Remuneration, allowances and lawful deductions;
- v. Leave and other applicable benefits;
- vi. Overtime arrangements;
- vii. Applicable social security and statutory benefits;
- viii. Conditions and procedures for termination of employment or engagement; and
- ix. Procedures for raising and resolving workplace grievances.

Employment decisions, including recruitment, remuneration, promotion, training, transfer and termination, shall be undertaken in accordance with applicable law and institutional procedures.

BioVax shall respect workers' rights relating to freedom of association and collective bargaining to the extent provided for under Kenyan law.

6.3 Non-Discrimination and Equal Opportunity

BioVax shall provide equal opportunity and fair treatment to Project workers throughout the employment relationship.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Recruitment, selection, remuneration, training, promotion, allocation of work, termination and other employment decisions shall be based on objective and legitimate criteria and shall not involve unlawful discrimination.

BioVax shall:

- i. Apply transparent and merit-based recruitment and selection procedures;
- ii. Prohibit discrimination based on characteristics protected under applicable Kenyan law;
- iii. Provide equal opportunity for women and men;
- iv. Take reasonable measures to accommodate workers with disabilities, where applicable;
- v. Prohibit workplace harassment, intimidation, bullying and victimization; and
- vi. Provide accessible channels through which workers may report concerns relating to discrimination or harassment without fear of retaliation.

6.4 Prevention of Forced Labour

BioVax prohibits all forms of forced or compulsory labor in Project activities.

Employment and engagement shall be voluntary and workers shall not be subjected to threats, coercion, intimidation, violence, debt bondage, involuntary servitude or other practices that restrict their freedom to leave employment.

BioVax and its contractors shall ensure that:

- i. Workers enter employment freely and without coercion;
- ii. Workers are informed of the terms and conditions of their employment;
- iii. Workers are permitted to leave employment in accordance with applicable contractual and legal requirements;
- iv. Workers' identity documents are not unlawfully withheld;
- v. Wages are paid in accordance with the applicable employment arrangements and law;
- vi. Workers are not required to pay recruitment fees or other unlawful charges as a

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

condition of employment; and

- vii. Any suspected case of forced labor is reported, investigated and addressed promptly.

Contractors shall be required to apply equivalent measures to workers engaged under their contracts.

6.5 Worker Code of Conduct and Prevention of SEA/SH

BioVax shall maintain a workplace environment based on respect, professionalism, dignity and appropriate conduct.

All Project workers, including contracted workers where applicable, shall be required to comply with a Code of Conduct setting out expected standards of behavior.

The Code of Conduct shall address, as applicable:

- i. Respectful and professional behavior;
- ii. Prohibition of discrimination and harassment;
- iii. Prohibition of sexual harassment;
- iv. Prohibition of sexual exploitation and abuse;
- v. Prohibition of intimidation, threats and violence;
- vi. Respect for confidentiality and privacy;
- vii. Compliance with workplace health, safety, biosafety and security requirements; and
- viii. Consequences of violating the Code of Conduct.

Workers shall receive appropriate induction and awareness training on the Code of Conduct and SEA/SH prevention measures.

SEA/SH-related complaints shall be handled through confidential procedures that protect the privacy, dignity and safety of affected persons. Appropriate referral pathways shall be maintained for access to relevant medical, psychosocial, legal and other support services, as appropriate. No person who reports a concern or participates in an investigation in good faith shall be subjected to

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

retaliation.

6.6 Worker Grievance Mechanism

BioVax shall maintain an accessible worker grievance mechanism through which Project workers can raise concerns relating to their employment and working conditions.

The worker grievance mechanism shall:

- i. Provide accessible channels for submitting grievances;
- ii. Allow grievances to be raised without fear of retaliation;
- iii. Provide for acknowledgement and timely consideration of grievances;
- iv. Maintain appropriate confidentiality;
- v. Provide workers with information on the status and outcome of their grievance;
- vi. Provide an escalation or appeal mechanism where the worker is dissatisfied with the proposed resolution; and
- vii. Maintain appropriate records for monitoring and reporting purposes.

The worker grievance mechanism shall be communicated to workers during induction and through appropriate workplace communication channels.

SEA/SH complaints shall not be subjected to ordinary grievance procedures where doing so could compromise confidentiality or the safety and dignity of the affected person. Such complaints shall be handled through appropriate confidential and survivor-centred procedures.

The worker grievance mechanism shall complement, and where appropriate link with, the Project-level Grievance Redress Mechanism.

6.7 Contractor and Third-Party Worker Management

BioVax shall ensure that labor and working conditions requirements are incorporated into contracts with contractors, consultants and other relevant service providers.

Contractors shall be required to:

- i. Comply with applicable Kenyan labor and OHS legislation;

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

- ii. Comply with applicable requirements of ESS2 and this LMP;
- iii. Provide workers with appropriate terms and conditions of employment;
- iv. Implement appropriate OHS measures;
- v. Prohibit child and forced labor;
- vi. Implement non-discrimination and equal opportunity measures;
- vii. Ensure workers sign and comply with applicable Codes of Conduct;
- viii. Provide workers with access to an appropriate grievance mechanism;
- ix. Report occupational accidents, incidents and other serious labor-related events to BioVax within the prescribed timeframe; and
- x. Maintain appropriate records demonstrating compliance with labor and OHS requirements.

BioVax shall monitor contractor compliance through contract management, workplace inspections, review of relevant records, audits and other appropriate monitoring measures.

Where non-compliance is identified, the contractor shall be required to implement corrective measures within an agreed timeframe. Serious or persistent non-compliance shall be addressed in accordance with the contractual provisions.

6.8 Training, Communication and Worker Awareness

BioVax shall ensure that Project workers receive information and training relevant to their work and identified labor risks.

Training and awareness activities shall include, as applicable:

- i. Worker rights and responsibilities;
- ii. Occupational health and safety;
- iii. Biosafety and biosecurity;
- iv. Emergency preparedness and response;
- v. Code of Conduct and workplace behavior;

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

- vi. SEA/SH prevention and reporting;
- vii. Worker grievance procedures;
- viii. Environmental and social requirements relevant to workers; and
- ix. Job-specific hazards and safe working procedures.

Training shall be provided before workers undertake activities for which training is required and shall be refreshed periodically as appropriate. Records of relevant training and awareness activities shall be maintained.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

6.9 Reporting, Monitoring and Continuous Improvement

BioVax shall monitor implementation of the labor management policies and procedures throughout the Project lifecycle.

Monitoring shall include, as applicable:

- i. Compliance with terms and conditions of employment;
- ii. Occupational accidents, incidents, near misses and occupational illnesses;
- iii. OHS inspections and corrective actions;
- iv. Worker grievances and their resolution;
- v. Worker training and induction;
- vi. Contractor compliance;
- vii. Implementation of the Code of Conduct;
- viii. Labor-related non-compliances and corrective actions; and
- ix. Other indicators identified through Project monitoring requirements.

Serious incidents shall be reported to the World Bank in accordance with the applicable Environmental and Social Incident Reporting requirements and the Project's agreed reporting arrangements.

Where an incident, non-compliance or recurring labor concern is identified, BioVax shall undertake appropriate investigation and implement corrective and preventive measures. Where necessary, root cause analysis shall be undertaken to identify systemic issues and prevent recurrence.

The effectiveness of these policies and procedures shall be reviewed periodically and updated where necessary based on monitoring findings, changes in Project activities, changes in applicable legislation, or emerging labor risks.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

6.10 Whistleblowing and Protection Against Retaliation

BioVax shall provide mechanisms through which Project workers may report suspected wrongdoing, serious misconduct, fraud, corruption, unsafe practices or other serious concerns related to Project implementation.

Workers who raise concerns in good faith shall be protected from retaliation, victimization or other adverse treatment as a result of making a report.

The identity and information of whistleblowers shall be handled confidentially to the extent permitted by law and applicable institutional procedures.

Retaliation against a worker for making a good-faith report or participating in an investigation shall constitute misconduct and may result in appropriate disciplinary action.

The whistleblowing arrangements shall complement the worker grievance mechanism and other reporting channels established under the Project.

7 AGE OF EMPLOYMENT

BioVax Institute is committed to preventing child labour in the Project and will ensure that no person below the applicable minimum age is employed or engaged in connection with Project activities. In accordance with applicable Kenyan legislation and the requirements of World Bank Environmental and Social Standard 2 (ESS2), the minimum age for employment on the Project shall be 18 years.

7.1 Verification of Age

The age of all Project workers shall be verified and documented before employment or engagement. BioVax and its contractors shall establish an age-verification process as part of recruitment and worker engagement procedures.

The primary documents for verification shall include a valid National Identity Card, passport, birth certificate or other legally recognized official document indicating the worker's date of birth. Copies or appropriate records of the verification shall be maintained in accordance with applicable data protection and personnel record requirements.

Where a prospective worker does not have the primary identification documents, BioVax or the

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

relevant contractor shall undertake additional verification using other legally recognized documentary evidence and, where necessary, appropriate confirmation from relevant authorities. Verification by a local leader shall not, on its own, be considered sufficient evidence of age where more reliable documentary evidence can reasonably be obtained.

Age verification shall be undertaken without discrimination and shall apply to all Project workers, including workers from vulnerable or disadvantaged groups.

7.2 Procedure for Underage Workers

If a person below the minimum employment age is identified as working or having been engaged on the Project, BioVax or the relevant contractor shall immediately take appropriate action to stop the engagement and prevent further child labour.

The following measures shall be undertaken:

- i. The worker's age and circumstances of engagement shall be verified and documented.
- ii. The individual shall be removed from the work activity in a manner that safeguards their welfare and dignity.
- iii. The contractor shall immediately notify the BioVax Project management/Social and Environmental focal point of the case.
- iv. The circumstances leading to the underage engagement shall be investigated, including the effectiveness of the recruitment and age-verification process.
- v. Appropriate corrective and preventive measures shall be implemented to prevent recurrence.
- vi. Where necessary, the case shall be referred to the relevant government authority and/or appropriate child protection service in accordance with Kenyan law.

BioVax shall monitor implementation of the corrective actions and document the resolution of the case.

Engagement of a person below the minimum employment age constitutes a breach of the Project's labour requirements. Depending on the circumstances and contractual provisions, such a breach

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

may result in corrective action and, where warranted, termination of the contractor's contract.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

7.3 Young Workers

As the Project has established a minimum employment age of 18 years, persons below 18 years shall generally not be engaged as Project workers. However, where applicable law or an approved Project arrangement permits the engagement of persons between the applicable minimum age and 18 years, such workers shall be subject to additional protections consistent with ESS2.

Before engaging a young worker, BioVax or the relevant contractor shall undertake a documented risk assessment of the proposed work. The assessment shall consider the nature of the work, working hours, workplace conditions, potential exposure to hazardous substances, machinery and equipment, biological or chemical hazards, physical demands, and other risks that may adversely affect the health, safety or development of a young worker. Young workers shall not be assigned work that:

- i. is likely to be hazardous or harmful to their health or physical, mental or social development;
- ii. exposes them to dangerous machinery, equipment or processes without adequate protection;
- iii. involves exposure to harmful substances, biological agents or other hazardous conditions;
- iv. involves excessive working hours or night work where prohibited by applicable law; or
- v. interferes with their education, where applicable.

Where a young worker is permitted to work, appropriate supervision, information, training and protective measures shall be provided, and the risk assessment shall be reviewed whenever there is a significant change in the work or working conditions.

BioVax and its contractors shall maintain records demonstrating compliance with the minimum age requirements, age-verification procedures and any additional measures applied to young workers.

8 TERMS AND CONDITIONS

BioVax Institute and its contractors shall ensure that the terms and conditions of employment for Project workers are consistent with applicable Kenyan labour laws, the requirements of World

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Bank Environmental and Social Standard 2 (ESS2), and the provisions of the relevant employment contracts and collective agreements, where applicable.

8.1 Wages and Remuneration

Project workers shall be provided with wages and benefits that are consistent with applicable Kenyan legislation, employment contracts and, where applicable, collective bargaining agreements. Workers shall be informed of their terms and conditions of employment, including their remuneration, applicable deductions, working hours, leave entitlements and other benefits, before commencement of employment.

Wages shall be paid regularly and through an appropriate and traceable payment mechanism. Any deductions from wages shall be lawful, reasonable and communicated to the worker in accordance with applicable legislation and the terms of employment.

The Project shall not discriminate in remuneration or other employment conditions on the basis of gender, disability, ethnicity, age, or other protected characteristics.

8.2 Working Hours, Rest and Overtime

The normal working hours for Project workers shall be established in accordance with applicable Kenyan labour legislation, employment contracts and operational requirements of BioVax and its contractors.

Project workers shall not be required to work beyond the legally permitted maximum working hours. Adequate daily and weekly rest periods shall be provided, and overtime shall only be undertaken where permitted by applicable law and the terms of employment.

Where overtime is required, it shall be managed and compensated in accordance with applicable Kenyan legislation and the worker's employment contract or applicable collective bargaining agreement. Workers shall not be subjected to coercion or retaliation for exercising their lawful rights relating to working hours, rest periods or overtime.

For shift-based or operational activities, including activities associated with manufacturing, laboratory operations, maintenance, security and other essential functions, working schedules shall be appropriately planned to manage fatigue and occupational health and safety risks.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

8.3 Leave and Other Employment Benefits

Project workers shall be entitled to statutory leave and other employment benefits provided under Kenyan law and their respective employment contracts. These may include annual leave, public holidays, sick leave, maternity and paternity leave, and other applicable forms of leave.

Where BioVax or a contractor provides employment benefits that are more favourable than the statutory minimum, the applicable contractual provisions shall be honoured.

8.4 Collective Agreements and Freedom of Association

BioVax recognises the right of workers to form, join or participate in workers' organisations and to bargain collectively in accordance with Kenyan law.

Where a collective bargaining agreement (CBA) applies to a category of Project workers, the applicable provisions of the CBA shall be respected and incorporated into the relevant terms and conditions of employment.

BioVax and its contractors shall not discriminate or retaliate against workers for exercising their lawful rights to freedom of association, representation or collective bargaining.

Where workers are not represented by a legally recognised workers' organisation, they shall remain free to raise employment-related concerns directly through the established worker grievance mechanism.

8.5 Employment Contracts and Communication of Terms

All Project workers shall receive clear information regarding their terms and conditions of employment before commencing work. Where required by law, employment contracts shall be provided in writing and shall specify the applicable terms and conditions, including the nature and duration of employment, remuneration, working hours, leave entitlements, applicable benefits and procedures for termination.

Information on employment conditions shall be communicated in a language and manner that is understandable to the worker.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Contractors shall ensure that the terms and conditions applicable to their workers are consistent with the requirements of this LMP and shall maintain appropriate employment records for monitoring purposes.

9 GRIEVANCE MECHANISM

9.1 General Principles

BioVax Institute shall provide a grievance mechanism for Project workers to raise and seek resolution of workplace concerns in accordance with World Bank Environmental and Social Standard 2 (ESS2) and applicable Kenyan legislation. The mechanism shall be accessible to both **direct workers and contracted workers** and shall be designed to address concerns relating to employment, working conditions, occupational health and safety, wages, working hours, discrimination, harassment and other labour-related matters.

The Project Worker Grievance Mechanism shall operate in a manner that is **accessible, transparent, timely, confidential where appropriate and free from retaliation**. Workers shall be able to raise concerns without fear of dismissal, discrimination or any other adverse action.

9.2 Submission and Resolution of Grievances

Workers may submit grievances through the channels established by BioVax, including designated grievance focal persons, written or verbal submissions and other accessible communication channels communicated to workers.

Upon receipt, grievances shall be acknowledged, recorded, assessed and assigned to the appropriate person for resolution. The grievance mechanism shall provide for timely communication with the complainant regarding the progress and outcome of the grievance.

The Project shall maintain appropriate records of grievances, including the nature of the grievance, actions taken, resolution and any outstanding issues, while protecting the confidentiality and personal information of the complainant.

Workers shall retain the right to seek redress through other available administrative, judicial or statutory mechanisms where they are not satisfied with the resolution provided through the Project grievance mechanism.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

9.3 Awareness and Accessibility

BioVax and its contractors shall ensure that all Project workers are informed about the grievance mechanism at the time of recruitment or induction and periodically thereafter.

Information provided to workers shall include:

- i. the purpose and scope of the grievance mechanism;
- ii. the available channels for submitting grievances;
- iii. the designated grievance focal person(s);
- iv. the process and indicative timelines for handling grievances;
- v. the confidentiality and non-retaliation provisions; and
- vi. the available avenues for appeal or further redress.

Information shall be provided in a form and language that workers can readily understand and shall be displayed or communicated through appropriate workplace channels.

9.4 Confidentiality and Sensitive Grievances

The grievance mechanism shall provide appropriate measures for handling confidential and sensitive complaints. Complaints relating to sexual exploitation and abuse, sexual harassment, gender-based violence or other sensitive matters shall be handled through appropriate confidential procedures and referral pathways, taking into account the safety, dignity, privacy and wishes of the affected person.

Personal information relating to complainants shall only be accessed and shared on a need-to-know basis and in accordance with applicable data protection requirements.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

10 CONTRACTOR MANAGEMENT

BioVax will make reasonable efforts to ascertain that contractors who engage contracted workers are legitimate and reliable entities and have in place labor management procedures applicable to the project that will allow them to operate in accordance with the requirements of ESS2. As such, each contractor engaged by the Project to provide services will be expected to adopt the protective measures outlined in this LMP. The contracts drawn by BioVax will include provisions, measures, and procedures to be put in place by the contractors to manage and monitor relevant OSH issues. Measures required of Contractors will be included as part of the bidding/tendering process, specific requirements for certain types of contractors, and specific selection criteria (e.g., certifications, previous experience); Specific procedures relating to the workplace and the conduct of the work; and Specific procedures and measures dealing with specific risks.

BioVax will ensure that the contractors comply with the ESHS specifications of their respective contracts, including SEA/SH aspects through periodic audits, inspections, and/or spot checks of project locations or work sites and/or of labor management records and reports compiled by third parties. Contractor labor management records and reports may include:

- i. A representative sample of employment contracts or arrangements between third parties and contracted workers;
- ii. Records relating to grievances received and their resolution;
- iii. Reports relating to safety inspections, including fatalities and incidents and implementation of corrective actions;
- iv. Records relating to incidents of noncompliance with national law; and
- v. Records of training provided for contracted workers to explain labor and working conditions and OSH for the project.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

11 PRIMARY SUPPLY WORKERS

BioVax Institute will procure goods, materials, equipment and services from external suppliers and other institutions during Project implementation and operation. Primary suppliers may include institutions and companies providing manufacturing inputs, pharmaceutical and laboratory supplies, equipment, personal protective equipment, maintenance materials, cleaning services, waste management services and other goods and services required for Project activities.

To prevent and manage the risk of child labour, forced labour, human rights abuses and serious occupational health and safety concerns among primary supply workers, BioVax shall apply appropriate screening, due diligence and contractual requirements in accordance with applicable Kenyan legislation and World Bank Environmental and Social Standard 2 (ESS2).

11.1 Supplier Selection and Due Diligence

Effective screening and due diligence shall be undertaken during the selection of primary suppliers, proportionate to the nature and level of labour and occupational health and safety risks associated with the goods or services to be supplied.

Procurement documents and supplier qualification requirements shall, as appropriate, require prospective primary suppliers to demonstrate that they:

- i. do not use child or forced labour in the production or provision of goods and services;
- ii. comply with applicable Kenyan labour and occupational health and safety legislation;
- iii. have appropriate measures in place to protect the health, safety and welfare of their workers; and
- iv. comply with the applicable labour and occupational health and safety requirements of the Project.

Where significant risks relating to child labour, forced labour, human rights abuses or serious safety concerns are identified, BioVax shall undertake appropriate additional due diligence before approving the supplier. BioVax shall not knowingly procure goods or services from a primary supplier where significant child labour or forced labour risks or serious occupational health and safety concerns have been identified and cannot be adequately prevented or managed.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

11.2 Procurement and Contractual Requirements

Procurement documents, purchase orders and contracts shall, where applicable, include provisions requiring primary suppliers to:

- i. Prohibit child and forced labour;
- ii. Comply with applicable labour and occupational health and safety legislation;
- iii. Protect workers from unsafe or hazardous working conditions;
- iv. Respect workers' rights and applicable employment conditions; and
- v. Cooperate with BioVax in providing information necessary to assess compliance with applicable Project labour requirements.

Where required under BioVax procurement procedures, supplier qualification shall be subject to prior review and approval/no-objection by BioVax before the supplier is engaged. Appropriate labour and occupational health and safety requirements shall also be incorporated into contracts with suppliers and service providers, taking into account the nature and risks of the goods or services being procured.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

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TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

ANNEXES

Annex 1: Notarized Individual Code of Conduct (BIOVAX Sample)

I, _____, acknowledge that it is important to adhere to BIOVAX Project environmental, social, health and safety (ESHS) standards and requirements, preventing sexual exploitation and abuse and sexual harassment (SEA/SH), and violence against children (VAC), and the chance finds procedure.

BIOVAX considers that failure to follow EHS standards, or to commit acts of SEA/SH or VAC or chance finds procedure—be it on the work site, the work site surroundings, or the surrounding communities constitutes acts of gross misconduct and is therefore grounds for sanctions, penalties, or potential termination of employment. Prosecution of those who commit SEA/SH or VAC by law enforcement authorities may be pursued if appropriate, and only upon informed survivor consent, or in the case of a minor, with appropriate caregiver consent.

I agree that while working on the Project, I will:

Regarding Occupational Health and Safety

- i). Comply with legislation and other applicable requirements relating to occupational health and safety risks.
- ii). Attend occupational health and safety trainings as requested by the employer or the Project.
- iii). Identify the potential risks associated with each activity and workstation.
- iv). Make recommendations regarding safety and health issues affecting employees
- v). Wear prescribed and appropriate personal protective equipment (PPE) all times on the project site.
- vi). Prevent avoidable accidents and report conditions or practices that pose a safety hazard or threaten the environment.
- vii). Report any violations of this code of conduct to workers' representative, HR, or grievance redress committee. No employee who reports a violation of this code of conduct in good

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

faith will be punished in any way.

Regarding Sexual Exploitation and Abuse and Sexual Harassment

- i). Attend and actively partake in training courses related to SEA/SH and VAC as requested by the Project.
- ii). Treat women, children (persons under the age of 18), and men with respect regardless of race, color, language, religion, political or other affiliation, nationality, ethnicity, or social origin, property, disability, birth or nationality, sexual orientation, gender identity, or other status.
- iii). Not use language or behavior towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate (especially among ESS7 communities).
- iv). Not engage in sexual exploitation, which is defined as 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.
- v). Not engage in sexual abuse, which is defined as the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
- vi). Not engage in sexual harassment, which is defined as any unwelcome sexual advance, request for sexual favor, verbal or physical conduct or gesture of a sexual nature, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation to another, when such conduct interferes with work, is made a condition of employment, or creates an intimidating, hostile or offensive work environment.
- vii). Not participate in sexual contact or activity with children including grooming or contact through digital media (community members married to minors, even if legally done, will not be hired). Mistaken belief regarding the age of a child is not a defense. Consent from the child is also not a defense or excuse.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

- viii). Not have sexual interactions with members of the host communities (NB: an exception applies to a locally hired worker already married to an adult member of the community). This includes relationships involving the withholding or 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.
- ix). Consider reporting through the Grievance Mechanism or to my manager any suspected or actual SEA/SH or VAC by a fellow worker, whether employed by my company or not, or any breaches of this Code of Conduct.

Regarding children under the age of 18:

- i). Wherever possible, ensure that another adult is present when working in the proximity of children.
- ii). Not invite unaccompanied children unrelated to my family into my home unless they are at immediate risk of injury or in physical danger.
- iii). Not use any computers, mobile phones, video, and digital cameras or any other medium to exploit or harass children or to access child pornography (see also “Use of children's images for work related purposes” below).
- iv). Refrain from physical punishment or discipline of children.
- v). Refrain from hiring children below the minimum age of 15, for domestic or other labor that places them at significant risk of injury, as specified by the national law
- vi). Comply with all relevant local legislation, including labor laws in relation to child labor and the World Bank’s E&S standards on child labor and minimum age.
- vii). Take appropriate caution when photographing or filming children (see details below).

Regarding chance finds procedure:

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TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Whenever I encounter a physical cultural heritage at a work site, i should immediately stop work and henceforth manage the site in accordance with the chance finds procedure contained in the ESMF.

Sanctions

I understand that if I breach this Individual Code of Conduct, BIOVAX will take disciplinary action, which could include:

1. Informal warning.
2. Formal warning.
3. Additional Training.
4. Loss of up to one week's salary.
5. Suspension of employment (without payment of salary/contract fees), for a minimum period of 1 month up to a maximum of 6 months.
6. Termination of employment.
7. Reporting to the police if warranted.

I understand that it is my responsibility to ensure that the environmental, social, health and safety standards are met. I will adhere to the occupational health and safety management requirements and avoid actions or behaviors that could be construed as SEA/SH or VAC. Any such actions will be a breach this Individual Code of Conduct. I do hereby acknowledge that I have read the foregoing Individual Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to OSH, SEA/SH and VAC issues. I understand that any action inconsistent with this Individual Code of Conduct or failure to act mandated by this Individual Code of Conduct may result in disciplinary action and may affect my ongoing employment.

Signature: _____ Printed Name: _____ Title: _

Date: _____

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Annex 2: Incident Investigation Form

OSH Incident Investigation Form

Classification of Accident (Indicative, Serious, Severe)

Description of the accident:

.....

Date and Time of Accident:

Location of the accident:

Source of accident alert:

Investigation Date and Time of Investigation:

Names and Status of Investigating Team

Name..... Position.....Sign.....

Name.....Position.....Sign.....

Name.....Position.....Sign.....

Complete accident investigation questionnaire and attach copies to Incident Investigation Form.

Findings of Investigation Team

Team's description of events leading up to the accident

Team's Description of the accident itself

Team's view on the causes of the accident

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Recommendation to reduce potential accident

Date..... No.....Section.....

1. Root causes.....
2. Preventive Action taken.....
3. Further Recommendation Preventive actions.....

Project coordinator: Comments and Actions to be taken or recommended to higher authority:.....

Signature..... Date.....

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Annex 3: Public Service Grievance Form

**PUBLIC SERVICE COMMISSION GRIEVANCE PROCEDURE
GRIEVANCE FORM – PSC GF**

Officer's Full Name	P/No.	Designation & Grade
Department		Section
Office	Tel. No.	Official E-mail Address:
		Mobile Telephone No.
Stage I		
Grievance Statement/Issues (Use attachments if necessary): Submitted to: Name:..... Head/Officer in ChargeDept/Section Date		
Date Received:		

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Response/Action taken:

Respondent's Name Designation.....

Signature: Date

Employee's response

[] I conclude my grievance and am returning the form to the Human Resource Office . [] I request that my grievance be taken to the next stage.

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

Stage II
Submitted to:..... Name: Senior Deputy Secretary (Administration) Date:
Date Received:
Response/Action taken:..... Respondent's Name Designation Signature: Date Employee's Response [] I have documented my grievance and am returning the form to the Human Resource Office [] I request that my grievance be taken to the next stage
Stage III
Submitted to the Secretary PSCK

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

TITLE:	LABOUR MANAGEMENT PROCEDURES (LMP) FOR KENYA BIOVAX INSTITUTE LIMITED	
	DOCUMENT NO.:	KBI-POL-011
	VERSION:	01
	EFFECTIVE DATE:	01/09/2026
	REVIEW DATE:	31/08/2029

13 POLICY REVIEW AND IMPROVEMENT

This policy shall be reviewed every 3 years and updated as necessary to incorporate changes in regulations, operations, and best practices.

Document Version No.	Current status	Proposed changes	Effective date of the changes
01	New document	New document	01/09/2026