

14.0 LABOR AND WORKING CONDITIONS

14.1 Scope

This chapter will describe how labor and working conditions will be managed for the Project and the requirements of IFC PS2: Labor and Working Conditions and EBRD PR2: Labor and Working Conditions will be discussed. This chapter will address the following issues:

- Legal and Policy Context
- General Condition of Service
- Non-Discrimination
- Grievance Mechanism
- Child Labor and Forced Labor
- Health and Safety
- Supply Chains

The assessment is based on the review of the following standards and documents:

- IFC PS2: Labor and Working Conditions
- EBRD PR2: Labor and Working Conditions
- International Labor Organization (ILO) Fundamental Conventions
- Turkish Labor, Health and Safety Legislation
- IFC General EHS Guidelines
- IFC EHS Guidelines for Health Care Facilities
- EBRD Sub-sectoral Environmental and Social Guidelines: Health Services and Clinical Waste Disposal

It is important to note that there will be a joint management system between MoH and ELZ A.S. during the operation of the IHC. MoH will be responsible for providing doctors and the support health personnel, and the general management of the hospital will be undertaken by the administrative staff provided by MoH. Staff other than the doctors and support health personnel will be provided by ELZ A.S who will be responsible for the management of services classified as obligatory services and optional services as described in Section 2.7.1 of *Chapter 2: Project Description*.

ELZ A.S. will be responsible for the labor and working conditions depicted in this chapter for their own construction workers during the construction phase and personnel providing support services during the operation phase.

14.2 Legal and Policy Context

14.2.1 IFC PS2 and EBRD PR2 Labor and Working Conditions

IFC PS2 and EBRD PR2 set out policies and standards of international good practice related to labor and working conditions. The objectives of the PS2 and PR2 are:

- to establish, maintain and improve the worker-management relationship,
- to promote the fair treatment, non-discrimination and equal opportunity of workers, and compliance with national labor and employment laws,

- to protect the workforce by addressing child labor and forced labor,
- to promote safe and healthy working conditions, and to protect and promote the health of workers.

The requirements of IFC PS2/EBRD PR2 are summarized in Table 14-1.

Table 14-1: Requirements under IFC PS2/EBRD PR2

PS2/PR2 Provisions	Summary of the Requirements
Working Conditions and Management of Working Relationship	
Human Resources (HR) Policy	Client to adopt a HR policy that is consistent with PS2/PR2. Under the policy, the client will inform employees of their rights. It will be clear and will be made available at start of employment.
Working Relationship	Working conditions and terms of employment will be clearly documented and communicated to employees and contracted workers.
Working Conditions and Terms of Employment	If the client is a party to a collective bargaining agreement, the terms of the agreement will be respected. Where not, working conditions and terms of employment will at least comply with national law. In addition, the client will comply with the ILO conventions on the abolition of child labor, elimination of forced labor, elimination of discrimination and freedom of association and collective bargaining.
Worker's Organizations	Where national law recognizes worker's rights to associate and bargain collectively, the client will comply with the national law and engage with worker's organizations and provide them with information needed for meaningful negotiation in a timely manner. Where the law is restrictive, the client will enable alternative means of expression, including a mechanism for grievances.
Non-Discrimination and Equal Opportunity	The employment relationship will be based on the principle of equal opportunity and fair treatment, and will not discriminate with respect to hiring, compensation, working conditions and terms of employment, access to training, promotion, termination of employment or retirement and discipline. The client will also comply with EU requirements on non-discrimination related to employment.
Retrenchment	The client will develop a plan to mitigate the adverse impacts of retrenchment in line with national law and good industry practice and based on the principles of non-discrimination and consultation.
Grievance Mechanism	The client will provide a grievance mechanism for workers, inform the workers about the mechanism at the time of hire and make it easily accessible to them. The mechanism should be transparent and well understood, and should address concerns promptly at an appropriate level of management. The mechanism should not impede access to other judicial or administrative remedies that might be available under law or through existing arbitration procedures, or substitute for grievance mechanisms provided through collective agreements.
Protecting the Workforce	
Child Labor	The client will not employ children in a manner that is exploitative, is likely to be hazardous, or to interfere with child's education, or to be harmful to child's health or development. The client will follow national laws as applicable, but children below the age of 18 will not be employed in dangerous work.
Forced Labor	The client will not employ forced labor, which consists of any work or service not voluntarily performed that is exacted from an individual under threat of force or penalty. This covers any kind of involuntary or compulsory labor, such as indentured labor, bonded labor or similar labor-contracting arrangements.
Occupational Health and Safety (OHS)	
Health and Safety	The client will provide the workers with a safe and healthy work environment, taking into account inherent risks and hazards. Steps will be taken to prevent accidents, injury and disease arising from, associated with or occurring in the course of work by minimizing the causes of hazards as far as practicable. In line

PS2/PR2 Provisions	Summary of the Requirements
	with good international industry practice, the client will address identification of hazards; provision of preventative and protective measures; training of workers; documentation and reporting of accidents, diseases and incidents; and emergency prevention, preparedness and response arrangements. The client will also comply with the relevant EU OHS requirements and when such requirements do not exist, relevant IFC OHS guidelines. Moreover, the client will maintain an OHS management system in line with good international practice.
Non-Employee Workers and Supply Chain	
Non-Employee Workers	The client will use commercially reasonable efforts to apply the requirements of PS2/PR2 to non-employee workers directly contracted, except for provisions under Retrenchment and Supply Chain in PS2 and for provisions under Retrenchment, Supply Chain and Security Personnel Requirements in PR2.
Supply Chain	The client will address child labor and forced labor in its supply chain consistent with the provision under Child Labor and Forced Labor.

14.2.2 ILO Fundamental Conventions

IFC PS2 and EBRD PR2 are in part guided by a number of ILO Conventions, and PS2 as well as PR2 require complying with four core labor standards of ILO including child labor, forced labor, non-discrimination and freedom of association and collective bargaining. Furthermore, ILO has identified eight conventions as "fundamental (or core)", covering subjects that are considered as fundamental principles and rights at work. These fundamental conventions are presented in Table 14-2, all of which are ratified by Turkey. ELZ A.S. will comply with the requirements of these conventions during the construction and operation phases of the Project.

Table 14-2: ILO Fundamental Conventions

Convention Name	Key Provisions
C29: Forced Labor (Ratification by Turkey: 1998)	<ul style="list-style-type: none"> Forced or compulsory labor not permitted Existing practices to be suppressed in the shortest possible time Regulated by governments that are signatories to the convention
C 87: Freedom of Association and Protection of the Right to Organize (Ratification by Turkey: 1993)	<ul style="list-style-type: none"> Workers and employers have the right to establish and join organizations of their choice, subject to the rules of the organization concerned Regulated by governments that are signatories to the convention
C98: Right to Organize and Collective Bargaining (Ratification by Turkey: 1952)	<ul style="list-style-type: none"> Workers to be protected against anti-union discrimination in the workplace Worker's and employer's organizations to be protected from acts of interference Regulated by governments that are signatories to the convention
C 100: Equal Remuneration (Ratification by Turkey: 1967)	<ul style="list-style-type: none"> Men and women to receive equal remuneration for work of equal value, consistent with the provisions of the applicable remuneration methods Regulated by governments that are signatories to the convention
C 105: Abolition of Forced Labor (Ratification by Turkey: 1961)	<ul style="list-style-type: none"> Forced labor not to be used for political ends, for economic gain, as a form of discipline or punishment, or in the context of discrimination Regulated by governments that are signatories to the convention
C111: Discrimination (Ratification by Turkey: 1967)	<ul style="list-style-type: none"> Equal opportunity in respect of employment and opportunity to be pursued in a manner appropriate to national practice Discrimination based on race, color, sex, religion, political opinion, nationality not permitted Exclusion or preference in respect of the requirements of a specific job is not discrimination Regulated by governments that are signatories to the convention
C138: Minimum Age (Ratification by Turkey: 1998)	<ul style="list-style-type: none"> Child labor to be progressively abolished where it is still practiced Signatories to determine a locally appropriate minimum age, not less than 15 years or 14 in specific circumstances Regulated by governments that are signatories to the convention

Convention Name	Key Provisions
C182: Worst Forms of Child Labor (Ratification by Turkey: 2001)	<ul style="list-style-type: none"> • Elimination of child exploitation through slavery, prostitution, pornography, illicit services or work which is harmful to health, morals or safety • Regulated by governments that are signatories to the convention

14.2.3 Turkish Health and Safety Regulations

IFC PS2 and EBRD PR2 require complying with the national laws and regulations that are applicable to projects with regard to labor and working conditions and health and safety. An EHSS legislation review has been undertaken as part of the ESIA study (see Annex B) including review of the Turkish Labor Law and Occupational Health and Safety Legislation as listed below:

- Labor Law (Official Gazette-OG- Date/Number: 10.6.2003/25134)
- Occupational Health and Safety Law (OG Date/Number: 30.06.2012/28339)
- Regulation on the Minimum Wage (OG Date/Number: 01.08. 2004/25540)
- First Aid Regulation (OG Date/Number: 22.05.2002/24762)
- Regulation on Working Duration Related to Labor Law (OG Date/Number: 06.04.2004/25425)
- Regulation on Excess Work and Work in Excess Periods (OG Date/Number: 06.04.2004/25425)
- Regulation on Special Principles in Works Carried out by Employing Workers in Shifts (OG Date/Number: 07.04.2004/ 25426)
- Occupational Health and Safety Risk Assessment Regulation (OG Date/Number: 29.12.2012/28512)
- Regulation on the Provisions of Occupational Health and Safety Training of Employees (OG Date/Number: 15.05.2013/28648)
- Occupational Health and Safety Services Regulation (OG Date/Number: 29.12.2012/28512)
- Communiqué on Danger Class Lists Related to Occupational Health and Safety (OG Date/Number: 26.12.2012/28509)
- Regulation on Duties, Authority, Responsibilities and Trainings of Occupational Health and Safety Specialists (OG Date/Number: 29.12.2012/28512)
- Regulation on the Occupational Health and Safety Boards (OG Date/Number: 18.01.2013/28532)
- Regulation on the Health and Safety Measures to be taken in Workplace Buildings and Additions (OG Date/Number: 17.07.2013/28710)
- Regulation on Health and Safety at Construction Works (OG Date/Number: 05.10.2013/28786)
- Regulation on the Tasks, Authority, Responsibility and Education of On-Site Doctor and Other Health Personnel (OG Date/Number: 20.07.2013/28713)
- Regulation on Health and Safety Requirements in the Use of Work Equipment (OG Date/Number:25.04.2013/28628)
- Regulation on Manual Handling (OG Date/Number: 24.07.2013/28717)
- Regulation on Fire Protection of Buildings (OG Date/Number: 19.12.2007/26735)
- Regulation on the Emergency Cases in Workplaces (OG Date/Number: 18.06.2013/28681)
- Regulation on the Use of Personal Protective Equipment in Workplaces (OG Date/Number: 02.07.2013/28695)

- Regulation on Safety and Health Signs (OG Date/Number: 11.09.2013/28762)
- Regulation on the Protection of the Workers against Risks Relevant to Noise (OG Date/Number: 28.07.2013/28721)
- Regulation on the Protection of the Workers against Vibration Risks (OG Date/Number: 22.08.2013/28743)
- Regulation on Occupational Health and Safety in Temporary or Fixed Term Employment (OG Date/Number: 23.08.2013/28744)
- Regulation on Suspension of Work in Workplaces (OG Date/Number: 30.03.2013/28603)
- Regulation on Health and Safety Measures in Works with Carcinogenic and Mutagenic Substances (OG Date/Number: 06.08.2013/28730)
- Regulation on Health and Safety Measures in Works with Chemical Substances (OG Date/Number: 12.08.2013/28733)
- Regulation on Protection of Workers from Dangers of Explosive Environments (OG Date/Number: 30.04.2013/28633)
- Regulation on the Prevention of Exposure Risks from Biological Agents (OG Date/Number: 15.06.2013/28678)
- Regulation on the Works in Which Workers shall Work Maximum Seven and Half Hours or Less in a Day in Terms of Health Rules (OG Date/Number: 16.07.2013/28709)
- Regulation on Radiation Safety (OG Date/Number: 24.03.2000/23999)
- Regulation on the Working Principles and Radiation Dosage Limits of the Personnel Working with Ionizing Radiation Resources in Health Services (OG Date/Number: 05.07.2012/28344)
- Regulation on Safe Transportation of Radioactive Substances (OG Date/Number: 08.07.2005/25869)

14.2.4 ELZ A.S. HR Policy

ELZ A.S. will develop an HR Policy as part of the Environmental and Social Management System (ESMS) which will be an Integrated Management System that will cover environmental, health and safety and social issues for the construction and operation phases.

ELZ A.S. will fulfill the requirements of IFC PS2 and EBRD PR2 by adopting and implementing an HR policy appropriate to its size and workforce during the construction and operation phases of the Project.

14.3 General Conditions

14.3.1 Employment Contract

IFC PS2 and EBRD PR 2 require documenting and communicating to all employees their working conditions and terms of employment, including their entitlement to wages and any benefits. According to Turkish Labor Law, the employer is required to have a written contract with the employees for employment with duration of one year or more. In cases when a written contract is not made, the employer is under obligation to provide the employee with a written document, within two months at the latest, showing the general and special conditions of work, the daily or weekly working time, the basic wage and any wage supplements, the time intervals for remuneration, the duration (if it is a fixed term contract) and conditions concerning the termination of the contract.

ELZ A.S will have a written contract with all employees complying with the requirements of the Turkish Labor Law and therefore will fulfill the requirements of PS2 and PR2 with regard to employment contracts.

14.3.2 Working Hours

Regarding working hours and conditions, ELZ A.S. will comply with the Turkish laws and regulations. According to Regulation on Working Duration Related to Labor Law, the maximum working duration is 45 hours a week, and the daily working duration cannot exceed 11 hours in any case. According to Regulation on Excess Work and Work in Excess Periods, excess work is defined as “those works that exceed 45 hours a week”, and work in excess periods is defined as “those works that are lower than 45 hours a week according to a contract and when the work exceeds this working period set in the contract and becomes 45 hours a week”. Pursuant to article 4 of the subject regulation, the wage for each hour of the excess work is paid by increasing the hourly wage of normal working condition by 50%, and the wage for each hour of the work in excess periods is paid by increasing the hourly wage of normal working condition by 25%.

ELZ A.S. will ensure to communicate to all employees and workers the working durations including the conditions and wages related to excess works as appropriate.

14.3.3 Non-Discrimination

ELZ A.S. will strictly prohibit discrimination against any employee or applicant for employment because of the individual’s race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, disability, veteran’s status or any other characteristic protected by law.

Turkish Labor Law forbids discrimination due to race, language, gender, political views and opinion and religion. In accordance with the equal treatment principle covered in Article 5 of the Turkish Labor Law, employers should treat part-time workers with the same rights as full-time workers and indefinite period workers with the same rights as definite period workers unless there are genuine reasons for not doing so. As ELZ A.S. will comply with the Turkish Labor Law and will base the employment relationships on the principle of equal opportunity and fair treatment, the Turkish standards will fulfill the requirements of PS2 and PR2 with regard to avoiding non-discrimination.

14.3.4 Grievance Mechanism

IFC PS2 and EBRD PR2 require providing a grievance mechanism for workers and their organizations, where they exist to raise reasonable workplace concerns. ELZ A.S. will develop an ESMS for the construction and operation phases where grievances of employees related to environment, health and safety issues are handled and the workers are informed about the grievance mechanism at the time of employment. The grievances can be raised anonymously and reviewed in one week intervals followed by initiation of corrective action within two days for grievances with high importance.

14.3.5 Child Labor and Forced Labor

Turkish Labor Law sets provisions related to child labor and forced labor. According to the Turkish Labor Law, it is forbidden to employ children under the age of fifteen. Children and young employees under the age of eighteen must not be employed on industrial work during the night. Young employees who have not reached the age of sixteen years, children and workers who have not received relevant occupational training for the work they are responsible for must not be employed on heavy and dangerous work. Forced labor is prohibited by the Turkish Labor Law. ELZ A.S. will comply with the provisions of Turkish Labor Law with regard to child labor and forced labor.

14.3.6 Non-Employee Workers and Supply Chains

In accordance with IFC PS2 and EBRD PR2, ELZ A.S. will use commercially reasonable efforts to apply the requirements of PS2 and PR2 to non-employee workers directly contracted by ELZ A.S., except for provisions of PS2 and PR2 under HR policy, retrenchment and supply chain. Contracts including the health, safety and environmental requirements will be signed with all sub-contractors. ELZ A.S. will also address child labor and forced labor in its supply chain consistent with the provisions of PS2/PR2 under child labor and forced labor, and as defined in Section 14.3.5. The third party employers will be managed and monitored by procurement procedure that includes assessment of the third party performance.

14.4 Specific Conditions for Service

14.4.1 Accommodation during Construction

ELZ A.S. will manage the accommodation of workers and provide basic services to workers in line with the provisions of IFC PS2 and EBRD PR2 and also follow the guidance note on worker's accommodation published by IFC and EBRD (Worker's Accommodation: Processes and Standards). During the construction phase, ELZ A.S. will provide appropriate facilities to those employees who will need on-site accommodation. Workers' accommodation arrangements will not restrict workers' freedom of movement or of association.

Accommodations will meet national legislation and international good practice. According to the Guidance Note by IFC and the EBRD, giving special attention to the following issues¹ with regard to housing is expected:

- Minimum space allocated per person (floor area; cubic volume; or size and number of rooms),
- Supply of safe water in the workers' dwelling in such quantities as to provide for all personal and household uses,
- Adequate sewage and garbage disposal systems,
- Appropriate protection against heat, cold, damp, noise, fire and disease-carrying animals, and in particular, insects,

¹ILO Workers' Housing Recommendation 115

- Adequate sanitary and washing facilities, ventilation, cooking and storage facilities and natural and artificial lighting,
- A minimum degree of privacy both between individual persons within the household and for the members of the household against undue disturbance by external factors,
- Necessary provisions for any health, fire safety or other hazards or disturbances and local facilities as well as the provision of first aid and medical facilities,
- Workers freedom of movement to and from the employer-provided accommodation shall not be unduly restricted.

14.4.2 Health and Safety

Occupational health and safety considerations during the construction of the IHC are common to those of most civil construction facilities. The health and safety hazards during the IHC operation may affect healthcare providers, cleaning and maintenance personnel and workers involved in waste management handling, treatment and disposal. Healthcare facility specific hazards have been highlighted to include: exposure to infections and diseases, exposure to hazardous materials/waste, exposure to radiation and fire safety. The potential impacts are discussed in Section 14.5.

IFC PS2 and EBRD PR2 requires providing the workers with a safe and healthy work environment, taking into account inherent risks and hazards specific to the work. ELZ A.S will develop an ESMS covering OHSAS 18001:2007 requirements for the management of health and safety issues. The management system will ensure that all applicable health and safety legislation is met during the construction phase and operation phase. The mitigation measures discussed in Section 14.6 will be part of the ESMS procedures and related instructions for the construction and operation phases.

14.5 Impacts

Construction Phase

The construction activities will pose certain health and safety risks for the employees involved. These risks will include physical hazards (i.e. use of machinery and vehicles, working with moving machinery and vehicles, working at heights), chemical hazards (i.e. direct contact with fuels, chemicals or contaminated soil), dust emissions resulted by excavation and noise emissions (vehicular traffic and machinery operation).

The impacts associated with these activities are expected to be of minor significance considering that health and safety management system will be implemented during the construction phase which will ensure the identification of intrinsic risks associated with the activities, regular training of the workers, provision of appropriate personal protective equipment and presence of emergency response plans.

The implementation of ESMS during construction phase of the Project will minimize the impacts to the extent possible and will ensure safe working conditions for the workers.

Operation Phase

The operation activities will pose specific health and safety risks for the employees involved in the IHC. These potential risks are summarized as follows:

- Biological risks from exposure to general infections, blood-borne pathogens and other potential infectious materials during care and treatment, as well as during collection, handling, treatment and disposal of healthcare waste,
- Chemical risks from exposure to drugs used in cancer treatments, hazardous materials and waste including specific toxic chemicals and gases used in sterilization of medical equipment, formaldehyde, mercury (exposure from broken thermometers), solvents, and photographic chemicals,
- Physical risks such as ionizing radiation from equipment emitting X-rays and gamma rays (e.g. CT scanners), radiotherapy machines and equipment for nuclear medicine activities,
- Ergonomic risks, for example, patient handling
- Psychosocial risks including violence and shift work.

Healthcare facilities may be under fire risks due to the storage, handling, and presence of chemicals, pressurized gases, boards, plastics and other flammable substances.

Spread of infectious diseases represents a major risk during IHC operational phase. Infectious diseases may occur due to improper waste management practices (especially medical waste) and through air conditioning systems and poor sterilization, primarily during operations and medical treatment. Within the scope of services to be provided by ELZ A.S., there will be cleaning, disinfection and sterilization services as described in *Chapter 2: Project Description* which will minimize the risk of infectious diseases.

Retrenchment of MoH Employees and Non-MoH Employees in case of a Hospital Closure

Apart from the impacts during construction and operation phases of the Project, there may be a need for retrenchment of MoH staff in case hospitals are closed in Elazig. As explained in detail in *Chapter 2: Project Description*, there are plans in Elazig province to close and/or move some of the hospitals either in full or partly and/or to make alterations in the existing hospitals, however this is not only related to Elazig IHC Project but rather related to create a more efficient health service in Elazig province. Based on consultation made with Elazig Provincial Directorate of Health, the planning at the provincial level is still ongoing for the existing hospitals, and although there are plans, these are not yet officially approved.

Based on the above information, it is not certain at this stage whether any retrenchment will occur as a result of the Elazig IHC Project. However, if any retrenchment occurs due to the reason that any hospital is closed in full or partly as a result of Elazig IHC Project, it is expected that MoH will apply its own relocation policy for its own employees and the non-MoH employees will be treated in accordance with the Labor Law as per their employment contracts. However, the significance of the impact of the retrenchment can only be identified when there is more information about retrenchment of non-MoH employees.

It is important to note that ELZ A.S. has no responsibility for that possible retrenchment of MoH and non-MoH employees.

14.6 Mitigation Measures

The following mitigation measures will be applied to manage labor and working conditions during construction and operation phases of the Project including the health and safety of the employees:

- An ESMS that considers OHSAS 18001:2007 requirements will be developed for both construction phase and operation phase.
- An HR policy for ELZ A.S. will be developed.
- Workers will have contracts in place prior to commencement setting out working conditions, terms of employment and EHS responsibilities.
- All applicable national health and safety legislation and international regulations will be followed.
- All the health and safety risks of each activity during construction and operation will be identified followed by identification of the appropriate mitigation measures/personal protective equipment. These issues will be detailed in an Occupational Health and Safety Management Plan that will be separately prepared for both phases of the Project.
- A grievance mechanism will be developed for employees and included in the ESMS. Employees will be informed about this mechanism at the time of hiring. Grievance mechanism will be extended to non-employee workers in future.
- Subcontractors will also be required to follow the requirements of IFC PS2 and EBRD PR2. Contracts to be signed with subcontractors will include EHS requirements. A Subcontractor Management and Monitoring Plan will be prepared and implemented.
- All workers (including subcontractors) will be trained on health and safety, and Emergency Preparedness and Response Plan to respond timely to the incidents.
- All workers will be insured under Social Security Institution.
- All accidents and incidents will be recorded. The efficiency of health and safety practices will be monitored through internal and external audits and corrective actions will be taken if required.

Of specific to construction phase, the following mitigation measures will also apply:

- Workers' accommodation will be managed in line with the provisions of IFC PS2 and EBRD PR2 provisions and the guidance note on worker's accommodation published by IFC and EBRD (Worker's Accommodation: Processes and Standards), and a relevant procedure will be set out in the ESMS. A Construction Camp Management Plan will be developed by ELZ A.S.
- Dust emissions will be minimized to the extent possible with the implementation of mitigation measures mentioned in *Chapter 9: Air Quality*.
- Workers (including subcontractors) will be provided safety briefings every day before the work starts and provided with necessary personal protective equipment.
- Work permits will be required for high risk activities such as working at heights, operation of heavy equipment and similar.

Of specific to operation phase, the risk and mitigation measures will ensure that the following items are considered at a minimum:

- Development of a comprehensive plan to control radiation exposure
- Formulation of an Exposure Control Plan for blood-borne pathogens. In addition, staff members will be informed on infection control policies.
- Minimization of risks from hazardous material and hazardous wastes by appropriately following the Hazardous Material Management Plan, Waste Management Plan and Health Care Waste Management System (HWMS). These plans will be developed, implemented and monitored.
- Immunization for staff members, provision of necessary personal protection equipment for personnel involved in waste management, provision of necessary hand washing facilities.
- A Radioactive Substance Management Plan will be developed and implemented.

In addition, fire safety measures will be taken by performing the following steps at a minimum:

- The IHC will be designed, constructed, and operated in full compliance with the Regulation on the Protection of Buildings from Fire (OG Date/Number: 19.12.2007/26735).
- When local standards are not sufficiently detailed and are incomplete, internationally accepted life and fire standards (NFPA standards, IBC Codes and EN standards) will be applied. For this reason, mapping of Turkish requirements for life and fire safety will be conducted by ELZ A.S. in order to identify the areas of improvement and incorporate them into the design based on the international standards. ELZ A.S. will demonstrate that the buildings as well as life and fire safety systems and equipment will be designed and installed appropriately at the facilities.
- A Life and Fire Safety Plan will be prepared identifying major fire risks, applicable codes, standards and regulations, and mitigation measures. This plan will need to be approved prior to the construction of the facilities to ensure the compliance with local and international standards.
- Regulation on Protection of Buildings from Fire brings forward detailed requirements for the design and operation of the facilities taking fire prevention issues (i.e. fuel load and control of combustibles), means of egress, and detection of alarm systems, compartmentalization, fire control and suppression into account as required by IFC EHS Guidelines for Health Care Facilities.

Of specific to retrenchment, the following measures can be implemented:

- MoH will apply its own Relocation Policy for its own staff based on Turkish law. It is not clear at this stage whether MoH will develop a Retrenchment Plan (ELZ A.S. has no responsibility and control on the development of the Retrenchment Plan).
- Service provider of ELZ A.S. will provide equal employment opportunities to the non-MoH employees of the closed hospitals during its recruitment process.

14.7 Residual Impacts

If the ESMS is implemented properly during construction phase and operation phase which will cover the implementation of all mitigation measures mentioned above and ensure compliance with Turkish regulatory requirements, the residual impact is considered to be insignificant to of minor significance. The residual impacts related with the retrenchment of staff is not clear at this stage due to the fact that the closure of hospitals is not clear yet and if any hospital is to be closed, it is also not clear at this stage how many MoH staff and how many non-MoH staff will be affected.

14.8 Summary of Analysis Outcome

ELZ A.S. will fulfill the requirements of PR2/PS2 by adopting and implementing an HR policy appropriate to its size and workforce during the construction and operation phases of the Project. A sound worker-management relationship will need to be established and maintained in line with the relevant national legislation and PR2/PS2 requirements. A grievance mechanism will be developed for employees.

ELZ A.S will develop an Environmental and Social Management System covering OHSAS 18001:2007 requirements for the management of health and safety issues. The management system will ensure that all applicable national health and safety legislation as well as the requirements of PR2/PS2, IFC EHS General Guidelines and IFC EHS Guidelines for Health Care Facilities for the operational stage are met during construction and operation phases of the Project.

Subcontractors will also be required to follow the requirements of PR2/PS2 and contracts to be signed with subcontractors will include EHS requirements. Accordingly, a Subcontractor Management and Monitoring Plan will be prepared and implemented.

Of specific to operation phase, an Exposure Control Plan for blood-borne pathogens and Radioactive Substance Management Plan will be developed and implemented.

In case of a hospital closure, MoH will apply its own Relocation Policy for its own staff based on Turkish law. It is not clear at this stage whether MoH will develop a Retrenchment Plan (ELZ A.S. will have no responsibility and control on the development of such a Retrenchment Plan). During its recruitment process, Service Provider of ELZ A.S. will provide equal opportunity to the non-MoH employees of the closed hospitals, if any.