



RECRUITMENT OF A GENDER AND SOCIAL INCLUSION CONSULTANT (INFRASTRUCTURE DEVELOPMENT PROJECT)

MILLENNIUM CHALLENGE ACCOUNT – MALAWI (MCA – MALAWI)

BACKGROUND

The Government of Malawi established the Millennium Challenge Account-Malawi (MCA-Malawi) to oversee, manage and implement multiple projects aimed at stimulating economic growth and reducing poverty in Malawi. These projects are funded by the Millennium Challenge Corporation (MCC), a U.S. government agency focused on assisting countries dedicated to good governance, economic freedom, and investments in people. Countries that meet MCC's rigorous selection criteria and propose an economically sound program that specifically addresses the country's key growth constraints may enter into a Millennium Challenge Compact with MCC.

In April 2011, MCC agreed to a \$350.7 million Compact, which entered into force on September 20, 2013 and is now in the third year of implementation. The Compact aims to revitalize Malawi's power sector by upgrading electricity infrastructure and improving the performance of key institutions responsible for the electrical power sector. The program is intended to reduce outages and system losses, improve efficiency of hydropower generation, improve service delivery to electricity consumers, and create an enabling environment for private sector investment and expansion of electrification.

Gender and Social Inclusion is an integral part of the Compact. Under the stewardship of the Gender and Social Inclusion Director, MCA-Malawi is implementing a Gender and Social Integration Plan (GSIP) for the duration of the Compact. The GSIP is aimed at contributing to the goal of poverty reduction through economic growth by facilitating effective inclusion of gender and social perspectives in all the stages and components of the Compact. This includes ensuring that the

inclusion of gender and social considerations permeates institutional mechanisms and the three projects that are at the centre of the Compact, namely: Infrastructure Development Project (IDP), Environment and Natural Resources Management Project (ENRMP) and Power Sector Reform Project (PSRP). The GSIP meets the requirements of the MCC Gender Policy, 2011, which provides guidance to partner countries regarding their responsibilities for inclusion of gender into all stages of Compact development and implementation. It is also consistent with MCC Gender Integration Guidelines, 2011, which offer specific operational guidance on gender and social inclusion in the Compact development and implementation phases.

It within this context that MCA – Malawi would like to recruit two full time consultants to support the functions of the Gender and Social and Gender Inclusion Directorate as follows:

ABOUT THE INFRASTRUCTURE DEVELOPMENT PROJECT

The Infrastructure Development Project focuses on the most urgent rehabilitation, upgrade and modernization needs of the power system. The project will preserve and stabilize existing generation capacity, improve capacity of the transmission and distribution network and increase the efficiency and sustainability of hydropower generation. The general construction process involves establishing access to the sites, clearing the Right of Way, preparing the foundations for the steel lattice towers, erecting the towers, installing insulators, and stringing conductors. In relation to access to sites and clearing the Rights of Way, MCA-Malawi has first had to ensure that community members whose land is affected by the project are fairly compensated, and that that social and gender inclusion is manifested in Resettlement Action Plans and their implementation. The aim has been to ensure that all Project Affected Persons' (PAPs) livelihoods are restored in accordance to IFC Performance Standards.

The Infrastructure Development work is being implemented through nine main Contractors. These contractors have different construction projects regarding the rehabilitation of Nkula A Hydro Power Station, establishment of overhead transmission lines, the construction of new Substations, and the rehabilitation of old Substations. The construction projects are happening in and affecting several communities across Malawi. Environmental and Social Management Plans (ESMPs) that were developed in respect of respective construction projects acknowledge that the projects will have both positive and negative impacts on surrounding communities. Therefore, as part of their contractual obligations, each Contractor is required by MCA-Malawi to develop site specific ESM plans and strategies in order to address project risks and social & gender requirements in the specific site related to:

- a) Trafficking In Persons
- b) Child Labour
- c) Sexual Harassment and Gender Based Violence;
- d) HIV and AIDS;
- e) Recruitment and Workers' Rights;
- f) Women's Economic Empowerment (Non-Formal Employment); and
- g) Community Relations.

REPORTING RELATIONSHIP

Based at MCA – Malawi’s offices in Lilongwe, the Consultant will be reporting to MCA – Malawi’s Gender and Social Inclusion Director

JOB PURPOSE:

The Consultant will be providing support to the Social and Gender Inclusion Director in addressing Gender and Social inclusion related concerns in MCA- Malawi’s Infrastructure Development Project.

CONSULTANCY DURATION

Based on 20 consultancy days per month, the Consultant will be engaged for a period of up to 20th September 2018.

CONSULTANT’S RESPONSIBILITIES

- 1. Support the GSI Director to ensure that the Contractors involved in the Infrastructure Development Project are implementing specific Gender and Social Inclusion commitments and requirements in the following areas:**

a) Trafficking In Persons

MCC has a zero tolerance policy with regards to Trafficking In Persons (TIP) on MCC funded projects. Infrastructure development is associated with incidences of human trafficking. Under its Gender and Social Integration Plan, MCA-Malawi has the obligation to ensure the enforcement of MCC’s anti- TIP policy in various construction projects under the Compact in addition to facilitating the implementation of Malawi’s Trafficking In Persons Act No. 3 of 2015. In this regard, the Consultant will be required to ensure that Contractors’ TIP prevention and mitigation plans are being comprehensively implemented, and this implies:

- i. Monitoring the Contractors’ implementation of TIP training and awareness activities for different stakeholders, and ensuring that the implementation is aligning with the Contractors’ TIP prevention and mitigation plans.
- ii. Monitoring Contractors’ recruitment practice and systems, especially with regards to low skill and unskilled labor to ensure that there are no loopholes that can facilitate TIP. This includes ensuring the maintenance of documentation by Contractors regarding terms and conditions under which such employees were hired, work hours/breaks, days off and wages related issues.
- iii. Monitoring the working environment for Contractors’ staff to ensure that Contractors’ are complying with MCA-Malawi’s requirements under the Checklist for the Trafficking In Persons Prevention and Mitigation Plan that was developed to guide Contractors’ TIP management.
- iv. Monitoring the extent to which Contractors are including specific language in employee contracts regarding TIP obligations and/or prohibitions as recommended by the Checklist for the Trafficking In Persons Prevention and Mitigation Plan that was developed to guide Contractors.

- v. Ensuring the presence of clear and functional systems (within and outside the company) for managing TIP reporting and response both by employees and community members as guided by MCA-Malawi's Checklist for the Trafficking in Persons Prevention and Mitigation Plan. Ensuring that Contractors have systems for monitoring their subcontractors with regards to TIP.
- vi. Monitoring the functionality of systems that are in place for Contractors to support and assist victims of TIP and to protect whistleblowers.
- vii. Monitoring the usage of the locked box that all Contractors are required to have for the anonymous reporting of TIP by employees; and accessing the contents of the box from time to time.
- viii. Monitoring the implementation and status of TIP investigations affecting respective Contractors.
- ix. Receiving reports from Contractors' of any action that violates MCC's TIP policy and national legislation against TIP generally.
- x. Conducting visits to construction/camp sites, and receiving direct feedback from Contractors' employees regarding the Contractor's management of TIP, and ensuring that Contractors have created an enabling environment for receiving such feedback.
- xi. Ensuring that Contractors are maintaining and submitting monthly sex disaggregated (qualitative and quantitative) records of any reports of suspected cases of TIP.
- xii. Consolidating Contractors' periodic case reports that document TIP cases from reporting to conclusion, and collaborating with the Communications and Outreach Directorate in respect of repackaging the information into a variety of Information Education and Communication materials.
- xiii. Where not reported by a Contractor, following up with Contractors on TIP reported cases to see if any action has been taken after reporting, and the end result of any such action (including action pursued by other stakeholders such as police).

b) Child Labour

The Consultant will be responsible for:

- i. Monitoring the Contractors' implementation of anti-child labor training and awareness activities for different stakeholders, and ensuring that the implementation is aligning with the Contractors' child labour prevention and mitigation plans.
- ii. Monitoring the effectiveness of measures that Contractors have instituted in order to detect and prevent child labor during hiring and in the workplace; as well as to detect community members that are directly or indirectly using child labor in relation to the opportunities that have brought by the Contractors' projects.
- iii. Monitoring the availability and functionality of Contractors' mechanisms for employees and communities to confidentially report child labour violations.
- iv. Monitoring the implementation of Contractors' child labour response protocols in instances where child labour incidents are discovered in the workplace, or where a local worker, supplier or anyone that has dealings with the company is using child labour.

- v. Monitoring the mechanisms that are in place for Contractors to track child labor issues and communicating to key authorities.
- vi. Monitoring how contractors are periodically assessing the effectiveness of their various anti-child labour interventions.
- vii. Ensuring that Contractors are maintaining and submitting sex disaggregated (qualitative and quantitative) monthly records of any reports about child labour incidences, including child labour detection, type of responses taken, and outcomes.
- viii. Consolidating child labour data and reports from Contractors (sex disaggregated), and collaborating with the Communications and Outreach Directorate in respect of repackaging the information into a variety of Information Education and Communication materials.

c) Sexual Harassment and Gender Based Violence

The Consultant will be responsible for:

- i. Monitoring the Contractors' implementation of anti-sexual harassment training and awareness activities for different stakeholders, and ensuring that the implementation is aligning with the Contractors' Sexual Harassment and Gender Based Violence Policy.
- ii. Monitoring the effectiveness of mechanisms are in place to ensure that both staff and third parties that have dealings with the work place are knowledgeable about the company's anti-sexual harassment policy, and that they are able to report sexual harassment incidences.
- iii. Monitoring how prescribed consequences of sexual harassment (immediate investigation, warning, suspension and/or potential termination of the contract and involvement of the police and the courts for the more serious offences such as sexual assault) are being effectively implemented and applied uniformly across different cadres of staff.
- iv. Assessing the effectiveness and transparency of structures that Contractors have put in place to receive reports, investigate and hear sexual harassment complaints (and referrals where necessary) as prescribed by MCA-Malawi's Checklist for Contractors' Sexual Harassment and Gender Based Violence policies.
- v. Monitoring the functionality of systems that are in place for Contractors to support and assist victims of sexual harassment and to protect both victims and witnesses, especially during reporting and investigation.
- vi. Ensuring that Contractors have sound mechanisms for monitoring their own compliance with the anti-sexual harassment policy, providing adequate oversight of the workplace and associated locations such as work camps, and monitoring the functionality of their monitor reporting procedures.
- vii. Monitoring the relevance and effectiveness of mitigation and prevention measures for acts of Gender Based Violence (GBV) that are covered in the Contractors' Sexual Harassment and GBV policy, including essential services for victims of GBV.
- viii. Monitoring the extent to which coordination mechanisms with local NGOs, district authorities and in sexual harassment and GBV interventions for staff and communities are operational.
- ix. Ensuring that Contractors have and are monitoring different mitigation steps for specific risks that the project brings in terms of women and girls safely moving from home to schools,

clinics, markets, and places of work etc.

- x. Monitoring the effectiveness of mechanisms are in place to ensure that both staff and communities are knowledgeable about the company's anti-GBV policy, and that they are able to report incidences.
- xi. Ensuring that Contractors are maintaining and submitting sex disaggregated (qualitative and quantitative) monthly records of any reports about sexual harassment management, including: reported incidences; sex disaggregated data about number of staff and/or subcontractors who are aware of the sexual harassment policy and reporting procedures and those who are attesting to reduction or absence of sexual harassment; and victims' level of satisfaction with processes for dealing with sexual harassment within the company.
- xii. Ensuring that Contractors are maintaining and submitting sex disaggregated (qualitative and quantitative) monthly records regarding their GBV response.

d) HIV and AIDS

The Consultant will be responsible for:

- i. Monitoring the Contractors' implementation of HIV and AIDS training and awareness activities for different stakeholders, and ensuring that the implementation is aligning with each Contractor's HIV and AIDS Prevention and Management Plan.
- ii. Visiting contractors' construction sites from time to time for purposes of attending scheduled HIV and AIDS campaigns and monitoring the state of any interventions that the Contractors are supposed to implement on-site.
- iii. Monitoring the effectiveness of any partnerships that Contractors are engaging for different HIV and AIDS services (such as STI and HIV screening/voluntary testing, diagnosis, counseling and treatment for the Contractor's workforce), as well as community structures that are being involved in HIV and AIDS interventions.
- iv. Ensuring that Contractors are using gender sensitive indicators to monitor the implementation and impact of the HIV and AIDS activities at the levels of (a) Contractor's workforce and (b) communities.

e) Recruitment and Workers' Rights

- i. Monitoring the effectiveness of mechanisms for targeted recruitment that Contractors' are deploying in order to recruit local women and men, and to reach out to women more especially; and whether such mechanisms are discrimination free.
- ii. Monitoring the implementation and effectiveness of public outreach tools and recruitment strategies that are aimed at increasing women participation across various labor categories, and whether this is in line with the Contractors' Checklist for Recruitment and Workers' Rights Guidelines developed by MCA-Malawi.
- iii. Monitoring mechanisms that are in place to create a friendly environment for women employees to work in as recommended under the Contractors' Checklist Recruitment and Workers' Rights Guidelines, and how such mechanisms are operational in practice.
- iv. Maintaining consolidated and up-to-date sex disaggregated database for all cadres of employees for all Contractors as prescribed in the Contractors' Checklist for Recruitment and

Workers' Rights Guidelines (including disaggregation on the basis of age, disability, religion, ethnicity).

- v. Conducting random interviews with lower cadres of male and female employees across all Contractors to appreciate employment practices in various work places, including: in relation to workers contracts; verifying if employees get itemized pay slips that align with company files and whether the structuring of wages is non-discriminatory (for work of equal value); verifying if there is common knowledge of workers rights; verifying if the needs of both women and men is being addressed by occupational health and safety measures that are in place.
- vi. Monitoring the Contractors' implementation of interventions related to workers' rights and responsibilities, and ensuring that the implementation is aligning with the Contractors' Checklist for Recruitment and Workers' Rights Guidelines.
- vii. Monitoring the extent to which Contractors are implementing skills development so as to provide basic training to locally hired unskilled men and women, and more particularly to deliberately equip women with basic skills in operating machinery and in other administrative duties.

f) Women's Economic Empowerment (Non-Formal Employment)

- i. Monitoring the implementation of measures that Contractors are taking to facilitate economic opportunities to women and local communities across the supply chain, and ensuring that the implementation is aligning with each Contractor's Women's Economic Empowerment (Non-Formal Employment) Plan.
- ii. Monitoring the extent to which the procurement of supplies is maximizing benefits to local, small and/or women owned businesses.
- iii. Maintaining consolidated data of opportunities for offering business supplies and services that are that are being accorded to local women and men/male and female owned businesses, disaggregated by sex and type of service and value of contract where possible.
- iv. Following up on how each Contractor's policy regarding people selling stuff around worksites (as recommended under the Checklist for Women's Economic Empowerment (Non-Formal Employment) Plan that was developed by MCA-Malawi) is working out in practice.

g) Community Relations

- i. Monitoring the effectiveness measures that Contractors are taking to implement their Community Relations Plans, including awareness raising, project marketing, public opinion monitoring/assessment, media relations, project ownership by community and staff mitigation of arising community problems etc.
- ii. Monitoring whether community structures and players that are covered in the plan are effectively contributing to its implementation.
- iii. Monitoring the effectiveness of Contractors' strategies for maximizing opportunities and addressing obstacles in respect to community relations.
- iv. Bringing to the immediate attention of the Social and Gender Assessment Director of

community grievances concerning Contractors' projects, and following up on how such grievances have been resolved.

- v. Ensuring that Contractors are taking practical and successful measures to mitigate any nuisance arising from their projects (including dust, noise etc.)
- vi. Monitoring how contractors are handling any arising claims for land compensation, compensation for arising losses of and damages to property, and personal injuries/death (both of staff and community members) due to the construction works.

2. Support the GSI Director in discharging the following overall tasks:

- a) Monitoring (a) the extent of gender and social responsiveness of the implementation of Resettlement Action Plans; (b) extra support that is dedicated towards restoring the livelihoods of vulnerable Project Affected People (PAPs); and (c) how Grievance Handling mechanisms are documenting, addressing and resolving social and gender inclusion challenges facing PAPs.
- b) Producing regular reports on field observations and recommendations following monitoring visits to Contractors' construction/camp sites.
- c) Ensuring the presence of consolidated sex disaggregated data in all areas covered by the various plans that have been developed and are being implemented by Contractors, and collaborating with the Communications and Outreach Directorate in repackaging the information into a variety of media formats.
- d) Systematically documenting of best practices, case studies and lessons emanating from the implementation of the respective plans into user-friendly publications.
- e) Conducting regular monitoring/observation visits to each Contractor's construction sites.
- f) Attending monthly review and related meetings.
- g) Collaborating with the Gender and Social Inclusion Director and the Monitoring, Evaluation and Economics Directorate to provide input in evaluation design and review of monitoring and evaluation reports in order to ensure adequate integration of gender and social considerations.
- h) Collaborate with monitoring and evaluation staff to ensure that IDP related gender-responsive indicators are included and that data collection and reporting is disaggregated by sex and income.
- i) Identifying areas where gender and social inclusion integration needs to be strengthened to improve implementation of the respective plans and providing specific and practical recommendations (including to the Consulting Engineer and Contractors); present proposals to management and/or other colleagues and follow up on implementation and proposed activities.
- j) Bringing to the immediate attention of the Gender and Social Inclusion Director any incidences of non-compliance of the respective plans by Contractors, Subcontractors or employees.
- k) Contributing to consultants' Terms of Reference and contract deliverables and the review of reports relating the Infrastructure Development Project.
- l) Supporting the budget and activity planning process, tracking and reporting on resources invested in gender and social inclusion implementation with regards to the IDP component.

- m) Supporting the Gender and Social Inclusion Director (GSI Director) in continued capacity building of MCA – Malawi staff and continued awareness raising on social and gender integration issues especially as they relate to the Infrastructure Development Project implementation.
- n) Supporting capacity building tasks as they relate to gender and social inclusion with energy agencies including ESCOM, MERA and the Ministry of Natural Resources, Energy and Mining.
- o) Ensuring that throughout project implementation, monitoring and evaluation and close out of Compact, the concerns of women and disadvantaged populations are taken into account and adequately addressed and integrated.
- p) Supporting the GSI Director with the weekly, monthly and quarterly performance reports ensuring that gender and social integration are fully addressed.
- q) Support Compact Closure process including the documentation of best practices and lessons learned in the integration of social inclusion and gender concerns in the Compact.
- r) Support closet-out processes and reports, with a focus on the Social and Gender Summary Report

REMUNERATION

The consultant will be paid a monthly all-inclusive lump-sum payment for services rendered based on time sheet and deliverables earmarked for each month.

QUALIFICATIONS

A postgraduate degree in social sciences or any related discipline (anthropology, sociology, women's studies, public policy, community development, etc.)

COMPETENCIES/ATTRIBUTES

- At least ten (10) years of experience gender and social inclusion and gender related issues in an international development context, with demonstrated expertise in gender and social analysis and practical inclusion in projects.
- At least 5 years of demonstrated experience with project management including the management of budget, team relations, timelines and risk management.
- Effective leadership with high level of organizational skills, strong negotiating skills, ability to prioritize activities and tasks, meet deadlines and work in a fast pace environment mandatory.
- Demonstrated experience working closely with civil society, NGOs/CBOs, local and national government, private sector, and other relevant stakeholders.
- Demonstrated experience in developing TORs, and managing consultants, including ensuring high quality deliverables prior to approval of payments.
- Experience supporting the inclusion of gender and social requirements in large scale infrastructure and construction projects is highly desirable.
- Demonstrated familiarity with IFC Performance Standards.

- Ability to interact constructively with technical experts from an array of fields including construction and engineering, policy and regulatory reform, environment, economics, monitoring and evaluation, etc.
- Excellent written and verbal communication skills in English including strong public speaking and presentation skills required.
- Knowledge of Chichewa, Tonga and Tumbuka languages will be an added advantage.

The job advertisement can also be accessed on the following website: www.mca-m.gov.mw

Interested individuals are requested to submit a detailed application (including qualifications, copies of certificates, CVs, and names and contact phone numbers of three referees/ organizations preferably two of whom/which they have reported to or have consulted for in their recent/current job(s)/consultancy work and an expected consultancy monthly remuneration to the following address:

**The Human Resources Manager
Millennium Challenge Account-Malawi,
P.O. Box 31513,
Lilongwe 3
Email: hrmcam@mca-m.gov.mw**

The expected remuneration should be submitted in a separate envelope clearly marked with the particulars of the applicant consultant.

Closing date for receiving applications is 12.00 hours on 13th April 2018.