**REQUIREMENTS FOR EXECUTING A PROJECT IN SIERRA LEONE FOR SUBCONTRACTORS**

**1. Introduction**
Subcontractors engaged in projects in Sierra Leone must comply with applicable national legal frameworks and international standards. This document outlines key requirements for compliance, ensuring operational integrity throughout the project.

**2. Legal and Regulatory Compliance**
**2.1 National Legal Frameworks:**

* Sexual Offences Act, 2012 (as amended 2019): Implement policies to prevent sexual harassment and assault, establish clear reporting mechanisms, and take immediate action when necessary.
* Gender Empowerment Act, 2021: Promote equal employment opportunities, adopt gender-sensitive workplace policies, and address gender-based violence.
* Gender Equality and Women's Empowerment Act, No. 23 of 2022: Enforce affirmative action measures, ensure equal pay for equal work, and eliminate gender-based wage disparities.
* Employment Act, 2023: Prohibit workplace discrimination based on gender or sexual orientation, ensure a safe working environment, and provide grievance mechanisms.

**2.2 International Standards (Subcontractors must align with):**

* CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women): Address gender-based violence, promote gender equality, and implement legal reforms to prevent discrimination.
* ILO Conventions: Uphold workers' rights, promote gender equality, ensure safe working conditions, and prevent harassment or violence.

**3. Actionable Responsibilities of Subcontractors (Subcontractors Must):**

* Workplace Policies: Develop and implement policies in line with national and international legal frameworks.
* Safe and Inclusive Environment: Ensure a workplace free from discrimination, harassment, and gender-based violence.
* Reporting Mechanisms: Provide accessible and confidential reporting systems for incidents of discrimination, harassment, or violence.
* Employee Training: Regularly train employees on gender equality, workplace safety, and anti-discrimination measures.
* Affirmative Action: Provide equal pay for equal work, ensure equal opportunities regardless of gender, and eliminate gender-based disparities.
* Documentation and Reporting: Maintain compliance records and submit periodic reports.
* Audit Cooperation: Participate in audits and evaluations conducted by the main contractor or relevant authorities.
* Talent Development: Align with the main contractor to support national talent development and provide job opportunities for local nationals.
* Gender-Based Facilities: Provide separate sanitation and rest areas for male and female workers in line with safety standards.
* CLM Framework Alignment: Work in alignment with the main contractor to achieve CLM framework objectives for sustainable development.

**4. Compliance Monitoring and Reporting**

* Submit regular compliance reports detailing adherence to legal and international standards.
* Immediately report any incidents of non-compliance and outline corrective actions.
* Participate in scheduled audits and allow the contractor to inspect documents related to compliance.
* Failure to meet compliance obligations may result in penalties, termination of the subcontract, or other legal consequences as per the contract.

**5. Statutory Compliance with Sierra Leone Labor Laws**
**5.1 Minimum Wage and Remuneration**

* Adhere to the statutory minimum wage.
* Ensure a clear salary structure, including allowances, bonuses, and benefits in line with legal standards.
* Salaries must be paid monthly, no later than the 7th day of the following month.
* A portion of the subcontractor’s invoice (up to 10%) may be withheld until proof of wage payment to workers is provided.

**5.2 Social Security Contributions**

* Register all employees with the National Social Security and Insurance Trust (NASSIT) for pension and social insurance coverage.

**5.3 Issuance of Employment Contract**

* Issue a written contract within one month of employment commencement, detailing job title, salary, working hours, leave, termination, health & safety, and dispute resolution.

**5.4 Working Hours and Overtime**

* Standard 8-hour workdays; overtime paid as per legal rates. Overtime work should be specified in the employment contract.

**5.5 Leave Entitlements**

* Annual Leave: A minimum of 21 paid working days per year.
* Sick Leave: Entitled to sick leave as per law, paid or unpaid depending on circumstances.
* Maternity Leave: Female employees are entitled to 12 weeks (6 weeks before and 6 weeks after childbirth).

**5.6 Termination and Severance**

* Follow legal procedures for dismissal and provide severance pay when applicable. Specify notice periods and severance packages in the contract.
* Ensure compliance with statutory **End-of-Service Benefits**, including severance pay and gratuity where applicable.

**5.7 Alignment with the Employment Act**

* Ensure all terms comply with the Employment Act, including wages, working conditions, benefits, and employee protections. Any breach may lead to legal action and review by the Ministry of Labour.

**5.8 Adaptation to Legal Changes**

* Subcontractors are responsible for promptly adopting any changes in Sierra Leone’s legal requirements or regulations.

**5.9 Wage Assurance and Invoice Retention**

**•** To ensure wage payments and end-of-service benefits for workers engaged by subcontractors, a portion of the subcontractor’s invoice may be withheld by the Contractor until proof of wage payment is provided.

**6. Acknowledgment and Agreement**

By signing below, the subcontractor acknowledges and affirms their commitment to full compliance with all specified requirements.

Subcontractor Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Authorized Representative: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Designation: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_