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RETURN TO WORK PLAN DRAFT

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TRAINING WORKSHOP ON ENVIRONMENT, COMMUNITY, HEALTH AND SAFETY IN THE DEVELOPMENT MINERALS SECTOR

Uganda, April 2017

RETURN TO WORK (RTW) PLANS

An initiative of the African, Caribbean and Pacific Group of States, financed by the European Union and United Nations Development Programme, and implemented by UNDP.

I. RETURN-TO-WORK PLANS

Return to Work projects are a valuable mechanism for workshop participants' personal and professional development. As part of your sponsorship, you are required to develop a return-to-work plan on a project you will undertake on your return, applying the knowledge and skills gained from workshop to influence change.

Periodic follow-up on the progress of implementation of the plan will be undertaken by UNDP.

II. REPORTING STRUCTURE FOR RETURN-TO-WORK PLANS

To facilitate ease of reporting and follow-up on your return to work project, the structure below outlines the key project elements that need to be covered in the reporting. **Please submit a Return to Work Project (RWP)** using the structure provided below.

GENERAL INFORMATION

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Brief Description of the project:

Back ground and Justification

Occupational Health and Safety(OSH) is governed by the OSH Act of 2006. This Act deals with Health and Safety of an Organised work place with a defined Employer and Employee. Development Minerals however are largely exploited by the artisanal and informal sector, which in most cases are not under a registered entity e.g a Company, Bussiness Name or Association. This poses a challenge of implementation of Health Safety and Environment procedures because the responsible person is not defined. The OSH Act of 2006, in section 2 "Interpretation" defines a worker as **"a person who performs work, regularly or temporarily for an employer and includes a public officer"**. This definition talks of a worker working for an employer, which poses another question of who is an employer? In the development minerals sector, the employer in most cases is not clearly defined. The other question is, in absence of a clearly defined employer, how then does OSH get incorporated and who is responsible for enforcing it. Training of OSH minus addressing these practical problems may render our efforts not very productive or somewhat futile. I **Michael Akatwijuka** on behalf of **ATEG SOLUTIONS LIMITED (The firm I represented while at the training)**, a Health, Safety and Environment Consultancy firm would like to contribute to mitigating and/or sorting this problem as follows:

Actual Project

- We plan to develop a **"practicable"** Occupational Health and Safety training manual to be shared with the Civil society, the local government and all relevant bodies and entities public and private. This manual will address the real challenges and how to train miners who are not currently organised. It will be a result of keenly looking at the current laws, Acts and Regulations and others to clearly identify a practical way to disseminate OHS aspects to the largely artisanal and not very organised development minerals miners. The Civil Society can come in handy in voicing out the grey areas within our laws that make it hard for OSH aspects to be implemented within the development minerals.

- The above mentioned training manual will be a result of an in-depth desk study, which will follow a brief field study two mining sites of **Kawanda** and **Buwambo** after Kitezi. The studies will be about how best to implement OSH in light of the not very organised artisanal and informal miners. Whereas our current laws assume an employer to be formal, this does not justify completely ignoring the OSH concerns in the largely informal development Minerals sector.
- The manual will include all areas in the laws, Regulations and policies that are a hindrance to practical implementation of OSH in the development minerals sector. This will also assist Civil society to know which areas to focus on more as they engage in constructive advocacy for Health, Safety and Environment in the Minerals sector and specifically the Development Minerals Sub sector.
- It will not only be a manual but a study and a report which will have a suggested methodology on training. This explains why we are to focus deeply studying the laws related to OSH and Social and Environment.
- After the study, we plan to procure about 20 pairs of durable gloves, offer them to 20 miners and use them as a test to see how long they take to get worn out. This is because the complaint of gloves getting worn out too fast has been common among th few sites visited. The ultimate beneficiaries will be workers in those two sites as well as the owners of the mines who get a better reputation of caring about the Health, Safety, Social and Environmental Concerns of the miners.

Expected Outcomes:

- Our number one outcome is to change the perception of miners owners and miners themselves about the importance of their safety, health, Environment and Social aspects. For instance, after we have engaged with the mines owners, and shared our views on Health, Safety, social and Environment, we shall talk to the miners and also share the dangers of not paying attention to these aspects. Ultimately, the outcome will be awareness and thus caution as they do their job. Recall, we are to supply 20 pairs of strong gloves as a test, after they use them, they can be able to tell the difference of using gloves and not using them in terms of injuries. We shall follow up the sample of the 20 people and get facts about the impact of the intervention of gloves. These findings will also be included in the report and training manual which we shall share with miners directly

Expected Outputs:

- The detailed printed and well bound training manuals which we intend to share them with owners of the two mining sites of Buwambo and Kawanda. This is after we engage with the owners of the mines. The manuals will be summarised and illustrated in the local language i.e Luganda as these two sites are in Buganda.
- Secondly, we believe that the findings should be shared at National level, this is why we suggested distribution of the report and manuals to organisations like Civil Society, local government and others. This was not suggest that we are relying on them to implement our project.

Please describe how you plan to implement the return to work project: (outline key partnerships and collaborations across sectors in your country as well as any joint collaboration with other countries)

We plan to contact the two mining sites of **Kawanda** and **Buwambo** hand in hand with the Local Council 1 office. The sites are in two different places though in the same area. These two are to be used as a sample for possibilities of rolling out to other sites in future resources allowing. Our strategy is to first understand the mines ownership and then commence talks with them about the advantages of considering Health, Safety, Environment and Social aspects. The next step will be asking the owners of the mines to assist us talk to the miners about our intention and objective and thus allow us speak to them about the OSH aspects of their kind of job. This we shall do by conducting basic training using pictorials and illustrations given most of them are no educated. The manuals however will be distributed to the owners and relevant Authorities that have direct linkage with mining. This explains why we mention the possibility of working hand in hand with the Local Government and Civil Society who can easily understand our objective and intention and have a wider voice than us. This was not to suggest that we are fully relying on them for project implementation.

What indicators of success will you employ? (include indicators of success that go beyond activity-level implementation)

- These shall include the level of interest by the Civil Society as regards Occupational Health and Safety aspects in the Development Minerals sector. This will be by way of assessing their publications, workshops, the media among many others. This implies that we shall be following up closely to see progress of our shared training manual.
- The number of Mining sector participants in the Faculty of Science of Kyambogo University OSH short courses that we develop and deliver hand in hand with the university. The interest by delegates from the mining sector to take these courses.
- The acceptance by the Uganda Local Government Association to initiate discourse on the subject matter.

All the above among others will be indicators of how we are performing as regards achieving our RTW objectives

What other strategic opportunities have you identified that will contribute to the success and sustainability of your project? (include linkages to sub-regional and regional agenda)

Resources allowing, we would like to suggest that standards in Health and Safety specific to Development Minerals be developed at the Uganda National Bureau of Standards (UNBS). The lead consultant of ATEG SOLUTIONS LIMITED is the current chairman of the Petroleum Management Subcommittee which is charged with Health, Environment and Safety in the Oil and Gas sector. Therefore, interesting the other relevant mineral specific committees to develop standards in this area would not be a problem. Committee members at UNBS are usually voluntary based which at times leads to slow speeds in the area of standards development. Funding can increase the number of times they meet and thus develop standards. Whereas engaging UNBS to develop OSH standards for the development minerals is not our main focus currently, it is something we consider worth following up in the event resources allow.

What aspects of the training will be most useful in implementing your project? Explain

Since we are a training and consultancy firm, all the aspects of the training are/were important to us. However, we shall focus on Occupational Health, and Safety and defer the environment aspects to avoid our budget appearing too big to fund. On the other hand, we felt there were key aspects that were not included in the training though we understood that this was due

to time not being enough. Understandably 5 days cannot be enough to cover all Health, Safety and Environment aspects. We however shall hint on some aspects of the training that we deem more pertinent.

Legal Framework:

This is very key to us as it is where all the possibilities of having OSH aspects listened to begins. We plan to take some time to study the laws in Uganda and give recommendations on what could be done to ensure the informal development minerals mining sector is not left out as regards OSH aspects.

The informal nature of Development Minerals Sub Sector

We realised that the said sector is largely informal and as such we shall keep this major factor in our work. This is the reason why we began by defining who a worker is as regards the OSH Act of Uganda of 2006. Whereas the bolts and nuts of how best, to practically train such people never came out clear during the training, we feel it is not late to focus on it in the manual we intend to develop. We believe that this could be the greatest reason why OSH is not accorded requisite attention in the largely informal subsector of Development Minerals. In absence of tackling the definition of an employee and employer, in light of the largely informal and disorganised Development Minerals sector, all efforts to train trainers and trainees may go futile.

Monitoring of the Development Minerals Sector

There is always a grey area of who actually is responsible for OSH and Environmental aspects in Uganda. By way of in-depth study, we intend to look at the regulations to do with Environment, OSH, the mining Act and Policy currently undergoing review among other relevant documents. There is need to clearly know who is responsible for what and then include it in the training manual we are to embark on developing, in the event our RTW plan is approved and accepted by UNDP.

Community Engagement:

Who is actually responsible? During the training there was a bit of confusion of where does a miner go first. Is it the Ministry of Energy and Mineral Development, Is it the COA, the local council or the local people? We intend to go deep into this matter as we develop the training manuals.

Note: *There are many other areas we may consider that we may not discuss here given this is simply a draft RTW plan.*

Reporting Mechanism

We are okay presenting what we shall have done on a monthly basis if that is okay with UNDP. We are based at BMK House, next to Hotel Africana, thus we are easily reachable should need a raise during project implementation.

Monitoring and Evaluation

We have been in the bussiness of developing manuals for three years. Our M&E plan is usually looking at the time frame and presenting the finished work piecemeal. Based on our past experience however, we are confident that the study and manual write-ups will be complete way before the 6 months' period suggested.

What are your future plans? (Include any additional capacity building needs for your professional development that you have identified during the course of the workshop).

Our Future plans are many and include the following among others;

- We plan to engage in Environmental Impact Assessments as there are lots of Health and Safety concerns there in. We would appreciate support for one of our team members for a short course in Environment. This is an area where we feel we need more capacity building, given Occupational Health and Safety is not complete in absence of Environment.

ACTION PLAN

Period	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7
Activity 1: In-depth Desk study of Laws, Regulations and Standards on OSH. Also visiting two sites for OSH Risk Assessment							
Activity 2: Commencement of Training Manual Drafting							
Activity 3: Completion of Manual, Review, Printing and Correction of errors if any							
Activity 4:							

<p>Contacting Civil Society, ULGA, Ministry of Gender Labour and Social Development highlighting about the need for dissemination of the training manual.</p>							
<p>Activity 5: Distribution to Civil Society and all relevant parties</p>							

COST AND BUDGETORY INDICATION

No:	Item	Duration	Cost USD
1.	Activity 1: In-depth Desk study of Laws, Regulations and Standards on OSH. Also visiting two sites for OSH Risk Assessment	1-2 months	1600
2.	Activity 2: Commencement of Training Manual Drafting	1-2 months	1700
3	Activity 3: Completion of Manual, Review, Printing and Correction of errors if any	2 month	2000
4.	Activity 4: Rapport building with relevant organisations, Highlighting about the OSHE aspects in development minerals sector and about the developed training manual	1 months	1200
5.	Activity 5: Actual Distribution of copies to relevant organisations	1 month	1000

TOTAL		7500
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Remarks:

1. *Some activities are to be done concurrently and thus the time duration will be shorter. We intend to finish this task in a shorter time than indicated. The indicate time frames however, are for planning purposes.*
2. *The afore mentioned budget is strictly for developing of the training manual and distributing of its copies to relevant organisations. In the event we decide to organise a workshop to present the manual to relevant organisations, then that will be a different item not accounted for now.*
3. *In event our proposal is passed, the following are our bank details, **ATEG SOLUTIONS LIMITED ACCOUNT NUMBER 2290387150, KCB BANK LIMITED, KAMPALA ROAD BRANCH, COMMERCIAL PLAZA***
4. *We are talking about a detailed, highly professional and Quality manual and report which could be used even in other countries. We have experience in developing such trainings and we have done it for multinationals e.g Ogas Solutions Limited www.ogassolutions.com*
5. *We shall also handle Environment issues but not the same detail as the other aspects of Community Health, and Safety, In our view though we think it would be a better idea that Environment becomes an independent fully fledged RTW project on its own.*

III. SUBMISSION DATE OF THE DRAFT RETURN-TO-WORK PLAN

The draft Return to Work plan should be sent **by Monday 1 May 2017** to hope.kyarisiima@undp.org and copy to development.minerals@undp.org