Improving Working Conditions in the Ready-made Garments Sector Programme

Terms of Reference (ToR)

Hiring of a National Consultant to support to

Conduct a study on DIFE High Level Staff Retention and Motivation

in Bangladesh
1. Introduction

The International Labour Organization (ILO) through its “Improving Working Conditions in the Ready-Made Garment Sector” project (ILO RMG project), funded by the Royal Netherlands Government, Canada and UK are investing considerable resources in improving building safety, strengthening the labour inspection system, promoting occupational safety and health, supporting Rana Plaza survivors and the Better Work Bangladesh programme. The ILO RMG project aims at long-term improvement of worker safety in the garment industry. The purpose of this initiative is to ensure that sustainable mechanism are in place to prevent future tragedies and ensure safe working conditions.

Work-related fatalities, injuries and illness result in significant human suffering and impose large costs on individuals and the economy as a whole. Occupational safety and health (OSH) arrangements are aimed at preventing them. An important role of labour inspection in any country is the promotion of compliance with national labour legislation as well as good labour practices, to achieve basic workers’ rights, balanced socio-economic development, and sound and effective industrial relations as a basis for constructive social dialogue and thus a positive investment climate. ILO Convention No. 81 calls for a “sufficient number” of inspectors to do the work required (Art. 10).

Employee retention refers to policies and practices that the public organizations and companies use to prevent valuable employees from leaving their jobs. How to retain high standing staff is one of the biggest problems that organizations face, especially those who are client oriented or have to satisfy crucial social services like the Labour Inspectorate. Finding qualified staffs include advertising and recruiting expenses, orientation and training of the new employees, decreased productivity until the staff has been replaced, and loss of social partners and direct beneficiaries confidence in the offered services. Finding, recruiting, and training the best employees represents a major investment.

It is anticipated that this research study will be a significant contribution to knowledge about the Bangladesh RMG sector and the reform agenda. The study will also feed into ILO’s and Government of Bangladesh joint work on improving the labour inspection system and strengthening improvement of working conditions and factory safety and other initiatives for the RMG and other high risk sectors.

2. Background

The RMG industry in Bangladesh accounts for approximately 78% of the country’s exports and employs in the region of 4 million people, most of whom are women. Despite the dramatic potential for growth and development, the Bangladesh RMG sector has been subject to increased scrutiny regarding its labour practices, especially during the course of the last years following factory fires and the Rana Plaza building collapse in April 2013. The need to improve compliance with international labour standards and national legislation have translated into a number of initiatives by the Government of Bangladesh, the private sector, multi-stakeholder groups as well as by international organisations, including the ILO.
ILO Convention No. 81 calls for a “sufficient number” of inspectors to do the work required (Art. 10). There is no official definition for a “sufficient” number because each country assigns different priorities of enforcement to its inspectors. Factors to be considered include the number and size of establishments and the total size of the workforce. The ILO has taken as reasonable benchmarks that the numbers of labor inspectors compared to workers should be about: 1/10,000 in industrial market economies; 1/15,000 in industrializing economies; 1/20,000 in transition economies; and 1/40,000 in less developed countries. (Source: ILO, GB.297/ESP/3).

Other factors include the scope of laws enforced by the inspectors (labor, employment, health & safety, pension, etc), the geographical concentration of employers, and the access to high technology tools for education, investigation and enforcement.

After the Rana Plaza collapse in 24 April 2013 and the aftermath reaction, Bangladesh Government and its MoLE, in cooperation with the ILO RMGP with the support of several international donors and initiatives has increased the number of LI since then. DIFE created 392 new positions for labour inspectors which is more than three-fold increase in the number of staff from 314 to 993 with 575 labour inspectors post. As of September 2016, no. of inspectors stands at 250; Out of them, 175 have been recruited as part of the current reform and upgrading process. Number of female inspectors have been increased (11% in June 2013 to 20% in September 2016), and a considerable effort and time has been spent during the selection, recruitment and engagement process. Furthermore big efforts have been made to train the newly recruited staff on internationally recognized working and OSH standards.

Bangladesh is considered by the UN a “least developed country” (http://data.worldbank.org/?locations=XL-BD) and the World Bank designates it as a “lower middle income country.” (http://data.worldbank.org/?locations=XN-BD). The total labor force in Bangladesh was last measured at 78,976,778 in 2014, according to the World Bank (http://www.tradingeconomics.com/bangladesh/labor-force-total-wb-data.html). Total labor force comprises people ages from 15 and older who meet the International Labour Organization definition. From these numbers, a rough approximation would be that Bangladesh should have around 2,000 inspectors for its 79 million workers (1 LI/40,000 workers). The current number is approximately 200 for the entire country with effective involvement in work place visits (excluding those with managerial/organizational roles in HQ or districts), thus equaling about 1 inspector per almost 400,000 workers!

It is clear that Bangladesh has an insufficient number of labor inspectors to properly conduct the full range of duties that they are required to perform. DIFE also appears to have problems with retention and a high turnover in labor inspectors. Despite the modernization process followed by DIFE in the last 3 years, many

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1 Bangladesh has a total population of 157 million people out of which the labour force covers 78 million workers. Job creation is challenged by a steady labour force growth of 2.2% during the last decade, meaning 1.7 million more entered the labour market in 2012
of the newly recruited staff the organization in a relatively short time (the engagement of new LIs started 3 years ago) searching for better opportunities. Retention of labour inspection has been an issue. So far out of the newly recruited 200 LIs, up to 24 have left (up to end of 2016, approximately 12%). In view of the need to recruit sufficient number of LIs, following the Civil Service examination’s results, DIFE commenced in 2016 the procedures to hire up to 89 more LIs (it is foreseen that the process will be completed by Jan-Feb 2017). The recruitment of new officials takes considerable time and energies. ILO supports the MoLE and DIFE to explore different models for Labour Inspector’ recruitment and, after engagement, facilitate their motivation and retention. As a result of which retention is less of a challenge for those organizations.

A DIFE modernization process has been undergoing for the last years with ILO and several international donors’ support. Major achievements have been the following:

- DIFE has started to implement a comprehensive labour inspection checklist covering major industrial sectors including the RMG;
- a draft SoP for inspection procedure has been developed;
- a National Labour Inspection Plan for 2015 was adopted by DIFE in February 2015 in collaboration with ITC-Turin;
- DIFE has published a progress report detailing DIFE’s actions during May 2013-15; the development of an inspection reporting system is underway;
- It has been developed a mobile app ongoing to switch from paper based inspection to digitalized system and a New Information Management System;
- DIFE established its website and online database for RMG factories in March 2014;
- DIFE received 145 motorcycles, 107 computers and other office equipment; PPE for 250 inspectors procured and handed over to the DIFE, etc.

In order secure that the DIFE’s modernization process is not jeopardized by lengthy recruitment processed and high levels of staff’s turnover and abandonments (both LIs and their administrative-supporting staff), the ILO-RMGP has foreseen to undertake survey to identify major reasons for such phenomena and analyze and discuss with concerned partners and stakeholders as many options as possible (according to today’s Bangladesh legal and organizational status) when it comes to finding and retaining valuable staff, while at the same time securing their trust and loyalty so they have less desire to leave in the future.

Different objective and subjective reasons influence employee satisfaction with their work. They may like the organization they work with, the working conditions, the status provided by their job, the professional’ career opportunities, the salary and income incentives and other related benefits (annual leave, social security-insurance coverage, pension schemes, the work atmosphere, the management policies, the boss and their co-workers). An exciting position, with plenty of opportunity for growth, learning, and advancement, is always desirable and can make the difference. Dissatisfaction with one or more of these issues can facilitate the employee to decide leaving or stay although underperforming and achieving low productivity levels.

An obvious way for an organization to better retain the valuable staff is by offering competitive salaries and bonuses. Everyone likes to be recognized for a job well done, and increased benefits, better working
conditions linked with time flexibility and self-responsibility, more vacation time, social benefits, low interest loans, social recognition, etc. can help to dramatically reduce high levels of staff turnover.

The implementation of policies like flexi time, job-sharing, geographical transfers or even part-time work may also prove useful in retaining an employee who wishes to leave their job for personal reasons.

Good management will also spend some time to get to know their employees better. A thorough understanding of the staff’s goals, concerns, skill level, values, health, and job satisfaction are among the areas to be addressed. When the valued employee leaves, the organization can use information gathered in an exit-interview to find out the reasons for the employee’s decision and the changes that can be made to keep others from following the trend. A successful retention policy should be aware of their strengths and weaknesses and have mechanism for listening, respecting, and understanding the employees’ concerns.

One way for a company to prevent abandoning employees from giving valuable information to other organizations with contradicting interest is to make it a policy to enforce strict non-compete and confidentiality agreements amongst the employees. Signing an agreements with the staff so that they stay for a reasonable period of time when they have been trained as the organization’s expense is a tool to be considered if the burden is proportional to the efforts made by the institution. Nevertheless this area can prove to be a highly sensitive one between employer and employee, so extreme caution is suggested and such policies should be agreed with employees’ representatives and regulated in an open manner.

Like all other employees, inspectors seek meaningful work, decent pay and benefits, job security and a good working environment. Inspectors staff identification, retention and turnover is an issue for DIFE: this study will bring more light to ascertain more clearly why inspectors leave and how DIFE could be a more attractive organization attracting highly qualified experts with the required skills, experience and willingness to contribute the essential role the LI plays to balance socio-economic development, favouring sound and effective industrial relations and a positive investment climate with a positive impact for the whole population in Bangladesh.

3. Scope of Work

Both qualitative and quantitative analysis will be important in providing reliable information about why inspectors (and other highly qualified supporting staff) leave and how DIFE could be a more attractive organization attracting highly qualified experts.

This survey seeks to answer some of the following questions:

1. Do the employees feel the job or workplace is not what they expected?
2. Is there a mismatch between the job and person?
3. Is there very little scope of coaching and feedback?
4. Are the growth and advancement opportunities very few or marginal?
5. Do the employees feel devalued and unrecognized (within the organization or when dealing with the beneficiaries of the provided services)?
6. Do the employees feel stress from overwork and have a work/life imbalance?
7. Is there a loss of trust and confidence in senior leaders?
8. Are the salary, bonuses and added benefits insufficient?
9. Has the DIFE modernization process, including the use of ICT for inspection visits and planning, made disruptions in previous habits and created uncertainty to part of the staff?
10. Any other relevant question suggested by the survey experts and DIFE – stakeholders perspective

The following issues will be covered by the survey to identify strong and weak points and shortcomings which might be influencing LIs leaving their job while bringing to light best practices applied in Bangladesh, Asia and other relevant regions on high quality staff retention and motivation.

- **Labor inspector independence and authority**

Labour inspectors should have sufficient independence in terms of being able to conduct inspections on their own. The LI organization has to address situations in which labour inspectors are pressured to not properly perform their work, for example to overlook violations that they find. Where this is a problem, develop rules for ensuring their professionalism and a process to allow labour inspectors to confidentially raise their concerns in specific cases.

Policies should be in place to improve the worker and employer perception of respect for the labour inspectors’ role. Adequate information about the regulations and the LI roles and powers and standard operational proceedings should be shared among social partners so that they are better informed about what they can expect from the LI services and visits.

The survey will provide models, examples and best practices on the matter and will analyse the convenience of revising the legislation, standard operational procedures and DIFE instructions to guarantee LI independence and self-confidence. The survey will analyse if adequate information about the regulations and the LI roles and powers and standard operational proceedings is shared among social partners and their feedback is considered and taken into consideration for further LI activities.

- **Training.**

With proper training, labour inspections will improve in terms of quality and numbers of violations resolved; reduce the time taken to resolve reported violations; and resolve more claims at earlier stages. Also, improve the worker and employer perception of respect for the labour inspectors’ role. Proper training includes a focus on labour inspection skills (investigation, people skills, ability to resolve disputes); and knowledge of law, regulations, policies and procedures. Training systems should be internalized and made sustainable at the ministry and provincial level.

The survey will analyse labour inspectors opinions and perceptions to determine what they believe are their training needs, if the ongoing training programs (DIFE, ILO and other international donors) are useful and build competences required by their work load, what should be other subject for training which are missing?, etc.. How far their input is informing the elaboration of DIFE annual strategic training planning and managerial decisions.
- **Mentoring.**

With a mentoring program, an organization pairs someone more experienced in a discipline with someone less experienced in a similar area, with the goal to develop specific competencies, provide performance feedback, and design an individualized career development plan.

The survey will provide models, examples and best practices on the matter and will analyse the convenience of setting up a mentoring program in which senior inspectors mentor the newer ones in order to facilitate the familiarization of new incomers with the LI system and professional perspectives.

- **Internal staff communication channels to build credibility and performance evaluation.**

When employees know what they’re doing well and where they need to improve, both they and the organization will benefit. Communication is central to building and maintaining credibility. Some organizations achieve internal communication through a staff advisory council/unit (or similar group) which solicits and/or receives employees’ opinions and suggestions and passes them on to upper management. Employees have to believe that upper management is competent and that the organization will be successful. An employer has to be able to inspire this confidence and make decisions that reinforce it. The organization need to engage and inspire employees by enacting policies that show they are trusted and get rid of old fashion authoritarian style of management. A labor inspectorate must have a process to regularly evaluate its performance, identify gaps, improve its operations and adapt to changes. This requires internal reviews within the inspectorate and external dialogue with employer and worker stakeholders. Fair, open and clear performance evaluation system avoids misunderstandings and facilitate timely correction and improvement when required.

The survey will provide models, examples and best practices on the matter and will analyse the convenience of setting up an effective internal staff communication channel and the existence of a fair, open and clear performance evaluation system to evaluate confidence levels among the staff according to their functional or geographical (headquarters versus districts) position in the organization. It will also analyse how effective is the communication flow among different units at headquarters and relations with districts, identifying if the messages and work plans are properly understood at all level to avoid frustration and misunderstandings.

- **Show appreciation via compensation and benefits.**

Offering competitive salaries, incentive programs, pension and health benefits, paid time off, and tuition reimbursement sends a powerful message to employees about their importance at the organization. The rewards given to employees must be meaningful in order to impact their perception of the organization and therefore have a marked influence on its retention efforts.
The survey will provide models, examples and best practices on the matter, with focus on available tools in Bangladesh civil service regulations and structure and will analyse the convenience of setting up ways to provide incentives linked to performance levels and quality results for the LI staff, indicating where there is a need or room for policy reform or formulation on the matter.

- **Provide growth and career opportunities.**

Employees are more likely to stay engaged in their jobs and committed to an organization that makes investments in them and their career development. Employees who feel responsible for the results of their work, have a sense of worth in their jobs, believe their jobs make good use of their skills, and receive recognition for their contributions. Qualified staff (LIs and others in the system) need to be rewarded at a high level to motivate even higher performance.

The organization should provide workshops, software, or other tools to help employees to increase their understanding of themselves within the system and should be informed about what is expected from the employee in terms of professional development and career.

The policies in place should as well consider **termination and outplacement measures**. Employees who leave on good terms are much more likely to keep cooperation with the organization and potentially come back bringing new inputs and knowledge acquired during their assignments outside and it is a tool to attract and retain future employees.

The survey will provide models, examples and best practices on the matter, with focus on available tools in Bangladesh civil service regulations and structure to analyse feasible ways to guarantee that stress levels are kept reasonable and a policy for work/life balance is in place.

- **Lower stress from overworking and create work/life balance.**

An organization has to match work/life benefits to the needs of employees. This could be achieved in the form of offering non-traditional work schedules (such as a compressed work week, telecommuting, and flexitime) or extra holidays or compensation for extra time or quality results. Employees will be less stressed, healthier, and thus, more productive. Encouraging employees to set work/life goals, such as spending more time with their family, communicates a positive commitment to achieve a healthy work/life balance.

The survey will provide models, examples and best practices on the matter, with focus on available tools in Bangladesh civil service regulations and structure to analyse feasible ways to guarantee that stress levels are kept reasonable and a policy for work/life balance is in place.

The study will explore to what degree some effective methods could be applied to DIFE in Bangladesh in order to keep employees happy and part of their organization instead of looking for employment opportunities elsewhere.
The results are to be presented through a survey report and will be made available to DIFE, MoLE and industry stakeholders for comments and feedback so that relevant recommendations can be formulated for purposes of future programming RMGP activities and DIFE plans.

In order to collect qualitative and quantitative data, the consultant is encouraged to rely on face to face interviews, focus group discussions, detailed questionnaires and a workshop to validate the survey findings and recommendations. The consultant is expected to consider representation in the study of different categories of LIs and supporting staff both in headquarters and in 1 selected district for example, different roles, younger vs. older workers.

This study will need to be gender sensitive and gender equality and gender mainstreaming considerations should be integrated in the survey.

4. Methodology

a) Desk research
b) Key informant Interview/Focus Group Discussions
   Face to face interviews with LIs and other qualified staff who stay in the organization or have left it,

c) Tailored Questionnaire
   Distribution of tailored questionnaires addressed to DIFE and other relevant organizations and social partners (other Ministries, MoLE Department, Rajuk, FSCD, BEF, BGMEA, BKMEA, Trade Unions, Civil Servant associations, etc...).

d) Questionnaire
   The bulk of the data will be collected using a questionnaire designed to generate the necessary information for accomplishing the objectives of the survey project. The questionnaire will be developed using a “5 point Likert” type scale. Participants will be requested to select one of the listed alternative responses but the possible limitation is that it is easy for a respondent who has no opinion to try and guess the appropriate answer. The questionnaire that will be developed for the study will be made up of multiple choice questions which will be both positive and negative. The questions will require the participants to strongly agree, agree, be neutral, disagree and strongly disagree. The results of the questionnaire will be statistically analysed.

e) Data Analysis and report writing

   Simple statistical tools to be used for analyzing quantitative data. A preliminary draft will be delivered to ILO-RMG and DIFE representatives after the field mission has been conducted. A set of strategic recommendations should be presented in the report. The draft report will be circulated by the ILO to relevant organizations and stakeholders and feedback requested and integrated into a final draft to be validated in a workshop in Dhaka (attended only by the local expert). The report should be revised and finalized taking their views into consideration.
Following activities need to be undertaken:

**Activity 1: Selection of representative sample**

**Activity 2: Qualitative Study Design**

- Develop
  - Methodology for establishing sample sizes
  - Key questions and indicators
  - Work plan
  - Strategy for data collection, including logistics and draft schedule
  - Preparatory materials for introduction to factories
- Consultation with ILO for background information and on draft research study design, key questions and indicators

**Activity 3: Data collection**

- Following feedback from DIFE and other stakeholder on key questions and indicators, conduct survey

**Activity 4: Analysis and report writing**

- First draft of report circulated to ILO
- Present findings prior to final draft of report
- Final draft of report
- Plans for dissemination including dates for presentation to stakeholders
- Presentation of final report to stakeholders
- Present findings and policy recommendations in validation workshop

The work will also include presentation of the report and a validation workshop.

5. Key Deliverables and Timeline of the Assignment

The consultant is expected to deliver the following outputs which will have to be approved by the ILO.
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<tr>
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<th>Deliverables</th>
<th>Time line</th>
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<tbody>
<tr>
<td>1.</td>
<td>Inception Report</td>
<td>Within 1 weeks of contract signing</td>
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<td>2.</td>
<td>Data Collection (interview and survey)</td>
<td>Within 3 weeks after submission of the inception report</td>
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<td>3.</td>
<td>Draft report including recommendations (including recommendations received in a validation workshop to be facilitated by the national consultant)</td>
<td>Within 8 weeks after submission of the inception report</td>
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<td>3.</td>
<td>Final Report including a set of policy and strategic recommendations</td>
<td>Within 2 weeks after submission of the draft report</td>
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6. **National Consultant’s Responsibility**

The overall responsibility of the national Consultant is to support the team leader to accomplish the work. However, some specific tasks that the national consultant will accomplish in consultation with the Team Leader (possibly an international consultant) and in close collaboration with the ILO are as follows:

- Support the team leader in providing relevant information required for desk research and provide necessary inputs as and when required.
- Support the team leader to develop the questionnaire and to undertake the survey (communicating relevant people/organizations, share the survey questionnaire )
- Arrange interviews/meetings with the stakeholders
- Provide interpretation services during meetings
- Taking meeting notes translate them (this is required in particular during the meeting with the TUs and labour inspectors)
- Translation of documents if required (in addition to the docs ILO will provide during the contract commencement) handling of identified, during conducted meetings, of new relevant documents in Bangla language.
- Organize the validation workshop in collaboration with the project (organizing venue, preparing technical document- agenda, PPT, briefing note, draft speeches)
- Present the findings of the report (if required) during the validation workshop and document findings/discussions
- Consolidating stakeholder’s inputs and share with the team leader and ILO
- Provide inputs on final report/ recommendations as and when required.
7. Contract Duration

The duration of the assignment will be 30 days spread over 45 days from the day of signing the contract. Expected to start 1 March and end date May 15, 2017

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<th>SL</th>
<th>Assignment</th>
<th>Expected date/time</th>
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<tr>
<td>1</td>
<td>Home based review / collection of documents</td>
<td>3 days</td>
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<td>2</td>
<td>Elaborate methodology and questionnaire along with the team leader</td>
<td>3 days</td>
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<td>2</td>
<td>Field visit, data collection compiling of the responses</td>
<td>15 days</td>
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<td>3</td>
<td>Support to team leader on data analysis and report writing (draft)</td>
<td>2 days</td>
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<tr>
<td>4</td>
<td>Conducting a validation workshop (including pre and post workshop preparatory activities)</td>
<td>5 days</td>
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<tr>
<td>3</td>
<td>Support the team leader in drafting of final report (incorporating feedback from ILO, DIFE and validation workshop)</td>
<td>2 days</td>
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Should the consultant see a need to deviate this deliverables timeframe, they need to inform the ILO promptly and get authorization to change this in writing.

8. ILO’s responsibilities

The ILO will be responsible for facilitating the consultant relevant documents to prepare the home based review on DIFE modernization process, support the organization of consultations with stakeholders on methodology and the draft report. ILO will support the consultant to collect data, interpretation and translation, arranging the logistics of meetings, visits and meetings and other necessary coordination work.

9. Payment schedule

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<th>Deliverables</th>
<th>Payment</th>
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<tr>
<td>After submission of a progress report after completion of the survey and interview</td>
<td>40% of the consultancy fee</td>
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<tr>
<td>Submission of a completion report (after the validation workshop)</td>
<td>60% of the consultancy fee</td>
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10. Application Method and Deadline

Expressions of interest (EoI) along with a cover letter summarizing key qualifications and demonstrated skills for the assignment, and an updated Curriculum Vitae (CV) is hereby requested from interested and qualified candidates for this assignment as stated above. The EoI shall include an asking rate of fee in USD per workday. The proposal has to be submitted electronically on or before 20 February 2017 by 4.30 pm (Dhaka time) with the subject-line line “EoI for the Local Consultant: Study on DIFE high level staff retention and motivation in Bangladesh” to: rmgp-dhaka@ilo.org.

Interested consultant is requested to provide with their application the following documents:

- A technical proposal elaborating methodology, and a work plan (maximum 2 single spaced page)
- A financial proposal (budget breakdown of expected consultancy fee (daily rate), travel (outside of Dhaka, if required and other related costs),
- CV of the consultant, including qualifications and relevant experience in this or other areas

11. Copyright

The materials, methodology, and other deliverables produced by the contractor shall be the exclusive property of the ILO and shall not be re-produced, distributed, or utilized without the expressed, written permission of the ILO. The contractor shall respect the proprietary nature of the deliverables and shall keep them in confidence.

12. COMPETENCIES AND EXPERTISE

- Proven experience in conducting qualitative research / analysis on issues related to labour inspection and labour administration and/or human resources policies for highly qualified staff retention / motivation
- Experience in analysis of labour administration - labour inspection and/or HHRR policies in public offices for staff retention-motivation, standard operational proceedings, training schemes, planning, etc. is an advantage
- Good communication skills, partnering, conduction of workshops or events, collection of feedback, etc. is an advantage
- Proven analytical and research writing skills
- Personnel with excellent command of English and Bangla (oral and written)

13. Special terms and conditions

Confidentiality Statement

All data and information received from the ILO for the purpose of this assignment are to be treated confidentially and are only to be used in connection with the execution of these Terms of Reference. All intellectual property rights arising from the execution of these Terms of Reference are assigned to ILO.

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according to the agreement. The contents of written materials obtained and used in this assignment may not be disclosed to any third parties without the expressed advance written authorization of the ILO.

** Unsatisfactory or Incomplete Work  

For the assignment, the ILO’s Standard Rules and Procedure for Ex-Col/ Service Contracts shall be applicable. In event that the service delivered is unsatisfactory or fails to conform to the conditions set out above, the ILO reserves the right, as appropriate to interrupt it, to request that it be corrected or modified, or to refuse to accept the service.