

Specific project objectives are identified in Section III.C.

Applicants should submit proposals that are regional in scope and demonstrate the organization's capabilities to implement a project in accordance with the Statement of Work and the selection criteria. Applicants, however, will not be penalized for lacking previous experience working on regional projects. For example, organizations with experience in only one country will be judged based on the success they achieve in that country and their proposal for working successfully throughout the rest of the targeted region. USDOL encourages applicants to be creative in proposing innovative and cost-effective interventions that will produce a demonstrable and sustainable impact.

Funds will be provided by grant to qualifying organizations. The grant will be actively managed by USDOL/ILAB to assure achievement of the stated project objectives. The award of any sub-contract will be subject to USDOL policies and approval (see Section IV).

**Note:** Selection of an organization as a grantee does not constitute approval of the grant application as submitted. Before the actual grant is awarded, USDOL may enter into negotiations about such items as program components, funding levels, and administrative systems in place to support grant implementation. If the negotiations do not result in an acceptable submission, the Grant Officer reserves the right to terminate the negotiation and decline to fund the application. Award is also contingent upon signature of a letter of agreement between USDOL and relevant ministries in target countries.

#### A. Background and Problem Statement

The governments of Botswana, Lesotho, Namibia, and Swaziland are in the process of strengthening national labor law administration and compliance, particularly those laws related to the fundamental principles embodied in the International Labor Organization's (ILO) Declaration on Fundamental Principles and Rights at Work. These basic labor protections are essential to promoting open economies, higher living standards, and a favorable climate for trade and investment. Each of these countries, however, faces several obstacles that could undermine these objectives. These obstacles include:

- The absence of comprehensive national strategies for improving labor law compliance.
- Inadequate policies, training and procedures for carrying out labor inspections.

- Weak institutional linkages between labor ministries, employers and workers/unions.

- Underutilization of data to strategically target inspections to the most problematic employers and sectors.

- Inefficient administrative systems for resolving labor cases in the courts, which lead to a burdensome backlog of cases.

- Lack of capacity of union officials to effectively represent workers and their interests in legal proceedings.

- Lack of awareness among workers of labor protections.

Assessments of the current status of labor rights and their implementation in southern Africa are available in a variety of sources, among them the annual U.S. Department of State *Report on Human Rights Practices*; the recommendations of the Committee of Experts of the International Labor Organization's (ILO) Committee on the Application of Conventions and Recommendations; the recommendations of the ILO's Committee on Freedom of Association; and reports of the International Confederation of Free Trade Unions (ICFTU).

#### B. Target Population

Applicants shall target labor ministries, employer organizations and/or individual employers, worker organizations and/or individual adult workers and youth of legal working age working in non-hazardous activities, and tripartite (government, employer, and worker) institutions in Botswana, Lesotho, Namibia, and Swaziland as the intended (direct and indirect) beneficiaries of project activities. USDOL will work with the Grantee(s) to determine specific target populations depending on an assessment of countries' political will, capacity to absorb resources, and potential to sustain project activities and project impact.

#### C. Objectives

The Grantee(s) will implement, in partnership with USDOL, a project designed to increase labor law compliance in Botswana, Lesotho, Namibia, and Swaziland by strengthening the capacity of labor ministries to enforce national labor laws and increasing the knowledge and capacity of employers and workers to apply those laws. Contributing to the achievement of these goals are three project objectives ("immediate objectives"):

*Immediate Objective 1:* Increased knowledge among workers and employers of national labor laws and of

the available means to access labor ministry services to enforce the rights established by those laws, in particular:

- The right to freedom of association;
- The right to organize and bargain collectively;
- The prohibition on the use of any form of forced or compulsory labor;
- Labor protections for children and young people, including a minimum age for the employment of children and the prohibition and elimination of the worst forms of child labor;
- Legally mandated conditions of work with respect to minimum wages, hours of work, and occupational safety and health; and
- The legal processes for protecting and enforcing basic worker rights, from complaint intake to resolution.

*Immediate Objective 2:* Strengthen labor ministry inspection systems to effectively enforce national labor laws.

*Immediate Objective 3:* Create new or strengthen existing dispute resolution mechanisms within the labor ministries (e.g., mediation, arbitration, alternative dispute resolution)

*Relationship to USDOL Program Strategy:* By helping to improve labor law compliance in Botswana, Lesotho, Namibia, and Swaziland, the proposed project supports achievement of USDOL's GPRA goal (3.3b), "to improve living standards and conditions of work for workers in developing and transition countries."

#### D. Type of Work To Be Performed/Activities

Applicants are responsible for developing a strategy for successfully achieving the above-stated objectives and addressing the problem(s) identified in the Background and Problem Statement, developing and implementing the major tasks and activities to be accomplished as part of that strategy, tracking and reporting on progress in achieving the stated objectives, and providing any necessary services. USDOL will work with the Grantee(s) to determine the scope of country projects based on an assessment of countries' political will, capacity to absorb resources, and potential to sustain project activities and project impact.

When developing the strategy and activities for each project's objective, the Applicant should take into consideration the need to:

- Work in close collaboration with complementary, on-going projects in the region, such as the ILO *Project to Advance Social Partnership in Promoting Labour Peace in Southern Africa* and the USDOL-funded ILO