

## ► Terms of Reference

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### Employment and Social Affairs Platform 2

#### Local external collaborator to support an assessment of the Albanian Occupation Safety and Health Strategy 2017-2021

**Project title:** Employment and Social Affairs Platform 2

**Lead Office** ILO DWT/CO Budapest

**Subject:** Local external collaborator to support an assessment of the Albanian Occupation Safety and Health Strategy 2017-2021

**Start date:** ASAP

**Eligibility:** This call for is open only to Albanian citizens.

Please submit your application, including a CV and a motivation letter to [esap@ilo.org](mailto:esap@ilo.org) by 29 May 2023, by 14:00 EST.

#### I. Background and justification

Albania is facing huge challenges to improve the safety and health at work through through a systematic development of modern OSH policies and an enhanced capacity of OSH law enforcement. Improving safety and health at work and labour inspection is one of the priority outcomes in the recently adopted Decent Work Country Programme for Albania 2023-26. Also, the EU Strategic Framework on Health and Safety at Work 2021-27 calls on the countries for improving workers' health and safety, addressing rapid changes in the economy, demography and work patterns.

Following the ratification of the ILO Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), the Albanian government in 2015 adopted the National OSH Action Plan, entitled "The OSH policy document 2016-20," with support from ILO and EU. The policy document aims at: i) improving effective labour protection through OSH policies and legal framework, ii) creating decent working conditions and safer and healthier workplaces, and iii) establishing transparent and effective OSH systems and institutions.

In the implementation of the National OSH Action Plan for 2016-20, a number of laws and by-laws have been amended to conform with international labour standards as well as EU directives. However, there still exists a gap between the legal provisions and the actual practice in Albania. As shown below, during the period between 2016 and 2022, the number of injured workers shows an increasing trend; especially, the number of fatal cases increased from 12 to 32.

The National OSH Action Plan for 2016-20 defines the strategic objectives and related actions for the six years, accompanied with:

- targets, outcomes, relevant objectives, and relevant indicators
- estimated costs and sources of financing
- accountability, monitoring and evaluation mechanisms

The Plan stated that "The Action Plan 2016-20 will be periodically reviewed and evaluated so that the national priorities and actions may be adjusted or changed to meet future needs."

The monitoring and evaluation mechanism envisaged the following:

- 1st Annual progress report (referring to 2016) by 2017;
- Mid-term review by 2018;
- 2nd Annual progress report (referring to 2018) by 2019;
- Final review by 2020;

- Impact assessment by 2023-25.

The Ministry of Social Welfare and Youth was responsible for coordinating all M&E activities and produce periodic reports for presentation to the government and other key stakeholders. However, due to the restructuring of the Ministries, the Ministry of Social Welfare and Youth was abolished and the responsibility of labour related issues has been transferred to the Ministry of Finance and Economy. It was only early 2023 the Ministry of Finance and Economy created a section in charge of occupational safety and health.

Moreover, during the later period of the Action Plan 2016-20, two major shocks hit Albania – the earthquakes in November 2019 and the COVID-19 pandemic during 2020-22. During the COVID-19 pandemic, the ILO has supported social partners in responding to their urgent needs to ensure workplace safety and mitigate business disruptions. However, these unexpected shocks have further delayed the entire policy planning process to improve workplace safety and health in a systematic approach.

Consequently, the above-mentioned monitoring and evaluation process has not been conducted properly. Based on the consultation with the government partners, there has not been any official progress report or mid-term review report. Some institutions (e.g. State Labour Inspectorate) conducted internal reviews with respect to the actions under their responsibility.

Now the Albanian government intends to establish a Working Group<sup>1</sup> which is tasked to develop a new National OSH Action Plan covering the period 2023-27. In this context, the Albanian government requested ILO to support the Working Group in conducting a long overdue assessment of the implementation of the National OSH Action Plan for 2016-20.

## II. Objective and methodology

The objective of the assignment is to assist the Working Group in conducting an assessment of the implementation of the National OSH Action Plan for 2016-20.

The key materials of the National OSH Action Plan for 2016-20 are:

- Action Plan and Indicators 2016–2020, which lists more than 90 indicators and results, including (i) Responsible institution involved, (ii) Baseline; (iii) Period of implementation; (iv) Target 2017; (v) Target 2020; (vi) Verification source.
- List of OSH directives and policies to be adopted or implemented over the period 2016–2018, including (i) Title (strategy, policy documents, legal acts), (ii) Albanian legislation, (iii) Responsible institutions, (iv) Adaptation to Albanian Legislation, (v) Expected time for the adoption, (vi) Date of implementation
- Estimated budget of OSH Action Plan 2016–2020, which lists more than 60 activities, including (i) Estimated cost of activity, (ii) Financial resource, (iii) Financial gap, (iv) Responsible agencies.
- Distribution of estimated costs of OSH Action Plan, which presents for each pillars of actions (i) Estimated cost of activities, (ii) State budget, (iii) Donors, (iv) Financial gap.

The assessment will follow the methodology of evaluation of action plans. For each indicator, the evaluator will

- compare the resulting indicators against the target indicators;
- assess the results (fully achieved / partially achieved / not achieved / others);
- analyse the reasons for success/failure with explanations from the responsible institutions involved as well as other key stakeholders;
- derive lessons and formulate recommendations for the next Action Plan for continual improvement.

The Local External Collaborator will support an international consultant and the ILO team to:

- Conduct desk search to collect information on the adopted legislations (Annex C) and statistical data on the indicators from the verification sources (Annex A).

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<sup>1</sup> As of April 2023, the government has not adopted the decision to create the Working Group. The expected member institutions of the Working Group consist of: Ministry of Finance and Economy, Ministry of Health, State Labour Inspectorate, State Health Inspectorate, Public Health Institute.

### Annex III

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- Make a presentation of the objective and methodology of the assessment to the tripartite OSH working group et al. at the 1<sup>st</sup> workshop to be convened on this task.
- Conduct interviews of the responsible agencies to collect information on the budget and as to how financial gaps are met or unmet (Tables 2 and 3).
- Conduct meetings with relevant stakeholders such as trade unions and employers' organizations to collect their views and opinions on the implementation of the OSH Action Plan 2016–2020.
- Based on the above, prepare a draft report on the assessment of the implementation of the National OSH Action Plan for 2016-20 and present it to the Working Group.
- Finalize the report by incorporating the comments of the Working Group.

### III. Deliverables

The External Collaborator will deliver the following outputs to the full satisfaction of the ILO:

- A workplan (including the tentative schedule of interviews and meetings) to be submitted and agreed by the ILO team at the inception of the consultancy.
- Report on the assessment of the implementation of the National OSH Action Plan for 2016-20 according to the outline in the Annex of these ToRs, in English and in Albanian (MS-WORD file).
- A power point presentation summarizing the key findings and recommendation for the Working Group meeting.

### IV. Timeframe

The starting date of the contract is as soon as possible The ending date of the contract is November 30<sup>th</sup>, 2023.

### V. Qualifications

The Contractor needed for this consultancy should possess the following qualifications:

- At least five years' experience in conducting analysis, data collection and monitoring exercises;
- Experience in drafting/preparing assessment reports and strategic plans;
- Familiarity on labour laws and occupational safety and health standards;
- Ability to design, organize and facilitate workshops, consultations, meetings, fora and focus group discussions;
- Excellent command of both English and Albanian as working language;
- Familiarity working with government, and workers' and employers' organizations considered as assets;
- Background working with the ILO or any other UN agency, donor agency and international NGOs are co