

2016

Final Internal Evaluation Report

Promoting Fundamental Principles and Rights at Work in the
Zambian Mining Sector Project

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This evaluation has been conducted according to ILO's evaluation policies and procedures.

Contents

ACRONYMS	7
Acknowledgments.....	8
Executive summary.....	9
1. Project Background.....	16
1.1 Project Objectives	16
1.2 Intervention Logic	17
1.3 Project Management	17
2. Evaluation background	18
3. Evaluation Methodology.....	18
4. Evaluation Sampling.....	19
5. Findings	20
5.1 Relevance	20
5.2 Coherence	25
5.3 Efficiency.....	25
5.4 Orientation towards Impact.....	26
5.5 Effectiveness	29
5.6 Gender concerns	32
5.7 Sustainability.....	32
6. Conclusions	33
7. Lessons learnt, Good Practices and Recommendations	34
7.1 Lessons learnt	34

7.2	Emerging Best Practices.....	35
7.3	Recommendations	41
Annex 1:	Terms of Reference.....	43
Annex 2:	Inception Report	54
Annex 3:	Stakeholders Consulted	82
Annex 5:	Bibliography	86

ACRONYMS

CPOs	Country Programme Outcomes
CEACR	Committee of Experts on the Application of Conventions and Recommendations
CEOs	Chief Executive Officers
DAC	Development Assistance Committee
DWT	Decent Work Team
FDGs	Focus Group Discussions (FDGs)
FPRW	Fundamental Principles and Rights at Work
HQ	Headquarters
ILO	International Labour Organization
ILRA	Industrial and Labour Relations Act
ITUC	International Trade Union Confederation
LFS	Labour Force Survey
MUZ	Mineworkers Union of Zambia
NPC	National Project Coordinator
OECD	Organisation for Economic Co-operation and Development
OSH	Occupation Safety and Health
P&B	Programme and Budget
PA	Programme Assistant
RB	Regular Budget
RBM	Results Based Management
RBSA	Regular Budget Supplementary Account
RBTC	Regular Budget Technical Co-operation
ROAF	Regional Office for Africa
TORs	Terms of Reference
TPCM	Tripartite Partnership Committee for the Mining Sector
UN	United Nations
USDOS	United States Department of State
XBTC	Extra-Budgetary Technical Cooperation
ZDWCP	Zambia Decent work Country Programme
ZFE	Zambia Federation of Employers
ZMW	Rebased Zambian Kwacha

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Executive summary

Summary of the project purpose, logic and structure

The project under evaluation was funded by the United States Department of State (USDOS), with a primary focus on fundamental principles and rights at work. The project specifically addresses freedom of association and collective bargaining in line with in ILO Conventions 87 and 98 and provisions of the 2014-2015 P&B Outcome 14 (the right to freedom of association and collective bargaining is widely known and exercised).

The main strategies employed by the project were to improve industrial relations as a means of facilitating the enjoyment of fundamental principles and rights at work through:

- Promoting tripartite trust and effective social dialogue in the mining sector to address core employment and labour issues;
- Strengthening the capacity of the tripartite constituents to promote sound industrial relations and comply with international labour standards in the mining sector; and
- Enhancing trade union capacity to better represent and serve their members, particularly through workplace cooperation and collective bargaining.

The project was anchored in the Fundamental Principles and Rights at Work (FPRW) technical unit, in Headquarters (HQ) and was led by a team of ILO personnel from the FPRW Branch. ILO staff from a number of ILO departments contributed to the project by providing technical support in line with their area of relevance using ILO training and diagnostic tools. The Country Programme Outcome (CPO) was managed by ILO staff in the office in Lusaka, with support from Decent Work Team Specialists from the Pretoria office and independent consultants who supported national studies and development of constituents' strategies and assessment tools.

Project Implementation Status

The project closure, initially planned for February 2016 was extended through a no cost extension for project completion by 31 May 2016. The 3 months extension focused on specific deliverables including the following: development of a joint inspection Occupational Safety and Health (OSH) risk assessment tool and its piloting; competency capacity building of the Tripartite Consultative Labour Council (TCLC) and Tripartite Partnership Consultative Committee (TPCM) Secretariats; and development and piloting of the TPCM evaluation tool. All activities were implemented during the project period, with the exception of the activities related to OSH inspection under the following outputs:

- *Under Output 2.1 (Labour and OSH inspection task force for the mining sector established and better equipped to improve labour law compliance and assist social partners in the sector) the establishment of the Labour Inspection Task Force was not met as this required an amendment to the Industrial Labour Relations Act. To address this, the project supported the formation of an adhoc joint Task Force.*

- *Under Output 2.2 (Increased numbers of mining companies improve labour law compliance) despite the risk assessment tool having been developed on time, there was a delay in implementing its use. There was resistance from the OSH mandated institutions as the tool was seen as a generic tool from ILO.*

To address the challenges above and to ensure completion of project activities and sustainability of results, a number of activities were handed over to the TPCM to coordinate. This included follow up work on activities already implemented by the project and those not implemented, to ensure that: the TPCM continues to operate sustainably; TPCM facilitating resource mobilisation to support the implementation of priorities identified for follow up work in the mining sector; Government officially adopts the OSH assessment tool to facilitate joint and integrated labour inspection between MLSS, MoH and MMMD; the TPCM promotes compliance with labour laws including joint tools for OSH committees at the work place; develop training programmes at enterprise level (using the joint assessment tool) to prevent violations of labour laws and promote bipartite dialogue on labour law compliance at the work place; and MLSS to support the development of the cost effective monitoring tracking system for labour inspections in the mining sector through Government financing.

Purpose, scope and clients of the evaluation

Overall, this evaluation was designed to assess the project's contribution to the promotion of fundamental principles and rights at work and the strengthening of social dialogue in the Zambian mining sector. More specifically the evaluation has achieved the following:

- Assessment of the project's progress across the outcomes; performance in line with foreseen targets and indicators of achievement at output level; strategies and implementation modalities; and partnership arrangements, constraints and opportunities in Zambia;
- Provision of strategic and operational recommendations, highlight lessons learned for improving performance and delivery of project results and identifying best practices that can be replicated;
- Assessment of the extent to which the project has achieved the 7 key outputs since the start of the project.

The evaluation uses ILO's Evaluation Policy and compliance with the UN and OECD/DAC norms and standards, and ethical safeguards as a backdrop. The key evaluation clients are USDOS as project donor, ILO as executor of the project and Project management and staff.

Methodology of evaluation

The conceptual framework of this evaluation drew on the OECD Results-Based Management Framework, assessing the 5 evaluation criteria of *relevance, effectiveness, efficiency, impact* and *sustainability* of the ILO approach to this project. Additionally the evaluation assessed the project's contribution to the promotion of *gender equality* in the work of the ILO and its constituents and beyond the framework specified in the TORs, the evaluation analysed the project's *coherence* with wider ILO strategies and activities.

The Final Internal Evaluation was conducted through a range of primary and secondary data collection methods including:

- A desk review of relevant project documents, national documents, literature on FPRW and relevant international labour standards;

- Meetings and briefings with ILO staff (technical specialists, Regional Office for Africa and departments at Headquarters) and donors via e-mail, Skype and phone;
- Meetings with ILO constituents and project beneficiaries;
- Analysis of data and development of the draft and final evaluation reports.

The evaluation generates information from the desk review, focus group discussions, field visits, informed judgement, scoring, ranking and rating techniques, facilitated through consultations with ILO management and staff, constituents, relevant bilateral donors, implementing partners, beneficiaries and other key stakeholders.

Main Findings and Conclusions

Relevance, Coherence and strategic fit

The evaluation found that project was strategically relevant in relation to the ILO Outcome 14 that it supported and was also coherent with the wider ILO P&B strategy, with strong linkages to other outcomes in the 2014-2015 ILO strategy (notably Outcomes 1, 5, 9,10,11,12, 13,17, 18 and 19) as well as a clear continuity in the 2016 -2017 P&B outcomes including Outcome 7 (Promoting workplace compliance through labour inspection); Outcome 8 (Protecting workers from unacceptable forms of work); and Outcome 10 (Strong and representative employers' and workers' organizations).

The project was demand driven, contributing towards addressing the challenges that the Zambian mining sector was facing, in terms of industrial relations, as a result of the economic down-turn resulting from slumping copper prices. The project was relevant to the needs of its key target groups including mineworkers, workers', employers' organisations and government, particularly that the project was building on institutional core mandates. Despite the project's positive results in progressively contributing to improved labour and employment conditions within mining enterprises, an issue of concern is that of mine workers employed under contractor's payroll. In terms of strategic coherence, this could be better linked to the 2016 - 2017P&B Outcome 8 on protecting workers from unacceptable forms of work.Further the project benefitted, complemented and built on and experience from other projects (namely theproject titled“Promoting the Right to Freedom of Association and the Right to Collective Bargaining” funded by Norway.

Project effectiveness & Efficiency of resource use

Effectiveness

The project has delivered technical support related to freedom of association and social dialogue in line with the ILO mandate and with tripartite constituents expectations, fostering objectivity, quality, transparency, cost effectiveness and orientation towards sustainable impact. The interventions implemented have significantly contributedto achievement of project objectives and mining sector

priorities as envisaged in the project work plan. Where the project failed to meet the outputs specified in the project document and operational work plan, remedial action was taken as highlighted in the section on project implementation status above. With regard to effectiveness of management arrangements, the tripartite constituents have a high appreciation of the project teams' technical competence and commitment to effective project delivery. However, headquarters support towards technical backstopping of the project from FUNDAMENTALS was affected by the high staff turnover.

Efficiency

The project delivery has been as originally envisaged by the project strategy with a few exceptions. The interventions not implemented were handed over to the TPCM for completion. Project interventions were closely implemented with stakeholders ensuring representation of relevant partners. The project also leveraged resources from the Norwegian Funded Project titled "Promoting the Right to Freedom of association and the Right to Collective Bargaining", which focussed on promoting the effective recognition and implementation of freedom of association and collective bargaining rights, as provided for by ILO Conventions 87 and 98 on freedom of association and collective bargaining respectively. The project's resources, both financial and human, were efficiently managed by ensuring value for money through the development of concept notes and corresponding budget for planned activities. These interventions were not only coordinated by the project team but also supported by DWT specialist and national consultants with relevant technical expertise. The PAC had an overarching responsibility to monitor and provide oversight for the project interventions.

Impact orientation and sustainability

The project has steered towards contributing to impacts, despite the project's short duration (21 months inclusive of 3 months extension period). It is unrealistic to expect impact in such a short project duration, hence this evaluation focussed more on results. Key indication of orientation towards impact is evidenced by the following:

- Enjoyment of sound industrial relations within during the project duration i.e. there were no strikes within the mining sector despite the colossal job losses experienced;
- Increased political commitment by the mining sector actors to promote FPRW, particularly focussing on freedom of association and collective bargaining (it should be stated here that there is still some resistance from certain mining companies to participate in interventions related to labour and employment issues);
- Creation of social dialogue structure (TPCM) which speaks to the needs of constituents and the tripartite plus.
- Capacity building of employers and workers organisations on needs based negotiations and of institutions mandated to undertake labour and OSH related inspections
- Research and dissemination of sector specific information to influence policy, programming and decision making within the sector;
- Institutionalisation of systems, model, concepts and tool to promote sound industrial relations within the mining sector
- Implementation of relevant ILO labour standards, in particular conventions on inspection (C81), Freedom of Association (87), collective bargaining (98), OSH (155) and tripartite consultation (144).

This orientation towards impact has been effective in contributing to the objectives of Outcome 14 of the ILO strategy in a number of ways, and the project experience has generated a number of best practices and lessons which can be used to replicate/design similar interventions within the mining sector and for other sectors with similar dynamics at various levels, be it nationally, regionally and globally.

Inclusive to the foregoing are the following: the creation of a sector based social dialogue sector to coordinate responses towards sector challenges; the use of research findings, tools and knowledge to address technical issues of relevance to the mining sector actors and to promote coordinated inputs and common understanding in addressing sector challenges; and highlighting the critical role that needs based negotiations approach plays in achieving a win-win situation for both employers and workers.

The project significantly established processes and systems to support implementation of the project. The constituents and other stakeholders involved have expressed political will to continue the project activities on their own to ensure sustainability of results achieved by the project. From the sustainability perspective, the gains that the project has achieved are likely to be maintained and even enhanced as project interventions are clearly linked to the day to day mandates/functions of all tripartite partners and a significant number of sector players. Even with this positive progress, further support may be required to fully institutionalise the interventions through clear linkages to institutional strategic planning and budgeting i.e. fostering organizational ownership and financial independence.

Recommendations

The following key evaluation recommendations are aligned to evaluation criteria and are synthesized based on analysis of the information generated from desk review and consultations *Key Recommendations:*

1. ***Elaborating projects' theories of change.*** Another key lesson learned is that a project with linked in causality as a result of a comprehensively designed project contribute to achievement of developmental goals and sustainability of interventions. The project has a holistic theory of change anchored on the sector context, with clear causality of how project activities will lead to results and how these results progressively lead to the achievement of project and developmental objectives. The project's design should be used as a best practice model for replication of projects not only in the mining sector but other sectors with similar dynamics.
2. ***Ownership sector interventions.*** The project ensured a holistic approach to participation by the tripartite and all relevant stakeholders (tripartite plus approach) in all project interventions. This created an impetus for understanding and institutionalising of sector interventions relevant to the participating institutional mandates bringing about a higher possibility of sustainability of results, despite underlying challenges of capacity and limited financial resource availability. ILO should support the development of a sector level financing mechanism promoting cost sharing aligned to national as well as institutional strategic plans and budgeting of sector actors for joint activities.
3. ***Engaging management of mining sector enterprises.*** A key lesson learned by the project is that engagement of mining company CEOs on fundamental principles and rights at work enhances social dialogue between management and the union at enterprise level. However,

future programming should include ILO support on research targeted at better understanding strategies that can effectively motivate "resistant employers" participation in mining sector projects addressing FPRW as well as documenting good practices for engaging with employers. This knowledge base could also be used for the development of global tools on working with employers within the mining sector and similar sectors.

4. **Capacity development of sector players.** Beyond the training content for sector actors to enhance their capacity on specific thematic issues, it is recommended that capacity building interventions incorporate specific action planning or road map on how each institution will progressively implement the knowledge and skills gained in the training as relevant to institutional mandates/functions.
5. **Protection of mineworkers under contractors' payroll.** The evaluation recommends a need for a more explicit focus on a study on business and labour practices within contracting companies in the mining sector to inform policy development contributing to the enjoyment of FPRW for mineworkers employed by contracting companies. Future policy level programming by ILO could focus could be the TPCM priorities No. 2 on the "Sector Based Minimum Wage for the Mining Sector" and No. 5 targeting "Development of Occupational Safety and Health (OSH) Guidelines for Mining Contractors". Policy work on minimum wage and on OSH can be addressed through increased work with the ILO Inclusive Labour Markets, Labour Relations and Working Conditions (INWORK) and OSH branches. This policy work should be informed by national studies on the impact of the minimum wage policy within the mining sector and a relevant OSH related study.
6. **Maintenance of Relevance and Sustainability of Social Dialogue Structure.** Ensure that the meeting agenda items have a common appeal and are of interest to and benefit a significant number of members of the TPCM as an incentive for participation (both physical presence and member participation financing by the institution they represent).
7. **Instituting improved collective bargaining models to effect bipartite gains within mining enterprise level.** One lessons learnt by the project has been the negative impact that traditional positional negotiation stances have had on the effectiveness (success rate & timeframe to achieve outcomes acceptable to both parties) of collective bargaining processes. Measuring the success of the Needs Based Negotiation Model in practice to realize a win-win result for both management and workers requires research (impact assessment) to be undertaken, particularly that some negotiations within the sector had progressed before capacity of workers and employers to support effective collective bargaining was supported.
8. **Effective gender mainstreaming strategies.** The project lacked a clear and strong gender mainstreaming strategy. Future programming should focus on the development of a gender mainstreaming strategy with support from the ILO Gender Equality Division (GED) branch.
9. **Results based management (RBM).** The project achieved positive results by carrying out activities and delivering relevant outputs for specific stakeholders (mandate based outputs) to utilise as a means of creating the required change in and benefits for industrial relations

within the mining sector. The project's RBM approach should be considered as a model for projects of a similar nature.

10. **Sustainability.** Some of the institutions created i.e. the TPCM and certain mining sector unions supported by the project are not yet in the position to function as independent and sustainable bodies. For the short to medium term, it is imperative that the ILO, government and social partners focus on supporting the development of a project document to facilitate resource mobilisation and implementation of the Action Plan developed through the TPCM priority setting process as well as for support to ongoing activities initiated and institutionalised during the project phase.

1. Project Background

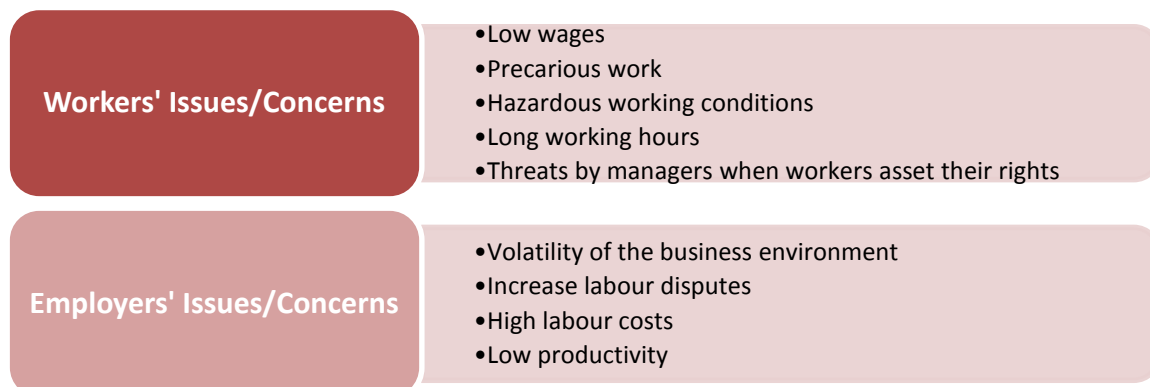
This evaluation focuses on the project titled "Promoting Fundamental Principles and Rights at Work in the Zambian Mining Sector", funded by the United States Department of State (USDOS), to the tune of US\$ 495,000. The project is linked to a number of strategic frameworks at various levels. At the global level, the project contributes to the USDOS indicator 2.4.1-4 on the *"number of independent, democratic trade/labour unions supported by the United States Government (USG) to promote international core labour standards"*; and the ILO's Strategic Policy Framework 2010-15 and the Programme and Budget (P&B) for 2014-2015, specifically to ILO P&B Outcome 14 *"The right to freedom of association and collective bargaining is widely known and exercised"* (in line with the P&B Outcome 14 Indicators). The overall goal of the P&B strategy during the 2014-2015 biennium is to achieve a greater realization of freedom of association and collective bargaining rights for workers and employers who encounter significant obstacles to the exercise of these enabling rights either in law or in practice. At the national level, the project has a strategic link to the Zambia Decent work Country Programme (ZDWCP) 2013 - 2016 through priorities 1 and 4 which address Fundamental Principles and Rights at Work and Social Dialogue.

1.1 Project Objectives

The project's developmental objective is to promote sound industrial relations and compliance with fundamental principles and rights at work (FPRW) in Zambia's mining sector. The project is structured around the following 3 immediate objectives:

- Immediate Objective 1: Promote tripartite trust and effective social dialogue in the mining sector to address core employment and labour issues;
- Immediate Objective 2: Strengthen the capacity of the tripartite constituents to promote sound industrial relations and comply with international labour standards in the mining sector; and
- Immediate Objective 3: Enhanced trade union capacity to better represent and serve their members, particularly through workplace cooperation and collective bargaining.

The project focuses on tackling root causes of Zambia's labour conflicts and workers' and employers' concerns as a means of improving the country's industrial relations system within the mining sector. The root causes of these labour conflict include a lack of trust, dialogue and cooperation between workers and employers. The figure below highlights some of the workers and employers concerns.



1.2 Intervention Logic

To fully comprehend the how the project has fared against the goals of outcome 14, the evaluation assessed to what extent the project activities and outputs contributed to the achievement of the intended result and how these could eventually create an impact in the mining sector. The clear causality of intervention linkages and integrated approach shows the interdependence of interventions that build on each other. Though not deliberately illustrated in the project document, it can be inferred from the foregoing that the project has incorporated a comprehensive/holistic theory of change contributing towards Outcome 14 on "the right to freedom of association and collective bargaining is widely known and exercised".

The project included seven outputs ranging from establishment of a social dialogue structure; national studies to inform planning, implementation and monitoring; sector priority setting; tools for inspection and assessments of interventions; and development of strategies and action plans. All the outputs contribute towards an existing Country Programme Outcome (CPO) on "strengthened institutions for social dialogue in particular in the mining sector so as to promote sound industrial relations". The projects' seven outputs are presented below:

1. *Output 1.1 Tripartite Partnership Committee for the Mining Sector (TPCM) established and fully operational*
2. *Output 1.2 Members of TPCM better informed on the situation of labour rights and working conditions in the sector*
3. *Output 2.1 Labour and OSH inspection task force for the mining sector established and better equipped to improve labour law compliance and assist social partners in the sector*
4. *Output 2.2 Increased numbers of mining companies improve labour law compliance*
5. *Output 3.1 Trade Unions possess better skills and tools on workplace cooperation, collective bargaining and the prevention and resolution of labour disputes*
6. *Output 3.2 Joint strategy for coordinated and comprehensive collective bargaining developed by trade Unions for the mining sector*

1.3 Project Management

The project management at ILO headquarters level was plagued by a high staff turnover, with the focal point persons within FUNDAMENTALS (FPRW) being replaced 4 times during the project duration. This paused significant bottlenecks for field project management and donor relations management. The project Headquarters (HQ) focal point had the responsibility of providing technical guidance to the field team in Zambia and coordinating the project, including liaison with and reporting to the donor for project monitoring and reporting. ACTRAV, ACTEMP, FUNDAMENTALS, OSH as ILO departments and branches contributed to the development of tools and national level work as per their core mandate. The CPO was managed by a full time National project Coordinator and Project Assistant (20% salary support by USDOS supported project). The project was further supported by employers' workers, social dialogue, OSH and international labour standards Specialists from the Decent Work Team in Pretoria. A number of consultants were also engaged to undertake national studies, sector priority setting development of Action Plan, assessment tools and sustainability plan.

2. Evaluation background

The evaluation is designed to identify contributions made to the ILO's internal learning processes. It has been undertaken in accordance with the ILO's Evaluation Policy, complies with United Nations (UN) and Organisation for Economic Co-operation and Development's (OECD) Development Assistance Committee (DAC) norms and standards, and ethical safeguards have been followed. The key evaluation clients are: USDOS as project donor; ILO as executor of the project and; Project management and staff. The evaluation covers all outcomes of the Promoting Fundamental Principles and Rights at Work in the Zambian Mining Sector Project in Zambia, with particular attention to synergies across components. Additionally, the evaluation assesses the extent to which the project has achieved the 7 key outputs since the start of the project.

3. Evaluation Methodology

The conceptual framework of this evaluation is outlined in the Evaluation TORs. The framework draws on the UN evaluation standards and norms¹ and the *Glossary of key terms in evaluation and results-based management* developed by the OECD's DAC. The purpose of the Final Internal Evaluation is to assess the following: i) relevance and strategic fit, ii) validity of design, iii) project progress and effectiveness, iv) efficiency of resource use, v) effectiveness of management arrangements and vi) impact orientation and sustainability as defined in ILO policy guidelines for results-based evaluation². In addition the evaluation framework encompasses lessons learnt, the project's *coherence* with wider ILO strategies and activities, as well as the project's contribution to the promotion of *gender equality* based on the ILO Guidelines on Considering Gender in Monitoring and Evaluation of Projects (September, 2007). The general evaluation tool citing each evaluation criteria, questions, data collection methods to be employed for identifying and analysing results and data sources is incorporated in the Inception Report, together with output specific questionnaires used to interview key informants and beneficiaries (Annex 4).

The evaluation comprised a desk review and consultations with ILO management and staff, constituents, relevant bilateral donors, implementing partners, beneficiaries and other key stakeholders. A range of data collection methods including the following were used:

- A desk review of relevant project documents, national documents, literature on FPRW and relevant international labour standards;
- Meetings and briefings with project staff at ILO Lusaka, and correspondence on specific questions with relevant technical specialist from Decent Work Team (DWT) and the donor representative for USDOS in Washington DC via e-mail, Skype and phone. Due to the lack of engagement, Regional Office for Africa (ROAF) was not consulted and the focal point at HQ. A short questionnaire survey is included for ILO staff in the country and at HQ who were directly involved in the project (see questionnaire, Annex 3 in inception Report);
- Meetings with ILO constituents and project beneficiaries (see Annex 4);
- Analysis of data and development of the draft and final evaluation reports.

¹ ST/SGB/2000 Regulation and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation

² ILO policy guidelines for results-based evaluation: Principles, rationale, planning and managing for evaluations, 2012

Both primary and secondary data sources were critical in generating data for the evaluation. A wide range of data collection methods and evaluation techniques have been used to generate information including focus group discussions, field visits, informed judgement, scoring and ranking or rating techniques.

Data generated was used to triangulate findings, interrogating the same research questions with a mix of data sources, including both objective and subjective measures. The consultant facilitated semi-structured interviews with relevant stakeholders including ILO constituents and other stakeholders; and focus group discussions (FDGs) with project beneficiaries to gather in-depth perspectives.

4. Evaluation Sampling

In terms of sampling, national level meetings were held with the tripartite plus and additional meetings facilitated through field visits to each of the provinces (Copperbelt and North-Western) targeted by the project. Due to time constraints and the required approvals by mining company, only one mine (Mopani Copper Mine on the Copperbelt province) was targeted by the evaluation. Efforts to hold a conference call with Lumwana in North-Western province proved futile due to the institutional approval process for a go-ahead. The findings of the 2015 ILO study titled "Impact Assessment: The Effects of the Mining Industry on Worker's Rights and Sustainable Business Practices in Zambia" was used to inform selection of the sample of project beneficiaries. The study highlighted two business models in mining companies, namely one encompassing workers on the mining houses' payroll (characterized by favourable and progressive employment and labour practices) and another comprising high outsourcing of operations and labour to contractors with poor and exploitative employment and labour practices. In order to get comprehensive information from the project's beneficiaries, the evaluation targeted the following stakeholder groups:

Unions targeted by the project:

- Mineworkers Union of Zambia (MUZ)
- National Union of Mineworkers and Allied Workers (NUMAW)
- United Mineworkers Union of Zambia (UMUZ)
- Mineworkers Contractors and Allied Workers Union of Zambia (MCAWUZ)

Mining Companies both local and multinational companies, targeting workers and employers trained by the project through various interventions:

- Mining Unit Managers of mining companies (Human Resource Managers and Safety and Health Managers)
- Union representatives of mining companies
- Workers of mining companies (FDGs). For effectiveness, the FDGs will target 6 - 10 workers i.e. direct project beneficiaries. For each mine, 2 FDGs will be held at this level, one for workers on the mining company payroll and another for seasonal and contractor-managed labour i.e. workers provided by contractors/outsourcing)

- OSH Committee members at mining companies (FDGs)

Other Stakeholders:

- Inspectors supported or trained by the project i.e. Labour Inspectors, Occupational Safety and Health Institute (OSHI) Inspectors and Mines safety Department (MSD) Inspectors

The information generated from the desk review and consultations has generated the findings in the follow up section below.

5. Findings

This section describes the evaluation findings, organized around the logic of the project strategy. In this vein, the evaluation provides an analysis of the information gathered through desk review and consultations to expand the evaluation criteria content and context at its *Relevance, CoherenceEfficiency, and orientation towardsImpacts, Effectiveness, Sustainability and Gender Equality*.

5.1 Relevance

Strategic relevance

The project is highly relevant and is linked to Outcome 14 (the right to freedom of association and collective bargaining is widely known and exercised) of the ILO 2014-2015 P&B and its related indicators. Due to the project's focus on industrial relation, the project was anchored in the FUNDAMENTALS branch whose responsibility is to provide technical support on policies and action to support the realization of fundamental principles and rights at work. FUNDAMENTALS supports member States to fulfil their obligations to respect, to promote and to realize, in good faith, the fundamental principles and rights at work by facilitating the strengthening of relevant legislation and institutions including employers' and workers' organizations and the commitment of national duty bearers, rights-holders and enterprises³.

The P&B detailed strategy development for outcome 14 places emphasis on working with national authorities and workers' and employers' organizations to identify, assess and address the particular hurdles confronted by the full exercise of freedom of association and collective bargaining rights. It further places emphasis on partnerships with the United Nations through the United Nations Development Assistance Framework, the donor community, media, academic and training institutions as part of ILO efforts to strengthen national capacity and ensure the sustainability of interventions. The project has done significantly well in working with these targeted groups, with the exception of direct interventions with the media.

³<http://www.ilo.org/global/about-the-ilo/how-the-ilo-works/departments-and-offices/governance/fprw/lang--en/index.htm>

To further operationalize aspirations of the 2014-15 P&B, the project used ILO diagnostic tools relevant to freedom of association and collective bargaining and has worked with national constituents to strengthen and develop collective bargaining and undertaken a study on mechanisms for dispute resolution in the mining sector. One 2014-15 P&B area that the project did not achieve was that related to development of information management systems to facilitate maintenance of accurate, up-to-date, transparent and user-friendly information on the status and progress of the application of freedom of association and the right to collective bargaining.

The lessons, good practices and recommendations from this evaluation also closely lend to areas prioritised for outcomes 7 (promoting workplace compliance through labour inspection); Outcome 8 (protecting workers from unacceptable forms of work); Outcome 10 (strong and representative employers' and workers' organizations) in the 2016 - 2017 P&B and their related indicators.

At the national level, the project was also relevant to the Revised Sixth National Development Plan 2013-2016; the 2011 - 2015 UNDAF for the Republic of Zambia through outcome 2 (Targeted populations in rural and urban areas attain sustainable livelihoods by 2015) contributing to the specific component on decent employment creation; and the 2013 - 2016 Zambia Decent Work Country Programme (ZDWCP) in line with priority 1 and 2 on Fundamental Principles and Rights at Work and Social Dialogue respectively (see figure below).



With regards to International Labour Standards, the project interventions are also clearly aligned with the following Conventions: on inspection (C81), Freedom of Association (87), collective bargaining (98), OSH (155) and tripartite consultation (144).

Relevance to Constituents

In terms of *relevance to constituents' and target groups' priorities*, the project interventions responded to constituents' demands/ needs based on consultations undertaken during all stages of the project (design, implementation and monitoring). The project strategy was defined through engagement with national stakeholders in response to a request by the Ministry of Labour and Social Security (MLSS) in 2013 for ILO support to facilitate consultations with stakeholders in the mining sector to establish ways of defusing the impasse of mistrust among the players in the sector. The ILO organised stakeholder consultative meeting to review Zambia's Mining Regulation in August 2013 and organised a knowledge and information study tour to Chile and Peru. These consultations went beyond the tripartite and included tripartite plus institutions such as the Mines Safety Department, Occupational Safety and Health Institute, local government and Chamber of Mines. Additionally, the ILO Director General visit in the same year, culminated in a tripartite high level consultative meeting on more and better jobs through local economic development in the economic communities, where issues related to addressing the crisis in the mining sector was also discussed.

Based on recommendations from these consultative processes a project reflecting the priorities of the ILO tripartite constituents was designed. To create ownership project implementation oversight and decision making around project processes and inputs (e.g. drafting of TORs, selection of consultants and recruitment of consultants) was undertaken in cooperation with the Project Advisory Committee (PAC), a national tripartite structures. During this evaluations consultations in Lusaka and field visits conducted in Kitwe and Solwezi, ownership of project strategies by the PAC members and TPCM members was clearly evident, with persons interviewed showing a significant grasp of processes undertaken and implementation status of project interventions.

To support implementation of project strategies, the project facilitated a number of capacity building interventions using diagnostic tools to facilitate learning. Constituents have strongly indicated that these tools were highly relevant and responsive to their needs. For example, the project used diagnostic tools developed by ILO to contextualize tripartite constituents' needs for specific trainings on joint inspection, needs based negotiations, collective bargaining and multinational enterprises. Some of the results emerging from constituent's capacity building initiatives supported by the project are highlighted below.

Relevance for Government

The projects responded to government's priorities through the Joint Inspection Trainings, targeted at institutions mandated to conduct inspections in the mining sector. These include the Ministry of Labour and Social Security (MLSS) Labour Department (Labour Inspection) mandated to inspect employments and labour issues and the Occupational safety and Health Department mandated to inspect factories; the Ministry of Mines Energy and Water Development (MMEWD) Mines Safety Departments, mandated to enforce laws including the Mines and Minerals Act and the Mines and Explosives regulations through safety inspections; and the Ministry of Health (MOH) Occupational Health and Safety Institute mandated to enforce provisions of the Occupational Health and Safety Act No. 36 of 2010 through medical surveillance in all sectors including mining. The project design approached Occupational Safety and Health (OSH) as a basic employment right and facilitated the coordination of OSH inspections within the mining sector. During the evaluation, the three government departments appreciated the added advantage of the "one enterprise one inspection" approach, particularly that mining companies have in the past indicated the inconvenience caused by the fragmented and uncoordinated inspections by the three

ministries. The departments further appreciated the efficiency that the joint inspection tool brings forward. Despite the joint piloting of the approach and tool at Kansanshi Copper Mines in Solwezi and African Explosive Limited in Kafulafuta, only the MLSS seems to be taking progressive steps to institutionalise the tool. Both MSD and OSHI pointed to the already existing formalised collaboration between them and the need for collaboration with the Labour Inspectorate and enhancement of basic capacity for the Labour Inspectorate to spot mining sector OSH issues as they conduct their routine inspections. Further, both MSD and OSHI highlighted that despite an agreement reached during the training on working together, the lack of a coordinated strategic plan to effectively implement joint inspections amongst the three departments would hamper progress in the area. The following quote by one of the inspectors is a confirmation of this, *"We have continued with our institutional strategic plan for OSH inspections."*

These challenges are further hampered by one commonality within the three departments, the limited financial resource allocation for inspections. To address these challenges, the context specific recommendations are proposed in the section on sustainability below.

Relevance for Employers

The project is highly relevant to employer organisations and their members within the mining sector. The project worked closely with the Zambia Federation of Employers (ZFE), Chamber of Mines (a member of ZFE) and mining enterprises among them Lumwana, Kansanshi, Chambeshi and Mopani. The ZFE and COM formed part of the PAC and the TPCM, whilst the enterprises were part of the TPCM. The employers pointed out that the project clearly linked to their core interests, particularly that it was sector specific and highlighted and tackled challenges faced by employers in the mining sector and that it contributed significantly to the maintenance of sound industrial relations within the mining sector. Employers felt the project enabled a clear understanding of the following:

- Situational context of the mining sector facilitated through the studies on actor mapping and the impact assessment provided and continues to provide information to inform policy dialogue and planning for the sector players
- The importance of social dialogue as a means of promoting common understanding, transparency and trust
- Requisites for needs based negotiations, an annual component of the ZFE's annual training calendar for its members.

The project's strategic inclusion of stakeholder at three levels namely national (national employers' representative), regional (Regional Committee of employers' organisation); and those at the operational level (enterprise) made the project even more relevant to the reality on the ground and facilitated the identification of the most effective means for addressing sectoral challenges. Further, the inclusion of mining enterprise CEOs and the timing of the interventions requiring employers' participation was also crucial (e.g. the trainings on needs based negotiations was conducted just before the negotiation process and after the national level training of the trade unions). This contributed to positive results of bipartite discussion during the negotiations, evidenced by the transparency of discussions and the short period it took for mining enterprises and unions to agree not to increase salaries in 2016.

A core intervention relevant to capacity enhancement of employers was the MNE training, which provided insight on how employers can influence policy. A relevant issue was guidance on how employers can effectively engage in policy dialogue on the Sector Based Minimum Wage. Employers also highlighted that the project provided impetus for enterprises to conduct checks on their levels of compliance to legal

provisions and in delivering corporate policies in place as prescribed by the MNE Declaration. These enterprise level policies accrue to all workers on the shop level, irrespective of whether the workers are the mining company payroll or on labour contracting company payroll. The project therefore held companies to scrutinise how they can best engage with their employees to ensure effective delivery of these policies.

Relevance for Workers

The project was directly relevant to the priorities of project ultimate beneficiaries, who are the mineworkers. The project collaborated with 5 mine sector unions, including: Mine Workers Union of Zambia (MUZ), affiliated to ZCTU; National Union of Miners and Allied Worker (NUMAW), affiliated to COTUZ; United Mine Workers Union of Zambia (UMUZ), affiliated to FFTUZ; Mine Contractors and Allied Workers Union of Zambia (MCAWUZ), affiliated to FFTUZ; and Consolidated Miners and Allied Workers Union of Zambia (CMAWUZ), which is not affiliated national trade union centre.

The move from one industry, one union to a multiplicity of these unions means that the voice of the workers in the sector is weakened and the principle of unity is compromised. This has affected collective bargaining and industrial relations in general and solidarity among the trade unions. Collective bargaining at enterprise level is therefore characterized by the employer bargaining with more than one trade union in some cases. As a result, the capacity of some trade unions to effectively represent their members on matters of collective bargaining and other industrial relations has significantly reduced. This is further hampered by challenges faced by some unions in the sector, including the following amongst others: high leadership turnover; limited institutional structures; leadership and governance challenges due to inherent power struggles; limited capacity to address challenges faced by their membership; and financial instability. These challenges have in turn affected the impact of these unions in effectively representing and servicing their members. In order to address some of these challenges, the project supported a training on advantages and prerequisites of coordinated collective bargaining and priorities for the mining sector targeting the mines sector unions. These unions generally found these project interventions highly relevant and responsive to their needs. The significant gains for their membership facilitated by the project are highlighted in a Case Study 1 in the findings Section 6, under orientation to impact, subsection 6.4 below.

Despite the gains accruing to workers on the payroll of mining companies, a critical target group of concern are the mineworkers under the mine contractors' payroll. These workers are susceptible to exploitative employment conditions particularly in relation to precarious contracts, casualization and low wages. This was an issue not only highlighted by the 2015 ILO study titled "Impact Assessment: The Effects of the Mining Industry on Worker's Rights and Sustainable Business Practices in Zambia", but was also raised during evaluation by mineworkers at working under contractors at one of the mines consulted. The evaluation uncovered a misconception portrayed by contractors who believe they are in compliance with the legally provided "minimum wage", when in fact there is no minimum wage for the mining sector. The contractors and some mining companies use the Shop Workers Order and the General Workers Order provisions, which do not cover mine workers in reality. This mode of contracting is likely to constitute general violations of labour rights. These concerns were noted in the Human Rights Watch Report of 2012 and the United States Department of State Country (USDOS) report on Human Rights in Zambia in the same year. Further the Human Rights Commission of Zambia has also expressed concern regarding continued violations of workers' rights. Apart from the obvious role that the labour inspectorate has in monitoring working conditions and compliance to legal provisions, no other institution had clear responsibility to foster good business practice within contracting companies. This is further hampered by

lack of regulation, as a result of the informality of associations for contractors supplying labour, who focus more on business and not the welfare of workers. This issue, though identified as a challenge by the project and stakeholders, was not explicitly addressed, partly due to lack of conclusive discussions on who has the mandate to improve labour practices of contracting companies. The evaluation revealed that some multinational mining companies have been proactive and have included deliberate policies to address this within their contracts with contractors by including a clause on the percentage of the contractual amount accruing to workers remuneration as a means of promoting sound labour practices within their supply chains. The general view is that the precarious contracts and casualization brought about by contractors in the mining sector will progressively phase out as a result of the new legal provisions within the Employment Act prohibiting casualization i.e. that no person to be employed as a casual workers for work of a permanent nature. Until these labour practices are phased out, this is an issue which will need to be addressed by follow up work in the mining sector.

5.2 Coherence

The project was clearly coherent to the focus of the ILO P&B strategy, in particular outcome 14 and its respective indicators and the wider ILO strategy. The ILO staff at HQ have reached out across branches and divisions to engage with staff working on a wide range of outcomes and labour issues; to reduce duplicity of work by complementing and synergising with other P&B outcomes; and to ensure avoidance of conflicts with other CPOs. The strategic coherence is also demonstrated by the level of engagement and collaboration at various levels. From the HQ perspective the project was clearly anchored in FUNDAMENTALS (FPRW) division, with an interaction with technical experts. The project also leveraged resources from another CPO project titled “Promoting the Right to Freedom of Association and the Right to Collective Bargaining” funded by Norway. Further the project has benefitted from technical support from ACTEMP, ACTRAV and Social Dialogue through the DWT specialist.

5.3 Efficiency

Project delivery has been as planned within the project logical framework and operationalize plans, with the exception of a limited number of interventions that were not implemented on time as a result of issues beyond the project's control. The delay in implementation was caused by the untimely demise of the Zambia President HE Michael Chilufya Sata and follow up elections which have had to take place in the last two years, ushering in President Edgar Lungu. To address this, the PAC requested that for a 3 month no cost extension to facilitate completion of activities. Activities not implemented before the lapse of extension period were handed over to the TPCM for completion.

The success in implementing these activities can be attributed to a number of factors including the following: sound project management, both by the FUNDAMENTALS team coordinating the overall project, and the ILO staff, DWT specialists and consultants supporting capacity strengthening of constituents in collective bargaining, needs based negotiations, social dialogue and mining sector inspection and national studies respectively. At the country level, the project was managed by a National Project Coordinator with extensive experience on industrial relations and Project Assistant. The level of efficiency by the project management team was echoed by the donor, all constituents and stakeholders, who indicated the project's high level of competence, commitment, preparedness in supporting and engaging all stakeholders.

Monitoring and reporting

The project monitoring process was facilitated through follow ups of project implementation by project staff and the TPCM. The project reporting was based on detailed quarterly reports highlighting output level results and reflecting progress on the achievement of results based on the logical framework indicators, which highlighted how it was achieved, what was not achieved and how the challenges were addressed. The project using the IRIS reporting system. However, the evaluation indicated a limited understanding of the project M&E framework by the project team. The framework was developed during the project design by FPRW Branch without proper training/orientation to the project team, leading to limited understanding by the project staff on how the evaluation tool should be used to populate relevant data. This was also pointed out as a key challenge during an evaluation consultation with the project's donor representative, who also indicated shortfalls by the ILO HQ backstoppers' to effectively relay DRL expectations to the field staff.

Utilisation of project resources

The project resources was efficient in ensuring that project resources were used for the intended purpose and that there was a return on value for money. Value addition was also enhanced through utilisation ILO technical expertise leveraged through engagement of the DWT specialist funded through the project and regular budget. Desk review and consultations with the project team and donor showed collaborative evidence that there was a stringent approval process for shifting of resources on budget lines, as evidenced by the budget reviews conducted within the project period and to facilitate approval of the no cost extension of the project. Additionally, a lot of staff time and resources were saved by the use of existing ILO global tools which were used to facilitate national level capacity development. Further, the project leverage more resources through the cost sharing with the Norway funded CPO, with the added advantage of reaching to a larger number of constituents than envisaged by the USDOS project. This allowed the project to maximise of funds and helped the project to be more ambitious in its coverage and focus.

5.4 Orientation towards Impact

Delivering Results

Feedback on the results reported by the project team and collaborated by the constituents and other stakeholder during the evaluation clearly shows that the project is strongly oriented towards impact. It is difficult to point towards impact of the project as this would be unrealistic considering the short period within which the project was designed to be implemented i.e. 18 months, subsequently extended to 21 months as a result of the extension. This is an extremely short period to achieve large scale institutional change with respect to social dialogue and its expected impact of sound industrial relations for the mining sector, particularly where the focus is to change institutional norms that negatively affect social dialogue. This expectation of impact is further affected by the political situation within the structures that the project aims to support as experienced by the project in relation to the state funeral and elections, which slowed down collaboration with government. Despite these challenges, the project has been able to deliver significant results in improving industrial relations within the mining sector through establishment

of a social dialogue structure, capacity strengthening and coordination of sector players for the realisation of FPRW, in particular freedom of association and collective bargaining as noted in some of the key results below achieved by the project.

Ownership sector interventions.

The project ensured a holistic approach to participation by the tripartite and all relevant stakeholders (tripartite plus approach) in all project interventions. This created an impetus for understanding and institutionalising of sector interventions relevant to the participating institutional mandates bringing about a higher possibility of sustainability of results, despite underlying challenges of capacity and limited financial resource availability. One of the key results of the project has been for political commitments by stakeholders has been to improve industrial relations in the mining sector, championed by the perceived institutional incentives of the ILO constituents. The motivating factor for participation has been the major interest by constituents for sound labour relation, the benefits of capacity development of actors and mechanisms to better address issues industrial relations issues. Evidence of such ownership is evident in some results such as the establishment of institutional spaces for social dialogues and implementation of needs based negotiations.

The success in ownership can be attributed to an effective strategy that the ILO has used drawing on their technical expertise from seasoned consultants and DWT specialist to build and disseminate a research to influence policy and project implementation. Examples of how this has been owned is seen within the employers and workers organisations who have utilised the finding of the two studies supported by the training to conduct effective needs based negotiations; and how the TPCM has used the studies to identify key priorities for the mining sector for follow up work.

Capacity development of sector players

In addition to creating and/ or working with tripartite institutions, the project has had an important role in capacity building for national institutions. With respect to engaging management of mining sector enterprises, the project has been instrumental in engaging mining company Chief Executive Officers (CEOs) on fundamental principles and rights at work to enhance social dialogue between management and the union at enterprise level. A training was held for CEOs and as a result, some employers have instituted the module on needs based negotiations through in house training programmes e.g. Lumwana Training of Joint Negotiation Committee before the crisis occurred. A key focus of the project has been to build the capacity of mine sector unions in needs based negotiations and collective bargaining. The project collaborated with the following 5 sector unions:

1. Mine Workers Union of Zambia (MUZ), affiliated to ZCTU with a membership of 15,000
2. National Union of Miners and Allied Worker (NUMAW), affiliated to COTUZ with a membership of 13,000
3. United Mine Workers Union of Zambia (UMUZ), affiliated to FFTUZ with a membership of 2,000
4. Mine Contractors and Allied Workers Union of Zambia (MCAWUZ), affiliated to FFTUZ with a membership of 4,000
5. Consolidated Miners and Allied Workers Union of Zambia (CMAWUZ), not yet affiliated with a membership of 33⁴.

⁴Union membership figures adopted from the 2015 ILO study on the evaluation of industrial relations dispute prevention and resolution in the mining sector in Zambia conducted by Labour Institute of Zambia.

Put together, these unions have a consolidated total of approximately 34,000 unionised mineworkers, who with sustained implementation by the targeted unions, can potentially benefit from project results. Some of the emerging results for unions, facilitated by the project are illustrated in the case study illustrated below.

Case 1: Sector Union Capacity Building for Improved Workers Conditions and Rights

From their perspective, the project has facilitated enhanced interactions and discussions between management and workers' representatives on main issues affecting workers conditions and rights. This was also further confirmed during separate focus group discussions with mineworkers' representatives and mineworkers from Mopani Copper Mines in Kitwe, with membership in MUZ, NUMAW and UMUZ. All workers representatives interviewed stated that the Needs Based Training supported by the ILO project had prepared and oriented leadership on union matters and negotiations. As a result, workers representatives felt they are now well placed to comprehensively undertake research to ensure consideration of all issues relevant to a successful win-win negotiations for both parties, including financial performance of enterprise; productivity; inflation; global copper prices; and the cost of doing business among others.

A case in point is the narration by the MUZ representative in Solwezi who narrated how the capacity interventions of the ILO project have directly benefitted mine workers. MUZ has representation of 800 workers from the total 3200 employed in First Quantum Mine (FQM), a mining company targeted by the ILO project. MUZ and other unions within FQM instituted the new negotiation model right after the training, using a comprehensive research methodology and effective negotiations practices proposed by one of the project capacity building interventions. The results of the research and application of the new negotiation model are that the union representatives at FQM managed to successfully broker a multi-year (3 year) joint union negotiation, with salary increments of 7% for 2017 and 6% for both 2018 and 2019, effective on the 1st of January for each of these years. Further, the unions also discussed salary harmonisation with management to ensure equity for least paid workers at FQM. The initial negotiation position of management was that no salary increment could be effected for these workers. The workers on the other hand were demanding a 30% increment. With their a convincing research presentation, back by sector and enterprise socio-economic indicators, the workers' representatives convinced FQM management that an increment was possible for the least paid workers. The result was a 37.5% increment for least paid workers as of 1st January 2017. Additionally, as a result of the needs based training, apart from focussing on salary increments alone during negotiations, the unions also negotiated for other benefits that should accrue to workers. A staff training and health package was negotiated. Workers are now being sent for training to support their professional development and a formal agreement has been reached between management and workers for FQM to pay for health services provided by company health facility. Workers are now better paced than they were before with access to career progression opportunities and regular health check-ups.

Maintenance of Relevance and Sustainability of Social Dialogue Structure

A critical precondition of policy development is creating/strengthening tripartite spaces for social dialogue. The TPCM was established in 2015 with support from the project as a tripartite social dialogue structure for the mining sector. The structure has empowered social partners with knowledge of the mining sector through the studies that have been conducted under the project. Relevance of the TPCM is also dependent on the extent to which the TPCM agenda appeals to members of the TPCM as a means of creating an incentive for participation (both physical presence and member participation financing by the institution they represent). However, the TPCM and certain mining sector unions supported by the project

are not yet in the position to function as independent and sustainable bodies. For the short to medium term, it is imperative that the ILO, government and social partners focus on supporting the development of a project document to facilitate resource mobilisation and implementation of the Action Plan developed through the TPCM priority setting process as well as for support to ongoing activities initiated and institutionalised during the project phase.

Instituting improved collective bargaining models to effect bipartite gains within mining enterprise level

One lesson learnt by the project has been the negative impact that traditional positional negotiation stances have had on the effectiveness (success rate & timeframe to achieve outcomes acceptable to both parties) of collective bargaining processes. Measuring the success of the Needs Based Negotiation Model in practice to realize a win-win result for both management and workers requires research (impact assessment) to be undertaken, particularly that some negotiations within the sector had progressed before capacity of workers and employers to support effective collective bargaining was supported.

Effective gender mainstreaming strategies

The mining sector is generally male dominated and similarly, project interventions largely attracted more men than women representatives from the tripartite plus, with the exception of MLSS which had more women than men representatives. Some of the gender issues taken into consideration by the project influenced a deliberate policy of ensuring a gender balance within the PAC and TPCM. Additionally, both the trade unions and employer organisations agreed that future recruitment would prioritise women who meet the required qualification as opposed to limiting women participation in the traditional women committees as evidenced in the past. The project however lacked a clear and strong gender mainstreaming strategy.

Knowledge development

The project has supported a number of studies within the mining sector including the 2015 ILO study titled "Impact Assessment: The Effects of the Mining Industry on Worker's Rights and Sustainable Business Practices in Zambia"; Mining Sector Actor Network Mapping Study; and the Gap Analysis Study. These studies have provided critical information for project programming and a basis for members of the TPCM for informed decision making for interventions that the project has supported and have also influenced ownership and commitment of tripartite partners for project interventions.

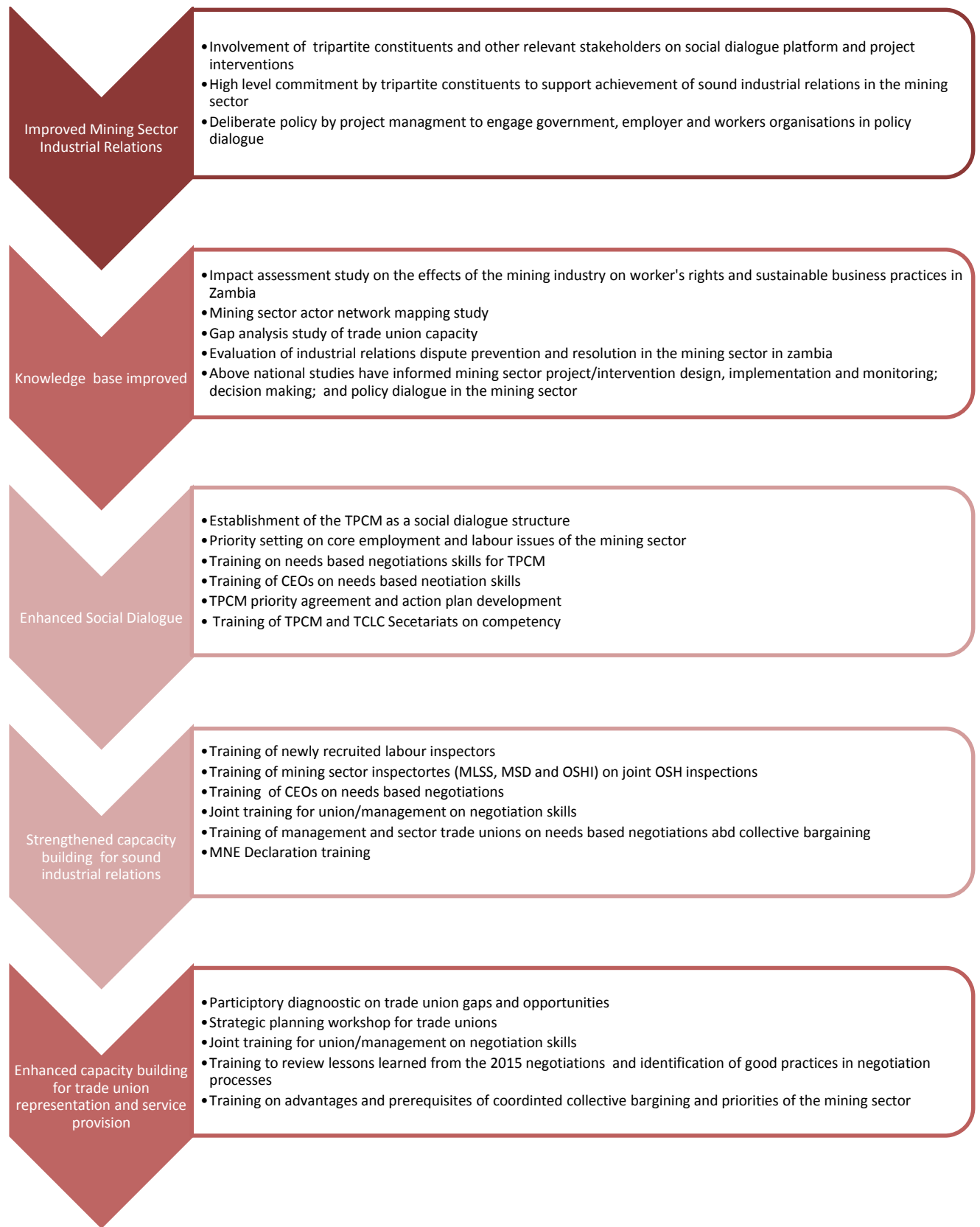
5.5 Effectiveness

The project's contribution to the objectives of Outcome 14 of the P&B reflects the extent to which the right to freedom of association and collective bargaining is widely known and exercised within the mining sector as a means of achieving sound industrial relations through social dialogue. Measuring effectiveness of the project, requires assessing whether the project activities, and the impacts that resulted from them, have been achieved using the best strategy to achieve the project goals. This entails assessing the project's theory of change. As stated earlier, even though there is no explicit theory of change in the project document, an overarching theory of change can be inferred from the perspective that the right to freedom of association and effective collective bargaining will be improved by **supporting social dialogue** in the mining sector to address core employment and labour issues; **building the tripartite capacity** constituents

to promote sound industrial relations; and **enhancing trade union capacity to better represent and serve their members**, particularly through workplace cooperation and collective bargaining.

The extent to which the project impacts are related to these entry points for change (i.e. social dialogue, and capacity building) is shown below.

KEY PROJECT IMPACT	ENTRY POINT FOR CHANGE
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5.6 Gender concerns

The mining sector labour force in Zambia is males. According to the 2012 Labour Force Survey (LFS), the mining and quarrying industries employs 88,251 people, the majority of whom are male (75,807) and the minority women (12,444). The 2012 LFS showed an average monthly earnings for workers in the mining and quarrying industries being significantly higher for males at rebased Zambian Kwacha (ZMW) 5,055 than it was for females at ZMW 1,653⁵. Consequently, representation in labour organisations within the mining sectors are dominated by men.

The project planning did not include a realistic strategy for promoting gender equality results. There is no indication within the project document that a detailed gender analysis was conducted during the project design, nor was the project reach clearly identified and disaggregated by sex. As part of the high level consultations conducted with the tripartite plus to identify sector priorities for addressing mining sector challenges, it can be inferred that the ultimate beneficiaries (women and men) were consulted with regard to their needs, priorities and their views of the pertinent issues in the mining sector through their representatives.

During project implementation and monitoring, the project has had limited integration of gender issues. The project team focussed on ensuring that participation in project interventions, however, as stated above, gender equality in terms of participation was dictated by the fact that the mining sector is dominated by male i.e. 84% of the labour force in the mining sector are men. Therefore tripartite constituents' representation in project interventions was male dominated, with the exception of interventions involving MLSS where gender balance was almost at par for both sexes.

In general, where relevant the outputs and documents produced by the project have done a good job of disaggregating data by sex during interventions as noted from activity registration forms. The project also facilitated discussions within the PAC and TPCM for members to use deliberate policies that take gender considerations into account for future recruitments should women qualify for positions. Beyond this, the project has not effectively integrated gender equality in project interventions. It can further be inferred that the benefits of the project accrued equally for both men and women in the mining sector as freedom of association is an employment right for both sexes and collective bargaining is conducted for all workers in the mining sector.

Institutional support for working on gender in this project was weak, the project did not collaborate with the ILO Gender Equality and Diversity Branch.

5.7 Sustainability

There is a link between the priorities identified by the TPCM and the outcomes within the 2016-17 P&B. The interventions and the project results remain highly sustainable as a significant amount of these interventions are part of the tripartite constituents' usual scope of work and operations. Therefore many of the processes initiated through the project will continue to work beyond the scope of the project through the activities of local partners.

⁵1USD = 10.00 (Bank of Zambia Exchange Rate for 23/09/2016)

The main focus of the project's sustainability planning was on the structures established and the capacity that has been developed by the project. The evaluation indicated that the TPCM is likely to be sustainable as long as its members have the political will to participate and finance required meetings. Whilst the project has tried to foster sustainability of processes and structures initiated there may need for more support to ensure sustainability. Specific efforts have been made by the project to institute sustainability of results achieved by the project. However, the challenge is that organisation and sometimes roll out of the sector trainings, workshops and meetings were all supported by the project posing a threat to financing interventions beyond the project's closure. This is further hampered by the fact that the project has no sustainability plan developed and there has been no detailed discussions on resource mobilisation with the tripartite constituents, except for indicative recommendation for tripartite funding of interventions.

The project lacks an overall sustainability plan and the exit strategy was weak. Such a plan is critical for the establishment of an exit strategy. It is clear that the project has substantial results with regards to enhancing capacity of the tripartite constituents and other stakeholders with an industrial labour relations mandate. The issue is therefore is to see how the capacity that has been developed can be utilised to progressively implement follow up work without ILO support. Discussions during the evaluation with members of some of the projects' partner institutions pointed towards the need for continued support from the ILO, both financially and technically. Key recommendations for sustaining some of the project results achieved so far are included in the table below.

Thematic Recommendations For Sustaining Project Results

ILO to support mining sector inspectorates in the following areas:

1. Occupational Health and Safety

- Develop a mining sector joint inspection strategic plan for OSH with support from the ILO OSH branch with a focus more on industrial safety and the development of a joint financing plan for the strategic plan using a cost sharing mechanism from institutional budgets. This requires high level consultations with institutional heads and/or departmental heads and instituting memorandum of understanding. Initially one or two joint inspections can be planned per year with scope for progressively increasing them dependent on budget allocations.
- MSD and OSHI to support technical training and orientation of MLSS inspectorate to enhance their ability to spot OSH issues in the mining enterprise. This could be done through secondment of MSD and OSHI inspectors to labour inspectorate.

2. Social Dialogue

- TPCM Secretariat to monitor follow up activities.
- MLSS to establish a special desk for day-to-day coordination of interventions

It is evident that the intervention areas of the project were legitimate areas for tripartite normal programming and that they can mainstream activities into their routine work and keep both the results achieved so far and the PAC and TPCM sustainable.

6. Conclusions

In relation to relevance, this evaluation has found that project was strategically designed to link with the ILO Outcome 14 of the 2014-15 P&B. The project was coherent with the wider ILO P&B strategy, with

linkages to outcomes 1, 5, 9,10,11,12, 13, 17, 18 and 19 in the 2014 - 15 ILO strategy. The project is also well placed for future interventions related to outcomes 3, 5 and 10 the new P&B 2016-2017.

The project was demand-led in response to the mining sector crisis, and relevant to the needs of the tripartite constituents and the ultimate beneficiary who are mineworkers. However mineworkers under contractors' payroll continue to face limitations to freedom of association and collective bargaining. Information generated by the studies have and continue to influence policy dialogue and planning. In terms of the efficiency of project delivery, with some small exceptions, it has steered towards impact as envisaged in the project strategy with few changes. These results have been effective in contributing to objectives of outcome 14 of the ILO strategy. The tripartite constituents' experience have supported the synthesis of lessons and best practices that can be used for future programming. The project has promoted coordination, partnerships and learning both within and across organisations on the areas of freedom of association and collective bargaining.

Sustainability of the results achieved so far is likely to be achieved as interventions are closely linked to institutional mandated and their day to day functions. However some processes and functions may require further financial support from ILO and through technical support from FUNDAMENTALS, the decent work team specialists and programming to ensure that the institutions contribute to continued sound industrial relations in the mining sector.

7. Lessons learnt, Good Practices and Recommendations

7.1 Lessons learnt

The evaluation findings above have also generated the following lessons learnt:

- **Ownership of sector interventions.** A holistic approach to participation by the tripartite and all relevant stakeholders (tripartite plus approach) in all project interventions ensures ownership and effective mainstreaming of interventions into institutional strategic planning and budgeting. This further creates an impetus for understanding and institutionalising of sector interventions relevant to the participating institutional mandates bringing about a higher possibility of sustainability of results, despite underlying challenges of capacity and limited financial resource availability.
- **Elaborating projects' theories of change.** Another key lesson learned is that a project with linked in causality as a result of a comprehensively designed project contributes to achievement of developmental goals and sustainability of interventions. The project has a holistic theory of change anchored on the sector context, with clear causality of how project activities will lead to results and how these results progressively lead to the achievement of project and developmental objectives.
- **Engaging management of mining sector enterprises** A key lesson learned by the project is that engagement of mining company CEOs on fundamental principles and rights at work enhances social dialogue between management and the union at enterprise level.

- **Instituting improved collective bargaining models to effect bipartite gains within mining enterprise level.** One lessons learnt by the project has been the negative impact that traditional positional negotiation stances have had on the effectiveness (success rate & timeframe to achieve outcomes acceptable to both parties) of collective bargaining processes. Measuring the success of the Needs Based Negotiation Model in practice to realize a win-win result for both management and workers requires research (impact assessment) to be undertaken, particularly that some negotiations within the sector had progressed before capacity of workers and employers to support effective collective bargaining was supported.
- **Effective gender mainstreaming strategies.** The project lacked a clear and strong gender mainstreaming strategy.
- **Results based management (RBM).** The project achieved positive results by carrying out activities and delivering relevant outputs for specific stakeholders (mandate based outputs) to utilise as a means of creating the required change in and benefits for industrial relations within the mining sector.
- **Sustainability.** Some of the institutions created i.e. the TPCM and certain mining sector unions supported by the project are not yet in the position to function as independent and sustainable bodies. They require further support for the continued sustainability of the results gained so far.

7.2 Emerging Best Practices

The evaluation identified sectoral social dialogue platform and needs based negotiations as emerging good practices. These are documented below.

ILO Emerging Good Practice Template

Project Title: Promoting Fundamental Principles and Rights at Work in the
Zambian Mining Sector Project TC/SYMBOL: ZAM/14/01/USA

Name of Evaluator: Chana Chelemu-Jere

Date: September 2016

The following emerging good practice has been identified during the course of the evaluation. Further text can be found in the full evaluation report.

GP Element	Text
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<p>Brief summary of the good practice (link to project goal or specific deliverable, background, purpose, etc.)</p>	<p>Sector Based Social Dialogue Platform</p> <p>Instituting a sector based social dialogue platform such as the one established in the mining sector in Zambia is the first of its kind in the sub-region.</p> <p>A key milestone of the project was the establishment of the Tripartite Partnership Committee (TPCM) and capacity building of mining sector players to promote trust and effective social dialogue and address core employment and labour issues. The TPCM was established in 2015 with support from the project as a tripartite social dialogue structure for the mining sector. Previously, the TPCM did not exist to coordinate all social dialogue activities in the sector. Firstly, the TPCM meetings allowed for a strong buy-in of tripartite partners in the project activities. Secondly, the focus of the project was well encompassing. Even though the primary focus was the employers and workers in the mines, the project interventions also covered the whole value chain in the sector, and corporate social responsibility also involved those at the tail of the chain.</p> <p>As a result of the constructive consensus of the partnership-based approach of tripartism, it enhances sector players' persuasive capacity as well as the capacity to influence economic and social policies in general and labour policy in particular. This creates a significant comparative advantage to be used in labour administration for the promotion of social policies designed to impact government policies as a whole.</p> <p>A critical precondition of policy development is creating/strengthening tripartite spaces for social dialogue. The TPCM has empowered social partners with knowledge of the mining sector through the studies that have been conducted under the project. Relevance of the TPCM is also dependent on the extent to which the TPCM agenda appeals to members of the TPCM as a means of creating an incentive for participation (both physical presence and member participation financing by the institution they represent).</p> <p>Through the TPCM, the project has had progressive success in fostering intra-institutional learning and coordination on industrial relations, in particular, on social dialogue and collective bargaining and instituting FPRW. The experience of sector dialogue gained by the project can be used to learn a number of lessons from the approach including the following:</p> <ul style="list-style-type: none"> • No one institution can address the challenges faced by the mining sector, there is need for collaboration, networking and partnerships in order to allow cross pollination of ideas to mitigate challenges • Common interest in addressing sector issues is required for stakeholders to move together and maintain dialogue • Social dialogue facilitates stability of the sector as it creates platform for sector players to reach a common understanding whilst appreciating each others' strengths and shortfalls
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	<ul style="list-style-type: none"> Stakeholder buy in facilitates sustainability of the social dialogue structure
Relevant conditions and Context: limitations or advice in terms of applicability and replicability	<p>The following are the conditions required:</p> <ol style="list-style-type: none"> Balanced representation of all sector players; Political will by sector players to participate in the social dialogue structure. Implementation is hampered where parties have no political will; Incentivising participation in the social dialogue structure by ensuring that agenda items of the TPCM appeal to all sector players; Knowledge products to provide baseline information to influence policy decisions and planning. The challenges facing the sector were highly politicised by the political parties. The studies conducted by the project provided information on the sector context and recommended appropriate turn around strategies which the social dialogue platform based its conversations on. This avoided politicization of issues as information was objectively available; Capacity building of sector players for them to play an effective role based on their mandate; Financial resourcing to ensure that structure is sustainable Proactive Secretariat to ensure meetings are held and action points are followed up <p>Success and replicability of the sector social dialogue platform is dependent on the above and also dedication of project staff to follow through with capacitating the structure and linking in interventions that ensure its sustainability.</p>
Establish a clear cause-effect relationship	<p>There is a clear casual relationship facilitated by the good practice. This is also confirmed by positions put forward by ILO staff, ILO constituents and other partners consulted during the evaluation. More specifically, this good practice creates impetus for the realization of the other project outputs. It is a precursor to all activities undertaken by the project as the establishment of the TPCM brought together sector players. These sector players gained knowledge on the situation of labour rights and working conditions in the sector, which allowed for informed decision making to support implementation of a wide range project interventions related to the following: Labour and OSH inspection; mining companies compliance to legal provisions; workplace cooperation, collective bargaining and the prevention and resolution of labour disputes.</p>

Indicate measurable impact and targeted beneficiaries	Measurable impacts are that all stakeholder in the sector are now better placed to network; the resulting dialogue in the sector leading to no strikes despite sector tensions caused by the economic downturn; informed understanding of sector issues by members of the dialogue platform, as a result of uptake of information provided by the various knowledge products developed by the project and how this influenced policy dialogue within the TPCM. The result has been the identification of sector policy level priorities identified by the TPCM. Targeted beneficiaries are ILO constituents including employers and workers within the mining sector.
Potential for replication and by whom	The model of a sector based social dialogue platform is highly replicable in any sector and region and should be included by ILO in all projects addressing social dialogue.
Upward links to higher ILO Goals (DWCPs, Country Programme Outcomes or ILO's Strategic Programme Framework)	This good practice links in well with the decent work agenda as it is relevant to facilitating effective social dialogue to promote job creation; rights at work; social protection measures; and gender equality as a cross cutting issue. The foregoing prove that Social Dialogue and the CPO focusing on strengthened institutions for social dialogue in particular in the mining sector so as to promote sound industrial relations.
Other documents or relevant comments	n/a

ILO Emerging Good Practice Template

Project Title: Promoting Fundamental Principles and Rights at Work in the
Zambian Mining Sector Project TC/SYMBOL: ZAM/14/01/USA

Name of Evaluator: Chana Chelemu-Jere

Date: September 2016

The following emerging good practice has been identified during the course of the evaluation. Further text can be found in the full evaluation report.

GP Element	Text
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<p>Brief summary of the good practice (link to project goal or specific deliverable, background, purpose, etc.)</p>	<p>Needs Based Negotiation</p> <p>In order to facilitate strengthened institutions for social dialogue in particular in the mining sector so as to promote sound industrial relations, the project embarked on building the capacity of mine sector unions and management in needs based negotiations. Collaboration at the enterprise level is based in part on the personal relationship developed between employers and workers. A primary source of tension in employers and workers working together is developing and sustaining a relationship at the enterprise level. Needs based negotiation is a powerful tool that is used in business and may bridge the gap between beginning and sustaining a professional relationship.</p> <p>Negotiation is the process of communicating back and forth in order to reach a decision. Needs based negotiation at the enterprise level is a win-win approach to negotiations, a method for dealing with conflict and solving challenges by negotiating an agreement based on the needs/ interests of employers and workers.</p> <p>This good practice, instituted within the enterprises targeted by the project, resolved some of the challenges faced by workers and employers due to their previous practice of position-based negotiation, which constituted two sides with opposing objectives and a goal to win by each party by applying pressure and arguing positions. However, this approach created winners and losers. Through the new approach introduced by project, disputants became problem solvers with a goal for a resolution meeting both parties interests/wants/needs. This model promoted interests and not positions as a starting point. It used the principles of fairness and objective data derived from sector studies to reach decisions based on mutual gains by both workers and employers.</p> <p>The negotiation process involves the defining the issue(s) of concern by agreeing on the problem/issue the parties will negotiate; identifying needs/wants/interests; creating options; and finally agreeing on a solution.</p> <p>Lessons learned from this good practice are as follows:</p> <ul style="list-style-type: none"> • Understanding the reason for negotiations is key to getting an acceptable outcome; •
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Relevant conditions and Context: limitations or advice in terms of applicability and replicability	<p>The following are the conditions required:</p> <ul style="list-style-type: none"> a) Separating the workers and employers from the challenge or problem to be resolved by addressing the problem and not attacking each other, avoiding the blame game b) Focusing on needs/wants/interests and not on positions by understanding the opposing sides interest and identifying shared interests and conflicting ones c) Creating a variety of options for mutual gain before making a decision d) Including objectivity into the negotiation process by using knowledge products such a sector studies to inform context, discussions and decisions e) Ability for each party to listen to each other f) Approaching all options with an open mind wit willingness to respect opinions g) Solutions need to meet both parties needs/wants/interests <p>Success and replicability of the needs based approach is dependent on the above and also political will for both parties to institute the model effectively.</p>
Establish a clear cause-effect relationship	There is a clear casual relationship between needs based negotiations and other project focus areas of a project. The training on needs based training facilitated effective dialogue in the sector
Indicate measurable impact and targeted beneficiaries	Refer to Case Study 1 for results of the needs based negotiations approach and beneficiaries.
Potential for replication and by whom	The model needs based negotiations is highly replicable by employers and workers in any sector, as evidenced by ZFE facilitating the model in non mining sectors. It is a highly sustainable practice that can be applied to all sectors globally.
Upward links to higher ILO Goals (DWCPs, Country Programme Outcomes or ILO's Strategic Programme Framework)	This good practice links with the decent work agenda, promoting sound industrial relations by addressing labour and employment rights and social protection measures; and gender equality as a cross cutting issue through bipartite social dialogue. The foregoing prove that the good practice therefore has a clear link to DWCP priorities 1 and 4 addressing Fundamental Principles and Rights at Work and Social Dialogue and the CPO focusing on strengthened institutions for social dialogue in particular in the mining sector so as to promote sound industrial relations.
Other documents or relevant comments	n/a

7.3 Recommendations

Below are a number of recommendations developed based on the findings and lessons learnt from the evaluation:

Issue	Recommendation #	Lead Party
<i>Ownership of sector interventions.</i>	The project ensured a holistic approach to participation by the tripartite and all relevant stakeholders (tripartite plus approach) in all project interventions. This created an impetus for understanding and institutionalising of sector interventions relevant to the participating institutional mandates bringing about a higher possibility of sustainability of results, despite underlying challenges of capacity and limited financial resource availability. In the bid by tripartite constituents' calls for making the TPCM a sub-committee of TCLC, TPCM members should also contribute to the running of the Secretariat and holding of TPCM meetings. For this to be realised, the ILO should support the development of a sector level financing mechanism promoting cost sharing aligned to national as well as institutional strategic plans and budgeting of sector actors for joint activities.	ILO Country Office
<i>Engaging management of mining sector enterprises</i>	Future programming should include ILO support on research targeted at better understanding strategies that can effectively motivate "resistant employers" participation in mining sector projects addressing FPRW as well as documenting good practices for engaging with employers. This knowledge base could also be used for the development of global tools on working with employers within the mining sector and sectors with similar dynamics.	FPRW lead team; ACTEMP ILO Country and Regional offices
<i>Capacity development of sector players.</i>	Beyond the training content for sector actors to enhance their capacity on specific thematic issues, it is recommended that capacity building interventions incorporate specific action planning or road map on how each institution will progressively implement the knowledge and skills gained in the training as relevant to institutional mandates/functions.	ILO Country Offices
<i>Instituting improved collective bargaining models to effect bipartite gains within mining enterprise level.</i>	ILO to support research to assess the impact of Needs Based Negotiation Model in practice as a means of quantifying the gains for both management and workers.	ILO Country Office and DIALOGUE
<i>Effective gender mainstreaming strategies.</i>	Future programming to address effective gender mainstreaming through the development of a gender mainstreaming strategy with support from the ILO Gender Equality Division (GED) branch.	GED

<i>Protection of mineworkers under contractors' payroll.</i>	The evaluation recommends a need for a more explicit focus on a study on business and labour practices within contracting companies in the mining sector to inform policy development contributing to the enjoyment of FPRW for mineworkers employed by contracting companies. This could support identification on how to effectively engage contracting companies through sensitisation on good labour practices. Future policy level programming by ILO could focus could be the TPCM priorities No. 2 on the "Sector Based Minimum Wage for the Mining Sector" and No. 5 targeting "Development of Occupational Safety and Health (OSH) Guidelines for Mining Contractors". Policy work on minimum wage and on OSH can be addressed through increased work with the ILO Inclusive Labour Markets, Labour Relations and Working Conditions (INWORK) and OSH branches. This policy work should be informed by national studies on the impact of the minimum wage policy within the mining sector and a relevant OSH related study.	FPRW, OSH Branch
<i>Elaborating projects' theories of change.</i>	The project's design should be used as a best practice model for replication of projects not only in the mining sector but other sectors with similar dynamics. However, the project lacks a visual theory of change and hence future project design should incorporate a clear pictorial theory of change.	PARDEV
<i>Logframe reporting</i>	There is need for detailed monitoring and reporting at the level of Logframe indicators to support institutional learning and institutional memory.	FPRW, PARDEV
<i>Communication and sharing</i>	The project model is one with high replicability potential not only in the mining sector but also in other sector, nationally, regionally or globally. It is therefore a great learning model that would add value to CPOs.	FPRW, ILO Country Offices
<i>Results based management (RBM).</i>	Use the project's approach to delivering relevant outputs for specific stakeholders (mandate based outputs) as a means of creating the required change in and benefits for industrial relations as a model for projects of a similar nature.	ILO Country Office; FPRW; and ROAF.
<i>Sustainability.</i>	For the short to medium term, it is imperative that the ILO, government and social partners focus on supporting the development of a project document to facilitate resource mobilisation and implementation of the Action Plan developed through the TPCM priority setting process as well as for support to ongoing activities initiated and institutionalised during the project phase.	ILO Country Offices
	<i>Maintenance of Relevance and Sustainability of Social Dialogue Structure:</i> Ensure that the meeting agenda items have a common appeal and are of interest to and benefit a significant number of members of the TPCM as an incentive for participation (both physical presence and member participation financing by the institution they represent).	ILO Country Offices, FPRW, Social Dialogue Specialist

Annex 1: Terms of Reference

Final Evaluation of Promoting Fundamental Principles and Rights at Work in the Zambian Mining Sector Project

July 2016

1. Introduction & rationale for evaluation

Promoting Fundamental Principles and Rights at Work in the Zambian Mining Sector is a project in Zambia that focuses on the mining sector and soon drawing to a close in May 2016. The project in Zambia had the running duration from the 13th of August, 2015 to 31st May, 2016. It received its funding from the United States Department of State (USDOS) of \$495 000 USD, for the project. The project's ultimate objective is to promote sound industrial relations and compliance with fundamental principles and rights at work in the Zambian mining sector. Sub- objectives that feed into the ultimate objective include; to promote tripartite trust and effective social dialogue in the mining sector to address core employment and labour issues , to strengthen the capacity of the tripartite constituents to promote sound industrial relations and comply with international labour standards in the mining sector and enhanced trade union capacity to better represent and serve their members, particularly through workplace cooperation and collective bargaining

The final evaluation of the project is undertaken in accordance with the ILO Evaluation Policy adopted by the Governing Body in November 2005, which provides for systematic evaluation of projects in order to improve quality, accountability, transparency of the ILO's work, strengthen the decision making process and support to constituents in forwarding decent work and social justice. The current evaluation covers the Promoting Fundamental Principles and Rights at Work in the Zambian Mining Sector Zambia project which is in the process of coming to a close

The overall objective of this final evaluation is to analyse if the established outcome at the beginning of the project where achieved and the desired impact was attained. The evaluation will also assist in identifying lessons learnt and to propose recommendations for improved delivery of quality outputs and achievement of outcomes in the other related projects. The evaluation provides an opportunity for taking stock, reflection, learning and sharing knowledge regarding how the project could have been improved in its operations.

2. Brief background on project and context

Project codes	TC symbole: ZAM/14/01/USA
Project duration	13/08/2014-31/05/2016
Geographical coverage	Zambia
Donor	United States Department of State
Budget	USD \$495, 000

The project was designed to promote sound industrial relations and compliance with fundamental principles and rights at work in the Zambian mining sector. The project aimed to make every effort to build a solid knowledge base on the implementation of effective tripartite dialogue and core labour rights by targeting senior and junior leaders and equipping social dialogue institutions and social partner organizations with skills and tools to replicate training and consultation processes. In addition, several tools were developed including joint tools for employer and worker representatives.

The ILO designed a project document, which was approved by the United States Department of State (USDOS) in August 2013. An agreement was signed by USDOS and the ILO. Since August, 2014 the ILO have been executing the project in Zambia in partnership with national governments and a range of private and civil sector partners.

The project was designed to promote freedom of association and collective bargaining rights in the rural, export processing and domestic work sectors, in Zambia the project focused on the mining sector. This project is developed in relation to ILO Programme & Budget (P&B) Outcome 14 “The right to freedom of association and collective bargaining is widely known and exercised”. The overall goal of the P&B strategy during the 2014-2015 biennium is to achieve a greater realization of freedom of association and collective bargaining rights for workers and employers who encounter significant obstacles to the exercise of these enabling rights either in law or in practice. Special focus was placed on the rural and informal economies where the nature of work created particular challenges, where workers remained unaware of their organizational rights.

[Link to the Decent Work Country Programmes](#)

The project supports the realization of the following DWCP Priority 1 outcomes (Zambia Decent Work Country Programme 2013-2016):

Priority 1: Effective Application of fundamental principles and rights at work to support equitable and inclusive economic growth in

- Outcome 1.1: Enhanced application of fundamental principles and rights at work through revision of key legislation and policies.
- Outcome 1.2: Increased observance of labour laws and application of fundamental principles and rights at work

Project management arrangement:

The project is managed by a National Project Coordinator based in the project Office in Lusaka and reports to the director of the ILO office in Lusaka. The NPC is the principal staff responsible for Programme implementation, supervising staff, allocating Programme budgets, preparing progress reports and maintaining Programme relations with institutional partners. He is also responsible for elaborating the final programme document, gathering supporting information and developing preliminary work plans.

The NPC is supported by a Project Assistant based in the project Office in Lusaka. . At the local level, interventions are being managed by a Programme implementation committee representing the beneficiaries and local partner organizations.

3. Purpose, scope and clients of the evaluation

Purpose

The independent evaluation serves two main purposes:

- i. Give an independent assessment of progress to date of the project across the four outcomes; assessing performance as per the foreseen targets and indicators of achievement at output level; strategies and implementation modalities chosen; partnership arrangements, constraints and opportunities in Zambia;
- ii. Provide strategic and operational recommendations as well as highlight lessons to improve performance and delivery of project results

Scope

The independent evaluation will cover all outcomes of the Promoting Fundamental Principles and Rights at Work in the Zambian Mining Sector Project in Zambia, with particular attention to synergies across components. The evaluation will assess all key outputs that have been produced since the start of the project.

In particular, the evaluation will make recommendations regarding:

- Progress made towards achieving the project outcomes
- How to ensure the achievement of all results (outputs and outcomes) within the project period
- Internal and external factors that influence speed of implementation
- Management of the operation of the project, including staff management
- The extent of government buy-in, support and participation in the initiative
- Strategic fit of the initiative within the context of the DWCP
- Relevance of the initiative within national development priorities/frameworks
- Synergies with other relevant USDOS programmes and activities
- Strategic of the project fit with the United States Department of States Strategy
- Knowledge management and sharing
- Results based measurement and impact assessment systems
- Systems for Risk analysis and assessment
- Other specific recommendations to improve performance and the delivery of results

Clients

The primary clients of the evaluation are United States Department of States as donor of the initiative, the governments of Zambia as recipient country, constituents and the ILO as executer of the project as well as other relevant stakeholders. Furthermore ILO offices and staff involved in the initiative (DWCP Zambia, Regional Office for Africa (ROAF) and ILO departments at HQ.t. The evaluation process will be participatory. The Office, the tripartite constituents and other parties involved in the execution of the project would use, as appropriate, the evaluation findings and lessons learnt.

4. Evaluation criteria and questions

The evaluation will address ILO evaluation concerns such as i) relevance and strategic fit, ii) validity of design, iii) project progress and effectiveness, iv) efficiency of resource use, v) effectiveness of management arrangements and vi) impact orientation and sustainability as defined in ILO policy guidelines for results-based evaluation⁶. Gender concerns will be based on the ILO Guidelines on Considering Gender in Monitoring and Evaluation of Projects (September, 2007). The evaluation will be conducted following UN evaluation standards and norms⁷ and the *Glossary of key terms in evaluation and results-based management* developed by the OECD's Development Assistance Committee (DAC). In line with the results-based approach applied by the ILO, the evaluation will focus on identifying and analysing results through addressing key questions related to the evaluation concerns and the achievement of the outcomes/immediate objectives of the project using the logical framework indicators.

⁶ ILO policy guidelines for results-based evaluation: Principles, rationale, planning and managing for evaluations, 2012

⁷ ST/SGB/2000 Regulation and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation

Key Evaluation Questions

The evaluator shall examine the following key issues:

1. Relevance and strategic fit,

- Is the project relevant to the achievements of the outcomes in the national development plan, the UNDAF and the Zambia DWCP?
- Is the project relevant to achieve the targets set in the Decent Work Agenda for Africa (DWAA) and other relevant regional and global commitments?
- How well the project complements and fits with other ongoing ILO programmes and projects in the country.
- What links are established so far with other activities of the UN or non-UN international development aid organizations at local level?
- Strategic fit with the United States Department of States Strategy and synergies with relevant USDOS initiatives and programmes and information sharing with USDOS.

2. Validity of design

- The adequacy of the design process (was the project design logical and coherent)? What internal and external factors have influenced the ability of the ILO to meet projected targets?
- Validity, relevance and potential synergies of the component in Southern Africa (Zambia).
- Do outputs causally link to the intended outcomes that in turn link to the broader development objective? Has the design clearly defined performance indicators with baselines and targets?
- Considering the results that were achieved, was the project design realistic?
- Has the project adequately taken into account the risks of blockage?
- Has the project integrated an appropriate strategy for sustainability?
- Has the project carried out a proper consultation and involvement of tripartite constituents during planning, implementation and monitoring?
- How gender issues have been addressed in the project document?

3. Project effectiveness

- To what extent have the expected outputs and outcomes been achieved??
- Were outputs produced and delivered so far as per the work plan? Has the quantity and quality of these outputs been satisfactory? How do the stakeholders perceive them? Do the benefits accrue equally to men and women?
- In which area (geographic, component, issue) does the project have the greatest achievements so far? Why and what have been the supporting factors?

- How effective were the backstopping support provided so far by ILO (regional office, DWT Pretoria and Geneva) to the project?
- Are there any unintended results of the project?

4. Efficiency of resource use

- Were resources (human resources, time, expertise, funds etc.) allocated and used strategically to provide the necessary support and to achieve the broader project objectives?
- Were the project's activities/operations in line with the schedule of activities as defined by the project team and work plans?
- Were the disbursements and project expenditures in line with expected budgetary plans? If not, what were the bottlenecks encountered? Are they being used efficiently?
- How efficient was the project in utilizing project resources to deliver the planned results?

5. Effectiveness of management arrangements

- Were the available technical and financial resources adequate to fulfil the project plans?
- Was the management and governance arrangement of the project adequate? Was there a clear understanding of roles and responsibilities by all parties involved?
- Were targets and indicators been sufficiently defined for the project?
- How effectively the project management monitored project performance and results? Is a monitoring & evaluation system in place and how effective is it? Is relevant information systematically collected and collated? Is the data disaggregated by sex (and by other relevant characteristics if relevant)?
- Was the project receiving adequate administrative, technical and - if needed - political support from the ILO office and specialists in the field (Lusaka, Pretoria and Addis Ababa (ROAF)) and the responsible technical units in headquarters?
- Was the project receiving adequate political, technical and administrative support from its national partners/implementing partners?
- Was the project collaborating with other ILO programmes and with other donors in the country/region to increase its effectiveness and impact?
- To what extent were the recommendations of the joint review implemented?
- Were all relevant stakeholders involved in an appropriate and sufficient manner?

6. Impact orientation and sustainability

- Was the programme strategy and programme management steering towards impact and sustainability?
- Had the project started building the capacity of people and national institutions or strengthened an enabling environment (laws, policies, people's skills, attitudes etc.)?
- Assess whether project activities are sustainable and identify steps that can be taken to enhance the sustainability of project components and objectives

7. Lessons learned

- What good practices can be learned from the project that can be applied in similar future projects?
- What should have been different, and should be avoided.

5. Methodology

The evaluation will be carried out through a desk review and field visit to the project sited in Zambia for consultations with ILO management and staff, constituents USDOS, as well as other relevant bilateral donors, implementing partners, beneficiaries and other key stakeholders. Consultations with relevant units and officials in Geneva, Addis Ababa and Pretoria will be done and the method for doing so will be decided by the evaluation team. The independent evaluation team will review inputs by all ILO and non ILO stakeholders involved in the project, from project staff, constituents and a range of partners from the private and civil sectors.

The draft evaluation report will be shared with all relevant stakeholders and a request for comments will be asked within a specified time (not more than 5 working days). The evaluation team will seek to apply a variety of evaluation techniques – desk review, meetings with stakeholders, focus group discussions, field visits, informed judgement, and scoring, ranking or rating techniques.

Desk review

A desk review will analyze project and other documentation including the approved logframe, annual and semi-annual reports provided by the project management and Field and HQ backstopping officers. The desk review will suggest a number of initial findings that in turn may point to additional or fine tuned evaluation questions. This will guide the final evaluation instrument which should be finalized in consultation with the evaluation manager. The evaluation team will review the documents before conducting any interview.

Interviews with ILO staff

The evaluation team will undertake group and/or individual discussions with project staff in Lusaka. The evaluation team will also interview key staff of other ILO projects, and ILO staff responsible for financial, administrative and technical backstopping of the project in ILO DWT Pretoria, the regional office in Addis Ababa, and ILO HQ. An indicative list of persons to be interviewed will be furnished by the project management (NPC) after further discussion with the Evaluation Manager.

Interviews with key stakeholders in Lusaka

A first meeting will be held with the ILO Director of Lusaka Country Office and with the Project Team. After that the evaluation team will meet relevant stakeholders including members of the technical working group, project beneficiaries to undertake more in depth reviews of the respective national strategies and the delivery of outputs and outcomes of the respective components in the country. Around the end of the data collection from the field, the evaluation team will make a debriefing to the ILO Director of Lusaka Office, the project team and the evaluation manager.

6. Main outputs

The expected outcome of this evaluation is a concise Evaluation Report as per the proposed structure in the ILO evaluation guidelines:

- Cover page with key project and evaluation data
- Executive Summary
- Acronyms
- Description of the project
- Purpose, scope and clients of the evaluation
- Methodology
- Clearly identified findings for each criterion
- Conclusions
- Recommendations
- Lessons learned and good practices
- Annexes

All draft and final outputs, including supporting documents, analytical reports and raw data should be provided in electronic version compatible with Word for Windows.

7. Management arrangements, work plan & time frame

Composition evaluation team

The evaluation team will consist of one National evaluation consultant, who will have responsibility for the evaluation report. He/she will be a highly qualified senior evaluation specialist with extensive experience from evaluations and ideally also the subject matter in question: Promoting Fundamental

Principles and Rights at Work in the Zambian Mining Sector. The evaluation team will agree on the distribution of work and schedule for the evaluation and stakeholders to consult.

Evaluation Manager

The evaluation team will report to the evaluation manager (Miss. Mukuka Nkonde, nkunde@ilo.org) and should discuss any technical and methodological matters with the evaluation manager should issues arise. The evaluation will be carried out with full logistical support and services of the Promoting Fundamental Principles and Rights at Work in the Zambian Mining Sector Project, with the administrative support of the ILO Office in Lusaka.

Work plan & Time Frame

The total duration of the evaluation process is estimated to 24 working days for the independent National consultant over a 2 week period from 1 June to 16 June 2016.

Evaluation Phases

The evaluation is foreseen to be undertaken in the following main phases and time period aiming for submission of the final evaluation report to the donor no later than 24 April 2013.

Phase	Tasks	Responsible Person	Timing
I	<ul style="list-style-type: none">• Preparation of TOR, consultation with USDOS and ILO	Evaluation manager	8-20 June
II	<ul style="list-style-type: none">• Identification of independent National Consultant• Entering contracts and preparation of budgets and logistics	Evaluation manager	08-12 July
III	<ul style="list-style-type: none">• Telephone briefing with evaluation manager• Desk review of project related documents• Evaluation instrument designed based on desk review	National consultant	15-16 July

IV	<ul style="list-style-type: none"> • Consultations with Project staff/management in Lusaka • Consultations with ROAF, ILO Pretoria, HQ Units • Consultations with permanent mission in Geneva • Consultations with USDOS • Consultations with stakeholders • Debriefing and presentation of preliminary findings to ILO Lusaka and the project team 	Evaluation team with logistical support by the Project	18-23 July
V	<ul style="list-style-type: none"> • Draft evaluation report based on desk review and consultations from field visits 	National consultant	25-28
VI	<ul style="list-style-type: none"> • Circulate draft evaluation report to key stakeholders • Consolidate comments of stakeholders and send to evaluation team leader 	Evaluation manager	Circulate 29 July Deadline for comments 1 August
VII	<ul style="list-style-type: none"> • Finalize the report including explanations on if comments were not included 	National consultant	3 August
VIII	<ul style="list-style-type: none"> • Approval of report by EVAL 	EVAL	5 August
IX	<ul style="list-style-type: none"> • Official submission to the PARDEV 	Evaluation manager	9 August

For this independent evaluation, the final report and submission procedure will be followed:

- The National Consultant will submit a draft evaluation report to the evaluation manager.
- The evaluation manager will forward a copy to key stakeholders for comment and factual correction.
- The evaluation manager will consolidate the comments and send these to the team leader.
- The National Consultant will finalize the report incorporating any comments deemed appropriate and providing a brief note explaining why any comments might not have been incorporated. He/she will submit the final report to the evaluation manager
- The Evaluation Manager/ the Regional Evaluation Focal person/ will forward the report to EVAL for approval.
- The evaluation manager officially forwards the evaluation report to stakeholders and PARDEV.
- PARDEV will submit the report officially to the donor.

Budget

A total budget of US\$ 4500 is allocated for this final evaluation and is under the full control of the project team and the evaluation manager for engagement of a National consultant, domestic travels and organization of workshops and consultative meetings with stakeholders if need arises.

For the National consultants:

- Fees for one national consultant for 15 days
- Fees for local DSA for any country travel deemed necessary

For the evaluation exercise as a whole:

- Fees for local travel in-country
- Stakeholder workshop expenditures (If necessary)
- Any other miscellaneous costs

A detailed budget will be prepared by the Evaluation Manager with support from the Project Team.

8. Key qualifications and experience of the National Consultant

The **National consultant** should have the following qualifications:

- Master's degree in Human Resources, Business Administration, or related graduate qualifications
- A minimum of 10 years of professional experience specifically in evaluating international development initiatives in the area of Labour, employment, workers' rights, project evaluations and management of development programmes, preferably in Zambia.
- Demonstrated expertise and capability in project evaluations concerning workers' rights in the work place and labour related issues, preferably in the mining sector. .
- Proven experience with logical framework approaches and other strategic planning approaches, M&E methods and approaches (including quantitative, qualitative and participatory), information analysis and report writing.
- Knowledge and experience of the UN System.
- Understanding of the development context of the project country (Zambia) would be a clear advantage.
- Excellent communication and interview skills.
- Excellent report writing skills.
- Demonstrated ability to deliver quality results within strict deadlines.

Annex 2: Inception Report

Inception Report

Final Evaluation: Outcome 14 - Thematic Funding for 2014-2015

August - September 2016

Type of Evaluation:	Final Internal Evaluation
TC Symbol:	ZAM/14/01/USA
Geographical Coverage:	Zambia
Project Duration:	13 August 2014 - 31 May 2016
Donor:	United States Department of State
Budget:	USD 495,000
Evaluation Manager:	Mukuka Nkunde - nkunde@ilo.org nkunde@ilo.org
National Consultant:	Chana Chelemu-Jere (National Consultant) chanachelemujere@gmail.com
Technical Unit:	Fundamental Principles and Rights at Work (FPRW)
Collaborating Units:	CO-Lusaka; DWT; LABOURLAW; OSH; Turin Centre

Table of Contents

ACRONYMS 7

1 BACKGROUND TO THE EVALUATION 57

2 NATIONAL CONTEXTUAL ANALYSIS 59

3 CONCEPTUAL FRAMEWORK 61

4 NATIONAL CONSULTANT 62

5 EVALUATION METHODOLOGY 62

6 WORK PLAN 66

Annex 1: Data Collection Tool and Methods 67

Annex 2: Evaluation Documents to be Provided by ILO 75

Annex 3: Proposed Questionnaire ILO staff 77

Annex 4: Tentative List of Interviewees **Error! Bookmark not defined.**

ACRONYMS

CPOs	Country Programme Outcomes
CEACR	Committee of Experts on the Application of Conventions and Recommendations
DAC	Development Assistance Committee
DWT	Decent Work Team
FDGs	Focus Group Discussions (FDGs)
FPRW	Fundamental Principles and Rights at Work
HQ	Headquarters
ILO	International Labour Organization
ILRA	Industrial and Labour Relations Act
ITUC	International Trade Union Confederation
LFS	Labour Force Survey
NPC	National Project Coordinator
OECD	Organisation for Economic Co-operation and Development
OSH	Occupation Safety and Health
P&B	Programme and Budget
PA	Programme Assistant
RB	Regular Budget
RBSA	Regular Budget Supplementary Account
RBTC	Regular Budget Technical Co-operation
ROAF	Regional Office for Africa
TORs	Terms of Reference
TPCM	Tripartite Partnership Committee for the Mining Sector
UN	United Nations
USDOS	United States Department of State
XBTC	Extra-Budgetary Technical Cooperation
ZDWCP	Zambia Decent work Country Programme
ZMW	Rebased Zambian Kwacha

BACKGROUND TO THE EVALUATION

This inception report responds to the International Labour Organization (ILO) Terms of Reference (TORs) for the evaluation of the project focussing on Promoting Fundamental Principles and Rights at Work in the Zambia Mining Sector is funded by the United States Department of State (USDOS), to the tune of US\$ 495,000. The project is linked to a number of strategic frameworks at various levels. At the global level, the project strategically links with the ILO's Strategic Policy Framework 2010-15 and the Programme and Budget (P&B) for 2014-2015, specifically to ILO P&B Outcome 14 "The right to freedom of association and collective bargaining is widely known and exercised" (in line with the P&B Outcome 14 Indicators). The overall goal of the P&B strategy during the 2014-2015 biennium is to achieve a greater realization of freedom of association and collective bargaining rights for workers and employers who encounter significant obstacles to the exercise of these enabling rights either in law or in practice. At the national level, the project has a strategic link to the Zambia Decent work Country Programme (ZDWCP) 2013 - 2016 through priorities 1 and 4 dealing with Fundamental Principles and Rights at Work and Social Dialogue.

Priority 1: Effective Application of fundamental principles and rights at work to support equitable and inclusive economic growth in Zambia. The project links to the following Priority 1 Outcomes:

Outcome 1.1: Enhanced application of fundamental principles and rights at work through revision of key legislation and policies.

Outcome 1.2: Increased observance of labour laws and application of fundamental principles and rights at work.

Priority 2: Effective Social dialogue contributes to sound industrial relations and sustained economic growth in Zambia

Outcome 2.1: Enhanced social dialogue through a functional, effective and more relevant Tripartite Consultative Labour Council administrative structure

Outcome 2.2: Enhance industrial harmony through social dialogue

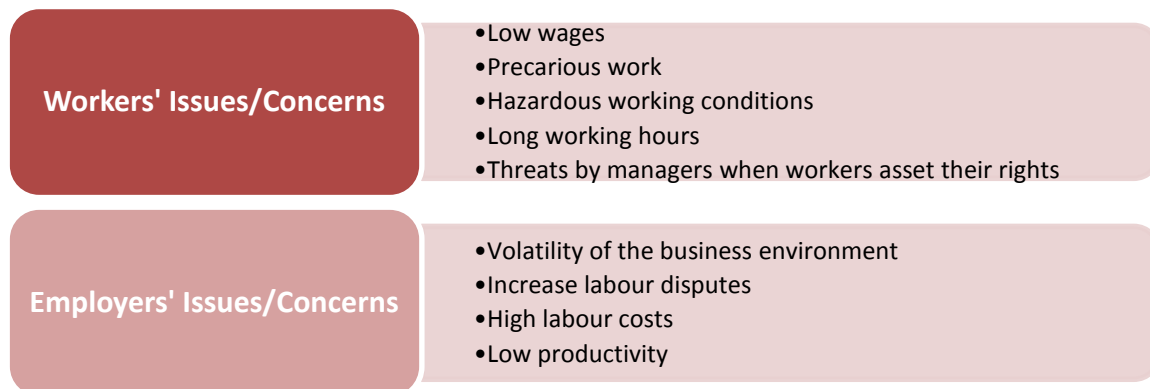
The project's developmental objective is to promote sound industrial relations and compliance with fundamental principles and rights at work (FPRW) in Zambia's mining sector. The project is structured around the following 3 immediate objectives:

Immediate Objective 1: Promote tripartite trust and effective social dialogue in the mining sector to address core employment and labour issues;

Immediate Objective 2: Strengthen the capacity of the tripartite constituents to promote sound industrial relations and comply with international labour standards in the mining sector; and

Immediate Objective 3: Enhanced trade union capacity to better represent and serve their members, particularly through workplace cooperation and collective bargaining.

The project focuses on tackling root causes of Zambia's labour conflicts and workers' and employers' concerns as a means of improving the country's industrial relations system within the mining sector. The root causes of these labour conflict include a lack of trust, dialogue and cooperation between workers and employers. The figure below highlights some of the workers and employers concerns.



The evaluation has two main purposes. Firstly, it is designed to firstly assess the following: the project's progress across the outcomes; performance in line with foreseen targets and indicators of achievement at output level; strategies and implementation modalities; and partnership arrangements, constraints and opportunities in Zambia. Secondly, the evaluation is meant to provide strategic and operational recommendations, highlight lessons learned for improving performance and delivery of project results and identifying best practices that can be replicated.

The evaluation will also identify contributions made to the ILO's internal learning processes. It will be undertaken in accordance with the ILO's Evaluation Policy, and will comply with United Nations (UN) and Organisation for Economic Co-operation and Development's (OECD) Development Assistance Committee (DAC) norms and standards, and ethical safeguards will be followed. The key evaluation clients are: USDOS as project donor; ILO as executor of the project and; Project management and staff. The independent evaluation will cover all outcomes of the Promoting Fundamental Principles and Rights at Work in the Zambian Mining Sector Project in Zambia, with particular attention to synergies across components. Additionally, the evaluation will assess to what extent the project has achieved the 7 key outputs since the start of the project. These outputs include the following:

Output 1.1: Tripartite Partnership Committee for the Mining Sector (TPCM) established and fully operational

Output 1.2: Members of the TPCM better informed on the situation of labour rights and working conditions in the sector

Output 1.3: Tripartite agreement on shared priorities to improve sound industrial relations and labour law compliance in the sector

Output 2.1: Labour inspection task force for the mining sector established and better equipped to improve labour law compliance and assist social partners in the sector

Output 2.2: Increased number of mining companies improve labour law compliance

Output 3.1: Trade unions possess better skills and tools on workplace cooperation, collective bargaining and the prevention and resolution of labor disputes

Output 3.2: Joint strategy for coordinated and comprehensive collective bargaining developed by trade unions for the mining sector

Evaluation recommendations aligned to the following will be synthesized based on analysis of the information generated from desk review and consultations:

- Progress made towards achieving the project outcomes
- How to ensure the achievement of all results (outputs and outcomes) within the project period
- Internal and external factors that influence speed of implementation
- Management of the operation of the project, including staff management
- The extent of government buy-in, support and participation in the initiative
- Strategic fit of the initiative within the context of the DWCP
- Relevance of the initiative within national development priorities/frameworks.
- Synergies with other relevant USDOS programmes and activities
- Strategic fit with the United States Department of States Strategy
- Knowledge management and sharing
- Results based measurement and impact assessment systems
- Systems for Risk analysis and assessment
- Other specific recommendations to improve performance and the delivery of results.

NATIONAL CONTEXTUAL ANALYSIS

In 2012, the population of Zambia was estimated at 14,375, 601 with 60.2 percent residing in rural areas and 39.8 percent in urban areas. Zambia's economy is primarily driven by mining, agriculture, construction, transport and the communication sectors⁸. The Zambian economy relies heavily on copper mining, which accounts for over 70 percent of export earnings⁹. According to the 2012 Labour Force Survey (LFS), the mining and quarrying industries employs 88,251 people, the majority of whom are

⁸ CSO: Zambia Labour Force Survey, 2012.

⁹ 2013 Annual Report, Ministry of Finance

male (75,807) and the minority women (12,444). Eighty five (85) percent of these workers are in urban areas. The population working in the mining and quarrying industries made up 70 percent of the employed population in the Copperbelt Province followed by North Western and Lusaka provinces with 8.4 and 7.8 percent respectively¹⁰. The 2012 LFS showed an average monthly earnings for workers in the mining and quarrying industries being significantly higher for males at rebased Zambian Kwacha (ZMW) 5,055 than it was for females at ZMW 1,653¹¹.

Equity and equality in access to decent, meaningful and gainful employment for all is among the core issues that the International Labour Organisation (ILO) Conventions aspire to address. Zambia has ratified a number of ILO Conventions that promote Fundamental Principles and Rights at Work (FPRW) and labour inspection, safety and health in mines namely: Right of Association (Agriculture) Convention No. 11 of 1921; Labour Inspection Convention No. 81 of 1947; Freedom of Association and Protection of the Right to Organize Convention No. 87 of 1948; Right to Organize and Collective Bargaining Convention No. 98 of 1949; Workers' Representatives Convention No. 135 of 1971; Rural Workers Organisations Convention No. 141 of 1975; Tripartite Consultation Convention No. 144 of 1976; the Collective Bargaining Convention No. 154 of 1981; the Occupational Safety and Health Convention No. 155 of 1981; Safety and Health in Mines Convention No. 176 of 1995; and the Promotional Framework for Occupational Safety and Health Convention No. 187 of 2006.

Zambian Labour Laws

The legal framework governing labour affairs in Zambia includes the following 13 pieces of legislation:

Employment Act, Cap 268;

Industrial and Labour Relations Act, Cap 269;

Employment Act (special provisions), Cap 270;

Worker's Compensation Act, Cap 271;

Zambia National Provident Act, Cap 273;

Employment of Young Persons and Children Act, Cap 274;

Minimum Wage and Conditions of Employment Act, Cap 276;

Factories Act, Cap 441;

Preferential Claim and Bankruptcy Act, No. 9 of 1995;

Pension Scheme Regulation Act, No. 28 of 1996;

Worker's Compensation Act, No. 10 of 1996;

National Pension Scheme Act, No. 40 of 1996; and

Zambia Institute of Human Resources Management Act, No. 11 of 1997.

There has however calls for existing legislation such as the Industrial Labour and Relations Act (ILRA) to be in conformity with the ratified Conventions to ensure their application e.g. Conventions 87 and 98 on freedom of association and collective bargaining respectively. In 2013, the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) highlighted the Zambia's challenges in ensuring respect for freedom of association and collective bargaining rights. CEACR required that claims regarding anti-union discrimination and trade union interference should be dealt with expeditiously and

¹⁰ Ibid, 2012

¹¹ 1USD = 9.96 (Bank of Zambia Exchange Rate for 24/08/2016)

that arbitration services should be initiated only at the request of both social partners. It also noted the 2012 comments made by the International Trade Union Confederation (ITUC) alleging that protests in the mining sector are not tolerated and that strikers suffer retaliation as well as threats and intimidation. The Committee also emphasized the importance of full and frank consultation regarding any questions or proposed legislation affecting trade union rights.¹² To this end, the project under review focuses on the promotion of sound industrial relations and compliance with fundamental principles and rights at work within the Zambian mining sector.

CONCEPTUAL FRAMEWORK

The conceptual framework of this evaluation is outlined in the Evaluation TORs. The framework draws on the UN evaluation standards and norms¹³ and the *Glossary of key terms in evaluation and results-based management* developed by the OECD's DAC. The purpose of the Final Internal Evaluation is to assess the following: i) relevance and strategic fit, ii) validity of design, iii) project progress and effectiveness, iv) efficiency of resource use, v) effectiveness of management arrangements and vi) impact orientation and sustainability as defined in ILO policy guidelines for results-based evaluation¹⁴. In addition the evaluation framework will also encompass lessons learnt, the project's *coherence* with wider ILO strategies and activities, as well as the project's contribution to the promotion of *gender equality* based on the ILO Guidelines on Considering Gender in Monitoring and Evaluation of Projects (September, 2007).

Annex 1 has attempted to refine the questions highlighted in the TORs and provides the data collection methods to be employed for identifying and analysing results (achievement of the outcomes/immediate objectives of the project) using the logical framework approach. The evaluation will analyse each evaluation criteria, exploring USDOS funding contribution to the achievement of measurement criteria within selected (Country Programme Outcomes) CPOs and conversely, how these CPOs have contributed to the achievement of the P&B outcome indicators. For each evaluation criteria, some questions proposed in the TORs have been refined/redefined/altered, using information generated during desk review, in line with ILO evaluation guidelines. The proposed final evaluation questions under each evaluation criteria are presented in Annex 1, with new, or significantly changed, questions in bold, and footnote explanations where questions from the TORs have been removed. The questionnaire

¹² ILO study titled "Impact Assessment: The Effects of the Mining Industry on Worker's Rights and Sustainable Business Practices in Zambia", pg. 9, 2015

¹³ ST/SGB/2000 Regulation and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation

¹⁴ ILO policy guidelines for results-based evaluation: Principles, rationale, planning and managing for evaluations, 2012

matrix also provides information on the chosen data collection methods, data sources, sampling and indicators to support the evaluation question under each criteria.

NATIONAL CONSULTANT

An independent national consultant, Chana Chelemu-Jere will conduct the evaluation. The main role of the national consultant will include the following: developing the inception report, highlighting the evaluation methodology; developing the evaluation tool(s) based on the evaluation key questions and desk review; coordinating and facilitating consultations with the project team, ILO Lusaka, ILO ROAF, ILO Pretoria, ILO Headquarters, the permanent mission in Geneva, USDOS and in-country consultations with partners and beneficiaries both within Lusaka, Copperbelt and North Western provinces; and developing the draft and final evaluation report complying to ILO evaluation policy guidelines. The national consultant will work closely with the Evaluation Manager and the project staff to facilitate effective achievement of milestones. ILO will review and provide comments to the national consultant's outputs. A detailed work plan is provided in Section 6 below.

EVALUATION METHODOLOGY

The evaluation will be carried out through a desk review and consultations with ILO management and staff, constituents, relevant bilateral donors, implementing partners, beneficiaries and other key stakeholders.

The Final Internal Evaluation will be conducted through a range of data collection methods. These will include:

A desk review of relevant project documents, national documents, literature on FPRW and relevant international labour standards;

Meetings and briefings with project staff at ILO Lusaka, and correspondence on specific questions with relevant technical specialist from Decent Work Team (DWT), Regional Office for Africa (ROAF), donors and ILO departments at Headquarters (HQ) via e-mail, Skype and phone. A short questionnaire survey is included for ILO staff in the country and at HQ who were directly involved in the project (see proposed questionnaire in Annex 3);

Meetings with ILO constituents and project beneficiaries (see Annex 4);

Analysis of data and development of the draft and final evaluation reports.

Both primary and secondary data sources will be used to generate data for the evaluation. The national consultant will employ range of data collection methods and evaluation techniques to generate information including focus group discussions, field visits, informed judgement, and scoring, ranking or rating techniques.

Desk Review

A desk review will analyze project documents and other documentation including the approved logical frame, quarterly and annual reports provided by the project management, field and HQ backstopping officers. The findings from the desk review will also be used to develop the inception report, finalise the evaluation instrument in Annex 1 and facilitate identification of additional or fine tuned evaluation questions. The evaluation instrument will be finalized in consultation with the evaluation manager, with additional technical support from the relevant technical experts within ILO.

Interviews with ILO Staff and donors

It is envisaged that ILO will facilitate the availability of the project's National Project Coordinator (NPC) and the Programme Assistant (PA) at critical times of the evaluation, particularly for project staff consultations and debriefing sessions with ILO. The national consultant will undertake group and/or individual discussions/interviews with project staff and key staff of other ILO projects, and ILO staff responsible for financial, administrative and technical backstopping of the project. Further interviews will be conducted with ILO specialist from the DWT in Pretoria, the regional office in Addis Ababa, ILO HQ, and the USDOS Grant Office in Washington DC.

Interviews with Key Stakeholders in Zambia

An indicative list of stakeholders to be consulted is included in Annex 4. This list will be finalised in consultation with the NPC, the PA and the Evaluation Manager. In order to gather information on national strategies, delivery of outputs and outcomes of the mining project, the consultant will undertake semi-structured interviews with relevant stakeholders including ILO constituents and other stakeholders¹⁵; and focus group discussions (FDGs) with project beneficiaries in selected geographical areas in the field to gather in-depth perspectives.

For the field visits, the national consultant proposes visits to each of the provinces (Copperbelt and North-Western) targeted by the project. Due to time constraints, only one mine will be visited in each province. Proposed mines include Kansanshi Copper Mines in North-Western province and either Mopani Copper Mine or Luanshya Copper Mine on the Copperbelt province. The national consultant notes the challenges in accessing interviews in certain mines, expressed by consultants in their reports during the project's national studies. With the foregoing, the national consultant will seek guidance from the project team on the specific mining companies to target in each province. The 2015 ILO study titled "Impact Assessment: The Effects of the Mining Industry on Worker's Rights and Sustainable Business Practices in Zambia" indicated that the mining companies have two inherent business models. The first

¹⁵ Interviews will prompt discussions on TPCM and its role in effecting social dialogue and its sustainability

business model encompasses workers on the mining houses' payroll, characterized by favourable and progressive employment and labour practices. The second business model comprises high outsourcing of operations and labour to contractors with poor and exploitative employment and labour practices. In order to get comprehensive information from the project's beneficiaries in each of the targeted provinces, the national consultant will ensure that consultations at in each province visited are conducted for the following stakeholder groups:

- Unions targeted by the project:
- Mineworkers Union of Zambia (MUZ)
- National Union of Mineworkers and Allied Workers (NUMAW)
- United Mineworkers Union of Zambia (UMUZ)
- Mineworkers Contractors and Allied Workers Union of Zambia (MCAWUZ)

Mining Companies both local and multinational companies, targeting workers and employers trained by the project through various interventions:

- Mining Unit Managers of mining companies (Human Resource Managers and Safety and Health Managers)
- Union representatives of mining companies
- Workers of mining companies (FDGs). For effectiveness, the FDGs will target 6 - 10 workers i.e. direct project beneficiaries. For each mine, 2 FDGs will be held at this level, one for workers on the mining company payroll and another for seasonal and contractor-managed labour i.e. workers provided by contractors/outsourcing)
- OSH Committee members at mining companies (FDGs)

Other Stakeholders:

- Inspectors supported or trained by the project i.e. Labour Inspectors, Occupational Safety and Health Institute (OSHI) Inspectors and Mines safety Department (MSD) Inspectors
- Beneficiaries of awareness raising or related activities
- Municipal/City Council Representative

Targeting the above stakeholders will facilitate probing into the following: relevance of project interventions; effectiveness of methodologies used in project implementation; the ability of training beneficiaries to utilise the knowledge at the individual level and its institutionalisation of the knowledge acquired; ; and replicability and sustainability of interventions.

At the point of completion of stakeholder consultations, the national consultant will hold a debriefing meeting with the ILO Director of Lusaka Office, the project team and the evaluation manager.

Data Analysis and Evaluation Report Development

Data generated from the desk review and interviews will be used to triangulate findings, interrogating the same research questions with a mix of data sources, including both objective measures (e.g. numbers of reports published, meetings held, policy milestones achieved) and subjective measures (e.g. values, opinions and preferences expressed by respondents, respondents' and national consultants' assessment of the quality of project reports and activities), and posing the same questions to a mix of different project staff and ILO constituents. Accordingly, the key indicators that will be used to explore the research questions (see Annex 1) include both objective/quantitative indicators and subjective/qualitative indicators. One or two case studies will be developed based on information generated from interviews with project staff, ILO constituents and project beneficiaries and/or field visits. In addition, the evaluation will target key ILO staff who have been involved in different ways in the project across the range of collaborating units, both through interviews and through the questionnaire survey (see Annex 3).

The national consultant will adhere to guidance and formatting requirement outlined in the ILO Policy Guidelines for Results-Based Evaluation: Principles, Rationale, Planning and Managing for Evaluations (2012) with regard to the following:

- Formatting and presenting recommendations;
- Identifying and presenting lessons learned; and
- Identifying and presenting emerging good practices.

The Evaluation Manager will facilitate circulation of the draft evaluation report with all relevant stakeholders and a request for comments will be asked within a specified time (not more than 5 working days).

Ethics and Confidentiality

The consultant will ensure that ethical conduct and confidentiality is upheld to ensure that sensitive information generated from document review and consultations at different levels is safe guarded. To prevent biasness and intimidation and to promote freedom of expression of respondents, project staff will not be present during interviews but will merely accompany the consultant to make the necessary introductions to partners as may be deemed necessary during the evaluation process.

WORK PLAN

The evaluation will be conducted between August 18 and September 26 2016. The national consultant will spend a total of 15 working days to achieve the tasks and deliver the outputs highlighted in the table below. The 15 days is exclusive of travel days and time allocated to review/comments of the evaluation draft report by ILO and stakeholders. The proposed timeframe for execution of tasks has factored in travel days and reviews by ILO.

Phase	Tasks	Proposed Timeframe	Man Days	Outputs
III	<p>Telephone briefing with evaluation manager</p> <p>Desk review of project related documents</p> <p>Development of inception report incorporating evaluation instrument designed based on desk review.</p>	<p>18 - 31 August 2016</p> <p><i>(24 - 30 August, ILO Review of Inception Report)</i></p>	3	<p>Inception Report</p> <p>Evaluation Questionnaire(s)/tool(s)</p>
IV	<p>Consultations with Project staff/management in Lusaka</p> <p>Consultations with ROAF, ILO Pretoria, HQ Units</p> <p>Consultations with permanent mission in Geneva</p> <p>Consultations with USDOS</p> <p>Consultations with stakeholders in Lusaka, Copperbelt and North Western Province</p> <p>Debriefing and presentation of preliminary findings to ILO Lusaka and the project staff</p>	<p>1 - 12 September 2016</p> <p><i>(12 September, Debrief ILO Lusaka and project staff)</i></p>	6	Meeting Minutes
V	<p>Analysis of data generated</p> <p>Consultation on initial findings/information gaps with project staff</p> <p>Draft evaluation report based on desk review and consultations from field visits</p>	<p>12 - 16 September 2016</p> <p><i>(14 September, Consultations with project staff on initial findings/information gaps)</i></p>	5	Draft Evaluation Report

VII	Finalize the report including explanations if comments were not included	19 - 26 September 2016 <i>(19 - 21 September, ILO Review of draft report)</i> 26 September - Submission of Final Evaluation Report and Executive Summary	1	Final Evaluation Report Executive Summary
			15 Days	

Annex 1: Data Collection Tool and Methods

Evaluation Criteria	Evaluation question	Indicators ¹⁶ (Objective/ Subjective)	Data sources
<u>Relevance and strategic fit</u>	<p>Is the project relevant to the achievements of the outcomes in the national development plan, the UNDAF and the Zambia DWCP?</p> <p>Is the project relevant to achieve the targets set in the Decent Work Agenda for Africa (DWAA) and other relevant regional and global commitments?</p> <p>How well does the project complement and fit with other ongoing ILO programmes and projects in the country.</p> <p>What links are established so far with other activities of the UN or non-UN international development aid organizations at local level?</p>	<p><i>National consultants' qualitative assessment of project docs and interview responses.</i></p> <p><i>ILO team and selected constituents' qualitative analysis of the project strategy</i></p> <p>Evidence of consultation on target group priorities (coverage of meetings, correspondence, reports etc)</p> <p>Reference to the range of relevant labour standard in project documents and outputs.</p>	<p>International strategic frameworks, national strategy papers, ILO and project documentation</p> <p>Interviews with constituents and beneficiaries</p> <p>Interviews with Programme Officer, project staff</p>
<u>Validity of design</u>	<p>The adequacy of the design process (was the project design logical and coherent)? What internal and external factors have influenced the ability of the ILO to meet projected targets?</p> <p>Validity, relevance and potential synergies of the component in Southern Africa (Zambia).</p> <p>Do outputs causally link to the intended outcomes that in turn link to the broader development</p>	<p><i>National consultants' qualitative assessment of project documents and interview responses</i></p>	<p>ILO and project documentation</p>

¹⁶ Indicators in italics represent subjective sources; those not in italics represent objective indicators.

	<p>objective? Has the design clearly defined performance indicators with baselines and targets?</p> <p>Considering the results that were achieved, was the project design realistic?</p> <p>Has the project adequately taken into account the risks of blockage?</p> <p>Has the project integrated an appropriate strategy for sustainability?</p> <p>Has the project carried out a proper consultation and involvement of tripartite constituents during planning, implementation and monitoring?</p> <p>How gender issues have been addressed in the project document?¹⁷</p>		
<p><u>Project effectiveness</u></p> <p><u>Efficiency of resource use</u></p>	<p>To what extent have the expected outputs and outcomes been achieved?</p> <p>Were the project's activities/operations in line with the schedule of activities as defined by the project team and work plans? Were outputs produced and delivered so far as per the work plan? Has the quantity and quality of these outputs been satisfactory? How do the stakeholders perceive them? Do the benefits accrue equally to men and women?</p> <p>In which area (geographic, component, issue) does the project have the greatest achievements so far? Why and what have been the supporting factors?</p> <p>How effective were the backstopping support provided so far by ILO (regional office, DWT Pretoria and Geneva) to the project?</p> <p>Are there any unintended results of the project?</p> <p>Were resources (human resources, time, expertise, funds etc.) allocated and used strategically to provide the necessary support and to achieve the broader project objectives? To what extent are the project's resources (technical and financial¹⁸) being used efficiently?</p>	<p><i>National consultants' qualitative assessment of project documents and interview responses.</i></p> <p><i>ILO team and selected constituents' qualitative analysis of the project management;</i></p> <p>Comparison of outputs with work plans</p> <p><i>ILO team and selected constituents' qualitative analysis of the project management</i></p> <p>ILO and constituents project reports</p> <p>Use of ILO staff time and project activities; budgets</p> <p>Other non-USDOS funding attributed to the project</p> <p>Project documentation/reports, project staff</p>	<p>ILO and project documentation</p> <p>Interviews with project staff and selected ILO team members</p> <p>Interviews with constituents and beneficiaries</p> <p>Questionnaire survey</p>

¹⁷ A section on gender concerns is further incorporated below to address extent of gender consideration during the project period

¹⁸ N.B. This question does not refer to a financial audit/ value for money analysis of the project, but rather to a broader assessment of how well resources have been used.

	<p>How well has the project leveraged other funds at the country level?</p> <p>Were the disbursements and project expenditures in line with expected budgetary plans? If not, what were the bottlenecks encountered? Are they being used efficiently? How efficient was the project in utilizing project resources to deliver the planned results?</p> <p>Has the project been appropriately managed? (i.e. baselines established, monitoring plan developed and executed, knowledge disseminated, sustainability strategy defined, and risks managed).</p>		
<u>Effectiveness of management arrangements</u>	<p>Were the available technical and financial resources adequate to fulfil the project plans?</p> <p>Was the management and governance arrangement of the project adequate? Was there a clear understanding of roles and responsibilities by all parties involved?</p> <p>Were targets and indicators sufficiently defined for the project?</p> <p>How effective was project management in monitoring project performance and results?¹⁹ Is a monitoring & evaluation system in place and how effective is it? Is relevant information systematically collected and collated? Is the data disaggregated by sex (and by other relevant characteristics if relevant)? - This question has been moved to the section on gender concerns.</p> <p>Was the project receiving adequate administrative, technical and - if needed - political support from the ILO office and specialists in the field (Lusaka, Pretoria and Addis Ababa (ROAF)) and the responsible technical units in headquarters?</p> <p>Was the project receiving adequate political, technical and administrative support from its national partners/implementing partners?</p> <p>Was the project collaborating with other ILO programmes and with other donors in the</p>	<p><i>Project staff perception of financial and technical resources at the disposal of the project team</i></p> <p>Evidence provided by projects documents such as budgets, work plans, logical model, concept notes, activity reports, M&E plans etc</p> <p><i>Project staff's understanding and evaluation of the project's logic</i></p> <p><i>Constituents' perception of changes in their capacity.</i></p> <p>Evidence of increased constituent capacity and knowledge development, generated through impact questions (below)</p>	<p>ILO and project documentation</p> <p>Interviews with project staff</p> <p>Interviews with constituents and beneficiaries</p> <p>Questionnaire survey</p>

¹⁹ Changed from: "How effectively the project management monitored project performance and results?"

	<p>country/region to increase its effectiveness and impact?</p> <p>To what extent were the recommendations of the joint review implemented?</p> <p>Were all relevant stakeholders involved in an appropriate and sufficient manner?</p>		
<u>Impact orientation and sustainability</u>	<p>Was the programme strategy and programme management steering towards impact and sustainability?</p> <p>Had the project started building the capacity of people and national institutions or strengthened an enabling environment (laws, policies, people's skills, attitudes etc.)?</p> <p>Assess whether project activities are sustainable and identify steps that can be taken to enhance the sustainability of project components and objectives</p> <p><i>How has the project promoted fundamental labour rights for seasonal and workers operating for sub-contractors in the mining sector?</i></p> <p><i>To what extent have the project fostered dialogue between ILO constituents and allowed a platform for ILO constituents to be heard?</i></p> <p><i>To what extent is there evidence that the principles governing employment and labour issues have been instilled in ILO constituents in Zambia?</i></p> <p><i>To what extent have the projects contributed to progress towards the ratification and implementation of relevant ILO labour standards, as well as improved institutional mechanisms for policy formulation?</i></p> <p><i>To what extent have employers' organizations been encouraged and supported to promote principles governing employment and labour issues?</i></p>	<p><i>Qualitative (interviewees' perspectives, national consultants' analysis of project documents)</i></p> <p>Quantitative (numbers of published outputs, meetings held, media campaigns, laws, policies approved/ ratified etc) evidence of:</p> <p>Increased political commitment sound industrial relations Creation of spaces within the mining sector for dialogue between ILO constituents Ratification/ implementation of relevant ILO labour standards Incremental policy setting towards ILO standards Support by employers organizations to institute fair employment and labour practices Increased representation of mine workers in workers organizations Extent of media engagement in awareness raising on and advocacy for issues related to employment and labour issues in the mining sector</p>	<p>ILO and project documentation</p> <p>Interviews with project staff</p> <p>Interviews with constituents and beneficiaries</p> <p>Questionnaire survey</p>

	<p><i>To what extent has the media reported on issues related to the project and/or employment and labour issues in the mining sector?</i></p> <p><i>How can the mining sector build on the results achieved by the project so far?</i></p> <p><i>How can government build on the results achieved by the project?</i></p> <p><i>How can employers' organisations build on the results achieved by the project?</i></p> <p><i>How can workers' organisations build on the results achieved by the project?</i></p>	<p><i>National consultants/ ILO staff and constituents' assessment of value and relevance of knowledge products</i></p> <p>Constituents' awareness of knowledge products produced</p> <p><i>National consultants' assessment of sustainability strategy (if in existence)</i></p> <p>Evidence of new funding commitments building on project activities (pipeline proposals, contracts etc)</p> <p>Evidence of continued resourcing for key project staff, activities, and bodies (task forces etc)</p> <p>Evidence of continued activity, structures and teams set up or supported through the project (e.g. meetings, work plans etc).</p> <p><i>Awareness and change in practice and approach amongst key ILO staff and constituents</i></p>	
Lessons Learned, Coherence and Gender Considerations			
Evaluation Issue	Evaluation question	Indicators (Objective/ Subjective)	Data sources
<u>Good practices and Lessons learned</u>	<p><i>To what extent can project activities be seen as an intervention model the mining sector?</i></p> <p>What good practices can be documented from the project that can be applied in similar future projects?</p> <p><i>What relevant limitations/challenges should be taken into account when replicating the project model? How can these limitations/challenges be addressed?</i></p> <p>What should have been different, and should be avoided?</p>	<p><i>National consultant's assessment of promising project interventions</i></p> <p>Mitigation measures identified in project documents to address project obstacles</p> <p><i>Mitigation measures identified by project staff and ILO constituents and other</i></p>	<p>ILO and project documentation</p> <p>Interviews with project staff</p> <p>Interviews with constituents and beneficiaries</p>

	<p><i>How have lessons learned contributed to knowledge development of the ILO?</i></p> <p><i>How have lessons learned contributed to knowledge development of project stakeholders?</i></p>	<p><i>stakeholders to address project obstacles</i></p> <p>Challenges negatively impacting on achievement of project results/outcomes (from desk review)</p> <p><i>Challenges negatively impacting on achievement of project results/outcomes (perception by project staff and ILO constituents)</i></p>	
Coherence	<p><i>To what extent are the project activities coherent with the elements of P&B Outcomes that the project supports?</i></p> <p><i>How do current efforts build on previous experience (other projects or regions, previous phases funded by the donor), and/or the synergies realized with other ILO interventions and sources of funding (i.e. RB, RBTC, XBTC, RBSA)?</i></p>	<p>National consultants' qualitative assessment of project documents and interview responses.</p> <p><i>ILO team and selected constituents' qualitative analysis of the project strategy</i></p> <p>Evidence of linkages to Outcome 14 measurement criteria specified in P&B</p> <p>Reports sighting coordination between this and other relevant ILO funded project and between ILO CPOs and HQ</p> <p><i>Evidence of coordination between this and other relevant ILO funded project and between ILO CPOs and HQ (interviews of ILO teams)</i></p>	<p>ILO and project documentation</p> <p>Interviews with project and other ILO staff</p>

<u>Gender concerns</u>	<p><i>Has the project identified and acted on the gender-based needs and concerns of women and men, and unequal gender relations, in relation to the outcome 14 indicators addressed?</i></p> <p><i>Do the project documents, where relevant, disaggregate data by sex (and by other relevant characteristics if relevant)?</i></p> <p><i>Were there sufficient capacities in place to gather gender-responsive information and conduct gender analysis?</i></p> <p><i>How well has the project been used as a vehicle to promote a focus on gender equality in the work of ILO and of ILO constituents?</i></p> <p><i>To what extent is women's participation in project interventions encouraged?</i></p> <p><i>How have unions facilitated equal opportunities between men and women to promote unity of purpose and solidarity with regards to membership retention?</i></p> <p><i>What deliberate work place policies are in place to allow for family - work balance in the work place at target mines?</i></p>	<p>Gender analysis in project documents and outputs.</p> <p><i>National consultants' assessment, staff and constituents' assessment of quality and relevance of gender analysis.</i></p> <p>Sex disaggregated data in project documents and outputs where relevant</p> <p>National consultants assessment of gender capacities</p> <p>Recruitment criteria and TOR specifications on gender capacity</p> <p><i>Awareness and change in practice and approach on gender equality amongst key ILO staff and constituents</i></p>	<p>ILO and project documentation</p> <p>Interviews with project staff</p> <p>Interviews with constituents and beneficiaries</p> <p>Questionnaire survey</p>
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Thematic Questions:

TPCM (Output 1.1):

- To what extent is organisational representation on the TPCM balanced?
- What ILO tools were used to support capacity building of the TPCM? To what extent were these tools relevant?
- To what extent has the TPCM improved social dialogue and labour relations of the targeted players in mining sector?
- Assess TPCM members on knowledge levels on labour rights and working conditions.

Baseline Studies (Output 1.2):

- To what extent were members of the TPCM involved in the mining sector impact assessment and the stakeholder mapping study?
- How was the information generated by the two studies disseminated?
- How has the information and recommendations of the two studies been used?

Tripartite agreement on Priorities to improve industrial relations and labour law compliance (Output 1.3):

- What key priorities were identified by the TPCM?
- How does each priority contribute to improvement of industrial relations?
- How does each priority contribute to labour law compliance?

Labour Inspection Task Force (Output 2.1):

- Who comprises the labour inspection task force?
- When and how are labour inspections conducted?
- What issues do the labour inspection interventions in the mining sector focus on?
- Assess content of information collected before and after training intervention (request for inspection reports to compare)
- To what extent has the labour inspection risk assessment tool been institutionalised?
- How many inspections have incorporated the use of the labour inspection risk assessment tool?
- What are the strengths of this labour inspection risk assessment?
- What key risks are encountered in labour inspection?
- How have these labour inspection risks been addressed?
- To what extent has the labour inspection risk assessment tool facilitated legal compliance?
- How has the labour inspection risk assessment tool been used to facilitate dialogue and cooperation in the workplace?
- How many joint OSH assessments have been undertaken?
- What key issues of concern related to labour rights and working conditions have been documented using the joint assessment tools?
- To what extent have findings of joint assessments contributed to improving labour working conditions?

Labour Inspection Training (Output 2.2):

- Is the strategic plan on labour inspection visits being implemented?
- What are the advantages and challenges of implementing this strategy?
- What are the major challenges of the paper based labour inspection filling system?
- Has the cost-effective monitoring and data tracking system for labour inspection in for the Zambia mining sector been developed? If so, has it addressed the challenges faced by the paper based system?

Capacity Building on Collective Bargaining (Output 3.1):

- Assessment on Opportunities and Gaps of trade unions
- To what extent have workers' organizations been encouraged and supported to extend their membership?
- To what extent have workers' organisations been encouraged and supported to improve the quality and delivery of their core services on FPRW and better represent workers in the sector?
- What evidence is there to show improvements in the power balance between workers and employers?
- What measures were taken by the project to support effective capacity in collective bargaining?
- To what extent has the project enhanced collective bargaining skills?
- How has the training on collective bargaining influenced outcomes of the bargaining cycle in the mining sector?
- To what extent have capacity building interventions on collective bargaining influenced legal compliance? i.e. what new legal provisions are workers enjoying as a result of project interventions?
- To what extent has the project contributed to prevention and resolution of disputes?
- What joint collective bargaining interventions have been initiated by unions within the mining sector
- Has the database to track and measure the collective bargaining scope and impact in the mining sector been developed?

Unions' Coordination for effective collective bargaining (Output 3.2):

- Has a coordinated collective bargaining strategy been developed?
- What positive outcome has coordinated action of trade unions in the mining achieved as a result of the project?

Annex 2: Evaluation Documents

Final Terms of Reference

Evaluation guidelines, checklists and templates

Appointment schedule for individuals to be consulted including contact details and meeting confirmation status

Project document

Baseline reports and related data

Project monitoring reports

Progress and status reports, project extensions and budget revisions

Technical Working Group Terms of Reference, minutes and other related documentation

Recommendations from the joint review

Project studies and research

Workshop reports

Project beneficiary documentation

Relevant ILO Conventions and national policies and legislation

National development plan

UN Development Action Framework (UNDAF)

Zambia United Nations Sustainable Development Partnership Framework (2016 - 2021)

ILO Decent Work Country Programme Documents

ILO Strategic Programme Framework and Programme and Budget

Other documents deemed relevant by ILO

Annex 3: Proposed Questionnaire IO staff

This questionnaire is for ILO staff involved in the project, and direct project team.

Please indicate your answer to the following questions, grading your answer from 1 (completely agree) to 10 (completely disagree), by circling the relevant number.

1. The project's effectiveness in working with ILO constituents

1.1 The project component I worked on was able to reflect the interests of workers' organizations for industrial relations and FPRW.

Completely Agree					Completely disagree				
1	2	3	4	5	6	7	8	9	10

1.2 The project component I worked on was able to reflect the interests of employers' organizations for industrial relations and FPRW.

Completely Agree					Completely disagree				
1	2	3	4	5	6	7	8	9	10

The project component I worked on was able to reflect the interests of state labour bodies in relation industrial relations and FPRW.

Completely Agree					Completely disagree				
1	2	3	4	5	6	7	8	9	10

1.4 The project component I worked on was able to involve representatives of workers' organizations for mine workers in project planning and activities

Completely Agree					Completely disagree				
1	2	3	4	5	6	7	8	9	10

1.5 The project component I worked on was able to involve representatives of employers' organizations for mine workers in project planning and activities

Completely Agree					Completely disagree				
1	2	3	4	5	6	7	8	9	10

1.6 The project component I worked on was able to involve representatives of state labour bodies in project planning and activities

Completely Agree					Completely disagree				
1	2	3	4	5	6	7	8	9	10

1.7 *(Optional)* Please add any thoughts or comments about why the project activity you were involved with was more or less effective in working with any of the ILO tripartite constituents:

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2. *Project management*

2.1 I could clearly understand how my work on the project contributed to Outcome 14 of the ILO Programme and Budget

Completely Agree					Completely disagree				
1	2	3	4	5	6	7	8	9	10

2.2 The project made an important contribution to the Decent Work Country Programme more widely

Completely Agree					Completely disagree				
1	2	3	4	5	6	7	8	9	10

2.3 This project used its human resources efficiently

Completely Agree

Completely disagree

1 2 3 4 5 6 7 8 9 10

2.4 This project used its financial resources efficiently

Completely Agree

Completely disagree

1 2 3 4 5 6 7 8 9 10

2.5 The USDOS resources and already available supplementary resources (RBTC etc) were sufficient to deliver the project outputs

Completely Agree

Completely disagree

1 2 3 4 5 6 7 8 9 10

2.5 This project did a good job of drawing on/ leveraging other ILO human resources (staff time) and project resources (other projects, initiatives or activities of my office/unit that share the same objectives or target group).

Completely Agree

Completely disagree

1 2 3 4 5 6 7 8 9 10

2.6 I clearly understood my contribution, responsibilities and deadlines in relation my involvement in this project.

Completely Agree

Completely disagree

1 2 3 4 5 6 7 8 9 10

2.7 The technical team at HQ supported and allowed me flexibility where necessary to best achieve project outcomes

Completely Agree					Completely disagree				
1	2	3	4	5	6	7	8	9	10

2.8 The technical team managers encouraged and supported me to integrate a gender perspective in my work on this project

Completely Agree					Completely disagree				
1	2	3	4	5	6	7	8	9	10

2.9 The Field Office(s) provided good administrative support and help with access to tripartite partners

Completely Agree					Completely disagree				
1	2	3	4	5	6	7	8	9	10

2.10 (Optional) Please add any other comments you have about the management of this project:

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3. Professional impact

3.1 This project helped me to work with and build better linkages to other ILO units/ departments/ areas of expertise

Completely Agree					Completely disagree				
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1 2 3 4 5 6 7 8 9 10

3.2 Working on this project helped me to reflect on/ re-evaluate how my core area of work is relevant to the needs of mine workers

Completely Agree

Completely disagree

1 2 3 4 5 6 7 8 9 10

3.3 Working on this project has helped me to understand the relevance of gender relations to my core area of work/ expertise

Completely Agree

Completely disagree

1 2 3 4 5 6 7 8 9 10

3.4 Working on this project provided me with new knowledge and tools to respond to demands of constituents and/ or to design actions concerning mine workers.

Completely Agree

Completely disagree

1 2 3 4 5 6 7 8 9 10

4. (*Optional*) Please add any final comments that you have about your experience of working on this project

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Annex 3: Stakeholders Consulted

Organisation	Person Consulted
ILO Decent Work Team Experts, Pretoria	<ul style="list-style-type: none"> • Social Dialogue Specialist - LimpoMandoro • Workers Specialists - InviolataChinyangarar
ILO Lusaka CO, Lusaka	<ul style="list-style-type: none"> • ILO Director - Alexio Musindo • ILO Programme Officer - Sharon Chitambo • Evaluation Manager - Mukuka Nkunde
ILO Project team, Lusaka	<ul style="list-style-type: none"> • Mining Project NPC - Mukubesa Sanyambe • Mining Project PA - Jeanette Hedstrom
ILO HQ - FPRW	<ul style="list-style-type: none"> • Senior Technical Cooperation Officer - Katherine Torres (not consulted)
USDOS	<ul style="list-style-type: none"> • USDOS Grant Office, Washington DC - Cara E. Vilen
Federation of Free Trade Unions in Zambia	<ul style="list-style-type: none"> • LysonMando
Zambia Federation for Employers	<ul style="list-style-type: none"> • Hilary Hazele
Chambers of Mines	<ul style="list-style-type: none"> • Mulimbika
Ministry of Labour and Social Security	<ul style="list-style-type: none"> • Kadija Sakala
Zambia Congress of Trade Unions	<ul style="list-style-type: none"> • Boniface Phiri and Mr. Njobvu
Department of Labour	<ul style="list-style-type: none"> • Shirley Malyenge Principle Labour Inspector (Kitwe)
Mineworkers Union of Zambia (MUZ) - Kitwe	<ul style="list-style-type: none"> • Joseph Chewe, General Secretary • George Mumba, Deputy General Secretary

National Union of Mineworkers and Allied Workers (NUMAW) - Kitwe	<ul style="list-style-type: none"> • Stephen Mukupa, National Secretary
Mine Contractors and Allied Workers Union of Zambia (MCAWUZ) - Kitwe	<ul style="list-style-type: none"> • Beni Isao, President • Levi Chimfwembe, General Secretary • Nelson Mumba, Director Organisation and recruitment
Mopani Mines	<ul style="list-style-type: none"> • George Mayeya, Human Resource Manager <p>Mopani Payroll Workers:</p> <ul style="list-style-type: none"> • ChoolweMwanalila, member MUZ • Thomas Munthali, member NUMAW • Musa Kalumba, member MUZ • Clive Simukoko, Shop Steward, NUMAW • PathiasMuleya, Chairman, UMUZ • Dennis Nshinbaila, member, MUZ • Stephen Nyirenda, Chairman NUMAW • LacksonMukabe, Vice Branch Chairman, NUMAW • John Lungu, Shop Steward, NUMAW • Henry Mutakila, member, MUZ <p>Mopani OSH Committee members:</p> <ul style="list-style-type: none"> • Mpesa Justin, Superintendent Safety • YobePhiri, Senior Safety Coordinator • SampaChokolo, Project Safety Coordinator <p>Workers under Contractors Payroll:</p> <ul style="list-style-type: none"> • Gordon Ngambi, Section Boss • Ronald Chibwe, HR Officer • Moses Mwanza, Cap-lamp Attendant
Mines Safety Department	<ul style="list-style-type: none"> • Alfred Chileya, Inspector of Mines
Occupational Health, Safety and Institute	<ul style="list-style-type: none"> • Joseph Sindawa, Occupational Hygienist for OSHI

Mineworkers Union of Zambia (MUZ) - Solwezi	<ul style="list-style-type: none"> • KatutaMutipulaLengwe, MUZ Chairperson FQM
Consultants	<ul style="list-style-type: none"> • NgosaChisupa, Consultant - TPCM Priority Setting • Deluxe Mwansa, Consultant - Development of the Joint Strategy for Unions • ChiselebweNgandwe, Consultant - Sustainability Plan for Unions

Annex 5: Bibliography

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