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iTrack

Evaluation

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This evaluation has been conducted according to ILO's evaluation policies and procedures. It has not been professionally edited, but has undergone quality control by the Regional Evaluation Officer.

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LIST OF ACRONYMS

CEACR	Committee of Experts on the Application of Conventions and Recommendations
DWCP	Decent Work Country Programme
DWT/CO	Decent Work Team and Country Office
FAO	Food and Agriculture Organization
GDP	Gross Domestic Product
HQ	Headquarters
ILO	International Labour Organization
MEDTA	Ministry of Economic Development, Trade and Agriculture
NTSEC	National Tripartite Social and Economic Council
PSC	Project Steering Committee
SDG	Sustainable Development Goal
SLS	State Labour Service
TOR	Terms of Reference
UN	United Nations
VR	Verkhovna Rada
WHO	World Health Organization

EXECUTIVE SUMMARY

BACKGROUND AND CONTEXT

Ukraine is the second-largest country in Europe, with a population of around 44 million people. In the past decade, Ukraine faced severe political, economic, and security challenges, including the war in Eastern Ukraine and the annexation of Crimea. The EU-Ukraine Association Agreement signed in 2014 has been a major driving force shaping Ukraine's reform agenda.

Ukraine is an ILO member since 12 May 1954. It has ratified 71 ILO conventions (of which 63 are in force), including all eight fundamental conventions and all four priority conventions. There are several direct requests and observations on ratified conventions (including on OSH and labour inspection) from the ILO supervisory mechanisms.

Project background and objectives

The EU-ILO project "Towards Safe, Healthy and Decent Work in Ukraine" is funded by the European Union (EU) and implemented by the International Labour Organization (ILO). Its duration is 3 years (January 2020 - December 2022).

In Ukraine, the incidence rates of fatal work-related accidents are substantially higher than the average incidence rates in the EU. This project aims at improving safety and health at Ukrainian workplaces and at reducing undeclared work. In the short term, the project aims to improved compliance of Ukraine with key International Labour Standards on OSH and undeclared work. It capitalizes on the ILO's expertise and experience in addressing labour relations, OSH, labour inspection and undeclared work issues.

Evaluation background

The evaluation will be used primarily by the project team and partners to guide the further implementation of activities to best achieve the target results. The mid-term evaluation will promote accountability and strengthen learning among the ILO and key stakeholders.

The mid-term evaluation focus is on the implementation period of the project from the start on 1 January 2020 to 30 June 2021. The mid-term evaluation was carried out between 5 and 29 July 2021 through a desk review, followed by a field mission (18 - 27 July 2021) to Ukraine (Kyiv).

The evaluation was carried out in accordance with the UN Evaluation Group (UNEG) Norms and Standards and OECD/DAC's recommendations, as well as the ILO's Evaluation Policy Guidelines.

FINDINGS

Relevance and Strategic Fit

The Project is entirely relevant to the ongoing process of changes of the Ukrainian labour legislation, as foreseen in the approved reform concept by the Council of Ministers of Ukraine, EU – Ukraine Association agreement, United Nations Partnership Framework and DWCP 2020-2024.

Project activities contribute to Ukraine's achievement of the Sustainable Development Goals and specific targets 8.8 and 8.3 under SDG 8. The project objectives and activities fit in the United Nations Partnership Framework (UNPF) 2018 to 2022, especially to the Pillar 1 on Sustainable economic growth, environment

and employment. The project was developed and is implemented in line with the ILO country programme outcomes that are aligned to ILO Programme and Budget 2020-21 and is fully contributing to the DWCP 2020-2024 Priority 3 on Improved working conditions and social protection. The project contributes to the fulfilment of the EU-Ukraine Association Agreement, under which Ukraine committed to gradual approximate to EU law, standards and practices.

The project learns from the experience of other projects implemented by ILO and is implemented in synergy with the other ongoing ILO projects, aiming to deliver complementary, effective and efficient assistance to the Ukrainian constituents.

Project recommendations enrich the ongoing debate and provide arguments for the modernization of the legislation in line with the EU Directives and ILO Conventions, and to some extent manage to reverse the trend of adopting laws contradicting ILS and EU directives or the European pillar of Social Rights. For all the stakeholders, the project is “the driver of positive changes and engine of development of new improved laws”.

Validity of design

Strong aspect of the ILO project is that it is backed by evidence on OSH and UDW from the labour market and economy and crafted in response to the labour market challenges. The project contains a strong analysis of the national context in which the project needs to operate and provide clear arguments in justification of the intervention.

The Project intervention is based on two pillars: i) support to development (and capacitate to develop and implement) legal framework on OSH and undeclared work and ii) create the basis for Labour Inspection modernization.

The project design is clear and logical, with clear indicators of success. Under the two (2) outcomes and nine (9) outputs planned with the project, there is a clear flow of activities and results. The targets set under the development objective of the project are quite ambitious.

Project effectiveness

The project development objective is that all men and women workers in Ukraine enjoy safe, healthy and declared work. The expected result is a decrease of 5 % of the incidence rate of fatal work-related accidents and 6 percentage points decrease in informal employment by the end of the project. According to the project report, the incidence rate of fatal work-related accidents decreased by 7.4% and informal employment decreased by 0.5 percentage points by the end of 2020.

The expected impact of the project is an improved compliance of Ukraine with the EU OSH acquis and the key International Labour Standards on OSH and undeclared work, which is measured by the absence of new complaints to the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) concerning compliance with ILO C81 and C129. It can be noted that the CEACR received the observations of the Federation of Trade Unions of Ukraine (FPU) on 30 September 2020. The Committee proceeded with the examination of the application of Conventions Nos 81 and 129 on the basis of the observations received from the FPU as well as on the basis of the information at its disposal in 2019. In the observation published in 2021, the Committee “strongly urges the Government to take the necessary measures and adopt appropriate reforms to bring the labour inspection services and the

national legislation into conformity with the provisions of Conventions Nos 81 and 129". This situation demonstrates that the technical assistance delivered by the project is very necessary and shows the value of the project recommendations to improve and fully align the labour inspection legislation with the ILO Conventions ratified by Ukraine. But, this recommendations need to be implemented by the institutions that draft the legislation and to be adopted as such by the parliament (Verkhovna Rada).

The project has provided, so far, 17 sets of project technical recommendations or explanatory notes on draft legal acts, which were characterized as "very valuable, practical and applicable" by the stakeholders. However, the achievement of the main indicators of the first outcome, transposition of EU Directives into adopted legal acts and better alignment with the ILS, does not depend on the project. Until June 2021 the progress is limited and no new laws were adopted. The quality of the advice and recommendations is undisputed by all the stakeholders, even those who have different opinions about the direction that legislative change should take. Furthermore, as the stakeholders point out, the project contributed to a much better understanding of the EU directives.

All parties praised the project for providing a platform for social dialogue in the absence of a functional NTSEC. The project role as a facilitator of social dialogue between the Government and the social partners is the unintended result of the project. However, the absence of functional formal tripartite dialogue can be replaced by the project only to a limited extent. ILO project organized 17 technical seminars/training/discussions, 23 technical meetings and 3 PSC meetings and participated in 13 other events organized by other parties. In total, 4,285 participants (53.4% women) were exposed to various technical subjects through webinars, seminars, retreats, discussions, for which 7 background papers were produced by the project. Most of recommendations were discussed during these meetings. But, in the opinion of the stakeholders, tripartite meetings **on each** set of technical recommendations that the project is submitting to the Government or the Parliament would contribute to the debate and will offer an opportunity to hear different opinions on legislative changes.

Under the second outcome, the project has a strong focus on labour inspection and the effectiveness of its operations. UDW campaign and partnership with SLS increased interactions of the LI with employers and workers. Although the two indicators of SLS effectiveness and performance are positive, the challenge with the image, mistrust and competencies of Labour inspection remain. The project must continue its support to SLS in overcoming these challenges. This should include support to develop effective internal control mechanisms in the SLS, and effective communication with the employers and workers. Through several interviews, the stakeholders express the need to increase the SLS exposure to best practices and provide more training to labour inspectors.

The project followed the rules for donor visibility and the donor was visible on all the products of the project.

Efficiency and management arrangements

The Project team is very experienced and works strategically with all relevant stakeholders. All stakeholders expressed their satisfaction with the relationship and cooperation with the project team. Project management is described by the stakeholders as *"highly competent, very responsive and flexible"*. All stakeholders emphasize that the Project CTA *"has strong technical expertise"* and is *"very committed to the reform of Ukrainian legislation"* and that proves crucial for the quality and timely delivery of practical technical assistance. Quick response to a request for technical assistance and timely delivery of

applicable advice and recommendations are considered very strong aspects of this project by all the stakeholders.

The project ensures that both executive power and legislative power have access to the highly valued recommendations. However, project access to higher political levels and its capacity to influence the top decision-makers remains a challenge which requires an increased involvement of the PSC members, in the advocacy activities.

Project swiftly adjusted to COVID 19 restrictions, transferring a number of activities online. In addition, several activities which were initially foreseen to be outsourced (e.g., provision of technical recommendations), were developed in-house, which produced additional financial savings that were used to provide other valuable support, including the one related to the COVID 19 pandemic.

The bilingual website of the Project is considered a very valuable source of information and an important communication channel for all the stakeholders and target audience.

The Project is planned to be finished by 31 December 2022. On 30 June 2021, the project has a disbursement level of 34.1% on the total budget (which goes to 52.06% when you add the committed funds). That corresponds to the plan of project activities, sound financial planning and savings that occurred during project implementation.

Impact orientation and sustainability

The project has an impact on law drafting processes, on the proper understanding of EU directives and improvement of the quality of the draft laws. However, the final impact will be seen when the laws are adopted and an assessment is made on their compliance with the EU acquis and ILS. The project needs access to the decision-makers to influence the outcome of the legislative reforms. For that, the project can benefit with the support on advocacy from the ILO NC for Ukraine, EU Delegation and the UN RC office in Kyiv.

Further support, in terms of capacity building, is needed in the remaining period of the project. There is a lack of an established pool of national trainers on OSH that can serve the beneficiaries after the project ends. Maintaining the training provision after the project end will ensure the sustainability of the action taken. It can ensure that institutions, employers and workers have access to the up to date training on OSH.

Gender equality assessment

The project has a target of at least 50% of participants in the project's knowledge-sharing and capability-building events which are women. Data from secondary sources show that almost 53% of participants in the activities are women.

CONCLUSIONS

Relevance and strategic fit

- 1) The project is highly relevant for Ukraine, in the context of to the ongoing process of reforming the Ukrainian labour legislation.
- 2) Project recommendations enrich the ongoing debate and provide arguments for the modernization of the legislation in line with the EU Directives and ILO Conventions.

- 3) The project learns from the experience of other projects and is implemented in synergy with other ILO projects.
- 4) The project is seen as the driver of positive change and engine for the development of new improved laws.

Validity of design

- 5) The project has a clear goal with ambitious targets, well-defined outcomes, outputs, and activities.
- 6) The Project contains a strong analysis of the national context in which the project needs to operate and provide clear arguments in justification of the intervention.
- 7) There is no explicit theory of change. This leaves unsaid what the Government, Parliament, social partners need to do to achieve the project objectives.
- 8) The project document elaborates well the risks and assumptions for the successful implementation of the project and has mitigation measures for the identified potential problems of the project.

Project effectiveness

- 9) The project produced 17 sets of project technical recommendations or explanatory notes on draft laws (perceived as very valuable, practical and applicable).
- 10) The project contributed to a much better understanding of the EU directives.
- 11) All parties praise the project for providing a platform for social dialogue in the absence of functional National Tripartite Social and Economic Council, but the lack of functional formal tripartite dialogue can be replaced by the Project only to a limited extent.
- 12) Fighting Undeclared Work campaign and partnership with SLS increased the interactions of the Labour Inspection with employers and workers, but the challenge of image, mistrust and competencies of LI remain.
- 13) The project needs to increase SLS exposure to best practices and provide more training to SLS.
- 14) Project organized 17 technical seminars/trainings/discussions, 23 technical meetings and 3 PSC meetings. It participated in additional 13 other events.
- 15) 4,285 participants (53.4% women) were exposed to various technical subjects through webinars, seminars, retreats, discussions.
- 16) 118 formally certified persons on 6 training modules delivered by the project (52% women).
- 17) 7 sets of background materials for training produced.
- 18) The project followed the rules for donor visibility and the donor was visible on all the products of the project.

Efficiency and management arrangements

- 19) The project works strategically with all relevant stakeholders and created partnerships for results.
- 20) Project management is praised as highly competent, very responsive and flexible.
- 21) The project has a CTA with strong technical expertise and that proves crucial for the timely delivery of quality technical assistance.
- 22) Quick reaction and the timely delivery of practical recommendations and advice are very strong aspects of this project.

- 23) The project team established a functional model for the preparation of the project technical recommendations, with agreed deadlines and a flow of actions in the process of drafting the recommendations by the project team and specialists.
- 24) The project's reach out beyond the traditional partners (to Parliament and NGOs) is perceived positively, but access to higher political levels is still limited.
- 25) The bilingual website of the Project is considered a very valuable source of information and an important communication channel for all the stakeholders and target audience. The project team has a communication officer and that contribute to the improvement of the overall visibility. Project visibility can be further increased through the ILO constituents.
- 26) Project swiftly adjusted to COVID 19 restrictions and provided valuable support, also in partnership with other UN agencies.
- 27) Project made savings (mainly through the shift from offline to online events and through the in-house development of some activities initially foreseen to be outsourced - such as the provision of technical recommendations) which allowed to accommodate additional requests and to provide initially unforeseen activities.

Impact and sustainability

- 28) The project has an impact on law drafting processes, on the proper understanding of EU directives and improvement of the quality of the draft laws. However, the final impact will be seen when the laws are adopted.
- 29) There is a need to establish a follow-up system on recommendations (both from the project and various events) to track the progress and degree of acceptance of project recommendations.
- 30) How to leverage technical products to political decisions is a challenge that will influence the final impact of the project.
- 31) There is a lack of an established pool of national trainers on OSH that can serve the beneficiaries after the project ends.

Gender Equality

- 32) The project promoted gender equality through its programme of activities and monitoring of data.

LESSONS LEARNED AND GOOD PRACTICES

Lessons learned

Clear mutual understanding of the process for the preparation of the recommendations to the draft laws, established deadlines for each step of preparation is crucial for the timely delivery of valuable and applicable advice. Established workflow between the ILO project team and the ILO specialists results in both quality recommendations and timely delivery to the drafting groups. Time invested in team coordination paid off and the project delivers the required inputs on time and to the satisfaction of the ILO constituents and the donor.

Good practices

An example of good practice is the bilingual website of the project which contains all the products developed by the project. All project beneficiaries consider the availability of the ILO technical assistance in the Ukrainian language very important, as it allows for a much wider circle of beneficiaries to understand the ILO recommendations, learn and educate themselves and provide constructive feedback to the project team.

RECOMMENDATIONS

Recommendation 1: Discuss all the project recommendations in a tripartite setting

Responsible Units	Priority	Time Frame	Resource implication
Project team/ MEDTA	High	Ongoing	Low

Recommendation 2: Establish a project recommendations dashboard to track and monitor the progress of their implementation in the adopted laws and regulations

Responsible Units	Priority	Time Frame	Resource implication
Project team	Medium	Next 3 months	Low

Recommendation 3: Tripartite social dialogue on legislation changes to be fully utilized, especially through a revival of the NTSEC

Responsible Units	Priority	Time Frame	Resource implication
Government	High	Next 3 months	Low

Recommendation 4: Provide support to SLS to overcome the negative image by providing guidance on effective internal control and effective communication with the employers and workers.

Responsible Units	Priority	Time Frame	Resource implication
Project team/SLS	Medium	Ongoing	Medium

Recommendation 5: Create a pool of national trainers on OSH that could train SLS, employers and workers on the new approach foreseen with the draft OSH Law (once the latter is adopted).

Responsible Units	Priority	Time Frame	Resource implication
Project team/social partners, NGOs	High	Next 12 months	Medium

Recommendation 6: Develop a plan to advocate and raise the awareness of the higher political levels about the project messages and recommendations.

Responsible Units	Priority	Time Frame	Resource implication
PSC	High	Next 6 months	Low

Recommendation 7: Increase the visibility through the constituents and NGOs (for example, by increased use of project partners communication channels).

Responsible Units	Priority	Time Frame	Resource implication
Social partners/ project	Medium	Ongoing	Medium

1. INTRODUCTION

The present document contains the report of the Midterm Evaluation of the Project “Towards safe, healthy and declared work in Ukraine” carried out by Emil Krstanovski, ILO internal evaluator.

The evaluation was implemented by an ILO staff officer, certified by EVAL as an internal evaluator, and not linked with the project. The Evaluation was managed by Antonio Santos, manager of the Project “Towards safe, healthy and declared work in Ukraine”. The evaluation benefited from national constituents consultation and feedback, as well as the inputs from the ILO Project team in Ukraine, ILO National coordinator for Ukraine, ILO staff in Ukraine, Decent Work Technical Support Team and Country Office in Budapest and ILO staff in HQ in Geneva.

The main purpose of the evaluation is to take stock on the progress of the project and make recommendations to improve implementation during the next period, promote accountability and strengthen learning among the ILO and key stakeholders. The evaluation attempted to contribute to organizational learning by identifying lessons learned and emerging good practices, and by providing recommendations that can inform the project realization until its end, as well as future ILO projects.

2. BACKGROUND

2.1. Ukraine context

Ukraine is the second-largest country in Europe, with a population of around 44 million people. In the past decade, Ukraine faced severe political, economic, and security challenges, including the war in Eastern Ukraine and the annexation of Crimea. These developments led to a sharp downturn of national income in 2014–15 (GDP declined by 16 per cent), and the internal displacement of 1.7 million people. Even though the Ukrainian economy demonstrated solid growth rates in the past years (3.3 per cent GDP growth in 2018 and 2019), it is not yet back to pre-crisis levels.¹

Despite the recovery of economic growth since 2016 and the slight improvements of key labour market indicators in the period of 2017–19, employment rates continues to be relatively low (51.7 per cent in 2019 for the population above 15 years of age; 59.3 per cent for men and 45.4 per cent for women).²

The EU-Ukraine Association Agreement, signed in 2014, has been a major driving force shaping Ukraine’s reform agenda. The agreement calls for strengthened dialogue and cooperation on promoting the decent work agenda, employment policy, health and safety at work, social dialogue, social protection, social inclusion, gender equality, and non-discrimination.

Ukraine is an ILO member since 12 May 1954. It has ratified 71 ILO conventions (of which 63 are in force), including all eight fundamental conventions and all four priority conventions. There are several direct requests and observations on ratified conventions (including on OSH and labour inspection) from the ILO supervisory mechanisms.³

¹ Decent Work Country Programme 2020-2024.

² ILOSTAT

³ https://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102867

2.2. Project background

The EU-ILO project “Towards Safe, Healthy and Declared Work in Ukraine” is funded by the European Union (EU) and implemented by the International Labour Organization (ILO). Its duration is 3 years (January 2020 - December 2022). The project builds on the achievements of the previous EU-ILO project “Enhancing the Labour Administration Capacity to Improve Working Conditions and Tackle Undeclared Work”.

In Ukraine, the incidence rates of fatal work-related accidents are substantially higher than the average incidence rates in the EU. Large-scale privatizations, creation of small and medium-sized enterprises, outdated and inappropriate OSH legal framework, as well as a high level of informality and undeclared work, has created a number of challenges for preventing and recording work-related accidents and occupational diseases. The project development objective is that all men and women workers in Ukraine enjoy safe, healthy and declared work. In order to improve the working conditions in Ukraine, the expected impact of the project is improved compliance of Ukraine with the EU OSH acquis and the key International Labour Standards on OSH and undeclared work.

The project’s human resources comprise a team of 5 persons, forming the Project Management Team (PMT). These are namely the Chief Technical Advisor (CTA), National Project Coordinator (NPC), Project Administrative Assistant based in Kyiv, Project Programme Assistant (on a part-time basis - 50%) based in Budapest and a Programme Officer (on a part-time basis - 25%), based in ILO HQ in Geneva.

The project is technically backstopped by the Labour Administration, Labour Inspection and Occupational Safety and Health Branch (LABADMIN/OSH) of the ILO in Geneva and ILO senior specialist on Social Protection and ILO senior specialist on Social Dialogue and Labour Law in the ILO DWT/CO Budapest.

2.3.1. Project objectives

This project aims at improving safety and health at Ukrainian workplaces and at reducing undeclared work in Ukraine. In the short term, the project aims to improved compliance of Ukraine with key International Labour Standards on OSH and undeclared work. It capitalizes on the ILO’s expertise and experience in addressing labour relations, OSH, labour inspection and undeclared work issues.

The project has two outcomes to be achieved by the end of the project :

Outcome 1. Legal framework on OSH and undeclared work is brought closer to international labour standards.

Outcome 2. Systems and procedures for a roll-out of labour inspection services are in place

2.3.2. Project beneficiaries

The ultimate beneficiaries of this project are the employers and the workers in Ukraine, whose working conditions are to be improved.

Direct beneficiaries at the intermediary level include:

- Ministry of Economic Development, Trade and Agriculture (MEDTA) and State Labour Service (SLS);

- Worker's organizations⁴;
- Employer's organizations⁵;
- Ukrainian Parliament (Verkhovna Rada);
- Government Office for Coordination of the European and Euro-Atlantic Integration (Government Office).

2.3.3 Project implementation

The project produced series of technical recommendations and advice to various pieces of labour relations, OSH and labour inspection draft legislation. These should be the base for developing laws that are closer to the EU acquis and fully in line with the ILO Conventions.

The project provided trainings concerning the main International and European Labour Standards and best practices on labour relations, labour inspection and OSH issue, including on OSH in the context of COVID 19 pandemic, to thousands of stakeholders' representatives.

It also made available to the national partners' representatives a considerable number of ILO training materials, tools and guidelines on OSH, labour relations and labour inspection, and on business continuity and safe and healthy workplaces in the context of COVID19.

The Project support transition to formal employment, by supporting the State Labour Service and conducting a campaign to fight undeclared work.

3. EVALUATION BACKGROUND

3.1 Evaluation objectives

The evaluation will be used primarily by the project team and partners to guide the further implementation of activities to best achieve the target results. The mid-term evaluation will promote accountability and strengthen learning among the ILO and key stakeholders.

The specific objectives of the evaluation are:

- Determine project effectiveness: achievement of Project objectives at outcome and impact levels, and examine how and why the intended results have or have not been achieved;
- Identify relevant unintended/unexpected effects at outcome and impact levels;
- Assess the project implementation efficiency;
- Establish the relevance of the project outcomes and the level of sustainability attained;
- Provide recommendations regarding relevant stakeholders, toward the sustainability of the project outcomes and initial impacts;
- Identify lessons learned and emerging potential good practices for key stakeholders.

3.2. Scope and clients of evaluation

⁴ Federation of Trade Unions of Ukraine and the Confederation of Free Trade Unions of Ukraine.

⁵ Federation of Employers of Ukraine; Confederation of Employers of Ukraine; and Union of Employers' Organizations.

The mid-term evaluation focus is on the implementation period of the project from the start on 1 January 2020 to 30 June 2021. The evaluation is assessing the results and key outputs produced since the start of the project.

The mid-term evaluation was carried out between 5 and 29 July 2021 through a desk review, followed by a field mission (18 - 27 July 2021) to Ukraine (Kyiv). The field mission included interviews with Government officials, social partners and other stakeholders, beneficiaries, as well as the ILO project team, ILO NC and other ILO staff in Ukraine. Additional interviews were conducted online with ILO officers in Geneva and Budapest.

The principal audiences for this evaluation are the project team, project Steering Committee, project beneficiaries, stakeholders and partners, as well as the ILO Office in Budapest, ILO NC for Ukraine, the ILO RO for Europe, the LABADMIN/OSH Branch in Geneva, and the EU Delegation to Ukraine.

EVALUATION APPROACH, METHODOLOGY, AND METHODOLOGICAL LIMITATIONS

The evaluation was carried out in accordance with the UN Evaluation Group (UNEG) Norms and Standards and OECD/DAC's recommendations, as well as the ILO's Evaluation Policy Guidelines⁶. It has also adhered to ethical standards and codes of conduct when gathering information to protect those involved in the evaluation process. Thus, the confidentiality of the respondents was respected in the field visit and the interviews. As much as possible, the evaluation applied cross-checking and observations to increase credibility and validity and also to minimize any subjective conclusions.

The evaluation criteria and evaluation questions were designed in a way that takes into account stakeholder diversity and ensures gender equality and women's empowerment-related data is collected. For example, questions on key achievements of the project on gender equality and women's empowerment, and the work of the project with key stakeholders and partners.

The evaluation is based on a desk review and interviews carried out during the country mission to Ukraine. Additional data was collected during online interviews with the ILO staff in the ILO headquarters and ILO DWT/CO Budapest.

The evaluation used triangulation of data sources (e.g. document analysis, interviews, workshop reports, data on participants, and direct observation) to ensure the validity and reliability of the findings. In addition, it used a participatory approach by involving ILO key stakeholders such as beneficiaries, ILO constituents, ILO staff, and strategic partners. This is described below.

Data for analysis have been triangulated through a mixed-methods approach that included desk review, consultation with all main stakeholders, and an assessment of development effectiveness. Data analysis, along with the synthesis of findings, is reflected in the evaluation report. It contains the conclusions, recommendations, and lessons learned and emerging good practices.

The desk review included the following documentation: strategic national documents; project documents; progress reports; reports, and other relevant material from secondary sources (see Annex 3 for a detailed presentation of the documentation reviewed).

⁶ https://www.ilo.org/wcmsp5/groups/public/---ed_mas/---eval/documents/publication/wcms_571339.pdf

The interviews (face-to-face and online) were carried out in July 2021.

The mission to Ukraine took place between 18 and 27 July 2021 and included **17 interviews** with the local stakeholders. Additional 3 interviews with ILO staff in Budapest and Geneva were held after the mission to Kyiv.

Persons interviewed were selected on the proposal of the project team, in order to represent all the stakeholders, beneficiaries and staff implementing the project. The interviews protocol is provided in annex 4. They were all relevant for the implementation of the project and covered a variety of target groups such as ILO partners in the country (representatives of the Government and national agencies, Parliament, Trade unions, Employers associations, NGOs), beneficiaries (women and men engaged in the training) and the ILO project team and ILO staff in Kyiv, Budapest and Geneva.

The discussions during the interviews, combined with the desk review were the basis for drawing the findings and conclusions. The list of all persons interviewed is available in Annex 5.

Limitations

The project is implemented in synergy with the other ongoing, similar ILO projects. Sometimes, this requires effort to distinguish between the specific results of this project. It also requires extra efforts to differentiate between the results of the current project and the results of the first phase project on labour inspection. Triangulation of the data from desk reviews and interviews was used to ensure the results reported are not a product of another ILO project.

4. EVALUATION CRITERIA AND QUESTIONS

The evaluation applied the Organisation for Economic Co-operation and Development (OECD) Development Assistance Committee (DAC) evaluation criteria, namely, the relevance of the programme to needs, the validity and coherence of the programme design, the programme's efficiency and effectiveness, the impact of the results and the potential for sustainability. For each criterion, specific following evaluation questions were suggested in the ToR (Annex 1):

Relevance and strategic fit

- Examine whether the project responded to the real needs of the Ministry of Economy, of the State Labour Service of the social partners and other stakeholders.
- Assess whether the problems and needs that gave rise to the project still exist or have changed.
- How relevant is the project with the EU Technical Cooperation Facility under the European Neighbourhood instrument?
- How well does the project fit into the ILO programming and implementation frameworks, SDG, EU-Ukraine Association Agreement commitments and addresses the challenges emerged as a consequence of COVID-19 pandemic?
- Is the overall project coherent with other ILO initiatives on the topic and in the region?
- Under implementation, did the strategy address the different needs and roles, constraints, access to resources of the target groups and did the project promote gender equality and non-discrimination?
- How well has the project adapted to COVID-19 crisis?

Validity of Design

- Determine the validity of the project design, the effectiveness of the methodologies and strategies employed for it and whether it assisted or hindered the achievement of the project's goals as set out in the Project Document. Determine to what extent the results achieved under the previous project were taken into account at the design phase? Whether the timeline and objectives of the project are clear, realistic and likely to be achieved within the established time schedule and with the allocated resources (including human resources)?
- Was the project design logical and coherent (both internal and external level taking into consideration other stakeholders' initiatives on the issue)?
- Does the project design meet the ILO Guidance on Results-Based project design? Including: Clarity of the objectives (did they meet SMART criteria); How appropriate and useful were the indicators (and targets) established in the project's performance monitoring plan (PMP) in terms of assessing project progress?
- To what extent were external factors and assumptions identified at the time of design? Have these underlying assumptions on which the project has been based proven to be true?
- Assess whether the problems and needs (institutional arrangements, roles, capacity and commitment of stakeholders) were adequately analysed and determine whether the needs, constraints, resources and access to project services of the different beneficiaries were clearly identified, taking gender equality and non-discrimination into account?
- Was the strategy for sustainability of project results defined clearly at the design stage of the project?

Effectiveness

- Examine delivery of project outputs in terms of quality, quantity and timing.
- Assess whether the project has made progress towards the achievement of its immediate objectives. Did the project have an influence on any changes in terms of strengthening of OSH, labour standards, labour inspection and fight against Undeclared Work (UDW)?
- Have unplanned outputs and results been identified and if so, why were they necessary and to what extent were they significant to achieve the project objectives?
- How did positive and negative factors outside of the control of the project affect project implementation and project objectives and how did the project deal with these external factors?
- To what extent have the intervention results been monitored and reported in terms of their contribution to specific SDGs and targets (explicitly or implicitly)?
- Assess the effectiveness of the project's gender mainstreaming and non-discrimination activities and strategies.

Efficiency

- Compare the allocated resources with results obtained. In general, did the results obtained justify the costs incurred?

- Has the project received adequate administrative, technical and - if needed - political support from the office in Ukraine, the ILO office in Budapest, technical specialists in the field and the responsible technical unit at headquarters (LABADMIN/OSH)?
- Were the management arrangements efficient to implement the project?
- To what extent did the project leverage partnerships (with constituents, national institutions and other UN/development agencies) that enhanced projects relevance and contribution to priority SDG targets, EU priorities and national development objectives?

Sustainability and impact orientation

- Assess to what extent a phase out strategy was defined and planned and what steps were taken to ensure sustainability (e.g. government involvement). Assess whether these strategies have been articulated/explained to stakeholders.
- Assess the likelihood of the results and approaches of the project continuing beyond the project life. Are the project's approaches replicable elsewhere?
- Assess the degree to which the project sustainability strategy includes a gender perspective.
- Is it likely that the project will have long-term effects (impact) on the OSH, UDW and labour inspection system?
- To which extent the results of the intervention are likely to have a long term, sustainable positive contribution to the SDGs and relevant targets (explicitly or implicitly)?

Gender and non-discrimination

- What are so far the key achievements of the project on gender equality and women's empowerment?
- To what extent is the M&E data supporting project decision making related to gender?

Data collection worksheet is provided in the annex 2 of this report.

5. FINDINGS

5.1. Relevance and Strategic Fit

Relevance and Strategic Fit were evaluated largely by reviewing secondary information, the project documents, Government of Ukraine – United Nations Partnership Framework 2018 to 2022, Decent Work Country Programme 2020-2024, EU- Ukraine Association Agreement, and cross-checked through interviews with the ILO constituents, beneficiaries, ILO project staff, ILO NC in Kyiv, ILO staff in Budapest and Geneva.

The evaluation assessed the extent to which the program resonated with key national policies and strategies of the Government of Ukraine. The program's strategic fit with the UNPF was assessed, as well as the extent to which ILO strategies are relevant to the achievement of the overall project outcome.

The project was designed when the incidence rates of fatal work-related accidents in Ukraine were substantially higher than the average incidence rates in the EU. Outdated and inappropriate OSH legal framework, as well as a high level of informality and undeclared work, has created a number of challenges for preventing and recording work-related accidents and occupational diseases. The project tries to reverse the trend of fatal work-related accidents and support safe, healthy and declared jobs.

As already stated the overall objective of the project is to improve safety and health at Ukrainian workplaces and reduce undeclared work in Ukraine. For that, in the short term, the project aims to improved compliance of Ukraine with key International Labour Standards on OSH and undeclared work.

The Project is entirely relevant to the ongoing process of changes of the Ukrainian labour legislation, as foreseen in the approved reform concept by the Council of Ministers of Ukraine, EU – Ukraine Association agreement, United Nations Partnership Framework and DWCP 2020-2024.

Project activities contribute to Ukraine’s achievement of the Sustainable Development Goals and specific targets:

- Goal 8 on Decent Work and its target 8.8: “ Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment” and target 8.3: “ Promote development-oriented policies that support productive activities, decent job creation, entrepreneurship, creativity and innovation, and encourage the formalization and growth of micro-, small- and medium-sized enterprises, including through access to financial services.”

The project objectives and activities fit in the *United Nations Partnership Framework (UNPF) 2018 to 2022*, especially to the Pillar 1 on Sustainable economic growth, environment and employment and outcome 1.2: “By 2022, all women and men, especially young people, equally benefit from an enabling environment that includes labour market, access to decent jobs and economic opportunities:

The project was developed and is implemented in line with the ILO country programme outcomes that are aligned to ILO Programme and Budget 2020-21 Outcome 7 “Adequate and effective protection at work for all” and Outcome 1 “Strong tripartite constituents and influential and inclusive social dialogue”:

- UKR 154: “Occupational health and safety legislation is updated and aligned to ILO standards and EU directives”; contributing to ILO P&B output 7.2 “Increased capacity of member states to ensure safe and healthy working conditions”.
- UKR 155: “The effectiveness of the labour inspection system and of social dialogue mechanisms is strengthened”; contributing to ILO P&B output 1.3 “Increased institutional capacity of labour administrations”.

The project is fully contributing to the DWCP 2020-2024 Priority 3 on Improved working conditions and social protection, and its Outcome 3.1 Increased compliance of national legislation and enforcement mechanisms on OSH and transition to formality with International Labour Standards.

The project contributes to the fulfilment of the EU-Ukraine Association Agreement, under which Ukraine committed to ensure gradual approximation to EU law, standards and practices in the area of employment, social policy and equal opportunities, in particular through the alignment of its national legislation with the EU Directives on OSH, labour relations, anti-discrimination and gender equality, as listed in Annex XL to chapter 21 of the Agreement⁷.

The project learns from the experience of other projects implemented by ILO. Its actions are based on the lessons learned from the first phase of the project “Enhancing the Labour Administration Capacity to

⁷ As set out in article 424 of the EU-Ukraine Association Agreement.

Improve Working Conditions and Tackle Undeclared Work”, clearly implementing key recommendations from that project evaluation, especially on the visibility of the project actions, defining clear indicators of the capacity-building results, linking ILS and EU acquis, etc.

The project is implemented in synergy with the other ongoing ILO projects (“Rights at Work: Improving Ukraine’s Compliance with Key International Labour Standards”), aiming to deliver complementary, effective and efficient assistance to the Ukrainian constituents. After initial unclarity on the division of tasks between the ILO projects, the coordination has improved and there is now a clear understanding and developed plan which project and how responds to different requests for technical assistance.

In Ukraine, there are differences of opinion on the direction that legislative changes regulating labour relations and working conditions should take. The ultraliberal wing is advocating for minimalistic regulation or no regulation, under the assumption that regulating labour relations, working conditions and labour inspection create an excessive burden on businesses. On the other side, is the reform wing advocating for alignment with the EU acquis and ILS to improve the quality of jobs and create enabling environment for fair competition. Project recommendations enrich the ongoing debate and provide arguments for the modernization of the legislation in line with the EU Directives and ILO Conventions, and, to some extent, manage to reverse the trend of adopting laws contradicting ILS and EU directives or the European pillar of Social Rights. For all the stakeholders, the project is “the driver of positive changes and engine of development of new improved laws”.

5.2. Validity of design

The validity of the design was evaluated largely by reviewing secondary information, the project document, and project reports and triangulated through interviews with the ILO constituents, beneficiaries, ILO project staff, ILO staff in Kyiv, Budapest and Geneva.

Triangulated information demonstrated that the strong aspect of the ILO project is that it is backed by evidence on OSH and UDW from the labour market and economy and crafted in response to the labour market challenges. The project contains a strong analysis of the national context in which the project needs to operate and provide clear arguments in justification of the intervention.

The Project intervention is based on two pillars: i) support to development (and capacitate to develop and implement) legal framework on OSH and undeclared work and ii) create the basis for Labour Inspection modernization.

The project design is clear and logical, with clear indicators of success. Under the two (2) outcomes and nine (9) outputs planned with the project, there is a clear flow of activities and results. The targets set under the development objective of the project are quite ambitious and of course, depend on many other factors. If the project delivers the planned outputs and with the engagement of all stakeholders to achieve the project outcomes, then the project contribution to the short term objective, as well as to the development objective will be realistic.

There is no explicit theory of change. This leaves unsaid what the Government, Parliament, social partners need to do in order to achieve the project objectives.

The Project Document elaborates well the risks and assumptions for the successful implementation of the project and has mitigation measures for the identified potential problems of the project.

5.3 Project effectiveness

Project effectiveness was evaluated by reviewing secondary information, the project document, project implementation reports, products of the project, and triangulated through interviews with the ILO constituents, beneficiaries, ILO project staff and ILO staff in Kyiv, Budapest and Geneva.

The evaluation assessed the extent to which expected outcomes and outputs were achieved, the timely delivery of outputs, as well as the quality and quantity of outputs delivered. The evaluation also assessed the unintended results of the project.

Overall achievements of the project until 30 June 2021 are elaborated below, both on the outcome and output level.

The project followed the rules for donor visibility and the donor was visible on all the products of the project. Project results should be shared and disseminated more widely with the general public. The recent hiring of a communication officer should help in this regard, as the social media data from April 2021 onwards shows. Some of the constituents expressed willingness to promote project results at their events.

The project development objective is that all men and women workers in Ukraine enjoy safe, healthy and declared work. The expected result is a decrease of 5 % of the incidence rate of fatal work-related accidents and 6 percentage points decrease in informal employment by the end of the project. According to the project reports, the incidence rate of fatal work-related accidents decreased by 7.4% and informal employment decreased by 0.5 percentage points by the end of 2020. It is unlikely that the country will achieve the targets on informal employment which are set in the project, but there is clear evidence of positive trends, to which the project with its interventions contributes.

The expected impact of the project is improved compliance of Ukraine with the EU OSH acquis and the key International Labour Standards on OSH and undeclared work, which is measured by the absence of new complaints to the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) concerning compliance with ILO C81 and C129.

It can be noted that the CEACR received the observations of the Federation of Trade Unions of Ukraine (FPU) on 30 September 2020. The Committee proceeded with the examination of the application of Conventions Nos 81 and 129 on the basis of the observations received from the FPU as well as on the basis of the information at its disposal in 2019. In order to provide a comprehensive view of the issues relating to the application of the ratified Conventions on labour inspection, the Committee considers it appropriate to examine Conventions Nos 81 (labour inspection) and 129 (labour inspection in agriculture) together. In the observation published in 2021, the Committee “ *strongly urges the Government to take the necessary measures and adopt appropriate reforms to bring the labour inspection services and the national legislation into conformity with the provisions of Conventions Nos 81 and 129, including with Articles 12(1)(a) and (b), 16 and 17 of Convention No. 81 and Articles 16(1)(a) and (b), 21 and 22 of Convention No. 129, and to ensure that no additional restrictions are adopted. The Committee recalls that*

the Government can avail itself of the technical assistance of the ILO in this regard⁸". This situation demonstrates that the technical assistance delivered by the project is very necessary and shows the value of the project recommendations to improve and fully align the labour inspection legislation with the ILO Convention ratified by Ukraine. But, this recommendations need to be implemented by the institutions that draft the legislation and to be adopted as such by the parliament (Verkhovna Rada).

In the following section, achievements per Outcome and Outputs are systematically discussed:

Outcome 1: Legal framework on OSH and undeclared work is brought closer to international labour standards

Indicator	Targets	Achievement	Comments
Number of EU Directives transposed to national legislation	4 EU Directives transposed	0	Reaching the target depends on external factors.
National Action Plan to Fight Undeclared Work adopted by Government	National Action Plan adopted before mid-2021 with at least 50% of ILO recommendations included	Fully achieved.	NAP to reduce Undeclared Work 2021 was adopted on 27 April 2021. 15 out of 18 measures in the plan are based on the ILO recommendations (83.3%).
Legislation revised to bring the mandate of the Labour inspectorate closer to ILO C81 and C129	At least one law/regulation has been adopted before end of 2022 which provisions improve the alignment of Ukrainian legislation with the two ILO conventions	0	The existing legislation and latest draft are still not in alignment with the ratified ILO conventions.

Achievement of the main indicators of this outcome, transposition of EU Directives into adopted laws and better alignment with the ILS, does not depend on the project. Until June 2021 the progress is limited and no new laws are adopted, and the current draft laws are still not fully aligned with the ILS and EU Directives. The project is providing the best possible advice and recommendations on how to transpose

⁸ https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4055449

the directives. The quality of the advice and recommendations is undisputed by all the stakeholders, even those who have different opinions about the direction that legislative change should take.

Furthermore, as the stakeholders point out, the project contributed to a much better understanding of the EU directives (“we now know how to read them and understand them”).

Under this outcome, the project has a strong focus on the legislation and legislative process. The project is perceived by most of the stakeholders as the engine for the development of the new OSH law. The project has done extensive consultations on the draft legislation on OSH and labour relations. It provided 17 sets of project technical recommendations or explanatory notes on draft laws, which were characterized as “very valuable, practical and applicable” by the stakeholders. At the moment, there is no follow up mechanism to track the implementation of the ILO recommendations.

All parties praised the project for providing the platform for social dialogue in the absence of a functional NTSEC. The project role as a facilitator of social dialogue between the Government and the social partners is the unintended result of the project. However, the absence of functional formal tripartite dialogue can be replaced by the project only to a limited extent. Having in mind the specific subject of the project, that is legislation on OSH, labour relations, labour inspection etc. it is crucial to effectively engage those groups that this legislation will affect.

ILO project organized 17 technical seminars/training/discussions, 23 technical meetings and 3 PSC meetings and participated in 13 other events organized by other parties. In total, 4285 participants (53.4% women) were exposed to various technical subjects through webinars, seminars, retreats, discussions, for which 7 background papers were produced by the project.

Most of recommendations were discussed during tripartite meetings. But, in the opinion of the stakeholders, tripartite meetings on **each** set of technical recommendations that the project is submitting to the Government or the Parliament would contribute to the debate and will offer an opportunity to hear different opinions on legislative changes.

Output 1.1 Draft laws/regulations transposing EU OSH Directives submitted.			
Indicator	Targets	Achievement	Comments
Laws/regulations drafted, discussed with relevant stakeholders and submitted to Ministry and/or technical advice, recommendations and comments provided to drafts made by government, social partners and/or VR provided.	8	6	On Track. Reaching the target should not be a problem 4 sets of technical recommendations on how to better align draft Law on OSH with relevant ILS (e.g., ILO C155, C161, C187 and P2002) and EU Acquis (e.g., EU OSH Framework Directive 89/391/EEC); 2 sets of technical recommendations on how to better approximate SLS draft legal act on safety and health signs at work;

Source: Project reports, data provided by the project team, interviews

The project supported the establishment of seven (7) technical drafting committees in the SLS, Ministry of Economy, and/or Parliament and actively participated in the work of all the groups on the preparation of new OSH regulations. The project provided 6 sets of technical recommendations on draft legislation.

Additionally, the project prepared and provided a background paper on Occupational Safety & Health, intended to support the projects' online training series on International and EU Labour Standards, targeting policy decision-makers and legal acts' drafting experts.

Output 1.2 Advocacy roundtables held with legislative actors on EU OSH Directives.

Indicator	Targets	Achievement	Comments
No. of political decision-makers participating in advocacy round tables and/or in work-groups, workshops or round tables promoted by the government, social partners and/or VR	40	142/395	Figure 1 is equal to the number of participants of the 7-days workgroup retreat (15-23 October 2020) to discuss, amend and fine-tune the ME proposed draft law on OSH and of 11 technical meetings held to advocate the Project recommendations on better alignment of the draft OSH law with the ILO and EU labour standards; figure 2 is equal to the number of the participants (decision-makers and OSH experts) of the online events covering OSH issues and organized by the stakeholders where the project recommendations were advocated.

Source: Project reports, data provided by the project team, interviews

The project played an active role in all the discussions on OSH and provided valuable inputs to the discussion on the draft OSH regulations. Project expertise was provided also during a 7-days workgroup retreat (15-23 October 2020) to discuss, amend and fine-tune the MEDTA proposed draft law on OSH and during the 11 technical meetings held to advocate the project recommendations on better alignment of the draft OSH law with the ILO and EU labour standards. Furthermore, 395 persons (decision-makers and OSH experts) participated in the online events covering OSH issues and where the project recommendations were advocated.

Unintended results: In a response to the Covid 19 pandemic the project provided tools and materials related to the Covid19 produced for the World OSH day 2020 and 2021. Furthermore, it disseminated ILO/WHO guidance on OSH for health workers to over 500 health workers. Through 5 webinars with over 5,700 participants, the project disseminated knowledge on how to mitigate the risks of COVID 19, OSH and telework.

Output 1.3 Training sessions on fighting undeclared work provided

Indicator	Targets	Achievement	Comments
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No. of participants in the training sessions	30	Fully achieved 2,320 participants (58% women). 118 certified persons (52% women)	Does not refer to unique participants in each of the training, as many participants participated in several of the events.
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Source: Project reports, data provided by the project team

2,320 participants (58% women) participated in the Project Summer Marathon of Online Trainings on International and EU Labour Standards. The average number of participants in each of the 6 relevant modules (employment relationship; employer’s obligation to inform workers and to provide transparent and predictable working conditions, working time, part-time, telework and labour inspection) was 386.

As a result of this marathon, 118 persons were formally certified on all the 6 training modules delivered by the project (52% women). Furthermore, the project provided online training at the ITC ILO on labour inspection to 2 officials from MEDTA and 3 officials from the SLS. One SLS official participated in the ITC ILO online training on “Employment Injury Schemes and Prevention of Occupational Accidents and Diseases”

Output 1.4 Draft laws/regulations aimed at implementing the Action Plan to fight undeclared work submitted

Indicator	Targets	Achievement	Comments
No. of draft laws/regulations (and/or of technical advice, recommendations or comments provided to drafts proposed by government, social partners or VR) implementing measures of the Action Plan to Fight UDW.	2	16	5 sets of the Project technical recommendations to 5 draft laws; 5 explanatory notes with recommendations; and 6 background papers and infographics with technical advice and recommendations.

Source: Project reports, data provided by the project team

The project provided 5 explanatory notes with recommendations and 6 background papers and infographics with technical advice and recommendations on 6 relevant topics (employment relationship; employer’s obligation to inform workers and to provide transparent and predictable working conditions, working time, part-time, telework and labour inspection) and 5 sets of the Project technical recommendations to 5 draft laws: on employment relationships (5054 and 5054-1), non-standard forms of employment (5161 and 5161-1), and deregulation of the employment relationship (5388).

Output 1.5 Advocacy roundtables on undeclared work held with legislative actors

Indicator	Targets	Achievement	Comments
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No. of political decision makers participating in advocacy round tables and/or in work-groups, workshops or round tables promoted by government, social partners and/or VR	40	398	
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Source: Project reports, data provided by the project team

The project participated in 3 meetings organized by the workgroup set up by VR Committee of Social Policy with ILO and EU-ILO project representatives and several technical meetings and consultations in VRU Committee of Social Policy and Veterans' Rights, VRU Committee on Integration of Ukraine into EU to advocate for alignment of draft laws on labour relations with the ILO and EU labour standards.

Outcome 2. Systems and procedures for a roll out of labour inspection services are in place

INDICATOR	TARGETS	ACHIEVEMENT	Comments
Labour Inspection Career Statute adopted and rolled out (defining legal powers, recruitment and training, etc.)	Statute adopted and shared with labour inspectors	0	Delay of adoption will have an impact on the rollout and the availability of project assistance in its implementation.
Variation on the % of OSH infringements detected during inspection visits that were corrected.	85%	94%	For the period 1 January to 31 December 2020
Variation on the average number of undeclared workers regularized following inspection visits.	10%	16.2%	For the period 1 January to 31 December 2020

Under this outcome, the project has a strong focus on labour inspection and the effectiveness of its operations. UDW campaign and partnership with SLS increased interactions of the LI with employers and workers. Although the two indicators of SLS effectiveness and performance are positive, the challenge with the image, mistrust and competencies of Labour inspection remain. The project must continue its support to SLS in overcoming these challenges. This should include support to develop effective internal control mechanisms in the SLS, and effective communication with the employers and workers. Through

several interviews, the stakeholders express the need to increase the SLS exposure to best practices and provide more training to labour inspectors.

Project recommendations have been advocated through consultative meetings in the MEDTA, tripartite WG and several stakeholders' events. The latest available version of draft law concerning labour inspection, however, is not yet aligned with ILO conventions Nos. 81 and 129 on labour inspection.

Output 2.1 Labour inspection statute drafted and validated

Indicator	Targets	Achievement	Comments
Draft labour inspection statute (and/or technical advice, recommendations and comments to drafts made by government, social partners and/or VR) made available	Adopted until the end of 2022	On track	2 sets of technical recommendations were provided by the project

Source: Project reports, data provided by the project team

ME proposed the regulation of labour inspection through two draft Laws, aimed at amending Chapter XVIII - Supervision (Control) of Compliance with the Labour Legislation of the current Code of Labour Laws: the ME draft Law on OSH (in its Section VIII - Final Provisions); and the ME draft Law "On Amending Some Legislative Acts on the Procedure of State Supervision (Control) of Compliance with the Labour Legislation". The EU-ILO project provided 2 sets of technical recommendations on the better alignment of these two draft Laws with ILO C89 and C129 on Labour Inspection. These two technical recommendations were already presented and advocated to national tripartite constituents and other stakeholders and further consultations are ongoing.

Output 2.2 Labour Inspectors trained on new legal frameworks and their implications for their work

Indicator	Targets	Achievement	Comments
Number of labour inspectors trained	60	300	The number of labour inspectors trained on the module of International and European Labour Standards on Labour Inspection, within the scope of the EU-ILO Project "Summer Marathon of Online Trainings on International and EU Labour Standards".

Source: Project reports, data provided by the project team, interviews

Based on the project report data 300 Labour inspectors were trained on the module of International and European Labour Standards on Labour Inspection, within the scope of the project “Summer Marathon of Online Trainings on International and EU Labour Standards”.

Another aspect of the project support is the recent application of the SLS for membership of the International Association of Labour Inspection (IALI). Following that application, SLS became a member of IALI (since 15 June 2021).

Output 2.3 Labour Inspection campaign on UDW rolled out, preceded by a communication campaign

Indicator	Targets	Achievement	Comments
No. of people covered by the Communication Campaign to Fight UDW	500,000	Over 3,7 million	Number of people (employers, workers and young people) reached by the National Communication Campaign on UDW through the campaign channels (National TV channels, intercity trains, EU-ILO Project and SLS Websites and Facebook pages, NV.ua special project, etc.), as of 30 December 2020.
Number of inspection visits on UDW	50,000	12,793	SLS data on the accumulated number of inspection visits on UDW carried out between 1 January 2020 and 30 April 2021

Source: Project reports, data provided by the project team

SLS institutional communication situation analysis has been conducted by the project in reply to an SLS request. The lack of systematic communication activities of the Ukrainian labour inspection led to low awareness of the workers and employers about its functions and how it can help them. The analysis carried out identified the weaknesses and opportunities for better institutional communication activities, in order to inform the target audience about SLS work and improve its image. The analysis was complemented by the assessment of the communication training needs of SLS staff.

Furthermore, within the information and awareness-raising campaign “GO TO LIGHT!”, supported by the EU-ILO project, over 3,7 million workers, employers and future workers and employers – in all regions of Ukraine - learned about the risks of undeclared and advantages of declaring work. During the SLS labour inspectors’ information and inspection visits carried out within the scope of the “Go to Light” campaign, over 200,000 undeclared workers were regularized in 2020 and over 67 thousand between January and May 2021.

Output 2.4 Draft of an improved data collection system for LI provided

Indicator	Targets	Achievement	Comments
Technical description of data collection system provided	By the end of 2020	0	Rescheduled for 2022

Source: Project reports, data provided by the project team

Nothing to report under this output.

5.4 Efficiency and management arrangements

Efficiency and management arrangements were evaluated by reviewing secondary information, the project document, and project reports and triangulated through interviews with the ILO constituents, beneficiaries, ILO project staff in Kyiv, ILO NC for Ukraine, ILO staff in Kyiv, Budapest and Geneva.

ILO has a significant presence in Kyiv and a lot of experience with the local constituents. The project's human resources comprise a team of 5 persons, forming the Project Management Team (PMT). These are namely the Chief Technical Advisor (CTA), National Project Coordinator (NPC), Project Administrative Assistant based in Kyiv, Project Programme Assistant (on a part-time basis - 50%) based in Budapest and a Programme Officer (on a part-time basis - 25%), based in ILO HQ in Geneva.

Administrative work was processed by the ILO DWT/CO Budapest office. The project is technically backstopped by the Labour Administration, Labour Inspection and Occupational Safety and Health Branch (LABADMIN/OSH) of the ILO in Geneva, ILO senior specialist on Social Protection and ILO senior specialist Social Dialogue and Labour Law in the ILO DWT/CO Budapest. The project team established a functional model for the preparation of the project technical recommendations, with agreed deadlines and a flow of actions in the process of drafting the recommendations by the project team and specialists. This results in the very efficient production of technical comments and recommendations on the draft laws, which takes, on average, less than four weeks since the receipt of a request.

The Project team is very experienced and most of the staff worked together on previous ILO projects. The project works strategically with all relevant stakeholders and created partnerships for results. All stakeholders expressed their satisfaction with the relationship and cooperation with the project team. Project management is described by the stakeholders as *"highly competent, very responsive and flexible"*. All stakeholders emphasize that the Project CTA *"has strong technical expertise"* and is *"very committed to the reform of Ukrainian legislation"* and that proves crucial for the quality and timely delivery of practical technical assistance. Quick response to a request for technical assistance and timely delivery of applicable advice and recommendations are considered very strong aspects of this project by all the stakeholders.

Project's reach out beyond the ILO traditional partners, closer cooperation with the Parliament and NGOs is perceived positively. The project ensures that both executive power and legislative power have access to the highly valued recommendations. However, access to higher political levels remains a problem, and the project has limited opportunities to influence the top decision-makers. Stakeholders suggest that

these recommendations need to be presented in a more summarized way for the members of the parliament (VR) and high-level officials who do not have sufficient time to go through the whole document.

The Project swiftly adjusted to COVID 19 restrictions, transferring a number of activities online and carrying out in-house activities which were foreseen to be outsourced, which produced financial savings that were used to provide other valuable additional and unexpected support, including related to the COVID 19 pandemic. This included the provision of trainings and webinars on “how OSH management systems mitigate the consequences of COVID 19 and ensure business continuity” and the dissemination of a number of tools, guidelines, checklists and other information for businesses, workers and institutions on mitigating the risks of infection and safe and healthy return to workplaces. Since the start of the pandemic, the project has worked in partnership with other UN agencies (e.g., WHO and FAO), and the project contributions were assessed as valuable by all the stakeholders.

The Project established a functional project steering committee (PSC), comprising all the relevant stakeholders. There is a growing interest by state institutions and other organizations to join the PSC, and although such interest is welcomed, the project management should keep in mind the balance of constituents represented in the PSC. Furthermore, the PSC should be able to continue to function effectively and efficiently, which a large number of members might not allow.

The bilingual website of the Project is considered a very valuable source of information and an important communication channel for all the stakeholders and target audience. The project hired a communication officer at the beginning of 2021 and based on the available data that has significantly improved the outreach through social media.

The Project is planned to be finished by 31 December 2022. On 30 June 2021, the project has a disbursement level of 34.1% on the total budget (which goes to 52.06% if you add committed funds). That corresponds to the plan of project activities, sound financial planning and savings that occurred during project implementation. On top of the saving made due to transferring some activities online, the project made savings by providing technical expertise directly by the project team and not hiring planned external collaborators (experts). That allowed to accommodate additional requests and activities, to which these funds were directed, as determined by the PSC and the project team.

5.5 Impact orientation and sustainability

Impact orientation and sustainability were evaluated by reviewing secondary information, the project document, and project reports and triangulated through interviews with the ILO constituents, beneficiaries, ILO project staff in Kyiv, ILO staff in Kyiv, Budapest and Geneva.

The project has an impact on law drafting processes, on the proper understanding of EU directives and improvement of the quality of the draft laws. However, the final impact will be seen when the laws are adopted and an assessment is made on their compliance with the EU acquis and ILS. There is a need to establish a follow-up system on the recommendations (both from the project and various events) to track the progress and degree of acceptance of the project recommendations in the new legislation.

How to leverage technical products to political decisions is a challenge that will influence the final impact of the project. No matter how good are the recommendations and the advice that is given, the project needs access to the decision-makers to influence the outcome of the legislative reforms. In that, the

natural ally of the project is the ILO NC for Ukraine, EU Delegation and the UN RC office in Kyiv, which can support the advocacy efforts.

Training and services provided are very important, as an immediate answer to the needs of the stakeholders. Further support, in terms of capacity building, is needed in the remaining period of the project. There is a lack of an established pool of national trainers on OSH that can serve the beneficiaries after the project ends. Maintaining the training provision after the project end will ensure the sustainability of the action taken. It can ensure that institutions, employers and workers have access to the up to date training on OSH. Partnership with organizations that can internalize the ILO training tools can be the most crucial aspect of sustainability of the action. However, the latter only makes sense after the adoption of the national legal act that will transpose to the internal juridical order the EU Council OSH framework Directive 89/391/EEC. The ILO needs to build a modality through which the institutions that internalize/ use ILO tools report back to the ILO on the use and impact of their application.

Gender equality assessment

Promotion of gender equality on the project's knowledge-sharing and capability-building events is the specific gender output, added after the inception phase of the project. The project has a target of at least 50% of participants in the project's knowledge-sharing and capability-building events which are women. Interview data shows that project stakeholders were satisfied that the project promoted gender equality through fair and equal access to project activities and benefits. Data from secondary sources show that almost 53% of participants in the activities are women. The project should continue the practice of collecting and reporting using gender-segregated data.

6. CONCLUSIONS

Conclusions have been drawn based on the totality of evidence available to the evaluator. The project is highly relevant and has the potential to be successfully implemented.

Relevance and strategic fit

- 1) The project is highly relevant for Ukraine, in the context of to the ongoing process of reforming the Ukrainian labour legislation.
- 2) Project recommendations enrich the ongoing debate and provide arguments for the modernization of the legislation in line with the EU Directives and ILO Conventions.
- 3) The project learns from the experience of other projects and is implemented in synergy with other ILO projects.
- 4) The project is seen as the driver of positive change and engine for the development of new improved laws.

Validity of design

- 5) The project has a clear goal with ambitious targets, well-defined outcomes, outputs, and activities.
- 6) The Project contains a strong analysis of the national context in which the project needs to operate and provide clear arguments in justification of the intervention.

- 7) There is no explicit theory of change. This leaves unsaid what the Government, Parliament, social partners need to do to achieve the project objectives.
- 8) The project document elaborates well the risks and assumptions for the successful implementation of the project and has mitigation measures for the identified potential problems of the project.

Project effectiveness

- 9) The project produced 17 sets of project technical recommendations or explanatory notes on draft laws (perceived as very valuable, practical and applicable).
- 10) The project contributed to a much better understanding of the EU directives.
- 11) All parties praise the project for providing a platform for social dialogue in the absence of functional National Tripartite Social and Economic Council, but the lack of functional formal tripartite dialogue can be replaced by the Project only to a limited extent.
- 12) Fighting Undeclared Work campaign and partnership with SLS increased the interactions of the Labour Inspection with employers and workers, but the challenge of image, mistrust and competencies of LI remain.
- 13) The project needs to increase exposure to best practices and provide more training to SLS.
- 14) Project organized 17 technical seminars/trainings/discussions, 23 technical meetings and 3 PSC meetings. It participated in additional 13 other events.
- 15) 4,285 participants (53.4% women) were exposed to various technical subjects through webinars, seminars, retreats, discussions.
- 16) 118 formally certified persons on 6 training modules delivered by the project (52% women).
- 17) 7 sets of background materials for training produced.
- 18) The project followed the rules for donor visibility and the donor was visible on all the products of the project.

Efficiency and management arrangements

- 19) The project works strategically with all relevant stakeholders and created partnerships for results.
- 20) Project management is praised as highly competent, very responsive and flexible.
- 21) The project has a CTA with strong technical expertise and that proves crucial for the timely delivery of quality technical assistance.
- 22) Quick reaction and the timely delivery of practical recommendations and advice are very strong aspects of this project.
- 23) The project team established a functional model for the preparation of the project technical recommendations, with agreed deadlines and a flow of actions in the process of drafting the recommendations by the project team and specialists.
- 24) The project's reach out beyond the traditional partners (to Parliament and NGOs) is perceived positively, but access to higher political levels is still limited.
- 25) The bilingual website of the Project is considered a very valuable source of information and an important communication channel for all the stakeholders and target audience. The project team has a communication officer and that contribute to the improvement of the overall visibility. Project visibility can be further increased through the ILO constituents.

- 26) Project swiftly adjusted to COVID 19 restrictions and provided valuable support, also in partnership with other UN agencies.
- 27) Project made savings that allowed to accommodate additional requests and activities.

Impact and sustainability

- 28) The project has an impact on law drafting processes, on the proper understanding of EU directives and improvement of the quality of the draft laws. However, the final impact will be seen when the laws are adopted.
- 29) There is a need to establish a follow-up system on recommendations (both from the project and various events) to track the progress and degree of acceptance of project recommendations.
- 30) How to leverage technical products to political decisions is a challenge that will influence the final impact of the project.
- 31) There is a lack of an established pool of national trainers on OSH that can serve the beneficiaries after the project ends.

Gender Equality

- 32) The project promoted gender equality through its programme of activities and monitoring of data.

7. LESSONS LEARNED AND GOOD PRACTICES

7.1 Lessons learned

Clear mutual understanding of the process for the preparation of the recommendations to the draft laws, established deadlines for each step of preparation is crucial for the timely delivery of valuable and applicable advice. The process of preparation of draft laws includes different actors and often the process requires a quick response on the various versions of draft laws. These responses are needed in order to establish whether a current version is in line with the ILS and transposes correctly the EU Directive. Delivering the technical recommendations on time is as important as their quality. And while no one was questioning the quality of ILO advice, for many stakeholders ILO traditionally takes a lot of time to provide that advice. The project managed to overcome this shortcoming and managed to establish this workflow between the ILO project team and the ILO specialists, which results in both quality recommendations and timely delivery to the drafting groups. Time invested in team coordination paid off and the project delivers the required inputs on time and to the satisfaction of the ILO constituents and the donor.

7.2 Good practices

An example of good practice is the **bilingual website of the project which contains all the products developed by the project**. All project beneficiaries consider the availability of the ILO technical assistance in the Ukrainian language very important, as it allows for a much wider circle of beneficiaries to understand the ILO recommendations, learn and educate themselves and provide constructive feedback to the project team.

8. RECOMMENDATIONS

Recommendation 1: Discuss all the project recommendations in a tripartite setting

Responsible Units	Priority	Time Frame	Resource implication
Project team/ MEDTA	High	Ongoing	Low

Recommendation 2: Establish a project recommendations dashboard to track and monitor the progress of their implementation in the adopted laws and regulations

Responsible Units	Priority	Time Frame	Resource implication
Project team	Medium	Next 3 months	Low

Recommendation 3: Tripartite social dialogue on legislation changes to be fully utilized, especially through a revival of the NTSEC

Responsible Units	Priority	Time Frame	Resource implication
Government	High	Next 3 months	Low

Recommendation 4: Provide support to SLS to overcome the negative image by providing guidance on effective internal control and effective communication with the employers and workers.

Responsible Units	Priority	Time Frame	Resource implication
Project team/SLS	Medium	Ongoing	Medium

Recommendation 5: Create a pool of national trainers on OSH that could train SLS, employers and workers on the new approach foreseen with the draft OSH Law

Responsible Units	Priority	Time Frame	Resource implication
Project team/social partners, NGOs	High	Next 12 months	Medium

Recommendation 6: Develop a plan to advocate and raise the awareness of the higher political levels about the project messages and recommendations.

Responsible Units	Priority	Time Frame	Resource implication
PSC	High	Next 6 months	Low

Recommendation 7: Increase the visibility through the constituents and NGOs (for example, by increased use of project partners communication channels).

Responsible Units	Priority	Time Frame	Resource implication
Social partners/ project	Medium	Ongoing	Medium

ANNEX 1: Terms of Reference for the Evaluation

Terms of Reference Internal Mid-term Evaluation

ILO Project Code	UKR/19/01/EUR
Project Title	Towards safe, healthy and declared work in Ukraine
Project dates	01/01/20 – 31/12/22
P&B outcome(s)	Outcome 1: strong tripartite constituents and influential and inclusive social dialogue Output 1.3: increased institutional capacity of labour administrations Outcome 7: promoting safe work and workplace compliance including in global supply chains
SDG	8: Promote inclusive and sustainable economic growth, employment and decent work for all 8.5 By 2030 achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value 8.8 Protect labour rights and promote safe and secure working environments of all workers, including migrant workers, particularly women migrants, and those in precarious employment
DWCP outcome	Outcome III. Improved working conditions and social protection 3.1 Increased compliance of legislation and enforcement mechanisms on occupational safety and health (OSH) and transition to formality with International Labour Standards (ILS)
Other strategic documents:	EU-Ukraine Association Agreement: Chapter 13 - Trade and sustainable development (Articles 291 and 296); Chapter 21 - Cooperation on employment, social policy and equal opportunities (Articles 419 - 424 and Annex XL).
Responsible Chief	Markus Pilgrim, DWT/CO Director Budapest
Administrative Unit in charge of the project	DWT, CO/Budapest
Unit in charge of backstopping	LABADMIN/OSH Branch, Governance Department
Timing of evaluation	Mid-term
Type of Evaluation	Internal
Donor	EU
Budget	2 million EUR
Period covered by the evaluation	1 January 2020 – 30 June 2021
Evaluation Manager	Antonio Santos, EU-ILO Project manager
Project web-site	www.ilo.org/shd4Ukraine
Project FB account	www.facebook.com/shd4Ukraine

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I. Background and description of the project

The EU-ILO project “[*Towards Safe, Healthy and Declared Work in Ukraine*](#)” is funded by the European Union (EU) and implemented by the International Labour Organization (ILO). Its duration is 3 years (January 2020 - December 2022).

The current project builds on the achievements of the previous EU-ILO project “[*Enhancing the Labour Administration Capacity to Improve Working Conditions and Tackle Undeclared Work*](#)”.

The development objective of the project is: “Men and women workers in Ukraine enjoy safe, healthy and declared work”.

The expected short-term impact is an improved compliance of Ukraine with key International labour Standards on OSH and undeclared work.

The Project has 2 outcomes:

Outcome 1: Legal framework on OSH is brought closer to international labour standards.

Under this outcome, the project supports the drafting and advocacy of laws to adequately and sustainably transpose into the national legal framework a set of selected directives on OSH and labour

relations (to reduce UDW), as foreseen in Article 424 and Annex XL to Chapter 21 of the EU-Ukraine Association Agreement, and contribute to implementation of a number of ILO Conventions and Recommendations.

Outcome 2: Systems and procedures for a roll out of labour inspection services are in place.

Under this outcome the project is focused on fostering the alignment of the national system of labour inspection with the International Labour Standards (ILS) on labour inspection, in particular with ILO Conventions 81 and 129, especially in what concerns the recruitment, training and powers of labour inspectors. The achievement of this outcome will require special attention to the training of inspectors, as well as the support to the drafting of the laws/ regulations needed to align national legislation with the labour inspection ILS and the advocacy for these laws/regulations adoption pursued with legislative actors.

As the project is providing technical support to Ukraine to improve legal framework on OSH, reduce UDW and strengthen the labour inspection system, it contributes, among others, to the P&B outcome 1: strong tripartite constituents and influential and inclusive social dialogue (output 1.3: increased institutional capacity of labour administrations) as well as to the outcome 7: promoting safe work and workplace compliance including in global supply chains.

Although the project document does not contain a theory of change, it is expected that by providing technical support and assistance to national tripartite constituents and other stakeholders on the alignment of national legislation with the relevant international and European labour standards, on the reduction of UDW and on the development of labour inspection systems capabilities to promote and enforce labour legislation, the project will contribute to advance safe, healthy and declared work for women and men in Ukraine.

The beneficiaries of the Project are the State Labour Service (SLS) which performs the functions of labour inspection, and the Ministry of Economy (ME), the competent authority on labour issues, OSH, labour inspection, social dialogue etc.

The social partners are the primary stakeholders and are actively involved in Project implementation. The other stakeholders are the Parliament Committee on Social Policy and Veterans' rights, Parliament committee on Integration of Ukraine into EU, Cabinet of Ministers of Ukraine, Ombudsperson and others.

For more details about the economic and social context, problem analysis etc., see the Project document.etc.

The outcomes and the outputs of the Project are described on the figure below.



The management arrangements for the project are described in detail in the section 4.2 of the Project document. In brief, the Project team is made of Project manager (international staff), National project coordinator and Project assistant (national staff) working in Ukraine, Responsible chief and Programme assistant based in the ILO Sub-Regional office for CEE and Project backstopper in LABADMIN/OSH (ILO, Geneva).

The EU Delegation to Ukraine is the key contact for communication with the donor.

The Project Steering Committee is a tripartite consultative body chaired by the Deputy Minister of Economy. Its was set up to provide strategic, political and technical guidance to the Pproject, monitoring progress and assistance werhe possible in overcoming any obstacles to progress. In addition the focal points were appointed by the ME and SLS for regual communication and coordination of work.

II. Purpose, scope and clients of the evaluation

Purpose

The internal mid-term evaluation is foreseen by the Project document and is an opportunity for an in-depth reflection on the strategy and assumptions guiding the intervention.

The main purpose of the internal mid-term evaluation is to take stock of the progress of the project for 18 months of its implementation and make recommendations to improve implementation during the next period.

As this project is a continuation of the EU-ILO Project “Enhancing the Labour Administration Capacity to Improve Working Conditions and Tackle Undeclared Work”, the evaluation will need to identify whether the project continues to build on past achievements, and partnerships and whether the project is able to scale up these results.

The main objectives of the evaluation are as follows:

Determine project effectiveness: achievement of Project objectives at outcome and impact levels, and examine how and why the intended results have or have not been achieved;

Identify relevant unintended/unexpected effects at outcome and impact levels;

Assess the project implementation efficiency;

Establish the relevance of the project outcomes and the level of sustainability attained;

Provide recommendations regarding relevant stakeholders, toward the sustainability of the project outcomes and initial impacts;

Identify lessons learned and emerging potential good practices for key stakeholders.

The expected outcome of the evaluation is that its results will be used for fine-tuning the project implementation, based on the lessons learned and good practices, to increase its relevance, effectiveness, efficiency and sustainability.

Scope

The evaluation should focus on all the activities that have been implemented during January 2020-June 2021.

In analysing and documenting whether the outcomes have been achieved or not, an integral step will be the assessment of main activities leading to this outcome (i.e. their relevance for the outcome).

The evaluation should cover expected (i.e. planned) and unexpected results in terms of non-planned outputs and outcomes (i.e., side effects or externalities). Some of these unexpected changes could be as relevant as the ones planned. Therefore, the evaluator should reflect on them for learning purposes.

The analytical scope should include identifying levels of achievement of objectives and explaining how and why these results have been attained in such ways (and not in other alternative expected ways, if this would be the case).

The gender dimension should be considered as a cross-cutting concern throughout the methodology, deliverables and final report of the evaluation. In terms of this evaluation, this implies involving both

men and women in the consultation, evaluation analysis and evaluation team. Moreover, the evaluators should review data and information that is disaggregated by gender and assess the relevance and effectiveness of gender-related strategies and outcomes to improve lives of women and men.

Clients

The primary clients of the evaluation include the project beneficiaries, stakeholders and partners, as well as the ILO and the donor. In particular: the Ministry of Economy (ME) and the State Labour Service (SLS), trade unions, employers' organizations, Parliament committees, Ombudsperson's secretariat, OSH experts' associations and others; project management, the ILO Office in Budapest, the RO for Europe, the LABADMIN/OSH Branch in Geneva, and the EU Delegation to Ukraine.

All of the mentioned entities shall be contacted to collect their inputs and feedback, as this is the main source of information for evaluation.

III. Evaluation criteria and questions

The evaluation should be carried out in adherence with the ILO Evaluation Framework and Strategy, the ILO Guideline, the UN System Evaluation Standards and Norms, and the OECD/DAC Evaluation Quality Standards and criteria.

The evaluation will address the overall ILO evaluation criteria of relevance, effectiveness, efficiency and sustainability (and potential impact) to the extent possible, as defined in the [4th edition](#) of the ILO Policy Guidelines for Results-Based Evaluation: Principles, Rationale, Planning and Managing for Evaluations.

Gender concerns should be addressed in accordance with ILO Guidance note 4: "[Integrating gender equality in M&E of projects](#)" gender in the monitoring and evaluation of projects". All data should be sex-disaggregated and different needs of women and men and of marginalized groups targeted by the programme should be considered throughout the evaluation process.

Below are the main criteria that need to be addressed:

1. Validity of Design

- Determine the validity of the project design, the effectiveness of the methodologies and strategies employed for it and whether it assisted or hindered the achievement of the project's goals as set out in the Project Document. Determine to what extent the results achieved under the previous project were taken into account at the design phase? Whether the timeline and objectives of the project are clear, realistic and likely to be achieved within the established time schedule and with the allocated resources (including human resources)?
- Was the project design logical and coherent (both internal and external level taking into consideration other stakeholders' initiatives on the issue)?
- Does the project design meet the ILO Guidance on Results-Based project design? Including: Clarity of the objectives (did they meet SMART criteria); How appropriate and useful were the indicators (and targets) established in the project's performance monitoring plan (PMP) in terms of assessing project progress?

- To what extent were external factors and assumptions identified at the time of design? Have these underlying assumptions on which the project has been based proven to be true?
- Assess whether the problems and needs (institutional arrangements, roles, capacity and commitment of stakeholders) were adequately analysed and determine whether the needs, constraints, resources and access to project services of the different beneficiaries were clearly identified, taking gender equality and non-discrimination into account?
- Was the strategy for sustainability of project results defined clearly at the design stage of the project?

2. Relevance

- Examine whether the project responded to the real needs of the Ministry of Economy, of the State Labour Service of the social partners and other stakeholders.
- Assess whether the problems and needs that gave rise to the project still exist or have changed.
- How relevant is the project with the EU Technical Cooperation Facility under the European Neighbourhood instrument?
- How well does the project fit into the ILO programming and implementation frameworks, SDG, EU-Ukraine Association Agreement commitments and addresses the challenges emerged as a consequence of COVID-19 pandemic?
- Is the overall project coherent with other ILO initiatives on the topic and in the region?
- Under implementation, did the strategy address the different needs and roles, constraints, access to resources of the target groups and did the project promote gender equality and non-discrimination?
- How well has the project adapted to COVID-19 crisis?

3. Effectiveness (the extent to which the intervention's immediate objectives were achieved taking into account their relative importance)

- Examine delivery of project outputs in terms of quality, quantity and timing.
- Assess whether the project has made progress towards the achievement of its immediate objectives. Did the project have an influence on any changes in terms of strengthening of OSH, labour standards, labour inspection and fight against Undeclared Work (UDW)?
- Have unplanned outputs and results been identified and if so, why were they necessary and to what extent were they significant to achieve the project objectives?
- How did positive and negative factors outside of the control of the project affect project implementation and project objectives and how did the project deal with these external factors?
- To what extent have the intervention results been monitored and reported in terms of their contribution to specific SDGs and targets (explicitly or implicitly)?
- Assess the effectiveness of the project's gender mainstreaming and non-discrimination activities and strategies.

4. Efficiency

- Compare the allocated resources with results obtained. In general, did the results obtained justify the costs incurred?
- Has the project received adequate administrative, technical and - if needed - political support from the office in Ukraine, the ILO office in Budapest, technical specialists in the field and the responsible technical unit at headquarters (LABADMIN/OSH)?
- Were the management arrangements efficient to implement the project?
- To what extent did the project leverage partnerships (with constituents, national institutions and other UN/development agencies) that enhanced projects relevance and contribution to priority SDG targets, EU priorities and national development objectives?

5. Sustainability and impact orientation

- Assess to what extent a phase out strategy was defined and planned and what steps were taken to ensure sustainability (e.g. government involvement). Assess whether these strategies have been articulated/explained to stakeholders.
- Assess the likelihood of the results and approaches of the project continuing beyond the project life. Are the project's approaches replicable elsewhere?
- Assess the degree to which the project sustainability strategy includes a gender perspective.
- Is it likely that the project will have long-term effects (impact) on the OSH, UDW and labour inspection system?
- To which extent the results of the intervention are likely to have a long term, sustainable positive contribution to the SDGs and relevant targets (explicitly or implicitly)?

IV. Expected outputs of the evaluation

The expected outputs to be delivered by the evaluator are the following:

1. Inception report: this report, based on the Desk review, should describe the evaluation instruments, reflecting the combination of tools and detailed instruments needed to address the range of selected aspects. The instrument needs to make provision for the triangulation of data where possible. It will cover how the more detailed analysis on the focus areas will be integrated in the analysis and reporting.
2. Quantitative and qualitative data, collected in the field.
3. Project stakeholders' focus groups / individual meetings, in Kyiv (or online, if restrictions connected to COVID-19 pandemic prevent them from occurring on a face-to-face mode), with their representatives, including: Government - Ministry of Economy, State Labour Service, Cabinet of Ministers' Office of Reform, Office of European and Euro-Atlantic Integration; Parliament – Committee of Social Policy and Veterans' Rights, Committee of European Integration of Ukraine; Ombudsperson's Secretariat; trade unions (Federation of Trade Unions and Confederation of Free Trade Unions); employers' organizations (Federation of Employers of Ukraine, Association of Employers' Organisations of Ukraine, Confederation of Employers' of Ukraine); UN partner agencies (WHO and FAO); and EU Delegation to Ukraine, OSH experts, specialized mass media etc. This activity will be a part of the in-country field work, to gather collective stakeholder views, present preliminary findings of the evaluation, and as part of the full data collection process.

4. Wrap up workshop to present the immediate findings and preliminary conclusions and correct/validate them before drafting the report (offline/online mode).
5. ILO internal project stakeholder's individual meetings in Kyiv (or, where more appropriate, online), with: ILO National coordinator for Ukraine; Project staff; ILO office in Budapest and concerned specialists, and responsible technical unit at headquarters (LABADMIN/OSH).
6. Draft evaluation report for the project: the evaluation report should include and reflect on findings from the fieldwork and stakeholders' workshop/online meetings.
7. Final evaluation report, after comments.
8. Upon finalization of the overall evaluation report, the evaluator will be responsible for writing a brief evaluation summary, which will be posted on the ILO's website.

The final overall evaluation report should be prepared following the guidelines included in the concerned annexes and submitted to the evaluation manager.

Draft and Final evaluation reports include the following sections:

- Executive Summary (*standard ILO format*) with key findings, conclusions, recommendations, lessons and good practices (*each lesson learn and good practice need to be annexed using standard ILO format*);
- Description of the project;
- Purpose, scope and clients of evaluation;
- Methodology;
- Evaluation criteria and questions
- Findings (organized by evaluation criteria);
- Clearly identified conclusions and recommendations (i.e. specifying to which actor(s) recommendations apply as well as timelines);
- Lessons learned;
- Potential good practices and effective models of intervention;
- Appropriate Annexes including present TOR;
- Standard evaluation instrument matrix (adjusted version of the one included in the Inception report).

The entire draft and final reports (including key annexes) have to be submitted in English.

The total length of the report should be a maximum of 30 pages. This is excluding annexes; additional annexes can provide background and details on specific components of the project evaluated.

The report should be sent as one complete document and the file size should not exceed 3 megabytes. Photos, if appropriate to be included, should be inserted using lower resolution to keep overall file size low.

All drafts and final outputs, including supporting documents, analytical reports and raw data should be provided in electronic version compatible for Word for Windows. Ownership of data from the evaluation rests jointly with ILO. The copyright of the evaluation report will rest exclusively with the ILO. Use of the data for publication and other presentations can only be made with the written agreement of the ILO. Key stakeholders can make appropriate use of the evaluation report in line with the original purpose and with appropriate acknowledgement.

The draft report will be circulated in the ILO (LABADMIN/OSH Branch in Geneva, Office in Budapest, ILO National Coordinator for Ukraine, and Project staff) for their review. Draft of the main findings, conclusions and recommendations will be translated into Ukrainian language and shared with tripartite national constituents for their comments. All comments will be consolidated by the evaluation manager and will be sent to the evaluator to incorporate them, if appropriate, into the revised evaluation report. The final draft will be submitted to the RO for Europe for review and approval. The evaluation report will be considered final only when it gets final approval by the RO for Europe.

V. Methodology

The evaluation will be conducted in a participatory, consultative and transparent manner, by engaging various groups of stakeholders. The evaluation will use a mix of qualitative and quantitative methods to gather and analyse data, which will be disaggregated by sex to the extent possible. It will pay attention to which groups benefit from and which groups contribute to the project, and provide an assessment of how the project has performed in regards to gender equality and non-discrimination.

The evaluation will be carried out through a desk review, online interviews with ILO specialists in Budapest and face-to-face / online interviews in Ukraine with the ILO project staff, ILO National Coordinator, ILO constituents, project beneficiaries, development partners, UN Agencies (e.g., WHO and FAO), EU Delegation to Ukraine and other key stakeholders.

Sources of information and field visit

The evaluator will first conduct a desk review, to be followed by interviews and a field visit to Ukraine⁹. He/she can make use of the sources of information exhibited below for the desk review and interview, namely the review of selected documents (1.1), the consultation of the webpage of the project (1.2) and the conduct of interviews (1.3).

1. Documents' review

The evaluator will review the following documents, to be provided by the project management through e-mail:

- 1) Project document, brief and leaflet;
- 2) Project (inception and progress) reports;
- 3) Project budget (planned and actual) expenditures and workplan;
- 4) Steering Committee minutes;
- 5) Mission, meeting, workshop and training reports;
- 6) Main project output documents;
- 7) Report of stakeholders and beneficiaries evaluation survey on project implementation in 2020;
- 8) Report of the implementation of the communication and awareness-raising campaign "Go to Light!" in 2020;
- 9) List of main (technical, organizational or advocacy) events organized and/or participated by the project (e.g., meetings, workshops, round-tables, seminars, webinars, training sessions and

⁹ Field visit might be replaced by the online meetings in case of international travel restrictions due to Covid-19 pandemic.

- conferences), including their evaluation (where appropriate), video records (where available and appropriate or the respective links), and their sex-disaggregated statistics (where available);
- 10) Statistics on the project communication and visibility;
 - 11) Other documents (upon request of the evaluator).

2. Consultation of project information repositories

The evaluator can find the project-related information on the following Project Social Mass Media (SMM) channels:

- 1) Project Website, at: www.ilo.org/shd4Ukraine
- 2) Project Facebook page, at: <https://www.facebook.com/shd4Ukraine>
- 3) Project YouTube channel, at: <https://bit.ly/2YKaLfV>

Of particular interest, in this context, are the Project Website sections “[Voices of our beneficiaries](#)” and “[Voices of our stakeholders](#)”, with testimonials of project beneficiaries and stakeholders, as well as the two Project Newsletters of [January - July 2020](#) and [August-December 2020](#). The forthcoming Newsletter of January-June 2021 is expected to be available and shared on early July.

3. Individual interviews

Individual interviews (by phone, e-mail, skype, zoom and/or a questionnaire survey) can be conducted with the following:

- 1) ILO staff in HQ – LABADMIN/OSH
- 2) ILO staff in Budapest Office

Individual interviews, during the field visit to Ukraine (or, if not possible, in online format), with the following:

- 3) ILO field staff (ILO National Coordinator, EU-ILO Project and selected project staff);
- 4) EU Delegation to Ukraine;
- 5) Representatives of ME and SLS, Parliament committees, Ombudsperson’s Secretariat, of employers’ and workers’ organizations, consultants, experts and other important stakeholders.

VI. Management arrangements

The internal mid-term evaluation will be conducted by a certified internal ILO evaluator.

The evaluator will report to the *Evaluation Manager*, Mr. Antonio Santos. The evaluation manager will manage the whole evaluation process, and will review the evaluation report to make sure it has complied with the quality checklist of ILO evaluation report.

The RO Europe evaluation focal point, Mr. Dan Smith, will do quality assurance of the report and give approval of the final internal mid-term evaluation report.

ILO Office in Budapest and the project staff in Ukraine will provide administrative and logistical support during the evaluation mission (if any). Project management will also assist in organizing a detailed

evaluation mission agenda, and will ensure that all relevant documentation is up to date and easily accessible by the evaluator.

Roles of other key stakeholders: All stakeholders, particularly the relevant ILO staff, the donors, tripartite constituents, relevant government agencies and other key partners will be consulted throughout the process, and will be engaged at different stages during the process.

Timetable for evaluation

The evaluation will take place during the period July-September 2021, as follows.

Phase	Responsible Person	Tasks	Proposed timeline
I	Evaluator	<ul style="list-style-type: none"> o Desk Review of project related documents o Online briefing with the evaluation manager, the project office in Ukraine, ILO Budapest and ILO LABADMIN-OSH- HQ o Preparation of the inception report 	5-18 July
II	Evaluator (logistical support by the EU-ILO project)	<ul style="list-style-type: none"> o Field visit (<i>if no travel restrictions in place due to COVID-19 pandemic</i>) o Interviews with the Project staff, ILO NC in Ukraine, EU Delegation to Ukraine, stakeholders and other relevant actors in Ukraine if necessary o Stakeholders' workshop/online meetings (26 July) 	18-27 July
III	Evaluator	<ul style="list-style-type: none"> o Draft report based on desk review, field visit, interviews/questionnaires with stakeholders in Ukraine 	28 July – 16 August Draft report submitted by 16 August 2021
	Project team	<ul style="list-style-type: none"> o Translation of the report in Ukrainian 	17-23 August
IV	Evaluation manager	<ul style="list-style-type: none"> o Circulate report with ILO staff and circulate main findings from the draft report to key stakeholders o ILO and Stakeholders provide comments 	24 August - 6 September
	Project team	<ul style="list-style-type: none"> o Translation of the comments into English 	7-12 Sept.
	Evaluation manager	<ul style="list-style-type: none"> o Consolidate comments and send them to evaluator 	13-15 September
V	Evaluator	<ul style="list-style-type: none"> o Finalize the report, including explanations on why comments were not included 	13-27 September
VI	Evaluation Manager	<ul style="list-style-type: none"> o Review the revised report and submit it to RO Europe evaluation focal point for final approval 	28-30 September

VII. Resources

The Project internal mid-term evaluation will be financed by the project, as foreseen in the project appropriate budget lines. It includes:

- Travel and DSA for the field visit: the EU-ILO project may provide logistical support to the evaluator upon request;
- Stakeholders' workshop-related expenses (e.g.: interpretation, translation, printing, rental costs, etc.);
- Translation to and from ENG/UKR of the reports and supporting documents that should be shared with the stakeholders or Evaluation team;
- Interpretation costs during the individual interviews with the stakeholders.

VIII. Legal and ethical matters

The evaluation of the project outcomes will be conducted in accordance with UN Evaluation Group (UNEG, 2016) Norms and Standards and the Organisation for Economic Co-operation and Development (OECD/DAC) principles for evaluation of development cooperation, in order to examine the results achieved and their contribution to broader ILO and UN programming and country cooperation frameworks, including Decent Work Country Programmes (DWCPs) and UNDAFs.

The project evaluation is undertaken in accordance with the ILO Evaluation Policy (Oct. 2017) and ILO Policy Guidelines for Evaluation (2020, 4th edition), which provide for systematic evaluation of programmes and projects, in order to improve quality, accountability, transparency of the ILO's work, strengthen the decision-making process, and support constituents in forwarding decent work. It is also part of the Office's Evaluation Work Plan.

The evaluation consultant should not have any links to project management, or any other conflict of interest that would interfere with the independence of the evaluation. Also, in carrying out the evaluations, the evaluation consultant will abide by EVAL's Code of Conduct. Key actors in the evaluation process should aspire to conduct high quality work, guided by professional standards and ethical and moral principles, as enshrined in UNEG Ethical Guidelines.

IX. Security and Covid-19 restrictions and guidance

- ILO EVAL has provided guidance on Implications of COVID-19 on evaluations in the ILO that should be consulted and followed by the internal evaluator: http://www.ilo.ch/wcmsp5/groups/public/---ed_mas/---eval/documents/publication/wcms_744068.pdf
- The internal evaluator is required to fully comply by the advisories issued by the local government and the UN regarding domestic travels and social distancing.
- All UN personnel are expected to complete the UNDSS BSAFE (security awareness training course) and, if travel is required, are obliged to provide the Security Clearance.
- No travel of internal evaluator will be allowed to a location at security level five (5) or higher.
- If the internal evaluator for whom travel has been paid by the ILO find themselves at a location where security level five (5) or six (6) is declared during their presence there, immediate arrangements must be made in liaison with SECURITY to ensure that they leave the duty station as soon as possible.
- In the light of the COVID-19 pandemic, if the situation in the sub-region changes, the mission to Kyiv will be cancelled and all the meetings will be conducted online.

Annex I: All relevant ILO evaluation guidelines and standard templates

1. [4th edition](#) of the ILO Policy Guidelines for Results-Based Evaluation: Principles, Rationale, Planning and Managing for Evaluations
2. Evaluator's [Code of Conduct Form](#)
3. Guidance Note 3.2 on adaptive evaluation methods to the ILO's normative and tripartite mandate
4. [Guidance note 4](#): "Integrating gender equality in M&E of projects"
5. [Guidance note 7](#) Stakeholders participation in the ILO evaluation
6. [Template \(1\)](#) for lessons learnt and Emerging Good Practices
7. [Template \(2\)](#) for lessons learnt and Emerging Good Practices
8. [Checklist 4.8. Writing the inception report](#)
9. [Checklist 4.2. Preparing the evaluation report](#)
10. [Template](#) for evaluation title page
11. [Checklist 6](#) Rating the quality of evaluation report
12. Checklist 4.4. Writing the evaluation report summary
13. [Template](#) for evaluation summary
14. [SDG related reference material](#)
15. EVAL's Protocol on collecting evaluative evidence on the ILO's COVID-19 response measures

Annex II: List of stakeholders to be consulted

1) National tripartite constituents:

- a. **Government:** Ministry of Economy; State Labour Service; Cabinet of Ministers' Office of Reforms; and Office of European and Euro-Atlantic Integration, team of Vice-Prime Minister on European and Euro-Atlantic Integration of Ukraine;
- b. **Workers' organisations:** Federation of Trade Unions and Confederation of Free Trade Unions;
- c. **Employers' organizations:** Federation of Employers of Ukraine, Association of Employers' Organisations of Ukraine, and Confederation of Employers' of Ukraine.

2) Other critical national stakeholders:

- a. **Parliament:** Committee of Social Policy and Veterans' Rights and Committee of Integration of Ukraine into EU;
- b. **Ombudsperson's** Secretariat;
- c. **National Tripartite Social and Economic Council;**
- d. **OSH experts organization:** ESOSH;
- e. **Media partners:** specialized national media ("OSH magazine", "Industrial Safety", and "Fire Safety and Labour Protection"), "Change Communication" agency and organizer of the "Social Advertising Festival".

3) International stakeholders:

- a. **Donor:** EU Delegation to Ukraine;
- b. **UN** partner agencies: WHO and FAO.

4) ILO Internal stakeholders:

- a. ILO National coordinator for Ukraine;
- b. Project staff;
- c. ILO office in Budapest and concerned specialists; and
- d. Responsible technical unit at headquarters (LABADMIN/OSH).

Annex III: List of key documents to be shared with the internal evaluator

1. Evaluation report for the EU-ILO Project “Enhancing the labour administration capacity to improve working conditions and tackle undeclared work”;
2. Project document, brief and leaflet;
3. Project (inception and progress) reports;
4. Project budget (planned and actual) expenditures and workplan;
5. Steering Committee minutes;
6. Mission, meeting, workshop and training reports;
7. Main project output documents:
 - a. 4 Explanatory notes on how to better align the CMU draft Law No. 2708 “On Labour” with International and European Labour Standards and best practices;
 - b. 11 Technical recommendations on the alignment of national draft legal acts with the main applicable International and European Labour Standards and best practices:
 - i. On labour relations (5 technical recommendations);
 - ii. On OSH (4 technical recommendations);
 - iii. On Labour inspection (2 technical recommendations).
 - c. 7 background papers (and respective 7 infographics) regarding the main International and European Labour Standards on employment relationship, employer’s obligation to inform workers and to ensure transparent and predictable working conditions, working time, part-time, telework, labour inspection and OSH;
 - d. List of all publications (and subtitled videos) that the project translated into Ukrainian and disseminated among national tripartite constituents and other stakeholders (with the respective links);
 - e. 4 articles published in national specialized magazines about project activities and deliveries;
 - f. PPPs produced by the project and presented in the knowledge-sharing events organized by the project and/or in which the project participated.
8. Report of stakeholders and beneficiaries evaluation survey on project implementation in 2020;
9. Report of the Implementation of the communication and awareness-raising campaign “Go to Light!” in 2020;
10. Main (technical, organizational or advocacy) events organized and/or participated by the project (e.g., meetings, workshops, round-tables, seminars, webinars, training sessions and conferences):

- a. List of events (online shared file);
 - b. Events evaluation (where appropriate);
 - c. Video record of the events where available (or link to its location);
 - d. Sex-disaggregated statistics of participants (where available).
- 11. Statistics on the project communication and visibility;
 - 12. Other documents (upon request of the evaluator).

Evaluation Questions	Indicator	Sources of Data?	Method?	Who Will Collect?	How Often?	Who will analyze?
1. RELEVANCE of the project and strategic fit	Views of key stakeholders	Interviews with ILO, national agencies, social partners, donor Review of national policies	Interview & document review	Evaluator	Once off	Evaluator
2. VALIDITY of Design	Views of key stakeholders	Interviews with ILO, national agencies, social partners	Interview & document review	Evaluator	Once off	Evaluator
3. Project PROGRESS and EFFECTIVENESS	Implementation of project plan	Review of documentation /interviews with ILO, national agencies, social partners, donor	Document review/interviews	Evaluator	Once off	Evaluator
4. EFFICIENCY	Expenditure data; views of the project team and stakeholders	ILO financial data & interviews with ILO, national agencies, social partners, donor	Interviews & document review	Evaluator	Once off	Evaluator
5. SUSTAINABILITY and IMPACT of the project	Views of key stakeholders	Interviews with ILO, social partners, national agencies	Interview	Evaluator	Once off	Evaluator

ANNEX 3: Documents reviewed

- 1) Evaluation report for the EU-ILO Project “Enhancing the labour administration capacity to improve working conditions and tackle undeclared work”;
- 2) Project document, brief and leaflet;
- 3) Project (inception and progress) reports;
- 4) Project budget (planned and actual) expenditures and workplan;
- 5) Steering Committee minutes;
- 6) Mission, meeting, workshop and training reports;
- 7) Main project output documents
- 8) Report of stakeholders and beneficiaries evaluation survey on project implementation in 2020;
- 9) Report of the Implementation of the communication and awareness-raising campaign “Go to Light!” in 2020;
- 10) Statistics on the project communication and visibility;
- 11) DWCP 2020-2024
- 12) UNPF 2018-2022

ANNEX 4: Interviews Protocol

INTERVIEWS PROTOCOL

Evaluator: Emil Krstanovski

General Introduction to the Evaluation

The ILO is conducting internal mid-term evaluation to assess the implementation of the project **“Towards safe, healthy and declared work in Ukraine”**, funded by the European Union. The mid-term evaluation will focus on the main period of implementation between 1 January 2020 - 30 June 2021, assessing all the results and key outputs that have been produced since the start of the project.

The overall purpose of the evaluation is to take stock of the progress of the project and make recommendations to improve implementation during the next period, promote accountability and strengthen learning among the ILO and key stakeholders.

You have been identified as a key informant for the evaluation, and I appreciate your participation in this interview. The interview is fully confidential and anonymous. Your specific contribution to the report will be anonymous and we will not associate your name with anything specifically included in this report.

INTERVIEWS WITH THE KEY STAKHOLDERS

Name

Position / Organization

Please describe the nature of your collaboration on the ILO project

A. Relevance and strategic fit

1. In your view, is the project contributing (or not) toward the relevant development priorities of Ukraine? In which way?
2. Is the project responding to the real needs of the Government and social partners?
3. In your view, did the project work complement other ongoing ILO projects or UN projects in the country? How relevant is it with the EU Technical Cooperation Facility under the European Neighbourhood instrument?

B. Validity of Design

4. Does the project address the major challenges in the area of OSH and undeclared work? Please explain.
5. Is it clear what are the changes project is/will bring ?

C. Project effectiveness and progress

6. Please name 3-5 main achievements of the ILO project intervention?
7. Can you tell of any unexpected result (positive or negative) ?

8. In your view, what are the success/limiting factors (internal/external)?
9. Has the project provide good visibility to the EU as the donor?

D. Efficiency

10. How has the project adjusted to the COVID 19 pandemic and the new situation? Please explain.
11. Please assess how the project management has managed the project? What shall be improved? (Did stakeholders feel they were kept abreast of developments, delays and delivery?
12. Has the project created good relationship and cooperation with relevant national and local level government authorities and other relevant stakeholders to achieve the project results?

E. Impact orientation and sustainability

13. What can you say about the overall level of influence the project having on the development of labour and OSH legislation, and on labour inspection policies and practices?
14. Is the project sharing the knowledge and evidence obtained during project implementation?
15. If the ILO's interventions were to be stopped, what result will continue to occur? And do they have a potential to sustain without additional financial resources? Do they have the potential to be replicated and scaled up?

Gender and Non - Discrimination

16. What are so far the key achievements of the project on gender equality and women's empowerment? Please provide examples

INTERVIEWS WITH THE ILO

Name

Position / Organization

Role within the project

Please describe the nature of your collaboration on the ILO project

A. Relevance and strategic fit

1. How has the project's design and implementation contributes (or not) toward the relevant development priorities of Ukraine, but also priorities under the UN Development Framework, ILO agenda and P&B, and SDGs?
2. How well does the project complement other ongoing ILO projects or UN projects in the country?

B. Validity of Design

3. Does the project address the major challenges in the area of OSH and undeclared work? Please explain.
4. Is the project realistic (in terms of expected outputs, outcome and impact) given the time and resources available?

5. Are the indicators of the achievements clearly defined, describing the changes to be brought about? Were the indicators designed and used in a manner that they enabled reporting on progress under specific SDG targets and indicators?

C. Project effectiveness and progress

6. What are 3-5 key achievements of ILO intervention? What are the achievements in terms of results that you are most proud of? What were the facilitator and hindered factors toward these achievements?
7. Have the project developed unexpected results, at output or outcome level?
8. Has the management and governance structure put in place worked strategically with all key stakeholders and partners to achieve project goals and objectives?
9. Assess how contextual and institutional risks and positive external to the project factors have been managed by the project management?

M&E questions

10. What are the existing processes to collect data on the project? How systematic is data collection? How comprehensive is the data?
11. Please provide specific examples on how gender and non-discrimination are taken into consideration in M&E and reporting.

D. Efficiency

12. How has the project adjusted to the COVID 19 pandemic and the new situation? Please explain.
13. Did you encounter any issues relating to availability of resources (financial, human, etc)?
14. How do you ensure that project is implemented efficiently? Prompt: timely disbursement of budget, financial reporting, etc
15. Has the project received adequate administrative, technical and - if needed - policy support from the ILO office and specialists in the ILO DWT/CO and in HQ?

E. Impact orientation and sustainability

16. What can you say about the overall level of influence the project having on the development of labour and OSH legislation, and on labour inspection policies and practices?
17. Is the project sharing the knowledge and evidence obtained during project implementation?
18. If the ILO's interventions were to be stopped, what result will continue to occur? And do they have a potential to sustain without additional financial resources? Do they have the potential to be replicated and scaled up?
19. What are the current existing factors/strategy to ensure a longer-term impact of attained results, and what can be done in addition to improve sustainability of results?

Gender and Non - Discrimination

20. What are so far the key achievements of the project on gender equality and women's empowerment? Please provide examples

ANNEX 5: List of the people interviewed

EU-ILO Project team <ol style="list-style-type: none"> 1. Mr. António Santos, ILO Kyiv, CTA 2. Ms. Sofia Lytvyn, ILO Kyiv, National Project Coordinator 3. Ms. Linda Chickan, ILO DWT/CO Budapest, Project Programme Assistant
ILO National Coordinator for Ukraine <ol style="list-style-type: none"> 4. Mr. Sergiy Savchuk, PSC member
Other ILO projects <ol style="list-style-type: none"> 5. Mr. Andriy Figol, National Coordinator of the project ILO Project “Rights and work: improving Ukraine’s compliance with key international labour standards” 6. Mr. Dzemat Hodzic, CTA of the ILO-DANIDA Project “Inclusive Labour Markets for Job Creation in Ukraine”
ILO staff in Geneva and Budapest <ol style="list-style-type: none"> 7. Mr. Javier Barbero, ILO HQ, LABADMIN/OSH, Sr. Tech. Specilaist on Labour Administration, Labour Inspection & OSH, Backstopper of the Project 8. Ms. Cristina Mihes, ILO DWT/CO Budapest, Senior Specialist on Labour Law and Social Dialogue.
European Delegation to Ukraine (EUD): <ol style="list-style-type: none"> 9. Ms. Mira Didukh, Back stopper of the Project, Sector Manager. Regional and Local Development, PSC member 10. Mr. Martin Schroeder, Policy Officer Health – Employment – Justice – Home Affairs, PSC member
Ministry of Economy, Directorate of Labour Market Development and Remuneration for Work <ol style="list-style-type: none"> 11. Mr. Roman Poklonsky, Chief of Expert Group on OSH 12. Mr. Olexandr Shutenko, Expert of the Directorate 13. Mr. Rostyslav Klym, Expert of the Directorate on labour relations 14. Ms. Artem Tyshkovets, Expert of the Directorate on labour relations 15. Mr. Olexiy Nazarenko, Expert of the Directorate on labour relations
State Labour Service of Ukraine <ol style="list-style-type: none"> 16. Mr. Ihor Dehnera, Deputy Head, Deputy Chair of PSC 17. Ms. Olena Konovalova, Deputy Head of Department on Labour

<p>18. Ms. Liudmyla Kharchuk, Head of Branch of Occupational Hygiene</p> <p>19. Mr. Olexandr Ihnatov, Deputy Head of the Department, Head of Unit on Supervision in Metallurgy, Machine Building and Energy Sector</p> <p>20. Mr. Oleh Hnatiuk, Head of Inspection Activity Department</p>
<p>European Society of Occupational Safety & Health (ESOSH)</p> <p>21. Ms. Olga Bogdanova, Chief of Management Board</p> <p>22. Mr. Dmytro Hryhorenko,</p> <p>23. Ms. Tavera Bilko, OSH expert</p> <p>24. Ms. Svitlana Sokurenko, OSH expert</p> <p>25. Mr. Serhii Zubchenko, OSH expert</p> <p>26. Ms. Ivashchuk Bohdana, OSH expert</p>
<p>Trade Unions</p> <p>Federation of Trade Unions of Ukraine (FPU):</p> <p>27. Mr. Vasyl Andreev, Deputy Head;</p> <p>28. Mr. Yurii Andriyevsky, Head of labour protection department;</p> <p>29. Ms. Tetiana Horiun, Head of unit of technical inspection of labour</p> <p>30. Ms. Diana Kazakova, Leading OSH inspector, technical inspection of labour;</p> <p>31. Mr. Volodymyr Fesan, Leading OSH inspector, Trade union of Health workers of Ukraine;</p> <p>32. Ms. Halyna Kolosiuk, Deputy head of Trade Union “Yednist”</p> <p>33. Mr. Vitaliy Hilpert, Trade Union of Forestry Sector, leading OSH inspector,</p> <p>34. Mr. Valeri Sipeyev, Trade Union of Atomic Energy Sector and Industry, OSH and social insurance specialist;</p> <p>35. Mr. Vitaliy Shepelevych, Trade Union of Mining Sector, leading OSH inspector</p> <p>Confederation of Free Trade Unions of Ukraine (KVPU):</p> <p>36. Mr. Petro Tuley - Deputy Head</p> <p>37. Mr. Serhiy Symenko – online in ZOOM</p>
<p>Secretariat of Ombudsman</p> <p>38. Svitlana Hlushchenko – Director of Department on Social Rights Monitoring</p> <p>39. Mr. Yuri Ivanov, Head of Unit on labour rights, Department on Social Rights Monitoring</p>

<p>Employers' Organizations</p> <p>Federation of Employers of Ukraine and Confederation of Employers of Ukraine</p> <p>40. Mr. Olexiy Miroshnychenko, Executive Vice President of CRU</p> <p>Association of Employers' Organizations of Ukraine</p> <p>41. Ms. Olesya Tarasenko</p> <p>42. Mr. Vasyl Kostyrytsya – online in ZOOM</p>
<p>Specialized magazines on OSH</p> <p>43. Mr. Dmytro Matviychuk, OSH Magazine</p> <p>44. Ms. Olexandra Dziuba Labour Protection and Fire Safety Magazine</p> <p>45. Mr. Andrian Galach, Industrial Safety Magazine – online in ZOOM</p>
<p>National Tripartite Socio-Economic Council (NTSEC)</p> <p>46. Ms. Vira Bodrova, Acting Secretary, Member of the Project SC</p>
<p>Verkhovna Rada's Committee of Social Policy and Veterans' Rights</p> <p>47. Mr. Danylo Bondar, Deputy Head of the Secretariat, Member of the Project SC</p>
<p>CMU</p> <p>48. Mr. Ivan Nahorniak, Advisor, Office of Vice – Prime Minister on European and Euro-Atlantic Integration</p> <p>49. Mr. Artem Sachuk, Senior project manager “Investment climate and economic growth”, CMU office of reform</p>
<p>WHO, FAO representatives</p> <p>50. Mr. Guillaume Simonian, WHO, Emergency Programme Lead, COVID-19 Incident Manager – Ukraine</p> <p>51. Ms. Mara Lopez, FAO Head of Office - Programme Officer</p>
<p>Verkhovna Rada</p> <p>52. Mr. Mykhaylo Volynets, Head of the Confederation of Free Trade Unions of Ukraine, Member of the Parliament</p>

ANNEX 6: Lesson Learned

ILO Lesson Learned

Project Title: Towards safe, healthy and declared work in Ukraine

Project TC/SYMBOL: UKR/19/01/EUR

Name of Evaluator: Emil Krstanovski

Date: 19 August 2021

The following lesson learned has been identified during the course of the evaluation. Further text explaining the lesson may be included in the full evaluation report.

LL Element	Text
Brief description of lesson learned (link to specific action or task)	Clear mutual understanding of the process for the preparation of the recommendations to the draft laws, established deadlines for each step of preparation is crucial for the timely delivery of valuable and applicable advice. The process of preparation of draft laws includes different actors and often the process requires a quick response on the various versions of draft laws. These responses are needed in order to establish whether a current version is in line with the ILS and transposes correctly the EU Directive. Delivering the technical recommendations on time is as important as their quality. And while no one was questioning the quality of ILO advice, for many stakeholders ILO traditionally takes a lot of time to provide that advice. The project managed to overcome this shortcoming and managed to establish this workflow between the ILO project team and the ILO specialists, which results in both quality recommendations and timely delivery to the drafting groups. Time invested in team coordination paid off and the project delivers the required inputs on time and to the satisfaction of the ILO constituents and the donor.
Context and any related preconditions	Context : frequent requests and tight deadlines for providing technical recommendations The prevailing opinion among the stakeholders is that the project has effectively provided quality and applicable recommendations.
Targeted users / Beneficiaries	LABADMIN/OSH, ILO DWT/CO Budapest and other ILO offices
Challenges /negative lessons - Causal factors	Agreement between the project team and the specialist and respecting the agreed workflow is the challenge that requires commitment and allocation of time by the respective ILO specialist. This time allocation should be clearly reflected in the project logframe.

Success / Positive Issues - Causal factors	Project team provides strong drafts of recommendations for the specialists in the process of preparing the document with technical recommendations.
ILO Administrative Issues (staff, resources, design, implementation)	Specialist should indicate work days in their work plan as indicated in the project document.

Annex 7 : Good Practice

ILO Emerging Good Practice

Project Title: Towards safe, healthy and declared work in Ukraine

Project TC/SYMBOL: UKR/19/01/EUR

Name of Evaluator: Emil Krstanovski

Date: 19 August 2021

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
Brief summary of the good practice (link to project goal or specific deliverable, background, purpose, etc.)	An example of good practice is the bilingual website of the project which contains all the products developed by the project. All project beneficiaries consider the availability of the ILO technical assistance in the Ukrainian language very important, as it allows for a much wider circle of beneficiaries to understand the ILO recommendations, learn and educate themselves and provide constructive feedback to the project team.
Relevant conditions and Context: limitations or advice in terms of applicability and replicability	This identified practice applies to all projects that involve a component of providing ILO technical recommendations, tools and methodologies. When replicated, it can improve the effective delivery of the training and ensure ownership by the ILO constituents.
Establish a clear cause-effect relationship	As a direct result of ILO provided technical recommendations and tools, their adaption to the Ukrainian context, the recommendations and tools could reach a substantial number of beneficiaries.
Indicate measurable impact and targeted beneficiaries	Number of trained persons. Number of people attending the discussions and roundtables Application of tools in practice
Potential for replication and by whom	By the ILO in any project that involves use of the ILO tools.
Upward links to higher ILO Goals (DWCPs, Country Programme Outcomes or ILO's Strategic Programme Framework)	
Other documents or relevant comments	