

# Terms of Reference for the Reporting Consultant

## 1. Executive Summary

Request from:	ADRA Thailand		
Type of Consultancy:	<input type="checkbox"/> Appraisal	<input type="checkbox"/> Monitoring	<input checked="" type="checkbox"/> Reporting
Type of Program:	Migrant Rights Advocacy		
Agreement Symbol	CSO-LA/2019/412-540		
Funding Source	The European Union		
Project title:	CSO Development for the Promotion and Advancement of Migrant Rights		
Project duration:	42 months		
Overall Project Objective:	Increase social and economic equality of marginalised and vulnerable migrant workers in the greater Mae Sot area, Thailand.		
Specific Project Objectives:	Strengthen capacity of local CSOs to effectively advocate for improvements in labour/human rights and working conditions for vulnerable migrant workers in greater Mae Sot, Thailand.		
Objective of the Consultancy:	<p>The main objective of this consultancy is to: a) write an analytical report on the results of implementing the Safety and Happy Factory Model Initiative (HSFM) and the monitoring and evaluation results on factories' compliance with Occupation Safety and Health (OSH) standards and laws; b) write an analysis report of the improvement of employers and employees in knowledge and awareness on safety standards and laws; c) present findings of implementing results on HSFM Initiative relating to achievement, challenges, limitations and recommendations, and monitoring system on safety standards, and labour protection in the area of Mae Sot. These key findings are planned to be included in the project final evaluation report.</p>		
Methodology	Key Informant interviews, document reviews (reports and project documents) Focus group discussions.		
Period of consultancy:	Middle February to April 2023		
Expected completion date: (Analytical report)	First week of May 2023 (presentation of findings in the closing ceremony in late May 2023-tentative)		

## Background to the Project

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*In January 2020, Adventist Development and Relief Agency (ADRA) and Human Right Development Foundation (HRDF) started a 36-month Project entitled CSO Development for the Promotion and Advancement for Migrant Rights funded by the European Union that aimed at increasing social and economic equality of marginalised and vulnerable migrant workers in the greater Mae Sot area, Thailand. The project targets 6,000 migrant workers in greater Mae Sot, Thailand. In December 2022, the project was extended to 42 months.*

Thailand is a main receiving country in ASEAN hosting approximately 2 million registered migrant workers.<sup>1</sup> In this regard, it is assumed that 80% of them are Myanmar migrant. Considering the number of female migrants, women migrant workers make up a significant proportion for approximately 50% of total migrant population.<sup>2</sup> In Tak province, Mae Sot and Phob Pra districts are common destination for Myanmar migrants due to flexibility of border management and the impact of Special Economic Zone that create high demand of labour as well as the growth of agricultural sector. In Mae Sot, there are approximately 375 manufacturing factories locating in the district and it is seen as a pull-factor for migrants to come and seek better economic opportunities. However, migrant workers in the target areas are often encounter with different forms of exploitation and human rights violations, such as limited access to basic social protection and being exploited by employers and officials.<sup>3</sup>

The major problems facing Burmese migrant workers include: (i) the necessary legislation, policy, and enforcement required to ensure more rights, freedoms and protection from exploitation for migrant workers, are not currently in place. Under Thai laws, migrant workers are not allowed to form labour unions, therefore, they have limited capacity in voicing their concerns. Further, although there has been some law reform to increase protection of migrant workers, enforcement remains at a low level. (ii) Lack of capacity of CSOs to engage in the dialogue process at national level, language barriers, limited resources and travel restrictions, are among major factors that limit the ability of CSOs to engage directly. (iii) Occupational health and safety is another issue affecting migrants, where injuries could be prevented through more effective regulation of the workplace. Migrant workers often encounter with ‘3 D-jobs’, *Dangerous, Dirty, and Difficult*, making this group highly susceptible to injury. The major health concerns of migrant workers include skeletal or muscular illnesses due to heavy workloads and poor occupational health and safety standards.

### ***“Happy and Safety Factory Model” (HSFM) Initiative***

The project is targeting 11 factories to participate in this initiative. Factories were supported to comply with the following 4 criteria which is based on safety standards and laws.

<b>4 CRITERIA for HSFM</b>	<b>Examples of areas covered</b>
1) Management, Administration and Operation on Occupational Safety, Health and Environment in workplace	Availability of operational procedures and manuals on workplace safety and pandemic preventions to all employees (not only in Thai, but also in languages spoken by migrants), appointment of Safety Officers, accident recording and

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<sup>1</sup> Thailand Migration Report 2019

<sup>2</sup> IOM, Assessing Potential Changes in Migration Patterns, 2015

<sup>3</sup> IOM Flow Monitoring Report, Sept 2018

	reporting system, capacity building for management team on Occupational Safety, Health and Environment, labour law, etc.
2) Health, Sanitation and Working Environment	Workplace inspection, Electrical system and equipment testing, annual medical check-up for all employees, organize training for employees on Occupational Safety, Health, and Environment, First Aid Training and space for first aid assistance
3) Reduce accidents in workplace	Reduce workplace accidents
4) Knowledge and skills of employees	Training of basic firefighting, training on fire evacuation plan, Practice fire evacuation, training on labour law, Occupational Safety, Health, and Environment, Gender Equality and GBV prevention, IEC materials on pandemic prevention

In the context of the initiative, LPO and ADRA have been conducting awareness raising and capacity building workshops with the factory managers, training for Safety Officers, labour monitoring, and workplace inspection. 11 factories had signed up for the Factory Model Initiative and they represent 1,366 migrant workers.

### **Analytical Report on LPO's Monitoring Results and HSFM Initiative**

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The findings of the analytical report will be presented in the closing ceremony which was described in the proposal as the following:

*Activity 1.1 Advance and upgrade the 'Factory Model Initiative' for future replication to be later showcased at multi-stakeholder 'Best Practices' event;*

This consultancy will contribute to the Result 1 as described in the proposal:

*Improved awareness of and adherence to labour laws among target employers and migrant workers.*

### **Scope of Work for the Consultant**

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The consultancy will cover the following tasks:

- Analyze and synthesize data of Labour Protection and Welfare Office (LPO) monitoring and evaluation results on factory compliance with Occupational Safety and Health law and safety standards from 2021-2023.
- Analyze and evaluate the performance of HSFM Initiative and its potential for future replication (including achievement and challenges )
- Compare and contrast performance of participating factories (FMs) and non-participating factories (non FMs) in the HSFM Initiative in regards to the four above stated criteria of safety standards and laws in context of Mae Sot.
- Analyze overall performance of factories before and after participating in HSFM Initiative.
- Analyze the changes in statistics of workplace accidents in factories participating in HSFM initiative over the factory model initiative implementation period.
- Analyze improvement of FMs employers and employees in knowledge and awareness on safety standard and law.

- Analyze results on the collaboration and coordination between governmental, non-governmental, and factory sector in implementing HSFM Initiative.
- Able to travel to Mae Sot twice during the consultancy, the first visit is to conduct the field evaluation (meeting key stakeholders, ADRA team, gather data, etc.), the second visit is to present the findings in the project closing ceremony which tentatively planned for late May.

### **Timeframe and duration of the consultancy**

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The consultant will write the analytical report in coordination with the LPO and ADRA staff in order to collect and analyze the data. The draft report will be submitted to ADRA by 25 April 2023 for comments and feedback. The final report will be completed and submitted to ADRA in early May 2023 incorporating feedback from ADRA and LPO.

A total of 16 payable working days are planned for this consultancy:

- 2 days for documents review and meeting with ADRA team;
- 2 days to prepare evaluation tools;
- 3 days for conducting field visits;
- 2 days for analyzing data;
- 6 days for drafting and finalizing the report;
- 1 day for presenting the findings at the closing ceremony.

### **Products expected from the consultant**

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The consultant will provide ADRA and LPO with a comprehensive draft report in Thai for review and comments. Please note that this is a working document and the suggestions, which are made for areas of improvement, are expected to be considered for incorporation into the final report. The report should be preceded by an executive summary. The report will include:

- Rationale, Objectives, goals, scope and methodology of the study.
- Overview of 11 factories participating in HSFM Initiative (data from LPO) (Using Red-Yellow-Green color indicators of factor overview before joining the project).
- Results of LPO monitoring and evaluation on the factory model.
- Analysis of the results of factory compliance in four criteria (1. Management, Administration and Operation on Occupational Safety, Health and Environment in workplace; 2. Health, Sanitation and Working Environment; 3. Reduce Accidents at workplace; and 4. Knowledge and skills of employees.)
- Compare and contrast results of study on FMs and Non-FMs.
- Analysis of the overview of FMs before and after participating in the HSFM Initiative.
- Analysis of statistics of workplace accidents in factories participating in HSFM Initiative.
- Analysis of improvement of FMs employers and employees in knowledge and awareness on safety standards and laws.
- Analysis of the results of coordination, cooperation and collaboration between government sector, non-governmental sector and FMs.
- Summary of important issues and key findings including the achievements and challenges of the HSFM Initiative implementation.
- Recommendations and improvements of the HSFM initiative implementation, OSH, and safety standard in the area of Mae Sot, Tak province.

- A summary report in English including the conclusion of the report, achievements, challenges of the HSFM Initiative implementation, and recommendations for future replication.
- References (academic and government reports, etc., trusted and reliable sources)
- Appendices include OSH and safety law and related safety laws, related report documents, list of informants interviewed.

### **Background of the consultant undertaking the consultancy**

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- Have knowledge and experience in safety standard operations and other related laws;
- Have experiences working with private sector is a plus;
- Previous evaluation experience with NGOs is advantageous;
- Have experiences in conducting research and writing an analytical reports relating to safety standard operations and Occupational Safety and Health laws;
- Understanding of the factory situation in Mae Sot district, Tak province, and obligations of labour and safety laws in the Mae Sot area;
- Able to write a quality report within agreed time frame.

### **Submission of application**

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Applications should be submitted no later than 12 February 2023.

Applications in English language, including i) a resume of not more than 3 pages; ii) a cover letter; iii) detailed budget to carry out this consultancy, costs including consultant fee, travel to Mae Sot if based outside of Mae Sot, accommodation in the field; iv) proposed workplan in line with the timeframe in this term of reference; v) contact details of 2 references should be submitted by email to [linda@adrathailand.org](mailto:linda@adrathailand.org), copy [Thitirat@adrathailand.org](mailto:Thitirat@adrathailand.org);

### **Evaluation of application**

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Applications will be evaluated by a selection committee within 7 days of the application deadline. Only the successful candidate will be contacted within two weeks after the application deadline.