

KINGDOM OF CAMBODIA
NATION RELIGION KING



DEMAND FOR GOOD GOVERNANCE PROJECT
World Bank-IDA-Grant No H4410-KH

Support to the Arbitration Council

ANNUAL WORK PLAN
2011

TABLE OF CONTENTS

ABBREVIATIONS AND ACRONYMS	3
CHAPTER 1: SUMMARY OF KEY ACTIVITIES.....	5
CHAPTER 2: SUMMARY OF SPECIFIC ACTIVITIES.....	7
CHAPTER 3: INSTITUTIONAL ARRANGEMENTS_& STAFFING PLANS	11
3.1 Institutional Arrangement.....	11
3.2. Project Staffing Plan.....	13
3.2.1 ACF and SAC Staff for 2011	12
3.2.2 Constant Services	12
3.2.3. MBPI and PMG Staff	13
CHAPTER 4: PROJECT IMPLEMENTATION PLAN	14
CHAPTER 5: SUMMARY OF IA’S KEY MILESTONES	24
CHAPTER 6: ANNUAL BUDGET PLAN.....	26
CHAPTER 7: SCHEDULE OF DISBURSEMENT	27
CHAPTER 8: PROJECT PROCUREMENT PLAN	28
CHAPTER 9: RISK MANAGEMENT MATRIX.....	31
CHAPTER 10: PROJECT RESULT FRAMEWORK.....	43
CHAPTER 11: PARTNERSHIP AND LEARNING ACTIVITY	48
11.1. Partnership Development	48
11.2. Learning Development	50
CHAPTER 12: PROGRESS ON IA’s SPECIFIC GRANT COVENANTS	51

ABBREVIATIONS AND ACRONYMS

AC	Arbitration Council
ACF	Arbitration Council Foundation
AC/F	Arbitration Council and Arbitration Council Foundation
ADB	Asian Development Bank
AIRC	Australian Industrial Relations Commission
ALDR	Alternative Labour Dispute Resolution
APR	Annual Progress Report
AusAID	Australian Agency for International Development
AWP	Annual Work Plan
BFC	Better Factories Cambodia
CAMFEBA	Cambodian Federation of Employers and Business Associations
CBA	Collective Bargaining Agreement
CCMA	Commission for Conciliation, Mediation and Arbitration
CSO	Civil Society Organisations
DFGG	Demand for Good Governance
EU	European Union
FM	Financial Management
FMM	Financial Management Manual
GGF	Good Governance Framework
GMAC	Garment Manufacturers Association in Cambodia
IBTS	Institution-Building Training Seminar
IC	Individual Consultant
ICB	International Competitive Bidding
IDA	International Development Association
ILO	International Labour Organization
IPA	Independent Procurement Agent
IR	Industrial Relations
M&E	Monitoring and Evaluation
MEF	Ministry of Economy and Finance
Ministry	Ministry of Labour and Vocational Training

MOI	Ministry of Interior
MOLVT	Ministry of Labour and Vocational Training
MONASRI	Ministry of National Assembly-Senate Relations and Inspection
MOSALVY	Ministry of Social Affairs, Labour, Vocational Training and Youth Rehabilitation
NCB	National Competitive Bidding
NGO	Non-Governmental Organisation
NIRC	National Industrial Relations Conference
NSA	Non-State Actor
NZAID	New Zealand Agency for International Development
PAC	Project Advisory Committee
PCC	Project Collaboration Committee
PCO	DFGG Project Coordination Office at Ministry of Interior
PLO	Provincial Labour Office
PPF	Project Preparation Facility
PSA	Public Service Announcement
RAC	Representatives of the Arbitration Council
RAM	Regular Arbitrators Meeting
RGC	Royal Government of Cambodia
RNK	Radio National of Kampuchea
SAC	Secretariat of the Arbitration Council
SAG	Stakeholder Advisory Group
SI	State Institution
SSS	Single/Sole Source Selection
TA	Technical Assistance
TAF	The Asia Foundation
TAG	Technical Advisory Group
TOR	Terms of Reference
TWG	Technical Working Group
US	United States
USAID	United States Agency for International Development
WB	World Bank

CHAPTER 1: SUMMARY OF KEY ACTIVITIES

This below provides a summary of key activities to be undertaken under the four components described:

Component 1: *Institutional Integrity and Sustainability: Independence, Credibility, Sustainability*

Key Activity 1: *Selection/ recruitment of arbitrators:* assess the need for the appointment of additional arbitrators.

Key Activity 2: *Arbitration Council governance:* maintain and strengthen appropriate governance structures including the ACF Board of Directors, Representatives of the Arbitration Council, Regular Arbitrator Meetings, Arbitrators' Retreat and Arbitrator Working Groups.

Key Activity 3: *Sustainability:* develop and implement strategies that will help to ensure the AC's institutional and financial sustainability in the long term.

Component 2: *Labour Dispute Resolution*

Key Activity 1: *Resolution of Labour Dispute Cases:* continue the AC/Fs core work of conciliating and arbitrating labour disputes.

Key Activity 2: *Capacity Building of AC/F and SAC:* undertake training and other activities to develop the legal and administrative capacity of Arbitrators, ACF and SAC staff.

Key Activity 3: *Expansion of Arbitration Council Services:* aim to expand AC's dispute resolution services throughout the country and into a broader range of industrial sectors.

Component 3: *Partnerships and Stakeholder Outreach and Training*

Key Activity 1: *Establishing and maintaining partnerships:* develop and maintain relationships with key partners as well as with other relevant organizations and institutions

Key Activity 2: *Dissemination of publications and other information to raise stakeholder awareness:* produce, publish and disseminate arbitral awards and other relevant information in order to raise stakeholder awareness and ensure transparency.

Key Activity 3: *Media relations and promotion:* use media tools to promote AC/F to a wider audience

Key Activity 4: *Stakeholder training*: continue to run trainings for relevant stakeholders to promote awareness of the AC and the labour dispute resolution process.

Key Activity 5: *Enhancing the Enabling Environment for Implementation of the Memorandum of Understanding on Improving Industrial Relations in the Garment Industry*: works with partners to facilitate the implementation of the MoU signed by Garment Manufacturers Association of Cambodia (GMAC) and six major union federations and confederations, in which parties and their members agree to binding arbitration by the Arbitration Council for labour rights disputes.¹

Component 4: General Operation and Project Management

Key Activity 1: *Equipment & occupancy*: AC/F will purchase additional equipment and furniture and relocate to a larger space to accommodate the expansion in activities and increased staffing levels under DFGG. ACF will continue to provide managerial, technical and financial support to the Council.

Key Activity 2: *Monitoring and evaluation*: ACF will maintain M&E system; procure and coordinate with consultant/NGO/firm to conduct studies.

¹ The second half of 2010 have seen significant upheaval in industrial relations with a minimum wage negotiation and a number of strikes in the garment sector that have lead to legal action against union leaders. In the midst of such acrimony it is notable that on 28 September 2010 unions and employers agreed to a *Memorandum of Understanding On Improving Industrial Relations in the Garment Industry*. In a gesture that shows significant confidence in the independence, credibility and effectiveness of the AC this MoU commits members of the Garment Manufacturers Association of Cambodia (the peak body representing garment sector employers) and six key confederations of unions in the garment sector to **binding arbitration of all rights disputes** in participating workplaces from 1 January 2011. This development should have a positive effect on two significant risks identified in the AC's risk analysis namely: "Non-implementation of awards" and "Illegal strikes, in which workers contravene the procedures laid out in the law and have gone on strike during the arbitral process" which were to be mitigated by the AC to cooperating with social partners in promotion of collective bargaining agreements with non-strike clause and binding arbitration clauses. The effect of the MoU is an industry wide agreement with these clauses.

Whilst acknowledging positive side of this development, the Third Implementation Support Mission noted that institution of binding arbitration for the garment sector is likely to intensify the risks and pressures that the AC faces in its work. Without the option of a post award objection the stakes in AC cases will be higher. There will be more temptation to try and exert illegitimate influence over the AC. Disgruntled parties may be more inclined to look to the executive or the judiciary to overrule AC decisions. In this context it is crucial that the AC prepare strategically for its new role, maximizing its chance of responding to the opportunities while mitigating emerging risks by means of working with the ILO and partner under DFGG NSAC grants and, through training activities and hearings, encouraging parties to voluntarily agree to binding arbitration by the AC.

CHAPTER 2: SUMMARY OF SPECIFIC ACTIVITIES

This chapter is aimed to describe the specific sub-actions required to achieve the key activities.

Project Component	Specific Sub-Action	Remark
Component/sub-component 1 <i>Institutional Integrity and Sustainability: Independence, Credibility, Sustainability</i>		
Key Activities 1: <i>Selection/recruitment of arbitrators</i>	1.1 Assess the need for the appointment of additional arbitrators	
Key Activities 2: <i>Arbitration Council governance</i>	2.1 Organise and conduct mtgs of ACF BoD, RAC, RAM: prepare materials, etc. as necessary 2.2 Organise arbitrator retreat: prepare venue, develop materials, etc. as necessary 2.3 Organise Arbitrator Working Groups on as needed basis: prepare and develop materials, etc. as necessary	
Key Activity 3: <i>Sustainability</i>	3.1 Procure and coordinate with NGO/Firm/Consultant for study to quantify AC value; Sustainability Strategy; and Sustainability and Fundraising Consultancy 3.2 Conduct in-house strategic planning and update AWP 2011 and formulate a note on sustainability issues	The update of the AWP 2011 will be made on the basis of outputs of the strategic planning exercise (including a note on sustainability issues), among other items such as sustainability strategy phase 1 and results of the study to quantify AC value.
Component/sub-component 2 <i>Labour Dispute Resolution</i>		
Key Activities 1: <i>Resolution of Labour Dispute Cases</i>	1.1 Provide necessary legal, administrative, etc. case support for arbitrators to resolve labour disputes	
Key Activities 2: <i>Capacity Building of AC/F and SAC</i>	2.1 Produce and update legal tools and system for legal search	

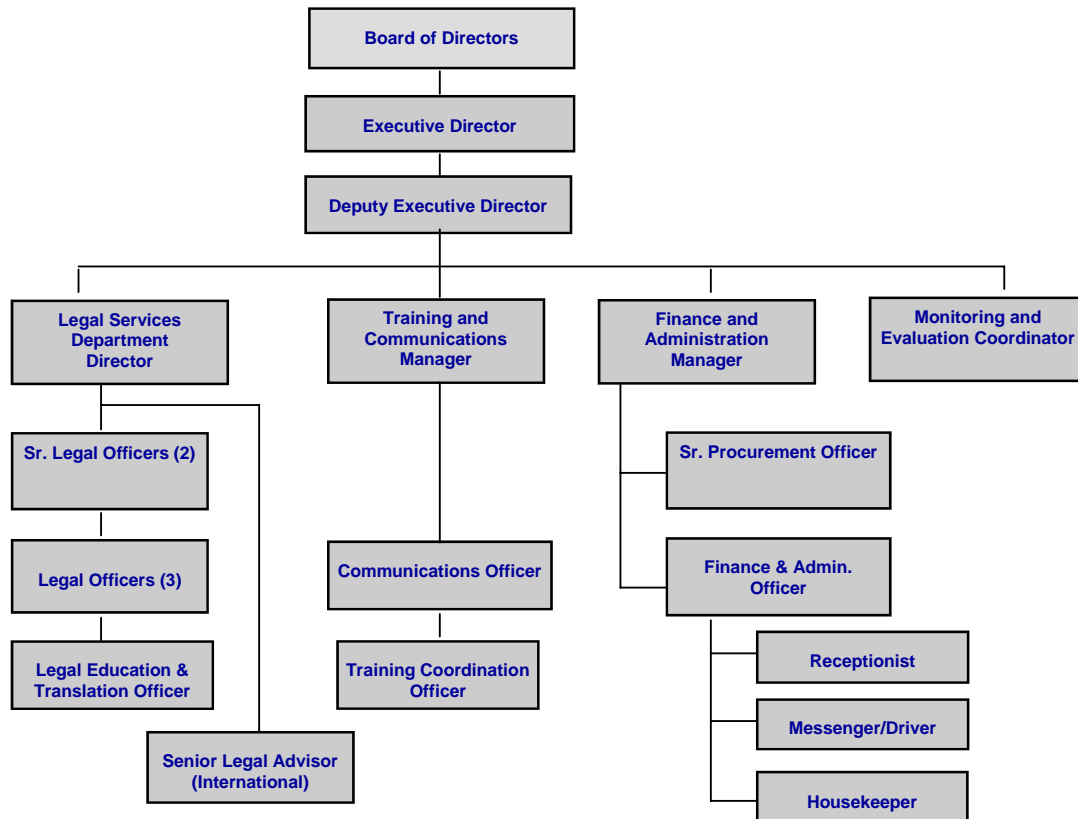
	<p>2.2 Organise capacity building activities, coordinate with foreign trainers, training and exchange visits, conferences and AC retreat: develop lesson plans and material etc.</p> <p>2.3 Organize training courses or conferences and ACF retreat: develop lesson plans and materials, etc.</p>	
Key Activity 3: <i>Expansion of AC Services</i>	3.1 Establish mobile hearing teams for collective labour dispute resolution in selected provinces as necessary	
Component/sub-component 3 <i>Partnerships and Stakeholder Outreach and Training</i>		
Key Activities 1: <i>Establishing and maintaining partnerships</i>	<p>1.1 Organise and conduct mtgs of PCC, SAG: prepare venue, develop materials, invite participants, etc. as necessary</p> <p>1.2 Organise meet & greets: prepare venue, develop materials, invite participants, etc. as necessary</p> <p>1.3 Organise NIRC: prepare venue, develop materials, invite participants, etc. as necessary</p> <p>1.4 Identify partnership opportunities, establish institutional relations with other dispute resolution bodies</p>	
Key Activities 2: <i>Disseminate publications and other information to raise stakeholder awareness</i>	<p>2.1 Ensure website, library maintained and improved</p> <p>2.2 Develop, update and/or publish publications, including arbitral decisions, informational materials, etc: prepare and coordinate draft layout, design and printing</p>	
Key Activity 3: <i>Media relations and promotion</i>	<p>3.1 Procure and coordinate with firm/consultant for media tools and production activities (i.e., soap opera, PSA, training video)</p> <p>3.2 Coordinate with RNK re media relations and promotion opportunities</p> <p>3.3 Coordinate media briefing opportunities related to NIRC, and media productions</p>	
Key Activity 4: <i>Stakeholder training</i>	4.1 Coordinate and conduct stakeholders trainings: prepare venue, develop materials, invite participants, etc. as necessary	

<p>Key Activity 5: <i>Enhancing the Enabling Environment for Implementation of the Memorandum of Understanding on Improving Industrial Relations in the Garment Industry</i></p>	<p>5.1 Contract with the International Labour Organisation (ILO) to facilitate the implementation of the MoU signed by Garment Manufacturers Association of Cambodia (GMAC) and six major union federations and confederations, in which parties and their members agree to binding arbitration by the Arbitration Council for labour rights disputes.</p> <p>5.2 Under DFGG NSAC grants, IHQ to work with ACF to promote binding arbitration throughout activities conducted under the grant.</p> <p>5.3. Inform parties of changes in AC process pursuant to effectiveness of MoU</p>	<p>It is expected that the contract with the ILO will not be signed until early April 2011. Also, IHQ training related to binding arbitration by the AC will not begin until late March. Therefore, ACF will conduct meetings/workshops with concerned parties about the changes made to AC process to facilitate the implementation of the MoU. AC will inform parties of the changes regularly in the actual hearing process.</p>
<p>Component/sub-component 4</p> <p><i>General Operation and Project Management</i></p>		
<p>Key Activity 1: <i>Equipment & occupancy</i></p>	<p>1.1 AC/F will procure equipment, furniture for AC office</p>	
<p>Key Activity 2: <i>Project monitoring and evaluation</i></p>	<p>2.1 Maintain M&E system; procure and coordinate with consultant/NGO/firm to conduct studies</p>	

CHAPTER 3: INSTITUTIONAL ARRANGEMENTS & STAFFING PLANS

3.1 Institutional Arrangement

The diagram below presents the organizational structure of the ACF for the DFGG Project.



3.2. Project Staffing Plan

3.2.1 ACF and SAC Staff for 2011

ACF staff:

- Executive Director (as Project Director)
- Deputy Executive Director (as Project Manager)
- Director of Legal Services Department
- Manager of Training and Communications Department
- Manager of Finance and Administration Department
- Monitoring and Evaluation Coordinator
- International Senior Legal Advisor
- Senior Legal Officers
- Legal Officers
- Legal Education and Translation Officer
- Communications Officer
- Training Coordination Officer
- Finance & Admin. Officer
- Senior Procurement Officer
- Driver/ Messenger
- Housekeeper
- Receptionist

SAC staff:

- Head of the Secretariat
- Secretariat Officers

ACF (and SAC) staff positions in 2011 are shown in the table below:

	Unit	Position	2011
ACF	Executive Management	Executive Director	1
		Deputy Executive Director	1
	Legal Services Department (LSD)	Director of Legal Services	1
		Senior Legal Officers	2
		Legal Officers	3
		International Legal Advisors	2
		Legal Education & Translation Officer	1
	Training & Communications Department (TCD)	Manager of Training & Comm.	1
		Communications Officer	1
		Training Coordination Officer	1

	Monitoring & Evaluation	M&E Coordinator	1
	Finance & Administration Department (FAD)	Manager of Finance & Admin.	1
		Finance & Admin. Officer	1
		Senior Procurement Officer	1
		Driver/ Messenger	1
		Housekeeper	2
		Receptionist	1
		TOTAL	22
SAC	Management	Head of the Secretariat	1
	Secretariat	Officers	2
		TOTAL	3

3.2.2 Consultant Service

Consultants:

- 1) Study to quantify the value of the Arbitration Council services (NGO/Firm)
- 2) Sustainability Study (Firm)
- 3) Sustainability and Fundraising Consultant (Individual Consultants)
- 4) Developing TOR for Soap Opera/PSA/Training Video (NGOs)
- 5) Production Films for Soap Opera/PSA/Training Video (NGOs)
- 6) Short Term Legal Experts (Individual Consultant)

3.2.3. MBPI and PMG Staff

Not applicable for the ACF

CHAPTER 4: PROJECT IMPLEMENTATION PLAN

This section illustrates the timeframe of key activities to be implemented within the second year of DFGG Project, 2011.

No.	Key Activities	Description of Activity	Key person/unit responsible	Plan 2011												Remarks	
				Month													
				1	2	3	4	5	6	7	8	9	10	11	12		
Component 1: Institutional Integrity and Sustainability																	
1.1	<i>Selection/ recruitment of arbitrators</i>	Assess the need for additional arbitrators		X	X	X	X	X	X	X	X	X	X	X	X		
1.2	<i>Arbitration Council governance</i>	ACF Board of Directors				X			X			X			X		
		Representatives of the AC		X	X			X			X				X		
		Regular Arbitrator Meetings			X		X		X		X		X		X		
		Arbitrator Retreat														X	
		Arbitrator Working Group			X	X			X	X			X	X			
1.3	Sustainability	Study to quantify the AC value		X	X	X	X	X	X								
		Procure and produce draft sustainability strategy (including individual labour disputes by AC), with Phase 1 on preparing preliminary note on sustainability issues and options and Phase 2 on finalising the strategy based on further information from the Study to Quantify AC value			X	X	X	X	X	X	X	X	X	X	X	X	
		Conduct in-house strategic			X	X											

		planning exercise and generate updated strategy from the exercise and a note on sustainability issues.															
		Update AWP 2011 based on the outputs of strategic planning (including a note on the sustainability issues), the draft sustainability strategy phase 1, and the results of the study to quantify AC value							x								
		Sustainability & Fundraising consultant (procure the consultant and the consultant raises funds.)			x	x	x	x	x	x	x	x	x	x	x		
Component 2: Labor Dispute Resolution																	
2.1	<i>Resolution of Labour Dispute Cases</i>	Hearing labour dispute			x	x	x	x	x	x	x	x	x	x	x		
		SAC admin support to AP			x	x	x	x	x	x	x	x	x	x	x		
		ACF legal support to AP			x	x	x	x	x	x	x	x	x	x	x		
2.2	<i>Capacity Building of AC/F and SAC</i>	Develop tool benchbooks								x							4 Chapter on termination, maternity leave, individual and collective and work suspension
		Continued professional education: international trainers and external training abroad			x			x			x	x			x		

																		mediator
																		<p>Jul-Aug: Training by Mr. Allen Ponak and Ms. Daphne Taras, Professors of Industrial Relations from Canada</p> <p>Dec: Training by Commissioner Michael Gay of Fair Work Australia</p>
		Continued professional education: In-house training			x	x		x	x	x					x	x	x	<p>Feb: In house training for LSD – Supervision and management skills</p> <p>Mar: In house training – Basic skills in delivering legal education training to AC’s stakeholders</p> <p>May: In house training for LSD – Drafting skills</p> <p>Jun: Special event – (Hypothetical) debate – topic TBC. i.e. topics may be the pros and cons of binding vs non binding awards, closed vs public hearings etc</p>

2.3	<i>Expansion of AC services</i>	Mobile teams at regional, provincial level (partnership, outreach and training, mobile hearing, etc)		x	x	x	x	x	x	x	x	x	x	x	x	Depending on demands.	
Component 3: Partnerships and Stakeholder Outreach and Training																	
3.1	<i>Establishing and maintaining partnerships</i>	DFGG Project Collaboration Committee				x			x				x			x	
		Stakeholder Advisory Group						x							x		
		Meet & greet between arbitrators, ACF, SAC and employee/employer							x	x							
		National Industrial Relation Conference													x		
		Membership in professional bodies			x	x	x	x	x	x	x	x	x	x	x	x	
		Establish and maintain institutional relation with other dispute resolution bodies and other organisations			x	x	x	x	x	x	x	x	x	x	x	x	
3.2	<i>Disseminate publications and other information to raise stakeholder awareness</i>	Website and database maintenance and improvement		x	x	x	x	x	x	x	x	x	x	x	x		
		Publication of arbitral award			x	x			x	x							
		Development and publication of other tools		x	x	x	x	x	x	x	x	x	x	x	x		Bluebook (Khmer and English) Q&A (Khmer and English) Annual Report (Khmer and English)

																	Arbitrator Bio (Khmer and English) Prakas compilation Party Info Material Bulletin Etc.	
		AC library		x	x	x	x	x	x	x	x	x	x	x	x	x		
3.3	<i>Media relations and promotion</i>																	
		Media & communication consultant				x	x	x	x	x	x	x	x	x	x	x		
		Soap operas						x	x	x	x	x	x	X			Products to be received and televised to the public by end of the year.	
		Produce and broadcast public service announcements		x	x	x	x	x	x	x	x	x	x	x	x	x		Products to be received played on radio and TV to the public by mid 2011 and third quarter respectively. Second PSA to be produced by September 2011 and broadcast after that.
		Radio Talk Shows			x			x		x		x						
		Annual media campaign											x	x	x			
		Media briefing				x			x			x			x			
3.4	<i>Stakeholder training (including trainings on binding arbitration)</i>	Employees/employers in Phnom Penh			x		x		x		x		x					
		Employees/employers in province				x		x		x								
		Conciliators					x											
		Provincial labor officers/local authority							x									
		Court clerks								x								

		Judges (student or sitting judges)							X									
		Advocates					X				X							
		Lawyer students											X					
		Law student at universities				X		X										
		Mock arbitration for university students							X									
3.5	<i>Enhancing the Enabling Environment for Implementation of the Memorandum of Understanding on Improving Industrial Relations in the Garment Industry</i>	Contract with the International Labour Organisation (ILO) to facilitate the implementation of the MoU signed by Garment Manufacturers Association of Cambodia (GMAC) and six major union federations and confederations, in which parties and their members agree to binding arbitration by the Arbitration Council for labour rights disputes.					X	X	X	X	X	X	X	X	X	X	X	The Memorandum of Understanding on Improving Industrial Relations in the Garment Industry involves, among other things, binding arbitration on rights dispute by the Arbitration Council. This MoU has the potential to help stabilise industrial relations in the garment industry further. Along with opportunities, new challenges and risks emerge as a result of the MoU. The Arbitration Council Foundation has identified these challenges and risks which relate to, among other things, the level of awareness and understanding about the MoU by concerned employers and workers/unions and unrealistic expectation on

4.1	Equipment and occupancy	Salary		X	X	X	X	X	X	X	X	X	X	X	X		
		Occupancy		X	X	X	X	X	X	X	X	X	X	X	X	X	
		Supplies		X	X	X	X	X	X	X	X	X	X	X	X	X	
		Equipment				X	X	X	X								
		Contractual services		X	X	X	X	X	X	X	X	X	X	X	X	X	
.2	Project monitoring and evaluation	Maintain M&E system		X	X	X	X	X	X	X	X	X	X	X	X		
		Result output monitoring on monthly and quarterly basis (case receive, success rate, legal toolkits, capacity building, material produce and disseminate, etc)		X	X	X	X	X	X	X	X	X	X	X	X	X	
		Coordinate with PCO in conducting evaluation studies of outcome indicators (i.e., institutional capacity, staff capacity building, number of partnership formed, etc.)		X	X	X	X	X	X	X	X	X	X	X	X	X	
		Implement and update GGF and RMM				X			X			X			X		

CHAPTER 5: SUMMARY OF IA'S KEY MILESTONES

The key milestones ACF intends to accomplish for 2011, as presented in this section.

No.	Descriptions of key Milestones	Action to be undertaken		Responsible
		Start Date	Complete Date	
1	Complete study to quantify AC value	From 2010	June 2011	ACF, through selected research firm/NGO
2	Implement and update GGF for 1 st Quarter 2011	January 2011	March 2011	ACF
3	Update complaints-handling mechanism	January 2011	March 2011	ACF
4	Organise and conduct meetings/ trainings on the implications of binding arbitration for AC stakeholders	January 2011	March 2011	ACF
5	Implement and update GGF for 2 nd Quarter 2011	April 2011	June 2011	ACF
6	Implement and update GGF for 3 rd Quarter 2011	July 2011	September 2011	ACF
7	Implement and update GGF for 4 th Quarter 2011	October 2011	December 2011	ACF
8	Organise and conduct National Industrial Relations Conference	June 2011	November 2011	ACF
9	Convene governance session of AC for 1 st half 2011	January 2011	June 2011	ACF
10	Convene governance session of AC for 2 nd half 2011	July 2011	December 2011	ACF
11	Conduct awareness raising and knowledge building trainings for AC stakeholders, for 1 st half 2011	January 2011	June 2011	ACF
12	Conduct awareness raising and knowledge building trainings for AC stakeholders, for 1 st half 2011	July 2011	December 2011	ACF
13	Conduct media briefing on labour dispute resolution and AC	March 2011	December 2011	ACF
14	Form and maintain	January 2011	December 2011	

	partnership			
15	Develop draft strategy on long term sustainability (including on individual labour dispute resolution by AC)	February 2011	December 2011	ACF
16	Produce and broadcast public service announcements	December 2010	June 2011 (produced by April 2011 and broadcast afterwards)	ACF through contracted media NGO
17	Produce and distribute training video	December 2010	June 2011 (produced by April 2011 and distributed afterwards)	ACF through contracted media NGO
18	Produce and broadcast soap opera episode 1	May 2011	September 2011	ACF, through contracted media firm/NGO
19	Produce and broadcast soap opera episode 2	September 2011	December 2011	ACF, through contracted media firm/NGO
20	Contract International Labour Organization to promote MoU on Improving Industrial Relations in the Garment Sector and binding arbitration by the AC	October 2010	April 2011	ACF
21	Implementation of an agreed information and training campaign on the MoU and its importance including the production of printed materials, media tools, and training packages targeted to the needs of different stakeholder groups	April 2011	December 2011	ACF through International Labour Organization

CHAPTER 7: SCHEDULE OF DISBURSEMENT

ACF plans to have disbursement plans as following:

Table 7.1: Quartely and Annually Contract Awards/Commitments Projection (US\$)

COMMITMENTS

No.	Category	PROJECTED JANUARY - DECEMBER (2011)																TOTAL PROJECTED FOR THE YEAR (2011)					
		Q1				Q2				Q3				Q4				IDA	AusAID	RGC	OTHER	Total	
		IDA	AusAID	RGC	OTHER	IDA	AusAID	RGC	OTHER	IDA	AusAID	RGC	OTHER	IDA	AusAID	RGC	OTHER						
1	Goods	-	-	-	-	4,915													4,915	-	-	-	4,915
2	Consulting Services	33,131	-		700	284,060				56,731				16,131					390,053	-	-	700	390,753
3	Training, W/S	10,195			-	70,595			-	27,193			-	27,449			-		135,432	-	-	-	135,432
4	Incremental Operating Costs	45,691			5,095	47,704			4,645	44,874			5,645	45,654			4,645		183,922	-	-	20,028	203,950
5	ACF Operating Costs	51,508			2,100	51,658			-	51,508			-	51,658			-		206,331	-	-	2,100	208,431
TOTAL		140,524	-	-	7,895	458,932	-	-	4,645	180,306	-	-	5,645	140,891	-	-	4,645		920,653	-	-	22,828	943,482

REMARKS:

Table 7.2: Quartely and Annually Disbursement Projection (US\$)

DISBURSEMENTS

No.	Category	PROJECTED JANUARY - DECEMBER (2011)																TOTAL PROJECTED FOR THE YEAR (2011)					
		Q1				Q2				Q3				Q4				IDA	AusAID	RGC	OTHER	Total	
		IDA	AusAID	RGC	OTHER	IDA	AusAID	RGC	OTHER	IDA	AusAID	RGC	OTHER	IDA	AusAID	RGC	OTHER						
1	Goods	1,550			-	6,640			-	1,550			-	1,550			-		11,290	-	-	-	11,290
2	Consulting Services	49,189			700	192,989			-	173,539			-	73,739			-		489,456	-	-	700	490,156
3	Training, W/S	10,195			-	70,595			-	27,193			-	27,449			-		135,432	-	-	-	135,432
4	Incremental Operating Costs	45,691			5,095	47,704			4,645	44,874			5,645	45,654			4,645		183,922	-	-	20,028	203,950
5	ACF Operating Costs	51,508			2,100	51,658			-	51,508			-	51,658			-		206,331	-	-	2,100	208,431
TOTAL		158,132	-	-	7,895	369,586	-	-	4,645	298,664	-	-	5,645	200,049	-	-	4,645		1,026,431	-	-	22,828	1,049,260

REMARKS:

CHAPTER 8: PROJECT PROCUREMENT PLAN

Project Name: Cambodia-Demand for Good Governance (DFGG) Project

Implementing Agency: The Arbitration Council Foundation

Period From: January to December 2011

Project Director: Sok Lor

Procurement Officer: Ms. Chhen Vanny

Package No.	PIA	Description of Contract Package	Total Estimated Cost (USD)	Actual Cost (USD)	Category	Method of Procurement	Domestic Preference	Review by Bank (Prior/Post)	Procuring Agency	Estimated Date of Invitation for Bids	Estimated Contract Signing Date	Actual Signed Contract	Estimated Contract End Date	Current Status
DFGG-CKP-ACF-CQS-S009	ACF	Sustainability study	40,000,00		CS	IC	No	Post	ACF	1-Feb-11	15 April 11		15 Dec 11	
ACF-CS-5	ACF	Study to quantify the value of AC service (Firm)	40,000,00		CS	CQS	No	Post	IPA	15-Jun-10	15 January 2011		30 June 2011	Negotiating on technical and financial proposal
ACF-G-1	ACF	Office Equipment (Desktop computers & Fax machine)	4,915,00		G	SH	No	Post	ACF	15-Mar-11	15-Jun-11		30-Jul-11	
ACF-CS-1	ACF	Legal Expert Audit (Intl.)	5,000,00		CS	SSS	No	Prior	ACF	15-Oct-10	15 January 11		1-Mar-11	Contract negotiation with Consultant ongoing
ACF-CS-2	ACF	Fund raising consultant (Intl)	50,000,00		CS	IC	No	Post	ACF	15-Feb-11	15 June 11		31-Dec-11	
ACF-CS-3	ACF	pre-listed consultants for Labour Dispute (short term expert) (Intl.)- 3 short term legal experts each estimated to cost USD4,000	12,000,00		CS	IC	No	Prior	ACF	20-Jun-10	21-Jul-11		30-Dec-11	expert on a short notice for emergency/urgent labor disputed
ACF-CS-4	ACF	Media Production Firm for (1) one public service announcement (2) training Video	19,288,00		CS	CQS	No	Post	ACF	12-May-10	15-Dec-10		30-Apr-11	Contract signed on 20 December 2010 for (1) Two of public service, (2) Training Video
ACF-CS-5	ACF	Media Production for (1) one public service announcement/develop spot (2) two episodes of soap opera	25,712,00		CS	SSS	No	Prior	ACF	1-Feb-11	15 May 11		15 December 2011	
ACF-CS-6	ACF	Media and Communication Consultant for development, production and strategic use of the media tools (IC)	17,000,00		CS	IC	No	Post	ACF	15-Mar-11	15-May-11		30-Dec-11	
ACF-CS-7	ACF	Financial Audit	4,000,00		CS	SSS	No	Post	ACF	1-Dec-10	22-Mar-11		1-Jun-11	Bank's agreement on SSS Justification on 17 December 2010. Drafting extension to previous contract for bank review
ACF-CS-8	ACF	Enhancing the enabling environment for implementation of binding arbitration by AC	200,000,00		CS	SSS	No	Prior	ACF	15-Dec-10	25-Feb-11		1-Mar-12	Bank's agreement on SSS Justification on 30 November 2010. Drafting RFP & draft contract for bank review (Note: ILO pending contract)
ACF-CS-9	ACF	Deputy Executive Director	20,000,00		CS	IC	No	Post	ACF	15-Jan-11	1-Mar-11		31-Dec-11	
ACF-CS-10	ACF	Finance and Administration Officer	7,760,00		CS	IC	No	Prior	ACF	15-Dec-10	30-Jan-10		30-Jan-13	

CHAPTER 9: RISK MANAGEMENT MATRIX

Risk Management Matrix

Risk Description	Risk Impact	Risk Score without Mitigation	Mitigation Strategy	Action Agents	Progress Status (Give details of tasks undertaken)	Risk Score with Mitigation	Remaining Action (Give timelines and resource requirements where possible)
Strain on the collaborative and interdependent relationship between the AC/F and the Ministry.	Loss of harmonious and collaborative relationship necessary to support the Arbitration Council in its DFGG activities.	Consequence: 5 Likelihood: 4 Risk Score: 20 H	<p>1. Maintain existing institutional framework wherein ACF provides managerial, financial, and technical support to Arbitration Council, and SAC provides clerical and registry functions for the Council.</p> <p>2. Hold regular meetings and other activities between the ACF staff and SAC staff pursuant to the <i>Agreement Between Department of Labour Disputes and Arbitration Council Foundation</i>, including monitoring and revision (as needed) of the working relationship between ACF and SAC and therefore, of the Agreement as well.</p> <p>3. Transform the DFGG Project's Technical Working Group (currently composed of arbitrators, representatives from the Ministry, including SAC, and representatives from the ACF) into a DFGG Project Collaboration Committee to facilitate information sharing, consult with stakeholders and coordinate joint activities.</p> <p>4. Hold regular meetings between arbitrators, the ACF</p>	MOLVT, AC/F, SAC, and PCC	<ul style="list-style-type: none"> • ACF and SAC provide support to AC • ACF and SAC meet regularly • PCC is well-functioning (representatives of MoLVT are members of PCC). • ACF organised Project Collaboration Committee (PCC) on 08 April 2010 • Regular meetings held among arbitrators, ACF and SAC. • Framework agreed by MoLVT and ACF to, among other things, conduct joint training activities by and for arbitrators, ACF and Ministry staff • ACF organises capacity building activities for arbitrators and SAC/Ministry officials • ACF conducted joint training on conciliation skills for arbitrators and MoLVT conciliators from around Cambodia on 16 	Consequence: 5 Likelihood: 3 Risk Score: 15 H	Meetings to be arranged between arbitrators and Ministry conciliators PCC to meet regularly (about four times a year)

Risk Description	Risk Impact	Risk Score without Mitigation	Mitigation Strategy	Action Agents	Progress Status (Give details of tasks undertaken)	Risk Score with Mitigation	Remaining Action (Give timelines and resource requirements where possible)
			<p>staff, and SAC staff.</p> <p>5. Hold regular meetings between arbitrators and Ministry conciliators, in Phnom Penh and elsewhere, which will be designed to share expertise in labour dispute resolution and develop capacity and professional relationships. It is expected that such meetings will also promote shared understanding and an appreciation of the work of each institution's labour dispute resolution professionals.</p> <p>6. Continue joint training and outreach activities both by and for arbitrators, the ACF, and the Ministry.</p> <p>7. Hold regular domestic and international training sessions organised by ACF that are tailored for the benefit of arbitrators and Ministry officials.</p>		<p>March 2010</p> <ul style="list-style-type: none"> • ACF invited MoLVT trainer co-provide the training on labour dispute resolution process to law students at Royal University of Law and Economics on 18 March 2010 • Between 22 - 29 May 2010, joint delegation of MoLVT and AC/F visited to the USA, meeting with key representatives of American Arbitration Association, Massachusetts Department of Labour, Federal Mediation and Conciliation Services, and National Academy of Arbitrators. • PCC met on 24 August 2010 • ACF organised a visit by Commissioner Michael Gay of Fair Work Australia with MoLVT on 27 September 2010 • ACF organised trainings for conciliators on 30 September 2010 • At the invitation of MoLVT, ACF observed at the tripartite consultation meetings on draft trade unions law, organised by MoLVT, 		

Risk Description	Risk Impact	Risk Score without Mitigation	Mitigation Strategy	Action Agents	Progress Status (Give details of tasks undertaken)	Risk Score with Mitigation	Remaining Action (Give timelines and resource requirements where possible)
					<p>on 29 and 30 September 2010.</p> <ul style="list-style-type: none"> ACF & MoLVT worked on organising 5th National Industrial Relations Conference – 2010 ACF management and Commissioner Michael Gay paid courtesy visit to MoLVT on 28 September 2010. 		
<p>Illegal strikes, in which workers contravene the procedures laid out in the law and have gone on strike during the arbitral process .</p>	<p>The credibility and effectiveness of the Arbitration Council are undermined.</p>	<p>Consequence: 4 Likelihood: 4 Risk Score: 16 H</p>	<ol style="list-style-type: none"> Cooperate with social partners in promotion of CBAs with non-strike clause and binding arbitration in exchange for the unions' agreement to give up their right to strike for a certain period of time, or at least to eliminate the practice of illegal strikes. Ministry and other social partners to engage employers and unions in promotion of workplace cooperation schemes and collective bargaining agreements. Ministry and ACF to expand trainings to stakeholders (including unions) regarding the labour dispute resolution process. Ministry and ACF work together to increase the visibility of dispute resolution mechanisms so workers know the alternatives to a strike. The Arbitration Council will 	<p>MOLVT, especially the labour inspectors and conciliators, ACF, and National Committee for Strikes Prevention, Non-State Actors</p>	<ul style="list-style-type: none"> ACF is cooperating with social partners to promote CBA. In February 2010, the Economics Today – a well read local economics and business magazine – published its article about the AC as an alternative to strikes. ACF met with high-level ILO delegation on 28 March 2010 to discuss the needs for CBA and binding arbitration to minimize illegal strike and to ensure more peaceful industrial relations in Cambodia In March 2010, ACF conducted a bipartite roundtable discussion for employers and unions on CBA and binding arbitration as tools for industrial peace ACF/SAC carries out 	<p>Consequence: 4 Likelihood: 4 Risk Score: 16 H</p>	<p>Stakeholder training and awareness raising activities to be expanded Direct access by parties to the Arbitration Council to be assessed for piloting DFGG to fund Non-State Actors to build union capacity</p>

Risk Description	Risk Impact	Risk Score without Mitigation	Mitigation Strategy	Action Agents	Progress Status (Give details of tasks undertaken)	Risk Score with Mitigation	Remaining Action (Give timelines and resource requirements where possible)
			<p>continue to issue Return-to-Work orders when the case forwarded to AC is confirmed with strike.</p> <p>6. Preliminary proposals regarding direct access of parties to the Arbitration Council have been raised by stakeholders as a means to reduce the length of illegal strikes.</p> <p>7. DFGG funds to be provided under the Non-State Actor window in order to build capacity of unions to conduct industrial relations in the framework of the law (with limited recourse to strikes). Support also to be provided to ensure that as unions move into new sectors or areas, they organise workers in an appropriate and responsible fashion.</p>		<p>stakeholder training activities</p> <ul style="list-style-type: none"> • ACF has engaged in discussions with TAF and potential partners regarding DFGG Non-State Actor opportunities • Arbitrator Panel issues Return-to-Work orders for cases with workers confirmed on strike • On 28 September 2010, garment industry wide agreement signed on collective bargaining and, binding arbitration, and expedited process for labour disputes to reach the Arbitration Council, in an attempt to minimise illegal strikes • On 1 October, ACF organised National Industrial Relations Conference to promote collective bargaining and binding arbitration in order to minimise illegal strikes and promote industrial stability in Cambodia 		

Risk Description	Risk Impact	Risk Score without Mitigation	Mitigation Strategy	Action Agents	Progress Status (Give details of tasks undertaken)	Risk Score with Mitigation	Remaining Action (Give timelines and resource requirements where possible)
Improper influence exerted on the AC, especially in the selection, appointment, removal of arbitrators or in the decision-making process of arbitration panels on specific labour dispute cases.	Loss of reputation – independence, integrity and impartiality.	Consequence: 5 Likelihood: 3 Risk Score: 15 H	<ol style="list-style-type: none"> 1. Using the process of the DFGG Project preparation to engage arbitrators, the ACF, and the Ministry, as well as unions and employer associations to set further rules to safeguard the independence and impartiality of the Council. 2. ILO's to continue its facilitating role in selection of arbitrators. 3. Development of procedures to ensure that arbitrators are not influenced by stakeholders or vested interests, including finalisation of the statement of ethical conduct for arbitrators, tentatively titled <i>Professional Guidelines for Arbitrators</i>. 4. Arbitral awards and the legal reasoning behind them to be continued being published and widely disseminated. 5. Measures to institutionalise and expand AC's partnership with other industrial relations institutions and stakeholders as listed in Section 9 on <i>Participation and Partnerships Plan</i> to ensure countervailing forces and interests prevent improper influence by particular interests. 6. Measures to raise awareness and visibility of the Arbitration Council as listed in Section 12 on <i>Communication Strategy</i>. 	AC/F, SAC	<ul style="list-style-type: none"> • DFGG TWG and TAG helps to enhance stakeholder engagement • ACF plays role in discussing draft MOU with MoLVT regarding process for arbitration nomination • Compilation of arbitral awards are published twice a year • All arbitral award (AA) were already uploaded on the AC website • Code of Conduct for arbitrators was already established and displayed at the Arbitration Council premise and website • Partnerships were already identified; some with MoU (MONASRI, RNK), whereas TAF and OWSO is on process 	Consequence: 5 Likelihood: 4 Risk Score: 20 H	Partnerships to be expanded and institutionlised Measures listed to be undertaken in order to raise awareness and visibility

Risk Description	Risk Impact	Risk Score without Mitigation	Mitigation Strategy	Action Agents	Progress Status (Give details of tasks undertaken)	Risk Score with Mitigation	Remaining Action (Give timelines and resource requirements where possible)
Termination of Salary Supplement Schemes (including MBPI/PMG schemes) by the Royal Government of Cambodia applicable to civil servants from 2010	Funding dedicated to support AC under DFGG project frozen or terminated due to lack of implementation of DFGG activities by IAs other than AC.	Consequence: 3 Likelihood: 5 already occurred Risk Score: 15 H	<ol style="list-style-type: none"> 1. RGC to investigate and implement solutions in response to pre-empt the impact of the termination of salary supplement schemes on the implementation of DFGG project 2. ACF works closely with RGC and WB and negotiate to insulate DFGG funds dedicated to AC, if any serious remedial action is to occur on overall DFGG project. 3. ACF to raise funds from new sources in order to mitigate its reliance on DFGG funds. 	RGC WB AC/F and ACF Board of Directors	<ul style="list-style-type: none"> • ACF has conveyed its concern to the PCO and WB re the potential impact of the termination of salary supplement schemes on the sustainability of Arbitration Council. • ACF has started its fund-raising activities by checking with various donor agencies. • Government has initiated POC schemes 	Consequence: 3 Likelihood: 5 already occurred Risk Score: 15 H	Strategic fund-raising plan to be carried out by ACF.
Non-implementation of awards	Credibility and sustainability of the Arbitration Council are undermined.	Consequence: 3 Likelihood: 3 Risk Score: 9 M	<ol style="list-style-type: none"> 1. AC to cooperate with social partners in promotion of CBAs with non-strike clause and binding arbitration. 2. Conciliators to communicate advantages of binding arbitration (which provides a final resolution and closure to a dispute) to parties at the conciliation stage before the case is referred to the Arbitration Council. 3. Arbitrators to communicate with parties to explain the advantages of binding awards. 4. Educate parties in the understanding of arbitral awards. The Ministry, the AC and ACF may conduct co-trainings for potential parties and parties in dispute on binding awards, legal strikes, 	AC/F MOLVT, social partners, Non-State Actors	<ul style="list-style-type: none"> • ACF is cooperating with social partners to promote CBA. • Encouraging parties to select binding-award has been implemented during the hearing by arbitrators • Stakeholder training activities carried out to build capacity in the labour dispute resolution process • Arbitral awards already published on the Arbitration Council website • On 28 September 2010, industry-wide agreement reached within the garment industry on binding arbitration on rights disputes before the 	Consequence: 3 Likelihood: 3 Risk Score: 9 M	Stakeholder training activities to be expanded; and conciliators to be trained on how to communicate the advantages of binding arbitration

Risk Description	Risk Impact	Risk Score without Mitigation	Mitigation Strategy	Action Agents	Progress Status (Give details of tasks undertaken)	Risk Score with Mitigation	Remaining Action (Give timelines and resource requirements where possible)
			<p>and how to read and understand the arbitral awards.</p> <p>5. MOLVT and the AC to engage with other social partners and stakeholders to help train stakeholders in labour dispute resolution, and other appropriate topics.</p> <p>6. The Arbitration Council to continue to publish the arbitral awards on its website, which enables third parties such as MOLVT, ILO's <i>Better Factories Cambodia</i> to monitor compliance with the awards. Efforts by Non-State Actors should be supported to "name and shame" enterprises / unions which do not comply with arbitral awards.</p>		Arbitration Council		
Disproportionate reliance on Arbitration Council to resolve collective disputes.	Bottlenecks in resolving disputes. Backlog results.	Consequence: 3 Likelihood: 3 Risk Score: 9 M	<p>1. MOLVT to build its capacity to improve labour inspection and conciliation functions, including development of guidelines and procedures manuals for conciliation.</p> <p>2. Employers and unions to build their capacity in workplace cooperation, with a view to improve their ability to prevent labour disputes.</p> <p>3. The ACF will cooperate with social partners in the provision of capacity building for employers and unions in collective bargaining with a view to concluding more CBAs that provide for grievance procedures at enterprise level</p>	MOLVT, Employers' groups, unions, social partners of the AC/F	<ul style="list-style-type: none"> ACF cooperating with social partners and carrying out training programmes for employers and unions on CBAs, the Arbitration Council and the process for resolving labour disputes 	Consequence: 3 Likelihood: 3 Risk Score: 9 M	MOLVT to continue to build its capacity in inspection and conciliation Joint-training will continue to be organised by ACF and other bodies in delivering the trainings

Risk Description	Risk Impact	Risk Score without Mitigation	Mitigation Strategy	Action Agents	Progress Status (Give details of tasks undertaken)	Risk Score with Mitigation	Remaining Action (Give timelines and resource requirements where possible)
Capacity of Ministry at national and provincial levels, in forwarding cases to the Arbitration Council	Access of stakeholders outside of Phnom Penh to Arbitration Council's services is limited or undermined.	Consequence: 3 Likelihood: 3 Risk Score: 9 M	<p>1. Strengthen the capacity of conciliators in Phnom Penh and Provincial Labour Offices, including joint training and outreach provided by Ministry, Arbitration Council and ACF to conciliators on labour dispute resolution, arbitration process and conciliation.</p> <p>2. Ministry and ACF will continue to cooperate to build close relations and good understanding of their respective roles, the role of the Arbitration Council and their mutual obligations to parties, through joint events, workshops, etc.</p> <p>3. Ministry conciliators to hand out information to parties regarding the arbitration process and arbitrators (including location of the Arbitration Council, what a hearing is, how to select arbitrators, where the arbitrator biography can be found, etc.)</p>	MOLVT, especially PLOs, and conciliators, ACF	<ul style="list-style-type: none"> • MOLVT and ACF organise joint events to strengthen relations and understanding of respective roles • MOLVT and ACF develop information materials for parties; and MOLVT distributing information materials to parties • ACF and MOLVT have organised joint trainings for conciliators • ACF organised a training for conciliators on 30 September 2010 	Consequence: 3 Likelihood: 3 Risk Score: 9 M	Joint trainings and outreach will continue to be carried out by ACF and MoLVT for conciliators on labour dispute resolution, arbitration and conciliation

Risk Description	Risk Impact	Risk Score without Mitigation	Mitigation Strategy	Action Agents	Progress Status (Give details of tasks undertaken)	Risk Score with Mitigation	Remaining Action (Give timelines and resource requirements where possible)
Creation of a Labour Court	A nascent Labour Court may have inadequate understanding and appreciation for arbitration and ADR frameworks. Rulings might undermine the AC awards and the body of jurisprudence that has developed.	Consequence: 4 Likelihood: 2 Risk Score: 8 M	<p>1. Advocate for the incorporation of provisions similar to Articles 349 – 353 of the Code of Civil Procedure and Article 47 of the Prakas on the AC into the law and regulations governing the Labour Court to recognise the AC and the enforceability of AC's awards.</p> <p>2. Ensure that structure and proceedings of the Labour Court are in accordance with international labour standards and consistent with national labour law and regulations. In particular, using input and technical advice of the International Labour Organization when preparing regulations for the Labour Court.</p> <p>3. Train Labour Court judges in cooperation with social partners regarding the legal and jurisdictional issues at the intersection of alternative labour dispute resolution and the judicial authority.</p>	RGC (MOLVT), AC/F, social partners	<ul style="list-style-type: none"> • N/A (Labour Court not yet implemented even though law and regulations for Labour Court is on process of drafting) • Training to court clerk students and student judges is organised every year 	Consequence: 4 Likelihood: 2 Risk Score: 8 M	Activities to be carried out when labour court regulation start to be drafted

Risk Description	Risk Impact	Risk Score without Mitigation	Mitigation Strategy	Action Agents	Progress Status (Give details of tasks undertaken)	Risk Score with Mitigation	Remaining Action (Give timelines and resource requirements where possible)
Non-enforcement of final and binding arbitral awards by Courts	A nascent court may not have adequate understanding and appreciation for arbitration and ADR framework, especially the statutory role of the court relative to that of arbitration.	Consequence: 4 Likelihood: 3 Risk: 12 M	<ol style="list-style-type: none"> 1. Conduct trainings/seminar for judges and students judges on the role of court and arbitration, especially provisions similar to Articles 349 – 353 of the Code of Civil Procedure and Article 47 of the Prakash on the AC into the law and regulations governing the Labour Court to recognise the AC and the enforceability of AC's awards. 2. Train employers and employees on the effects and benefits of binding arbitration and enforcement of arbitral awards 3. Inform members of the ACF Stakeholders Advisory Group on the effect of binding arbitration and relevant enforcement provisions for binding arbitral awards 	ACF, ACF's partners		Consequence: 4 Likelihood: 3 Risk: 12 M	

Risk Description	Risk Impact	Risk Score without Mitigation	Mitigation Strategy	Action Agents	Progress Status (Give details of tasks undertaken)	Risk Score with Mitigation	Remaining Action (Give timelines and resource requirements where possible)
Lack of understanding among concerned employers and employees/unions on the substance and impacts of binding arbitration, arising from the Memorandum on Improving Industrial Relations in the Garment Industry, reached between relevant parties on 30 September 2010	Credibility and sustainability of AC undermined.	Consequence: 4 Likelihood: 4 Risk: 16 H	<ol style="list-style-type: none"> 1. Train concerned stakeholders about the substance and effect of binding arbitration in the MoU. 2. Raise awareness of the effect and substance of the binding arbitration MoU through media campaign, information materials, and other stakeholders engagement activities. 3. Share with ACF Stakeholders Advisory Group the effect and substance of the binding arbitration MoU for their information and further dissemination. 4. Reinforce the impact and substance of the binding arbitration MoU at Meets & Greets events with employers and unions. 5. Collaborate with MOLVT conciliators in raising awareness of effect and substance of binding arbitration MOU among disputing parties in conciliation process 	ACF, ACF's partners/ sub-contractors		Consequence: 4 Likelihood: 4 Risk: 16 H	

Risk Description	Risk Impact	Risk Score without Mitigation	Mitigation Strategy	Action Agents	Progress Status (Give details of tasks undertaken)	Risk Score with Mitigation	Remaining Action (Give timelines and resource requirements where possible)
Improper expectations of the AC's dispute resolution and related services	Credibility and sustainability of AC undermined	Consequence: 2 Likelihood: 4 Risk: 8 M	<ol style="list-style-type: none"> 1. Continue to disclose the Complaints and Remedies Mechanism applicable to ACF 2. Update and execute the Complaints and Remedies Mechanism, to consider and respond to feedbacks about the Arbitration Council and its services 3. Create proper channelling of complaints through setting up a suggestion box and e-mail account 	ACF		Consequence: 2 Likelihood: 4 Risk: 8M	

CHAPTER 10: PROJECT RESULT FRAMEWORK

The project result framework for 2010 of DFGG Project is consistency to ACF's Project Proposal. Key achievements planned to be achieved within 2011 is shown in the table below.

Provisional Results Monitoring Indicators

No.	Indicators	Baseline	2010		Data Collection and Reporting		
			Target Value	Actual Value	Frequency and Reports	Data Collection Instruments	Responsibility for Data Collection
Project Outcome Indicators							
<i>Core Indicators (to be aggregated at the overall DFGG level)</i>							
1	Number of labor dispute cases handled by the AC	148	10% increase (or 170 cases)	114 Cases	Quarterly collection and reporting	ACF case log and database	ACF
2	% of labor dispute cases successfully resolved through AC process	approx. 68% [2008]	Actual value	69.63% (as at 3 rd quarter 2010)	As above	ACF case log and database	ACF
3	% of union and employer group representatives and other stakeholders that report a high confidence in the independence, credibility and effectiveness of the AC	72% [2010]	- (2.5% increase in 2011; to be calculated in mid 2011, through follow-up evaluation)	- (follow up by mid 2011)	Annual; recorded in Annual Report	Surveys and FGDs of union and employer group representatives and some other stakeholders	ACF through contracted research agency

Outcome Indicators for Each Component							
Component 1 – Institutional Integrity and Sustainability: Objective: To ensure the independence, credibility and sustainability of the AC							
Core Indicators (to be aggregated at the overall DFGG level)							
4	% of AC, SAC, and ACF staff that report an increased understanding and institutional capacity to perform their respective roles in the labor arbitration and dispute resolution processes	To be calculated in YR 1	- (70% by mid 2011)	-	Annual; recorded in Annual Report	Survey of SI staff and ratings from KIIs and FGDs	PCO in MOI through contracted research agency in consultation with ACF ²
5	% of union and employer group representatives that report high confidence in institutional capacity of the AC to undertake labor dispute resolution	78% [2010]	2.5 % increase by 2011	To be calculated in mid-2011	Annual; recorded in Annual Report	Surveys and FGDs of union and employer group representatives	ACF through contracted research agency
6	% of AC, SAC, and ACF staff that report an increased effectiveness of the AC process	To be calculated in YR 1	- (70% by mid 2011)	-	Annual; recorded in Annual Report	Survey of SI staff and ratings from KIIs and FGDs, and comparison with objective data (case load, success rate, etc.)	PCO in MOI through contracted research agency in consultation with ACF ³
7	% of union and employer group representatives and other stakeholders that report a high confidence in the independence, credibility and effectiveness of the AC	72% [2010]	-	-	Annual; recorded in Annual Report	Surveys and FGDs of union and employer group representatives and some other stakeholders	ACF through contracted research agency
8	Expert rating (%) of quality of awards given by the AC	To be calculated in mid 2011	-	-	Bi-annual; recorded in applicable Annual report	Bi-annual audit by an expert for a sample of AC awards	Independent expert(s) contracted via ACF (procurement under progress)
9	Revenue generated through tri-partite contributions by AC as % of operating costs	US\$ 217,529 (total amount under	US\$ 45,465	0 ⁴ (100% below target)	Annual; recorded in Annual Report	ACF financial records	ACF

² ACF to review the ToRs for the contracted research agency, and to advise on and agree to that agency's evaluation tools, wording of questionnaires, etc.

³ ACF to review the ToRs for the contracted research agency, and to advise on and agree to that agency's evaluation tools, wording of questionnaires, etc.

⁴ ACF is in discussion with an international buyer for contribution of funds to support ACF for 2011.

		commitment to raise during DFGG project cycle] [2008]					
Component 2 – Labour Dispute Resolution:							
Objective: To increase the AC’s capacity to resolve labour disputes across the country							
Core Indicators (to be aggregated at the overall DFGG level)							
11	Number of labor dispute cases handled by the AC	148 [2008]	10% increase (or 170 cases)	114 Cases (or appx 10% lower than target for 3 rd quarter 2010)	Quarterly collection and reporting	ACF case log and database	ACF
12	% of labor dispute cases successfully resolved through AC process	approx. 68% for Garments + PNP [2008]	Actual value	69.63% (as at 3 rd quarter 2010)	As above	ACF case log and database	ACF
Component 3 – Partnerships and Stakeholder Outreach and Training:							
Objectives:							
1. To establish and maintain partnerships to strengthen AC/F							
2. To improve stakeholders’ awareness and understanding of the AC and of how to resolve labour disputes							
Core Indicators (to be aggregated at the overall DFGG level)							
16	Number of partnerships between AC and SIs and NSAs established or continued under the project – disaggregated by type 1 and 2 ⁵	16 [2008]	Actual value	24 partners	Annual; recorded in Annual Report	Compiled from progress reports	ACF

⁵ The project will use the following definition for partnerships - "A partnership is a collaborative relationship between entities to work toward shared objectives through a mutually agreed division of labor". Strictly, by this definition commercial relationships should not be regarded as partnerships. Recognizing, however, that in the specific context of the project and given the lack of such relationships between SIs and NSAs in Cambodia, some direct commercial relationships that reflect elements of ‘partnership’ will be separately tracked as well. The total number of partnerships will be the sum of these two forms of relationships. The PCO will make a case-by-case determination of whether a particular relationship should be categorized as a partnership or not.

17	% of relevant stakeholders (including AC, ACF, MOLVT, ILO, partner agencies involved, etc.) rating high effectiveness of the partnerships established under project	To be calculated in YR 2	-	-	-	Bi-annual; recorded in applicable Annual report	Mid-term and end-term targeted survey, KIIs, and FGDs of staff of involved institutions, experts, and other stakeholders relevant to SI-NSA partnerships	PCO in MOI through contracted research agency in consultation with ACF ⁶
18	Number of new or existing partnerships for which AC/ACF (i) expresses interest, (ii) makes a concrete plan, and (iii) takes the first steps to continue engagement beyond life of project.	To be calculated in YR 4	-	-	-	One-off; recorded in Final Completion Report for project	End term survey using KIIs with SI and NSA management and IA progress reports	PCO in MOI through contracted research agency in consultation with ACF ⁷
19	% of union, employer organization representatives aware of AC and labor arbitration process (Baseline and periodic evaluations will capture sectors beyond Garments, and areas beyond Phnom Penh)	41% [2010]	10% increase by 2011	(To be calculated in follow-up evaluation by mid 2011)	-	Bi-Annual; recorded in relevant Annual Report	Baseline study conducted with surveys and focus group discussions, with groups of union and employer representatives. For the baseline study, the composition of these groups was representative of their distribution in targeted sectors in the formal economy. Mid-term and end term follow-up studies are expected to follow same approach. Detailed methodology is provided in the Baseline Study that has been concluded.	ACF through contracted research agency
20	Level of understanding (as % scoring high on rating scale) of labor arbitration process among union and employer organization groups	52% [2010]	-	5% increase	5% increase	Bi-Annual; recorded in relevant Annual Report	Baseline study conducted with surveys and focus group discussions, with groups of union and employer representatives. For the baseline study, the composition of these groups was representative of their distribution in	ACF through contracted research agency

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								targeted sectors in the formal economy. Mid-term and end term follow-up studies are expected to follow same approach. Detailed methodology is provided in the Baseline Study that has been concluded.	
Component 4 – General Operations and Project Management:									
Objective: To provide managerial and technical support to AC									
Core Indicators (to be aggregated at the overall DFGG level)									
21	ACF undertakes independent monitoring through NSAs	Yes	Yes	Yes	Yes	Yes	Annual Working Plans	tracked in progress reports	ACF
22	ACF uses information from independent monitoring through NSAs to take management and/or corrective actions	Yes	Yes	Yes	Yes	Yes	Annual; recorded in Annual Report	tracked/explained in progress reports	ACF
23	AC/ACF_(i) expresses interest, (ii) makes a concrete plan, and (iii) takes the first steps to undertake new or continue existing DFGG activities beyond the life of the project.	To be calculated in YR 4	-	-	-	Yes	One-off; recorded in Final Completion Report for project	End term survey, FGDs, and KIIs, of SI and NSA management and leadership; IA progress reports showing objective data.	PCO in MOI through contracted research agency in consultation with ACF ⁸

⁸ ACF to review the ToRs for the contracted research agency, and to advise on and agree to that agency's evaluation tools, wording of questionnaires, etc.

CHAPTER 11: PARTNERSHIP AND LEARNING ACTIVITY

11.1. Partnership Development

No	Component/Key Activities	Proposed Partners	Expected Partnering Activities	Type of Partnership	Timeframe
	Component 3 <i>Partnerships and Stakeholder Outreach and Training</i>				
1	Key Activity 1: <i>Establishing and maintaining partnerships</i>	PCC, SAG, and key industrial relations tripartite stakeholders (MOLVT, employers, unions), ILO, AIRC	Maintain the role of SAG (Stakeholder Advisory Group); sharing experiences and lessons; organising National Industrial Relations Conference	Complementary/ Cooperative	NIRC tentatively scheduled November 2011
2	Key Activity 2: <i>Disseminate publications and other info</i>	MONASRI	Cooperation on awareness raising	Collaborative	Ongoing
3	Key Activity 3: <i>Media relations and promotion</i>	RNK	Dissemination information and promotion of awareness mainly through talkback program	Cooperative	4 appearances scheduled in 2011

4	Key Activity 4: <i>Stakeholder training</i>	Key industrial relations tripartite and other local stakeholders, AIRC and other legal and ADR experts	Organise trainings	Complementary/ Cooperative	Various trainings scheduled
5	Key Activity 5: <i>Raising awareness of, and interest in, AC</i>	The Asia Foundation (TAF)	Cooperation on awareness raising	Collaborative	Grant recipient – Integrate Human to Quality (IHQ) from TAF, to work with ACF, under partnership grants, if GMAC awards such grant.
6	Key Activity 6: <i>Dissemination of publications and other information</i>	One Window Service (OWS)	Cooperation on awareness raising and educating stakeholders about labour dispute resolution and AC role therein through dissemination of AC publications	Collaborative	Ongoing
7	Key Activity 7: <i>Media relations and promotion</i>	Key media agencies in Cambodia including Reaksmeay Kampuchea, Koh Santepheap, <i>The Cambodia Daily</i> , <i>The Phnom Penh Post</i> , Women Media Center (WMC)	Industrial Relations reporters and Communications Officer and/or Manager of ACF keep each other informed of events concerning industrial relations in Cambodia	Collaborative/ Complementary	Ongoing

11.2. Learning Development

No	Key Steps of Learning	Learning Activities	Learning Tools/Method	Timeframe	Learning Partners	Responsible person/Unit
1	<ul style="list-style-type: none"> - Generate Lessons - Identify lessons - Analyze lessons - Evaluate adoption of lessons 	<ul style="list-style-type: none"> - Conduct stocktaking of DFGG experiences 	<ul style="list-style-type: none"> - Meeting, forum, seminar, workshop, website, exchange visit, studies, training, study tour, etc. 	To be discussed with PCO	LCFG	ACF
2	<ul style="list-style-type: none"> - Document Lessons 	<ul style="list-style-type: none"> - Monitoring, Evaluation report, survey, baseline, etc 	<ul style="list-style-type: none"> - Report, minute of meeting, publications, picture, Video, library 	To be discussed with PCO	LCFG	ACF
3	<ul style="list-style-type: none"> - Communicate Lessons 	<ul style="list-style-type: none"> - Share experience and lessons - Disseminate lessons, good practices, etc. 	<ul style="list-style-type: none"> - Website, formal and informal communication activities, meeting, workshop, seminar, forum, or other communication tools 	To be discussed with PCO	LCFG	ACF

CHAPTER 12: PROGRESS ON IA'S SPECIFIC GRANT COVENANTS

Activity	Responsible Agency	Expected Outputs	Expected Delivery	Result	Others
<i>Submit to World Bank / MEF financial auditors' reports 2011</i>	<i>ACF</i>	<i>Financial auditor's reports 2011</i>	<i>30 June 2011</i>		
<i>Submit 1st quarterly report 2011 to World Bank</i>	<i>ACF through PCO</i>	<i>1st quarterly report 2011</i>	<i>21 April 2011</i>		
<i>Submit 2nd quarterly report 2011 to World Bank</i>	<i>ACF through PCO</i>	<i>2nd quarterly report 2011</i>	<i>21 July 2011</i>		
<i>Submit 3rd quarterly report 2011 to World Bank</i>	<i>ACF through PCO</i>	<i>3rd quarterly report 2011</i>	<i>21 October 2011</i>		
<i>Submit annual report 2011 to World Bank</i>	<i>ACF through PCO</i>	<i>Annual report 2011</i>	<i>15 February 2012</i>		