



BUREAU OF INTERNATIONAL LABOR AFFAIRS  
UNITED STATES DEPARTMENT OF LABOR



*Photo Credit: ILO, AHK and CAPSA Team together with partners during the Development of ADR Draft Rules.*

# INTERIM EVALUATION

## ILO CAPSA AND AHK Projects

September 2023

**Grantee:** International Labour Organization

**CAPSA Duration:** December 2019–December 2024

**CAPSA Evaluation Period Coverage:** FY2020–FY2023

**CAPSA Funding:** \$5.25 million implemented in Kenya and Uganda

**AHK Duration:** December 2020–December 2024

**AHK Funding:** \$3.0 million implemented in Kenya

**AHK Evaluation Period Coverage:** FY2021–FY2023

**Lead Evaluator:** Integra LLC

**Evaluation Fieldwork Dates:** March 20, 2023–April 11, 2023

## **ACKNOWLEDGMENT**

This report presents the findings from the interim evaluation of the Strengthening Capacity of Governments to Address Child Labor and/or Forced Labor, and Violations of Acceptable Conditions of Work in Sub-Saharan Africa (CAPSA) and All Hands in Kenya: Advancing Labor Standards through Cooperative Action (AHK) projects. Fieldwork for this evaluation was conducted in March 2023 in Kenya and April 2023 in Uganda, with additional virtual interviews with informants in Washington, D.C., in March and April 2023. Integra Government Services LLC (Integra) and Dexis conducted this independent evaluation in collaboration with the project teams and stakeholders and prepared the evaluation report according to the terms specified in its contract with the United States Department of Labor. The ET would like to sincerely thank all parties involved for their support and valuable contributions.

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## **LIST OF ACRONYMS**

ACW	Acceptable Conditions of Work
ADR	Alternative Dispute Resolution
AHK	All Hands in Kenya: Advancing Labor Standards through Cooperative Action
CAPSA	Strengthening Capacity of Governments to Address Child Labor, Forced Labor, and Violations of ACW in Sub-Saharan Africa
CMEP	Comprehensive Monitoring and Evaluation Plan
CSO	Civil Society Organization
CTIP	Counter-Trafficking in Persons
CWC	Child Well-Being Committees (county level, Uganda)
COTU	Central Organization of Trade Unions
COTU-K	Central Organization of Trade Unions–Kenya
ECMS	Electronic Case Management System
ET	Evaluation Team
EQ	Evaluation Questions
FKE	Federation of Kenya Employers
ILAB	Bureau of International Labor Affairs (United States)
ILO	International Labour Organization
ILS	International Labor Standards
KII	Key Informant Interview
LTO	Long-Term Outcome
M&E	Monitoring and Evaluation
MLSP	Ministry of Labor and Social Protection (Kenya)
MTO	Medium-Term Outcome
NOTU	National Organization of Trade Unions
NGO	Nongovernmental Organization
NSC-CL	National Steering Committee–Child Labor (Kenya and Uganda)
OSH	Occupational Safety and Health
PAC	Project Advisory Committee

PMP	Performance Monitoring Plan
STO	Short-Term Outcome
TIP	Trafficking in Persons
TPR	Technical Progress Report
TOC	Theory of Change
TOsC	Theory of Sustained Change
USAID	United States Agency for International Development
USDOL	United States Department of Labor

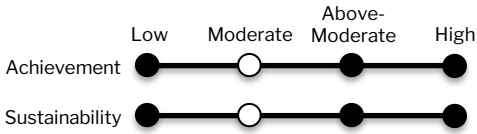
## EXECUTIVE SUMMARY

### BACKGROUND AND CONTEXT

The U.S. Department of Labor’s (USDOL) Bureau of International Labor Affairs (ILAB) contracted Integra Government Services International LLC (the Evaluator) to conduct an interim performance evaluation of two projects. This multi-project evaluation generates expected and project-specific results, conclusions, and recommendations to guide ILAB and the International Labour Organization (ILO) in ongoing project implementation and future design considerations. The Capacity Strengthening of Governments to Address Child Labor and/or Forced Labor and Violations of Acceptable Conditions of Work in Sub-Saharan Africa (CAPSA) aims to strengthen the capacity of the Kenyan and Ugandan governments to address child labor, forced labor/human trafficking, and violations of acceptable conditions of work (ACW). The All Hands in Kenya: Advancing Labor Standards through Cooperative Action (AHK) aims to improve compliance with international labor standards (ILS) and ACW in Kenya’s tea and textile/apparel sectors. The period of performance for CAPSA began in December 2019 and in December 2020 for AHK, and both end in December 2024. Both projects are funded by USDOL/ILAB, implemented by ILO, and share common stakeholders and activities.

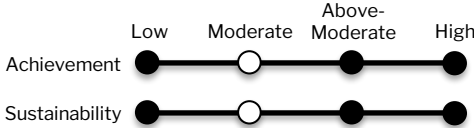
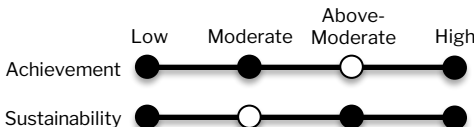
### KEY EVALUATION RESULTS

**Table 1: Performance Summary of CAPSA Achievements<sup>1</sup>**

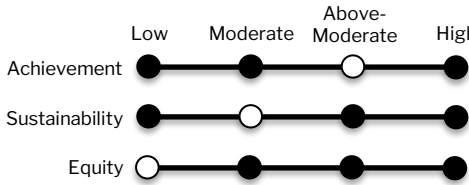
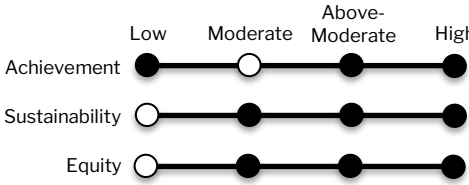
Performance Summary	Rating
<p><b>Long-Term Outcome (LTO) 1: The government improves enforcement of the legal framework and/or policies pertaining to child labor and/or forced labor and ACW violations.</b></p>	
<p>The project has achieved a moderate level of progress because of CAPSA technical contributions to revisions in the bylaws, child protection policies and guidelines in Kenya. Delays due to COVID-19 and local government restricting slowed down legislative passage of Kenya’s National Plan of Action on Child Labor, National Decent Work Framework and the Wages and Minimum Remuneration Policy. In Uganda, CAPSA supported revisions to the Uganda Children’s Act, implementation of Uganda National Child Policy 2020 via children’s labor regulations. The publication of a hazardous work list improved awareness of child labor and its harms in Uganda. Sustainability efforts are improved with the active involvement of Kenya and Uganda in adopting legislation, but it is too early to determine whether there will be increased reporting and enforcement of ACW violations. CAPSA’s focus on child labor does address one aspect of equity, but the project does not have a clear gender strategy, nor does it report gender disaggregated data, therefore the evaluation team (ET) cannot rate its gender equity strategy.</p>	 <p>Achievement: ● Low ○ Moderate ● Above-Moderate ● High</p> <p>Sustainability: ● Low ○ Moderate ● Above-Moderate ● High</p>

<sup>1</sup> See the section on methodology for a description of the selection criteria that determines the 1-4 ranking.



Performance Summary	Rating
<b>LTO 2: Improved assistance services for victims of child labor and/or forced labor.</b>	
<p>The progress towards this LTO is high at the initial policy phase but is much lower in relation to the actual number of funded and improved child services and accessibility. Therefore, the rankings for achievement and sustainability are moderate at this mid-term. The project has supported the capacity development of three national child labor committees that illuminate the critical need for improved assistance services for victims of child and forced labor. The National Steering Committee–Child Labor (NCS-CL) and technical working committee in Kenya and the NCS-CL in Uganda, have increased their own and community awareness of child labor. In addition, the project has mainstreamed child labor committees that are now active and functional in four Kenyan counties and child well-being committees (CWCs) in nine Ugandan districts.</p> <p>In Uganda, convening of these committees for policy discussion, capacity-building, and development of tools has led to dialogue and resulted in the Ugandan Ministry of Gender, Labor, and Social Development’s first child labor national action plan in 2021. Tripartite members are integrating applied research and project tools to better understand child labor and forced labor issues. CAPSA’s focus on child labor does address one aspect of equity but the project does not have a clear gender strategy, nor does it report gender disaggregated data, therefore the ET cannot rate its gender equity strategy.</p>	 <p>A horizontal rating scale with four points: Low, Moderate, Above-Moderate, and High. Two rows are shown: 'Achievement' and 'Sustainability'. Each row has a solid black dot at Low, a white dot with a black outline at Moderate, a solid black dot at Above-Moderate, and a solid black dot at High.</p>
<b>LTO 3: Strengthened partnerships to accelerate progress in addressing child labor and/or forced labor and ACW violations.</b>	
<p>CAPSA has engaged 30 organizations (12 in Kenya and 18 in Uganda) that provide child labor, forced labor, and trafficking in persons (TIP) assistance activities (more than twice the original target) and has convened 18 coordination mechanisms among civil society organizations (CSOs), community-based organizations, and government partners, which represents 100 percent of the targeted partnerships. Stakeholders have reported satisfaction with the degree of engagement from the project. The Kenyan and Ugandan Governments have been engaged in policy dialogues and training through line-ministries and local governments. The sustainability rating is moderate because neither government has made funding allocations for the implementation of activities. CAPSA’s focus on child labor does address one aspect of equity but the project does not have a clear gender strategy, nor does it report gender disaggregated data, therefore the ET cannot rate its gender equity strategy.</p>	 <p>A horizontal rating scale with four points: Low, Moderate, Above-Moderate, and High. Two rows are shown: 'Achievement' and 'Sustainability'. The 'Achievement' row has solid black dots at Low, Moderate, and High, and a white dot with a black outline at Above-Moderate. The 'Sustainability' row has solid black dots at Low, Above-Moderate, and High, and a white dot with a black outline at Moderate.</p>

**Table 2: Performance Summary of AHK Achievements**

Performance Summary	Ratings
<b>LTO 1: Increased government effectiveness in improving compliance with international labor standards and acceptable conditions of work.</b>	
<p>The project achieved an above-moderate level of progress. Advocacy efforts influenced the Kenyan Government’s designation of 16 new worker categories embedded in the new alternative dispute resolution (ADR) rules and the May 2022 amendment to the Regulation of Wages order. AHK successfully convened government partners to assess detailed needs across laws, compliance systems, labor inspection processes and workflows, and judicial and nonjudicial remedies. AHK also garnered government buy-in to collaborate on major initiatives including electronic case management systems (ECMS) and grievance-handling mechanisms that align with its priorities and are likely to lead to improved compliance in the future. AHK and the Kenyan Ministry of Labor and Social Protection (MLSP) are planning a public education initiative to present ADR rules and resulting remedies that could potentially improve compliance. Sustainability was rated moderate because it is too early to measure the effectiveness of these government efforts to improve compliance. The gender equity rating is low because the project does not have explicit approaches, did not report on gender disaggregated results in 2023 and stakeholders had variable comments regarding the extent to which AHK adequately addressed issues of equity.</p>	 <p>A horizontal rating scale with four points: Low, Moderate, Above-Moderate, and High. Three rows of metrics are shown: Achievement (Low: filled, Moderate: filled, Above-Moderate: open, High: filled), Sustainability (Low: filled, Moderate: open, Above-Moderate: filled, High: filled), and Equity (Low: open, Moderate: filled, Above-Moderate: filled, High: filled).</p>
<b>LTO 2: Increased employers’ actions to improve compliance with international labor standards and acceptable conditions of work.</b>	
<p>The progress towards this LTO is moderate because many activities are still in the planning rather than implementation stages. The project also collected baseline data on 60 Kenyan tea and textile sector employers across 14 counties to identify potential partners for the remainder of the project. AHK signed an implementation agreement with the Federation of Kenya Employers (FKE), a key local actor, to deliver the activities with employers, which contributes to but doesn’t guarantee sustainability. To date, about half of these employers have received some training in workplace grievance handling, which may in the future increase employer compliance actions. Results of this training would likely be more sustainable with follow-up activities such as the development and adoption of practical tools and hands-on training that simulated key steps in grievance related procedures. Other employers<sup>2</sup> have participated in training that explains occupational safety and health (OSH) laws and fundamental labor rights. To date, the OSH and related labor committees have not been established so there are no elected worker representatives in place, which accounts for the low rating for sustainability. AHK receives a low rating for equity in the absence of an in-depth gender and equity assessment and explicit approach to addressing ACW for women workers.</p>	 <p>A horizontal rating scale with four points: Low, Moderate, Above-Moderate, and High. Three rows of metrics are shown: Achievement (Low: filled, Moderate: open, Above-Moderate: filled, High: filled), Sustainability (Low: open, Moderate: filled, Above-Moderate: filled, High: filled), and Equity (Low: open, Moderate: filled, Above-Moderate: filled, High: filled).</p>

<sup>2</sup> ILO performance monitoring does not show the level of detail needed to track the number of participants and verify attendance in specific trainings.

Performance Summary	Ratings
<b>LTO 3: Increased engagement of workers’ organizations with government and employers to improve compliance with international labor standards and acceptable conditions of work.</b>	
<p>The design of this LTO is focused on the increased effectiveness of workers’ organizations in advocating to the government, employers, and other stakeholders on behalf of workers. At this midpoint, institutional capacity building of union structures, membership, and new approaches to increasing government compliance with ILS and ACW have not been significantly addressed. Thus, this LTO is rated low because most activities are in the planning stage. AHK’s future training aims to increase the technical knowledge and skills of selected unions’ general secretaries and industrial relations officers in labor laws; to support workers in collective bargaining with employers and government; to help workers use employers’ grievance handling systems; and promote court/ADR remedies. These future activities are going to be implemented via the signed implementation agreement with the Central Organization of Trade Unions (COTU) that will foster sustainability by working through and strengthening this key local actor. This will require significant support and cooperation from the public and private sector, which is unknown so the current rating for sustainability is low. AHK receives a low rating for equity in the absence of an in-depth gender and equity assessment and explicit approach to addressing ACW for women workers.</p>	<p>Low      Moderate      Above-Moderate      High</p> <p>Achievement ●</p> <p>Sustainability ●</p> <p>Equity ●</p>

### LESSONS LEARNED FROM CAPSA AND AHK

- Workers may fear retaliation as a result of openly discussing workplace violations, which makes it imperative to establish a safe environment when encouraging workers and employers to engage directly; workers’ and employers’ organizations must ensure do no harm principles are closely followed.
- Measuring outputs and outcomes related to gender and equity considerations is increasingly important to the USG<sup>3</sup> and ILO, so it is important to integrate gender- and equity-sensitive indicators into monitoring, evaluation, and learning frameworks.
- According to CAPSA and AHK stakeholders, they had very little input into the development of the projects’ sustainability plans. The plans and proposed actions were not socialized with local partners, so these plans may be overly complex and difficult to implement without local buy-in. The sustainability plans should offer a limited number of major actions that address priority risks.
- Monitoring and evaluation (M&E) tools should focus on validating the project’s Theory of Change (TOC) and ILAB/OTLA’s Theory of Sustained Change (TOsC)<sup>4</sup> for workers’ rights programs.

<sup>3</sup> The USG has clarified its prioritization of gender equity most recently via Executive Orders 13985, 13988, and 14091.

<sup>4</sup> Theory of Sustained Change Guidebook for ILAB Workers’ Rights Programs, March 2023, available at <https://www.dol.gov/sites/dolgov/files/ILAB/TOsC-Guidebook-March-Updates-032723-Clean-508.pdf>

- Overall implementation processes are smoother when there is communication to all partners. Local partners benefit from clear and timely communication regarding changes to workplans, resource allocation, administrative requirements, and partner relations.

#### PROMISING PRACTICES AND CROSS-CUTTING APPROACHES

- Multisectoral convening was effective in validating assessments' findings and guided the development of laws, policies, local ordinances, and key tools, such as the small and medium enterprise child labor toolkit under CAPSA, and the OSH and labor compliance toolkit under AHK.
- AHK collaboration with the Kenyan MLSP to develop the ECMS promises to be a good model upon completion. It should increase the quality and consistency of inspections across labor sectors and geographies, manage documents, aggregate data analysis, strengthen transparency and accountability, and improve efficiency.
- AHK cooperation with the FKE has provided initial training to employers who are committed to developing and formalizing grievance-handling procedures, which is likely to increase respect for workers' rights by enforcing laws and ordinances, conducting inspections, and applying dispute resolution mechanisms.
- CAPSA's evolving youth engagement outreach builds awareness of child labor and rights that could potentially accelerate community demand for accountable government services to protect youth and other vulnerable populations.

#### CONCLUSIONS

Both CAPSA and AHK are **relevant** in response to stakeholders' needs as evidenced in outputs from project advisory committees, multistakeholder convening, and key stakeholders' validation of policy drafts and tools. AHK commissioned multiple assessments<sup>5</sup> to better understand the drivers and constraints to labor law compliance in the textile and tea processing sectors. Both CAPSA and AHK have been **effective** in the strategic engagement of key government institutions, workers' and employers' organizations, and CSOs. CAPSA has strengthened national and local committees, supported the passage of key national laws and local ordinances, and the adoption of child labor policies and sexual harassment policies at the employer level. AHK has contributed to government effectiveness in ILS/ACW compliance by drafting ADR rules, developing an inspection toolkit, and investing in ECMS. Respondents shared that both projects increased awareness and understanding of labor issues through facilitated meetings, training, and tools. CAPSA respondents said that some workplace policies had been improved. **Efficiency** would be improved if the project monitored early and mid-term data for decision-making and strengthened its internal adaptive management and learning practices. Lack of government interest, commitment, and institutional capacity are key factors in assessing the likelihood of **sustainability**.

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<sup>5</sup> These assessments include workplace level assessment; labor law assessment, labor dispute resolution assessment; rapid labor inspection needs assessment; mapping and assessment of the standard operating procedures (SOP), and workflows for actions undertaken by labor inspectors.

## RECOMMENDATIONS

- Accelerate direct engagement with the private sector and workers and explore practical ways to amplify workers' voices within the workplace. (CAPSA/AHK)
- Provide guidance to AHK and CAPSA partners to advocate for the adoption of the ILO Convention 190 on Eliminating Violence and Harassment in the World of Work in Kenya in future or adjacent projects. (AHK)
- Increase advocacy efforts to increase government resources for victim services, awareness-raising, inspection, enforcement, and capacity building. (CAPSA)
- Strengthen local ownership in M&E and sustainability plans and report disaggregation of data of key performance indicators to guide gender equity approaches. (CAPSA/AHK)
- Assess current strategic communications and dissemination plans to ensure the project's learnings and successes are shared with targeted stakeholders. (AHK)
- Adapt monitoring and process indicators relevant to early stages of implementation to allow closer and more frequent tracking of outputs. (CAPSA/AHK)
- Consider selection criteria to guide prioritization of which activities can be fully implemented in the short duration to complete remaining activities. (CAPSA/AHK)
- ILAB's implementing partner(s) should update their work plan to reflect any changes in work streams, and their Performance Monitoring Plan (PMP) and Comprehensive Monitoring and Evaluation Plan (CMEP) to reflect any revisions to definitions, participant groups, or required reporting of disaggregated data.
- Adapt formal arrangements between ILAB projects in the same country to coordinate intervention strategies and integrate outcome objectives related to gender, anti-discrimination, and inclusion of vulnerable groups. (ILAB)
- Provide new projects with step-by-step guides and simplified M&E systems and reporting templates to improve consistency and quality across projects and sustainability plans. (ILAB)
- ILAB may want to consider inviting partners to structured meetings to introduce new USG priorities and Executive Orders to determine how best to address them within existing programming and resources or document if there are not suitable activities to contribute to those priorities. This process would assist both ILAB partners in maintaining a clear vision of how their activities contribute to ILAB and wider USG goals, as well as providing clarity in advance of evaluations (at the program or portfolio level) as to how each program contributes to overarching priorities. (ILAB)
- Increase financial and human resource allocations at local levels to ensure adequate coverage across sectors; inform employers of routine compliance and enforcement activities, integrate new tools such as the ECMS to increase efficiency. Physical assets such as vehicles and computers are also needed for country-level labor officers. (Government partners)

## 1. EVALUATION PURPOSE, PROJECT CONTEXT, AND DESCRIPTION

This section summarizes the purpose of the evaluation, the intended audience of the report, evaluation questions (EQs), methodology, and presents the results, outputs, and outcomes. Annex C presents the detailed methodology with sampling approach, sample description, methods used, challenges encountered during data collection, and limitations.

### 1.1 EVALUATION PURPOSE

The purpose of this interim multi-project performance evaluation of CAPSA and AHK is to:

- Assess the relevance of the projects in the cultural, economic, and political context of Kenya and Uganda and validate the projects' respective designs and the extent to which they are suited to the priorities and needs of local stakeholders, especially workers in the target sectors, along with the host governments, employers, and other stakeholders;
- Determine whether the projects are on track to achieve their overall project objectives and expected outcomes according to work plans, and identify and analyze the drivers of risk and opportunities;
- Assess the effectiveness of the projects' strategies, strengths, and weaknesses in implementation and identify areas for improvement, with particular attention to issues of equity and inclusion affecting women, youth, and nonformal workers; and
- Assess the projects' plans for sustainability at institutional, subnational, and national levels (considering regional levels for CAPSA's work with the East African Community) and identify steps to enhance their sustainability.

#### 1.1.1 INTENDED USERS

This evaluation provides ILAB, ILO, participants, and other project stakeholders who have a concern for, interest in, or influence the labor rights challenges that the projects are intended to address. The evaluation results, conclusions, and recommendations may serve to guide any required project adjustments and to inform ILAB stakeholders in the design and implementation of subsequent phases or future labor rights projects as appropriate. This evaluation report will be published on the USDOL website and be disseminated to targeted stakeholders as described in the *Communications and Dissemination Plan* prepared for ILAB by the ET.

#### 1.1.2 METHODOLOGY AND LIMITATIONS

The ET conducted a desk review, reviewed performance monitoring data, and designed a purposive sampling approach to select key stakeholders from both CAPSA and AHK projects to participate in key informant individual and small group interviews. Invited respondents for both AHK and CAPSA projects, inclusive of those from USDOL (funding agency), ILO (implementer and grantee), government, workers' organizations, and employers' organizations, and for the CAPSA project, nongovernmental organizations (NGOs) supporting CAPSA. Individual and small group interviews were held with 66

stakeholders. Interviews consisted of open-ended questions, guided discussions, and a rapid scorecard survey that utilized a four-point quantitative scale. Individual employers and workers were not accessible due to political turmoil and ensuing public sector and media investigations of alleged labor malpractices in the targeted sectors.<sup>6</sup> The ET employed thematic qualitative analysis of the interview notes using NVivo software. A targeted group of key stakeholders participated in a validation workshop in Nairobi to discuss preliminary results and reconcile any information gaps or discrepancies. The ET delivered a separate briefing to ILAB staff on the data collection processes. The ET triangulated performance monitoring data, score card data, and qualitative data from the document review, individual and group interviews, and the validation workshop to inform the results.

The ET was unable to interact directly with workers and employers in the target sectors due to the ongoing government and media investigations into the alleged widespread sexual and other worker abuses, which hindered access to workers and employers. The ET met with representatives from workers' and employers' organizations, but had limited interaction with workers and employers during the period of this evaluation. This was a key limitation for this evaluation and should be considered when reviewing this evaluations' results and conclusions. A second limitation is the varying availability of performance monitoring indicators contained in the PMP and CMEP to inform real time project progress. The indicator selection does not include sufficient metrics to capture the anticipated early to mid-term progress of the project. Output indicators are important for analyzing outcomes and support validation of the TOC and continuous learning.

### 1.1.3 EVALUATION QUESTIONS

Table 3 presents the five EQs that guided this evaluation, which align with evaluation criteria developed by the Organisation for Economic Co-operation and Development (OECD). Both ILAB and ILO provided significant input to the development of the EQs and corresponding subquestions that guide the multi-project evaluation of both CAPSA and AHK. The subquestions related to effectiveness differed for CAPSA and AHK.

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<sup>6</sup> Investigative journalists from BBC Kenya exposed allegations of widespread gender-based violence and discrimination occurring in Kenyan tea plantations, which also led to heightened tensions between workers and employers in other sectors. During the evaluation period from March to May 2023, the COTU did not agree to facilitate access to workers in the targeted sectors.

**Table 3: AHK and CAPSA Evaluation Questions**

Evaluation Criteria	Evaluation Question
<b>Relevance and Coherence</b>	1. To what extent are each project’s design, theory of change, and strategies relevant to the specific needs of project participants, especially workers in the target sectors, and other stakeholders?
<b>Effectiveness</b>	2. To what extent is each project making progress toward its planned outcomes? What are the key internal or external factors (including those related to the COVID-19 pandemic) that are facilitating or limiting achievement of outcomes?
	3. To what extent is each project making progress toward meeting equity and gender objectives through mainstreaming or cross-cutting approaches? <sup>7</sup> Which approaches are perceived to be most and least effective for achieving equity, including gender equity objectives?
<b>Efficiency</b>	4. How efficient are each project’s interventions and management strategies?
<b>Sustainability</b>	5. To what extent has a phase-out strategy been defined and to what extent are sustainability plans adapted to the local and national levels and to the capacity of implementing partners? <sup>8</sup>

In addition, based on all evidence gathered for this evaluation, the ET presents an objective rating of the achievement and sustainability level of the two projects’ major outcomes on a four-point scale. The following section, Evaluation Results, presents the results generated from this evaluation organized around the five key EQs.

## 1.2 PROJECT CONTEXT AND DESCRIPTIONS

### 1.2.1 CAPSA PROJECT DESCRIPTION

CAPSA is a five-year, \$5.25 million regional project implemented by the ILO that focuses on Kenya and Uganda. Key stakeholders in both countries include law enforcement officers, frontline service providers, and NGOs (Table 4). CAPSA aims to achieve three LTOs: (1) improved enforcement of the legal framework and/or policies pertaining to child labor and/or forced labor and ACW violation, (2) improved assistance services for victims of child labor and/or forced labor, and (3) strengthened partnerships to accelerate progress in addressing child labor and/or forced labor and ACW violations (Table 5).

<sup>7</sup> The development of this question was informed by the *Executive Order Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, Executive Order No. 13985, Signed by U.S. President Joseph R. Biden, January 20, 2021.

<sup>8</sup> This question may address relevant dimensions of sustainability, including replacement resources, ownership and political will, capacity, partnership, and integration in local systems. “Sustainability Guide: A Practical Tool for Sustaining Development Gains,” Developed for ILAB under Contract DOLJ129K33985 Task Order No. 1605DC-17-T-00082, August 22, 2018.



**Table 4: CAPSA Kenya and Uganda Key Stakeholders**

Kenya Primary Stakeholders	Uganda Primary Stakeholders
<ul style="list-style-type: none"> <li>● MLSP</li> <li>● Advisory Committee on Counter-Trafficking in Persons (CTIP)</li> <li>● (NSC-CL)</li> <li>● CTIP Advisory Committee</li> <li>● County-level children’s area advisory councils</li> <li>● Department of Children’s Services</li> <li>● Office of the Directorate for Public Prosecutions</li> <li>● Department of Labor</li> <li>● Directorate for OSH Services</li> <li>● FKE</li> <li>● Central Organization of Trade Unions–Kenya (COTU-K) and Platform for Labor Action</li> <li>● Frontline service providers and law enforcement officers</li> </ul>	<ul style="list-style-type: none"> <li>● Ministry for Gender, Labor, and Social Development</li> <li>● Ministry of Internal Affairs</li> <li>● Office of the Director of Public Prosecutions</li> <li>● NSC-CL</li> <li>● District-level CWCs</li> <li>● Federation of Uganda Employers</li> <li>● National Organization of Trade Unions (NOTU)</li> <li>● Frontline service providers and law enforcement officers</li> </ul>

**Table 5: CAPSA Results Framework**

<p><b>CAPSA Project Objective: To strengthen the capacity of the Government of Kenya and additional Sub-Saharan African countries to address child labor, forced labor/human trafficking, and ACW violations.</b></p>
<p><b>Outcome 1: Improved enforcement of the legal framework and/or policies pertaining to child labor and/or forced labor and violations of acceptable conditions of work.</b></p>
<p>Output 1.1: Targeted technical assistance to revise the legal and policy framework to address child labor, forced labor/human trafficking, and ACW violations to make it in line with ILS is provided.</p> <p>Output 1.2: The governing structures (national steering committee, technical working group, and county committees) for child labor, forced labor/human trafficking, and ACW violations are established.</p> <p>Output 1.3: Law enforcement personnel are trained to enforce laws and policies relating to child labor, forced labor/human trafficking, and ACW violations.</p>
<p><b>Outcome 2: Improved assistance services for victims of child labor and/or forced labor.</b></p>
<p>Output 2.1: Existing services, structures, and systems to support victims of child labor and forced labor are mapped and gaps identified.</p> <p>Output 2.2: Coordination mechanisms among CSOs, community-based organizations, government agencies, and social partners are established.</p> <p>Output 2.3 Frontline service providers are trained to assist victims of child labor and forced labor.</p>

**Outcome 3: Strengthened partnerships to accelerate progress in addressing child labor and/or forced labor and ACW violations.**

Output 3.1: A comprehensive strategy to facilitate effective communication and increase knowledge (including sharing lessons learned) between partners and stakeholders is implemented.

Output 3.2: Multistakeholder efforts to address the elimination of child labor and forced labor are coordinated.

Output 3.3: Communication and knowledge sharing of information collected on child labor, forced labor, and ACW violations are enhanced among government departments, social partners, CSOs, and other stakeholders.

Output 3.4: Targeted advocacy and awareness-raising are conducted around issues of child labor, forced labor, and ACW violations among employers and workers.

Output 3.5: Cross-country, regional, and transnational information-sharing events on issues related to forced labor and ACW violations are conducted.

### 1.2.2 AHK PROJECT DESCRIPTION

AHK (December 2020–December 2024) is a four-year, \$3 million project, also implemented by ILO, that provides technical assistance to 14 Kenyan county-level governments to improve compliance with ILS and ACW in the tea, textile and apparel sectors. AHK aims to achieve three key outcomes: (1) increased government effectiveness in improving compliance with ILS and ACW; (2) increased employers' actions to improve compliance with ILS and ACW; and (3) increased engagement of civil society, including workers' organizations, government, and employers, to improve compliance with ILS and ACW (Table 6). In collaboration with the tripartite partners—which include government departments, employers' organizations, and workers' organizations in the tea and textile sectors and county government entities responsible for labor and OSH law enforcement—AHK aims to achieve three expected outcomes and has planned the following short-term outcomes (STO) and medium-term outcomes (MTO) under each (Table 6).

**Table 6: AHK Results Framework**

<b>AHK Project Objective: Increased effectiveness of Kenyan institutions to improve compliance with ILS and ACW</b>
<b>Outcome 1: Increased government effectiveness in improving compliance with ILS and ACW</b>
<p><b>MTO 1.1: Labor inspectorate more effectively promotes and enforces compliance with ILS and ACW.</b></p> <p>STO 1.1.1: The capacity of labor inspectors improved to effectively detect and address labor violations in the tea and textile sectors.</p> <p>STO 1.1.2: An ECMS is installed and in use to monitor and report on labor inspection activities at county levels.</p> <p>STO 1.1.3: A strategic compliance plan is developed and implemented by the labor inspectorate to ensure optimal use of resources to enforce compliance with ILS and ACW.</p> <p>STO 1.1.4: Functionality of institutions under the Ministry of Labor and tripartite bodies (National Labor Board and wage councils) is improved.</p> <p><b>MTO 1.2: Improvements to domestic law, regulations, and practice are adopted in line with the Kenyan constitution, ILS, and ACW.</b></p> <p>STO 1.2.1: Legislative, regulatory, practice, and ratification recommendations from labor law assessment are promoted to government entities and stakeholders for consideration.</p> <p><b>MTO 1.3: Access to judicial and nonjudicial (alternative dispute resolution, or ADR) remedies related to ILS and ACW is increased through public institutions.</b></p> <p>STO 1.3.1: Recommendations from assessment on judicial remedies are implemented.</p> <p>STO 1.3.2: Recommendations on access to nonjudicial (ADR) mechanisms are implemented.</p>
<b>Outcome 2: Increased employers' actions to improve compliance with Kenyan laws related to and consistent with ILS and ACW.</b>
<p><b>MTO 2.1: Employers utilize new tools and procedures to handle workplace cooperation and workplace grievance-handling using best practices.</b></p> <p>STO 2.1.1: The business and trade cases for compliance with ILS and ACW are developed and disseminated to employers.</p> <p><b>MTO 2.2: Capacity for social dialogue among the employers and workers that promotes mutual understanding of labor rights and responsibilities is improved.</b></p> <p>STO 2.2.1: A pilot program on workplace cooperation and workplace-level grievance-handling in selected enterprises in the tea and textile sectors is developed and supported using the model procedures.</p> <p>STO 2.2.2: Effective social dialogue process among the workers and employers is established and in place at the workplace level.</p>

**Outcome 3: Increased engagement of [workers' organizations] with government and employers to improve compliance with ILS and ACW**

**MTO 3.1: Workers' organizations advocate more effectively to the government, employers, and other stakeholders on behalf of workers.**

STO 3.1.1: Capacity of trade union officials to advocate for workers' rights with employers, government, and other stakeholders is improved.

STO 3.1.2: Workers' capacity to engage their union officials to advocate for their labor rights with employers, government, and other stakeholders is improved.

### 1.2.3 PROJECT CONTEXT FOR CAPSA AND AHK

Stakeholders noted several contextual factors that influenced the implementation of project activities in Kenya and Uganda, including:

- Climate change is causing frequent and severe flooding and drought in both countries, which disproportionately affects women, youth, and vulnerable groups.
- COVID-19-related disruptions in supply chains delayed project activities and limited CAPSA's in-person activities in 2020 but resumed in March 2021 under a risk mitigation plan adapted by ILO.
- The August 2022 Presidential elections in Kenya and anticipated cabinet and sub-cabinet level leadership changes caused modest delays in project implementation but had no measurable impact on government commitment to the CAPSA nor AHK projects.
- In February 2023, BBC Kenya's investigative journalists published an explosive story about alleged wide-spread sexual abuse in the tea sector,<sup>9</sup> which triggered subsequent media and government investigations into abuse of workers, overwork, and worker injury due to heavy machinery. It renewed interest in addressing worker rights violations, while also creating a climate of distrust among workers, employers, and other stakeholders.

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<sup>9</sup> "True Cost of our Tea: Sexual Abuse on Kenyan Tea Farms Revealed," *BBC/Kenya*, February 20, 2023, page 1.

## 2. EVALUATION RESULTS

In this section, we present the evaluation results, organized around four criteria (relevance and coherence, effectiveness, efficiency, and sustainability) recommended by the OECD. There are 10 evaluation results for CAPSA and nine for AHK. The ET utilized a four-point ranking to ascribe a score to the achievement and sustainability of each project's main outcomes. The ET ascribed each ranking using all triangulated data collected for this evaluation. The four ranking options were: 1 (low), 2 (moderate), 3 (above-moderate), and 4 (high). These results are based on achievements through April 2023; which means that a ranking of moderate reflects adequate progress at this mid-term in the period of performance. Selected quotes taken from key informant interviews (KIIs) are used to illustrate and amplify the results; none of these quotes are outliers but rather present a consensus view.

### 2.1 CAPSA RESULTS<sup>10</sup>

CAPSA was designed in response to gaps in government capacity to address child labor, forced labor, and ACW violations by engaging civil society and local communities in raising awareness of these issues that will increase demand for the government to provide services to child victims. Through a series of assessments in 2020, the project team identified major gaps in the Kenyan government's capacity to address child labor issues, namely: (1) a weak legal and policy framework, with stalled review of laws and policies due to a lack of funding to convene the necessary stakeholders and experts; (2) poor enforcement of existing laws and policies; (3) a dearth of services available for victims of child labor and forced labor (along with low awareness of services that were available); and (4) a lack of coordination between government and social partners, including defunct national and local coordinating mechanisms. The results of CAPSA will be measured by its ability to close these four gaps.

#### 2.1.1 CAPSA RELEVANCE AND COHERENCE

This section addresses the EQs related to relevance and coherence.

1. To what extent are each project's design, TOC, and strategies relevant to the specific needs of project participants, especially workers in the target sectors, and other stakeholders?
  - 1a. To what extent have stakeholders in government, civil society, and employers been engaged during project activities?

#### **CAPSA Result 1. The design and TOC have been relevant to most stakeholders' needs.**

Prior to launching CAPSA activities in Kenya, ILO inventoried laws, policies, and enforcement systems for child labor, forced labor, and ACW violations, assessed assistance services for victims and other vulnerable people; and gauged the levels of knowledge, attitudes, and practices of unions and government personnel. The learnings from these assessments guided the development of the project design although it was not evident if ILO integrated all these findings. For example, a key recommendation

<sup>10</sup> Because of the inability to interview workers, the ET could not determine directly from workers whether the project was relevant to their needs.

generated from the mapping of Kenya's assistance services related to fully operationalizing the National Assistance Fund for Assisting Victims of Trafficking is not reflected in the project's work plan, which may merit follow-up in the remaining duration of the project. (See also CAPSA Result 10.) Similar assessments were conducted for Uganda, although those reports were not yet available to the ET at the time of evaluation, and ILO did not share when the assessment was expected to be completed nor commented on delays affecting its implementation.

While the project's design and implementation strategies demonstrate alignment with workers' needs, there are not yet measurable results. Several stakeholders reported that the project had not yet reached "the ground" to affect workers directly. Performance monitoring data of worker impact is not yet available, and this evaluation did not interview workers. Early focus on policy and capacity-building often creates a lag before workers perceive an impact on themselves or their work environment. The CAPSA design logic acknowledges this lag, as the highest-level project goal is to strengthen government capacity. The TOsC outlines a clear intention to affected workers over time, namely through an improved and better enforced legal framework and policies, including governance structures and law enforcement capacity, improved government capacity to assist victims, and stronger partnerships to coordinate and accelerate progress through advocacy and awareness-raising to employers and workers.

As noted earlier, mitigating factors such as COVID-19, also may have contributed to delays in worker-level outputs and outcomes. These factors are discussed further under Efficiency Results (CAPSA Result 8). Most interviewed respondents reported the project design is relevant to their needs as illustrated by respondents' observations and insights.

"Some of these activities are helping us in terms of improvement of... activities of the department, and especially that they are aligned to our strategic plan, and the ministry's midterm plan, thus helping us to accelerate the implementation of the ministry's work."

– Government stakeholder informant

- a) Strengthening local policies and systems for local victim referrals has helped government and civil society providers become more aware of available services and has strengthened referral linkages.

"[T]he whole project was to respond to the needs of our communities and engage stakeholders on child labor, forced labor, and trafficking in persons, and therefore this has been achieved, as we have equipped police with materials to enable them to conduct child protection within Nairobi Green Park [bus park] areas. Also, we improved referral mechanisms in a coordinated approach...and identified gaps for the shelters to be resourced from the county and national government. This was handy and complementary."

– NGO stakeholder informant

- b) Convening multi-stakeholder meetings with the community (parents and children) and employers about child labor promoted awareness for combating child labor in small and medium enterprises. The use of customized toolkits also improved awareness of child labor and common understanding about child labor among communities and duty-bearers (i.e., government, employers, workers' organizations, and service delivery organizations).

“CAPSA developed a toolkit on combating child labor and has different employers using it. [An] enterprise-level child labor policy has been adopted and awareness has improved on how to identify child labor especially in the tea sector. [We] weren't aware if child labor happens, especially for some parent [workers] who would come with their children at work and assign them work, [but] are now aware what child labor is all about.”

– Employer stakeholder informant

“The project is also engaging communities on elimination of child labor, to understand that when children cannot go to school, the future of that community is not assured.”

– Employer stakeholder informant

**CAPSA Result 2. The project has actively engaged most stakeholders; however, shortcomings exist in the depth of engagement with government entities at the local level.**

The project has actively engaged stakeholders across government, workers' organizations, employers' organizations, and civil society. A majority of interviewed stakeholders reported that they were actively included in the design and/or implementation of activities.<sup>11</sup> The project also engaged community organizations in outreach efforts. The project has worked through umbrella organizations such as children's councils and children's caucuses to make local partners aware of issues related to child labor. Consistent tripartite engagement has been an overall strength of the project.

“Right from our first meeting [with the project], the Federation of Uganda Employers were represented, employees through the National Organization of Trade Unions and district-level Uganda National Teachers Union were represented, CSOs, and government. The area-based approach highlighted the holistic and comprehensive support for the children since one service provider cannot provide all.”

– NGO stakeholder informant

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<sup>11</sup> Specifically, 6 of 7 NGO respondents, 7 of 10 government respondents, and 2 of 4 employer and worker organizations respondents shared this.

“Underserved group consideration was critical from the start and that is what the project is continuing to look into, especially children from the informal sectors, as they are many in regard to child labor. Further, the needs of workers, such as safe workplaces, labor laws aligned with international labor standards, safety, and wages, are the project’s focus to ensure workers’ needs who are often forgotten are met.”

– Partner

However, some government stakeholders, particularly at the local level, reported being under-engaged with key activities yet to be completed.

“...ILO works well with [our] office, but the Ministry of Labor is only involved partially. The communication is haphazard and last minute...not done well to involve Ministry...”

– Government stakeholder informant

“...the review of child labor policy is yet to be completed because the consultant contracted did not deliver. For the National Action Plan on child labor, we have not started it yet. I think ILO has hired a new consultant and we are now back to the starting line.”

– Government stakeholder informant

## 2.1.2 CAPSA EFFECTIVENESS RESULTS

This section addresses the following EQs related to effectiveness:

2. To what extent is each project making progress toward its respective planned outcomes? What are the key internal or external factors (including those related to the COVID-19 pandemic) that are facilitating or limiting the achievement of outcomes?

3. To what extent is each project making progress towards meeting equity and gender objectives through mainstreaming or cross-cutting approaches? Which approaches are perceived to be most and least effective for achieving equity, including gender equity, objectives?

### **For CAPSA**

2a. To what extent has the engagement of government, civil society, and the private sector led to increased capacity and understanding related to child labor, forced labor, TIP, and ACW?

2b. To what extent have coordination and communication improved among the key government/ law enforcement and civil society stakeholders involved in addressing issues related to child labor, forced labor, and ACW?

2c. To what extent has the project been effective in supporting Kenya’s government agencies in revising legal frameworks and policies related to child labor, forced labor, TIP, and ACW?



**CAPSA Result 3. The project has successfully contributed to amending laws and local ordinances following comprehensive legislative and policy gap analyses under LTO 1.**

The ET assigned CAPSA's performance as "moderate" based on triangulation of data from KIIs and the rapid scorecard survey, in which stakeholders provided an average rating of "moderate" for CAPSA's performance on this objective. At the start of CAPSA, the project completed an assessment of Kenya's legislative and policy framework related to child labor, forced labor, and violations of ACW that included both a review of documents and interviews of Kenya stakeholders. In Kenya, CAPSA reviewed existing policies and enforcement structures and interviewed stakeholders inside and outside of the government and found Kenya has not ratified some key international conventions. These gaps were related to legal and policy frameworks that regulate resources, authorities, intra-governmental coordination among institutions responsible for child labor, forced labor, and ACW policy development, implementation, and enforcement.<sup>12</sup> The project appears to be addressing these gaps by successfully contributing revisions to county bylaws, and child protection policies and guidelines. Further, CAPSA is making progress in reviewing Kenya's National Plan of Action on Child Labor and the National Decent Work Framework. The project also advocates for the passage of the Wages and Minimum Remuneration Policy (pending passage).

In Uganda, CAPSA has engaged a consultant to complete a legislative and policy assessment, however, the reports were not available during the evaluation period. The project successfully contributed to revisions to the Uganda Children's Act, the Uganda National Child Policy (NCP) 2020, children's labor regulations, and a hazardous work list. As a result of these activities, stakeholders reported an increased awareness of the harms from child labor.

"[The project supported] transitioning from the old orphans and vulnerable children policy, which had good practices, to the NCP, which comprehensively addresses the vulnerability of children... There has been a big problem drawing a line between child labor and child work. Child work is positive and encouraged, but not violating their rights, and should be age appropriate. [The law] helped clarify and draw a red line between the two. Also, the project enlightened communities to understand the negative consequences [of child labor] on the future of their children and households."

– Government stakeholder informant, Uganda

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<sup>12</sup> *Mapping of the existing labor law and policy framework, enforcement structures, systems and processes relating to child labor, forced labor, human trafficking and violations of acceptable conditions of work in Kenya*, ILO/CAPSA, October 2021

**CAPSA Result 4. In support of Outcome 2, CAPSA has contributed to revising Kenya’s TIP victims’ services and care standards and the ability of providers in Kenya and Uganda to make referrals.**

The ET assigned CAPSA’s performance as “moderate” in improving assistance services for victims of child labor and/or forced labor. From the rapid scorecard survey, stakeholders provided an average rating of “above-moderate” for CAPSA’s performance on this objective. CAPSA supported the convening of the CTIP Secretariat to develop minimum standards of care for victims of trafficking in Kenya along with the Center for Domestic Training and Advocacy, which empowers domestic workers through community advocacy. In Kenya and Uganda, CAPSA has convened several coordinating bodies and provided training,<sup>13</sup> which stakeholders reported has improved their ability to make referrals. As a result of the convenings and training, service providers reported an increased capacity to recognize child labor, forced labor, and ACW violations and stronger networks among providers. It should be noted this result does not measure changes in the quantity or quality of services delivered; data indicate that service delivery has either increased or improved a general awareness of how to process referrals.

“ILO did well by bringing all partners in one space, and having meetings with [MLSP], the CTIP [Secretariat, which coordinates the national referral mechanisms for TIP victims], and police departments, which helped to strategize our efforts. CSOs complemented government efforts, an approach that has worked to increase the capacity of all stakeholders and increase interaction on working together.”

– NGO service provider stakeholder informant, Kenya

“We have strengthened referrals for victims and strengthened partnerships as well as came up with minimum care standards for victims of CL [child labor] and FL [forced labor], also known as SOPs.”

– NGO service provider stakeholder informant, Kenya

“The program targets a number of key stakeholders and has conducted training on due diligence for police, and judicial systems. They are now identifying CL [child labor] hot spots and coming up with action plans on how to address these issues and internally displaced people.”

– NGO service provider stakeholder informant, Uganda

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<sup>13</sup> The project has trained frontline service providers in Kenya and Uganda to assist victims of forced labor and child labor and has directly funded or otherwise engaged 30 national and local organizations that provide services to victims of child labor, forced labor, and TIP. However, due to pervasive Comprehensive Monitoring and Evaluation Plan and reporting errors, the ET could not determine how many providers have been trained in the new standards nor how many project-funded services have been delivered.

**CAPSA Result 5. In line with Outcome 3, the convening of partners in Kenya and Uganda has been strengthened, with increased understanding and awareness of child labor reported by government and NGOs.**

The ET assigned CAPSA’s performance as “above-moderate” in strengthening partnerships to accelerate progress in addressing child labor and/or forced labor and ACW violations. From the rapid scorecard survey, stakeholders provided an average rating of “above-moderate” for CAPSA’s performance on this objective. The project has helped to establish or render more functional three national child labor committees, including the NSC-CL and TWC in Kenya and the NSC-CL in Uganda, which was launched in 2021 in conjunction with the Ugandan Ministry of Gender, Labor, and Social Development’s first child labor national action plan. In addition, CAPSA mainstreamed child labor committees that are now active and functional in four Kenyan counties and six CWCs in nine Ugandan districts, most recently in Jinja, Bugiri, Mbale, and Iganga. According to stakeholders, the convening of these committees for policy discussion, capacity-building, and tool development has led to new dialogue and increased awareness of child labor. This has enabled tripartite members to come to a better common understanding of child labor and forced labor issues.

Respondents from community-level organizations reported that community awareness of these issues has increased, and some private sector employers have committed to change and utilized the toolkit for combating child labor in small and medium enterprises developed in Kenya and adapted for Uganda.

“We now have a committee in place, and it has made the members come together. If not for this project, the committee would not be functional. It has enhanced collaboration and partnerships.”

– NGO service provider stakeholder informant, Kenya

“[Coordination has improved through] convenings of the NSC, where there are government agencies, workers, CSOs, and WhatsApp groups were set up for improved coordination.”

– NGO service provider stakeholder informant, Uganda

### 2.1.3 CAPSA EFFICIENCY RESULTS

This section addresses the following EQs related to efficiency:

4. How efficient are each project’s interventions and management strategies?

4a. Do the CAPSA CMEP and the AHK PMP, respectively, monitor progress and achievement, and to what extent have the M&E systems been effectively used to inform management decision-making?

**CAPSA Result 6. The project has acted responsibly with funds.**

While the scope of this evaluation did not include a budget analysis or value-for-money assessment, stakeholders reported that project expenses have been reasonable; ILAB and ILO personnel also reported that expenditures were in line with prevailing local costs. Stakeholders reported the project has sought to leverage the resources of other ILO projects, and those of other donors and local partners to achieve shared aims, especially through existing coordinating mechanisms.

“Everything is integrated into our strategic plan, so we are not only looking at USDOL or ILO for funding but other partners as well. District CWCs are promoting integrated monitoring of activities because there are programs with funds that could be piggybacked on. This will ensure the pooling of resources.”

– NGO stakeholder informant, Uganda

**CAPSA Result 7. CAPSA’s M&E system could be improved by increasing the number and quality of indicators and more consistent reporting.**

CAPSA’s CMEP indicators track outcomes and outputs at the appropriate levels to monitor progress against the TOC. Some indicators are less relevant to the targets and results they are designed to measure. For example, for the output “Law enforcement personnel are trained to enforce laws and policies relating to child labor, forced labor, and violations of acceptable conditions of work,” the assigned indicator is “Number (#) of individuals provided with training or other support to improve enforcement of, or compliance with, child labor, forced labor, or other worker rights laws or policies,” which tends to be used as a catch-all for any individuals trained on the general topics of the project, including workers, NGOs, and others who are not law enforcement personnel. This is a shortcoming of indicator validity. Respondents agreed that the M&E plan is not very collaborative, and they were not sufficiently aware of the M&E processes to be able to participate actively in program decision-making.

“ILO to come and see what is happening and can give areas of improvement. We agreed with ILO on indicators and do tracking, discuss with them, and organize joint activities too. We produce quarterly/periodic reports as agreed to monitor progress. ILO is keen on this.”

– Employers’ organization stakeholder informant

“The districts organize quarterly review meetings that include government, the private sector, faith-based organizations, academia, CWCs, etc. All stakeholders implementing related activities.”

– NGO stakeholder informant, Uganda

“We do not yet participate in M&E of the project.”

– Government stakeholder informant, Uganda

“We are participants, we do not do monitoring and evaluation. We are instead the champions.”

– Government stakeholder informant, Kenya

**CAPSA Result 8. The project has faced several operational management challenges within and external to its manageable interests.**

Several CAPSA stakeholders have reported inadequate operational planning, poor timing of invitations to project events/trainings, and payment processing issues that have caused programmatic delays and have constrained stakeholder participation in activities. The project also faced challenges that were beyond its control: COVID-19, loss of key staff, and a delay in the selection of Uganda as the second country for CAPSA implementation.

Stakeholders found they had adapted relatively well after the first year of COVID-19, either using virtual convening or in some cases postponing activities and delaying program expenditures until they could be used more effectively after gathering restrictions were lifted. The project’s workplan was delayed by four to six months due to loss of key personnel and the time needed to recruit and replace staff.

“We have not received funds yet, although the contract was signed in March 2023.”<sup>14</sup>

– NGO stakeholder informant, Uganda

“[There has been a] delay for Uganda in terms of time, unlike in Kenya— not sure of the reasons for the delay).”

– NGO stakeholder informant, Uganda

“[The project is] not efficient on budgets and timelines (referring to activity lag of payments).”

– NGO stakeholder informant, Kenya

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<sup>14</sup> This represented a potential delay of a couple of weeks, but the partner was not apparently made aware of when funds should arrive.

In addition, one stakeholder suggested that CAPSA was not keen on “stretching funds” when it could reach more workers with activities, as exemplified by the following quote.

“We believe that when you budget for 20 participants, you can reach say 100 but ILO will cut funds [to use them] for other workshops.”

– Employers’/workers’ organization stakeholder informant, Kenya

#### 2.1.4 CAPSA SUSTAINABILITY RESULTS

This section addresses the EQs related to sustainability.

**CAPSA Result 9. The project has systematically embedded activities in government structures and policy/plans and made progress strengthening systems, capacity, and knowledge but there are concerns regarding longer term investments in institutional capacity building.**

The CAPSA Sustainability Plan was completed in April 2023 and highlights activities to improve institutional capacity building and local coordination. To date, the achievements have been:

- Revised legislative and policy frameworks that are designed to improve access to and delivery of services (See CAPSA Result 3), corresponding to outcome domains seven and eight of ILAB’s TOSCs;<sup>15</sup>
- Strengthened stakeholder capacity and knowledge through forums and training (See CAPSA Result 4), corresponding to outcome domains two and four of the TOSCs; and
- Establishment and/or strengthening of national- and district-/county-level convening and coordination bodies (see CAPSA Result), corresponding to outcome domain one of the TOSCs.

“Yes. We had been invited to develop a child protection policy for sustainability of this project, anchored in the county government’s policies and programs touching on child labor, and is to be integrated at local and village level.”

– Government stakeholder informant, Kenya

“At the inception meeting, involving the key stakeholders in appreciating and informing the deliverables were addressing sustainability from the project onset.”

– NGO stakeholder informant, Uganda

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<sup>15</sup> See Exhibit 2 in Section 6, Recommendation 8, for ILAB’s TSC outcome domains.

“I am not sure if the project shared a sustainability strategy, but a good one is that ILO did not look into new ways of working but rather supported existing organizations and their mandates.”

– NGO stakeholder informant, Uganda

“We have incorporated CAPSA/AHK project modules into our training modules to continue building capacity of employers on labor laws, dispute management, employment contracts, etc.”

– Employers’ organization stakeholder informant, Kenya

“The local government has identified other CSOs and implementing partners that they can partner with to provide other services, and the project has strengthened the capacity of service providers and provided reference materials.”

– Uganda government stakeholder informant, Uganda

Despite CAPSA’s success in embedding activities in existing Kenyan and Ugandan structures, some stakeholders have raised concerns about its performance in building institutional capacity, which is not easily monitored and assessed in the current M&E plans, as captured by the following quotes:

“ILO missed considering building capacity of key institutions to continue with this project (e.g., FKE, COTU) outside of labor inspectors. They target[ed] one person instead of [targeting] an institution, and instead of building our capacities as institutions, they brought us onboard as implementers.”

– Worker/employer organization stakeholder informant, Kenya

“We fear the groups and officials we trained in government would leave to the private sector, or counties, meaning it is like our efforts have been watered down.”

– Partner

**CAPSA Result 10. While stakeholders report there is political will to reduce child labor, forced labor, and ACW violations, the project has not sufficiently prioritized advocacy to convert political will into funding allocations from key partners, nor has it adequately engaged partners in the development of a formal sustainability plan.**

While CAPSA has recently developed a sustainability plan<sup>16</sup>, they had not sufficiently collaborated with partners in developing this plan, as evidenced by several key stakeholders being unaware of such plan, which has constrained shared understanding with partners of how the project will advance sustainability. Several stakeholders reported they are unsure of how the project plans to address sustainability concerns around some of its initiatives. Other stakeholders reported a similar lack of awareness of the existence of a formal sustainability plan.

“We do not know whether there are continuity plans among the other stakeholders of the project.”

– NGO stakeholder informant, Kenya

“Resources haven’t been worked on to ensure this sustainability is done”

- Employer/Worker Organization, Kenya

“No steps have been taken to ensure sustainability.”

- Employer/Worker Organization, Uganda

According to respondents, relevant government partners have not sufficiently invested in project-supported interventions. While some stakeholders in Kenya and Uganda report that there is political will to address child labor, forced labor, and ACW issues, they report that adequate funding has not followed. For example, in Kenya, stakeholders reported a lack of funding for victim services.

Ensuring adequate funding is challenging and not fully within the project’s power: this power resides with national and local governments and the private sector. In the democratic contexts of Kenya and Uganda, it also resides with workers and citizens to make demands of the government. And while the project has had some success securing funding for its planned activities, stakeholders report those commitments are insufficient.

“[In Uganda, there is] good political will; the social services committee welcomed CAPSA and presented the project to the District Council. The local council...and District Executive Council have been involved.”

– Government stakeholder informant, Uganda

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<sup>16</sup> This sustainability plan was made available to the ET after the period of performance for this evaluation.



“There is political goodwill [in Kenya], we have had engagement with political leadership such as the cabinet secretary and the permanent secretary to support and commit to conduct the child labor survey. The former has committed to raise resources to conduct the survey and has already secured funding from the EU and will also engage the treasury to increase it. We also have political goodwill with Kenya applying to join the 8.7 alliance (4).”

– Partner

“We also fear that all this good work can collapse since most of the partners also depend on specific funding, but we are glad we started the process early enough on partnerships.”

– Partner

“[District name and district name] integrated child protection into District Development Plans, but they fall under unfunded priorities”

– NGO stakeholder informant, Uganda

## 2.2 AHK RESULTS

### 2.2.1 AHK RELEVANCE AND COHERENCE RESULTS

#### **AHK Result 1. The project aligns with government goals and is relevant to most stakeholders’ needs.**

Most respondents reported that AHK was responsive to their needs. Several described, for example, how the project had used multiple assessments and established a project advisory committee (PAC) to understand and validate which policies should be prioritized. Government stakeholders reported that the project aligned with their key goals, such as strengthening inspection, building an ECMS, and establishing ADR regulations.

“We incorporated this project into our work plan, thus helping us to achieve our organization’s outcomes but also the project’s.”

– Government stakeholder informant

“With the [inspection] toolkit, we will be able to enforce labor compliance and identify lapses and non-compliances and clearly follow-up on the same, and we will give decent environment suggestions. It will help workers to be more productive, due to identified challenges and employers addressing [them].”

– Government stakeholder informant

“The Court Users Conference [will raise] awareness on employment and labor court issues. The conference will include court judges to bring more understanding to [court users on] the day-to-day court operations and processes. The conference will include industrial labor officers and FKE.”

– Workers’ organization stakeholder informant

Worker and employer representatives also reported that the project is relevant to workers’ needs, including those of women workers.

“The challenges of ACW/ILS, if not observed, women and workers suffer most. So, this project promoting ACW is very important for them, [addressing] issues like unequal remunerations, maternity leave, ensuring we are able as employers to understand what is expected, have tools, and identify where there is violation and put together policies to address these issues.”

– Employers’ organization stakeholder informant

**AHK Result 2. The project design indirectly addresses gender through improved compliance with ILS and ACW and approaches to anti-discrimination, and to reduce abuse, harassment, exploitation, and violence in the workplace.**

The project’s initial five assessments evaluated the status of labor laws, compliance systems, inspection processes and workflows, and judicial and nonjudicial labor dispute remedies. Each included recommendations for how the project should address identified gaps. In interviews, ILAB and ILO personnel reported that they used the assessments to make the final project design responsive to identified gaps and to inform PMP targets. Some stakeholders reported that the project does not systematically address gender, aligning with ET findings from its extensive desk review. For example, the major study of judicial and non-judicial labor justice remedies conducted early in the project to inform activities noted merely the existence of sexual harassment toward women, without any further analysis throughout the document about gender dimensions of access to remedies. None of the report’s 9 recommendations explicitly addressed gender. For another example, AHK sent a survey to 60 workplaces to help plan engagement with them. The survey asked how many workers were in each workplace, without disaggregating by gender. The survey did ask whether there were any special processes for submission of grievances by women, but then in a series of questions about actual grievances submitted, there was no breakdown by gender requested. Thus, the survey did not inform whether any such gender-oriented grievance processes led to greater actual use of the grievance system, which would have helped AHK assess the adequacy of those processes. While the ET found AHK has an intent to address gender issues, it found that intent has not yet been realized in design and implementation. This finding is supported by the desk review and feedback from stakeholders. In response to the BBC Kenya exposé of tea sector abuse, the PAC recently discussed the need for the project to be more proactive in addressing gender equity and anti-discrimination programming.

“The project targeted tea and textile sectors, historically these are fields with gender bias. In the textile sector, we have a big percentage of females, and in tea plantations [we have] mixed genders, but in tea factories, especially processing areas, more males. However, I cannot say the project has done anything on equity or workplace discrimination because issues/laws/policies of equity are already in place and so ILO is not the only player (we also have Fairtrade, ISO, and Rainforest Alliance). I can say the project is adding value to the existing efforts in reducing discrimination by applying a multisectoral approach.”

– Labor/OSH inspection stakeholder informant

One stakeholder also reported that the project had planned for COTU-K to deliver sexual and gender training sessions for tea workers in two tea-producing counties (Kericho and Nandi), and that these plans were in place prior to the media exposure. According to an ILO stakeholder, the project is engaged in discussions with the Kenyan government regarding how it can support Kenya’s ratification of the ILO convention concerning the elimination of violence and harassment in the world of work (Convention 190). (This activity does not appear in the project work plan).

“There was internalization following the exposure and we looked at the activities that we can refocus so that aspects of sexual harassment and exploitation are taken care of in the training. We are consulting the Employment Labour Relations Court and COTU on how to include emerging issues in our activities.”

– AHK team member, Evaluation Feedback Workshop

**AHK Result 3. The project effectively engages with most stakeholders and is consultative within the tripartite.**

Most stakeholders report AHK has effectively engaged and consulted them, citing a wide-ranging exchange in conducting assessments, work planning, M&E, introductions to stakeholders, selection of employer workplaces, development of the inspection toolkit, development of the ECMS, launch of wage councils, and wage reviews. Despite a majority reporting effective engagement, a handful of respondents reported they were not engaged and their views were overlooked in meetings, inaccurate project information is shared in meetings and there are long delays in receiving reports. Another observed that government and employers drive the project, whereas workers are “just” stakeholders.<sup>17</sup>

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<sup>17</sup> The specific quotes, which included potential identifying information, are omitted.

“We are at the core of implementing as we have particular activities that we lead.”

– Workers’ organization stakeholder informant

“AHK has involved the judiciary, where judges have been involved to moderate the issues the AHK project is tackling.”<sup>18</sup>

– Government stakeholder informant

“Unions and employers do not agree much, now they are starting to see each other as partners and not as disruptors. The project is helping to improve relations between these forces...we feel we are all partners, not enemies, since we all care for the interest of the worker.”

– Government stakeholder informant

To date, the project has engaged government, employers and workers’ organizations in planning and consultation. The bulk of the planned activities are with government partners and the least number of on track or completed activities involve workers’ organizations (Table 7).

**Table 7: Planned and Completed Activities by Stakeholder Category**

Main activity stakeholder	No. planned activities	Of planned activities, no. (percentage) on track/complete
Government	16	10 (62%)
Employers/Employers’ organizations	5	3 (60%)
Workers/workers’ organizations	5	1 (20%)

### 2.2.2 AHK EFFECTIVENESS RESULTS

**AHK Result 4. The project has made above-moderate progress in increasing government effectiveness in improving compliance with ILS and ACW.**

The ET assigned AHK’s performance as “above-moderate” in increasing government effectiveness in improving compliance with ILS and ACW. From the rapid scorecard survey, stakeholders provided an average rating of “moderate” for AHK’s performance on this objective. The project has strengthened government initiatives, including several key achievements cited by stakeholder informants, such as developing ADR rules; increasing the minimum wage; developing uniform labor inspection tools (compliance

<sup>18</sup> Judges were consulted on project assessments; however, the judiciary activities have not begun.

plan, manual, and forms); beginning to develop an ECMS, which has the potential to strengthen consistency, transparency, and accountability within the inspection system; and establishing wage councils to review the minimum wage. As of March 2023, the OSH Directorate and Labor Department had adopted new strategic compliance plans, and 14 counties were planning to roll them out, pending adequate budget allocations. In addition, training for inspectors to implement the strategic compliance plans is scheduled for the current period, ending September 30, 2023. These new policies and procedures have not yet formally been adopted at the workplace level according to AHK's recent technical progress report (TPR), nor have any of the inspection and compliance tools been formally rolled out. Thus, data on actual compliance are not available. ILO stakeholders suggested that employers' compliance will be evident and measured in the remaining duration of the project.

In addition, the project has developed ECMS software specifications and a wireframe, which is an outline of the user journey including layout and key system components. Those have been validated with stakeholders and are under final review as of March 2023, but ILO did not share a date for expected completion for the new software installation.

“[The ECMS] will enhance transparency and accountability in the way of working, and make work done conveniently on a laptop for officers, employers, and employees, among other stakeholders. It will save money and time for movement, make our services easily accessible, and easier to monitor and track our services to customers. It will improve terms and conditions of employment and improve industrial relations. It will help stakeholders' grievances to be easily addressed and attended to, and it will be easier to report non-conformities by the workers if a person is aggrieved and experiences a hazard. For sexual harassment, it is hard for verbal reporting, but if it is about logging in [to the ECMS], it would be easy using the app that we are developing with ILO. The app will be easier in M&E and evaluating progress.”

– Government stakeholder informant

**AHK Result 5. In line with Outcome 2, the project has not demonstrated significant progress in increasing employers' actions to increase compliance with ILS and ACW.**

The ET assigned AHK's performance as “low” in increasing employers' actions to improve compliance with ILS and ACW. From the rapid scorecard survey, stakeholders provided an average rating of “moderate” for AHK's performance on this objective. While FKE<sup>19</sup> has delivered trainings for relevant stakeholders on grievance-handling

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<sup>19</sup>FKE delivered a virtual component (72 employer participants) focused on cultivating a safe and healthy workplace culture and an in-person practical component (28 employer participants) offering workplace guidance to implement OSH principles and policies. Both were held in November 2022.

procedures, OSH and labor committees<sup>20</sup>, and social dialogue processes, there is not yet available evidence that trainees have adopted or applied new practices. The AHK TOC suggests that by adopting new practices, employers will increase compliance with ILS and ACW. However, evidence of uptake is not available, although some stakeholders shared positive perceptions about the training. Stakeholders observed project progress in laying the groundwork for employers' actions, by increasing employer awareness and sensitization to the need to comply with ILS/ACW, as they have been sensitized to grievance-handling mechanisms and OSH issues through training.

“The project has also helped employers to understand why it is important to comply with the law as they did not previously see it as mandatory to.”

– Labor/OSH inspector stakeholder informant

“We conducted five regional forums in different counties on grievance handling at workplace, mobilizing employers to disseminate information on benefits and business case to comply with ILS, ACW and why is it important and beneficial for them to comply, capacity-building, and what violations on ACW amount to, so we raise this awareness.”

– Employers' organization stakeholder informant

“I can say there has been improvement in embracing laws/labor standards by the tea sector especially. After the end of the project, or [in] 3 years to come, we can now measure compliance.”

– Employers' organization stakeholder informant

ILO anticipates completing data collection by October 2023, to count the number of enterprises that are piloting workplace grievance-handling mechanisms, the number of workers making reports, and the number of grievances addressed. Other targets that have not been reported yet include the number of employers trained to establish OSH and labor committees, the number of such committees established and the number of workplaces with improved compliance. This new baseline will be necessary to set targets for measuring improvements in compliance.

**AHK Result 6. Stakeholders appreciate the project's approach to engaging with employer and worker organizations and government, but some report it prioritizes government and employers over workers in program decisions.**

The ET assigned AHK's performance as “low” in increasing engagement or workers' organizations with government and employers to improve compliance with ILS and ACW. From the rapid scorecard survey, stakeholders provided an average rating of “moderate” for AHK's performance on this objective. Via COTU-K, AHK has delivered one training for

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<sup>20</sup> The AHK workplan in Activity 2.2.2.1 plans for the establishment of workplace OSH and labor committees.

workers' organizations in effective worker representation, organizing, collective bargaining, and ADR; however, the project has not provided data on improved representation as a result of that training. Key interventions, such as the creation of a worker representative mentorship program and the development of paralegals to represent workers in the Employment and Labor Relations Court, are delayed. As of the 2023 TPR, surveys to determine the expected results for both programs are scheduled to be completed by October 2023. Many respondents shared their views that the project needs to prioritize workers' organizations, reach more workers, and strengthen workers' awareness of their rights. This is especially the case in an environment where workers fear losing their jobs or other forms of retribution if they speak up, and where retaliation is common.

“[Workers] are unaware what is acceptable nationally and internationally. They don't know, so they cannot ask questions as they think [violations are] normal. I always believe it is easier to work with people empowered with knowledge.”

– Workers' organization stakeholder

### 2.2.3 AHK EFFICIENCY RESULTS

**AHK Result 7. The project has some useful indicators, but it lacks the ability to monitor early and mid-term data for decision-making and does not have strong participatory adaptive management and learning practices.**

Many respondents from government, worker and employer organizations shared they only monitor and report on their own activities. Only PAC members reported participatory M&E learning and adaptive management. There was a lack of widespread knowledge regarding key metrics of the project. On the other hand, one respondent from an employer organization who sits on the PAC reported that he uses monitoring data to inform next steps. The current PMP indicator set does not allow the project to report early achievements because there are not early or mid-term indicator targets. To date, several capacity-building related targets still have no data and a few grievance handling indicators do not have data yet. Only two indicators have been reported with values over zero (See Table 8 below), which hinders the early learning and ability to make timely adjustments. Several indicators are not meaningful and have vague definitions. The format of the PMP is cumbersome and makes accessing data more challenging.

For example, the format lacks an aggregate/dashboard tab; indicators are not organized in order by outcome; reporting form does not use the project indicator numbers; and indicators should be aligned with reference numbers of ILAB standard indicators.

**Table 8: AHK Indicators Reported with Values Over Zero**

Indicator	Reported value as of March 31, 2023
Number of legal frameworks and policies that promote collective bargaining and/or workplace cooperation developed	1
Number of developed legal frameworks and policies that promote collective bargaining and/or workplace cooperation adopted	1
Number of individuals sensitized on the recommendations [for] the revision of legislations and policies	52

**AHK Result 8. Slow administrative and technical processes have hampered implementation.**

Stakeholders from multiple categories perceived the project as somewhat stuck in a start-up phase with one commenting that AHK has “not gotten fully started yet” and it may take much longer to accomplish its ambitious workplan. Some stakeholders expressed concerns that the project’s scope and objectives will not be achievable at its current funding level. Others raised concerns that the project does not fully maximize its financial and human resources. Stakeholders from some workers’ and employers’ organizations reported that progress has been generally slower than expected. Stakeholders attributed these issues to slow grantee administrative processes with extra layers of bureaucracy, delayed funding disbursements that reportedly slowed activity implementation, and slow hiring processes. Long delays are also attributed to the lengthy and numerous needs assessments that were commissioned by ILO. Some stakeholders observed that commissioning six separate needs assessments was excessive and integrating the findings into the project design took too much time. The PMP development process was also slow; some stakeholders said there were too many ILO and USDOL layers that constrained and lengthened the process.

“ILO contracts a lot of people and it’s a big process that goes to ILO Geneva, so there is a long lead time for activities.”

– Partner

“ILO projects, on average, are slow to start, and at least a year [passes] before they really start, [so the status] is not too surprising.”

– Partner



ILAB and ILO shared that now in Year 3, activities have begun in earnest and implementation is accelerating.

“We are now engaging in high gear with partners. But we are not reaching direct beneficiaries, so it will take time for people to internalize what we are doing and the larger impact.”

– Partner

#### 2.2.4 AHK SUSTAINABILITY RESULTS

##### **AHK Result 9. It is too early to assess project sustainability.**

The project’s sustainability plan contains useful and comprehensive analyses of factors influencing sustainability, such as interest, commitment, and power of partners and contextual risks, but its length and complexity diminish its accessibility to local partners. The plan does not clearly outline the steps needed to overcome the high risks such as limited government resources. Respondents expressed concern that the Kenyan government initiatives to strengthen labor and OSH inspections, and implement electronic compliance management are not funded. Many stakeholders were unaware of the existence of the AHK sustainability plan or had limited knowledge of its key priorities.

“In my department, ILO is just here to assist in capacity-building, to coordinate stakeholders, and my department should facilitate me to go to do my work, yet I do not receive any facilitation. We have no specific budgetary allocation for such, this means without budget, no inspection. Every quarter we should have a budget, but this has not been happening. Thus, we have not been able to test the zeal for this project.”

– County labor/OSH inspector

## 3. LESSONS LEARNED AND EMERGING GOOD PRACTICES

This section describes methods and strategies that have shown initial promise and achievements under CAPSA and AHK.

### 3.1 LESSONS LEARNED

- Workers may fear retaliation as a result of openly discussing workplace violations, which makes it imperative to establish a safe environment when encouraging workers and employers to engage directly. Therefore, consulting and working directly with both parties is important to ensure that do no harm principles are closely followed. Direct engagement with the private sector and workers can contribute to understanding how to address challenging and underreported or hidden child labor, forced labor, and violations of labor standards and ACW. The projects have been able to work primarily through employers' organizations and workers' organizations. While this has provided insight, the project teams have not had an opportunity to fully reflect the direct voices of workers who are most impacted by violations of ILS and ACW.
- Measuring outputs and outcomes related to gender and equity considerations are increasingly important to USDOL, which requires integrating gender and equity-sensitive indicators into monitoring, evaluation, and learning frameworks. Conducting an early gender and equity analysis establishes a baseline for targets. Both projects commissioned multiple needs assessments but did not explicitly look at cultural and social norms contributing to gender inequities and workplace discrimination. While the projects have engaged in activities that address disparities among informal workers, there have been no activities that address gender-based violence and the prevalence of sexual and worker abuse in sectors dominated by female workers. The heightened awareness of gender equity presents opportunities for worker and employer organizations to develop mitigation strategies and accelerate compliance.
- AHK and CAPSA sustainability plans were developed with limited input from local partners and were not socialized so these plans may be overly complex and difficult to implement without local buy-in. M&E and sustainability plans should be developed in a participatory process and followed up at strategic junctures throughout implementation (at least semi-annually) with joint pause-and-reflect learning sessions. The sustainability plans should offer a limited number of major actions that consider both timely opportunities and priority risks.
- M&E tools should focus on validating the project's TOC in line with ILAB/OTLA's TOsC for workers' rights programs while incorporating learning mechanisms and complexity-aware M&E where practical.
- Overall implementation processes are smoother when there is communication to all partners. Local partners benefit from clear and timely communication regarding changes to workplans, resource allocation, administrative requirements, and partner relations. While not a new lesson, applying adequate resources toward

administrative support and establishing streamlined administrative processes has a high potential to reinforce technical/programmatic outcomes.

### 3.2 PROMISING PRACTICES

- Multisectoral convening was found effective in validating assessments' findings and guided the development of laws, policies, local ordinances, and key tools, such as the small and medium enterprise child labor toolkit under CAPSA and the OSH and labor compliance toolkit under AHK. Stakeholders appreciated this approach and observed that it has contributed to strengthening links among the tripartite and participating service delivery NGOs. Some stakeholders expressed that without these convenings, they would not have been aware of one another's existence nor known how to work together and strengthen their ability to refer victims to appropriate service providers. While some stakeholders reported they have not been sufficiently engaged (noted in the Results section), the overall multisectoral or area-wide approach has been appreciated by most stakeholders.

“[AHK]’s tripartite approach helped us have a clear understanding of each other’s mandate. For example, with the Judiciary on board, it was easy now for us to know how litigation is actually done, and what our department can do to benefit more from the judiciary on ILS and ACW.”

– Labor/OSH officer, Kenya

“Partners now have a forum of dialoguing on issues and coming up with a way forward.”

– NGO Stakeholder, CAPSA Uganda

- AHK’s collaboration with the Kenyan MLSP to develop the ECMS<sup>21</sup> is potentially a good model upon completion for increasing the quality and consistency of inspections across labor sectors and geographies, managing documents, aggregating data analysis, strengthening transparency and accountability, and improving efficiency. The project has developed a wireframe (outline of the software system’s user journey) and software specifications via a participatory planning process that began with a compliance system assessment and inspection process workflow mapping.<sup>22</sup> The ECMS holds promise for increasing the efficiency of the Government of Kenya and strengthening coordination among agencies, employers, and workers. The timeliness of ECMS coincides with the Kenyan Government’s digitization investment and aligns with similar pilots with which lessons could be exchanged, such as with the ILO’s Samoa and Cook Islands pilot of a standardized ECMS for inspectorates in low-resource settings.<sup>23</sup>

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<sup>21</sup> The ET requested a copy of the ECMS wireframe from ILO but did not receive it. The ET’s understanding of the plans is limited to the less detailed descriptions in the project semi-annual reports.

<sup>22</sup> Mapping Inspection Process Workflows, AHK, November 2021.

<sup>23</sup> Introduction to ILO Electronic Case Management System (ECMS) Pilot Phase for Samoa and Cook Islands, accessed 5/28/2023 at [https://www.ilo.org/suva/WCMS\\_850570/lang--en/index.htm](https://www.ilo.org/suva/WCMS_850570/lang--en/index.htm)

This promising practice also builds on prior ILO experience with ECMS, as highlighted by ILO: “ILO has learned that the best systems are those tailored to national regulations, administrative procedures, and inspection workflows [as done by AHK]. Moreover, the sustainability of these systems depends on clear and budgeted commitments by labor administrations to provide ongoing human and financial support for maintenance and further development, often at significant cost.”<sup>24</sup>

- AHK cooperation with the FKE has provided initial training to employers who are committed to developing and formalizing grievance-handling procedures, which is likely to increase respect for workers’ rights by enforcing laws and ordinances, conducting inspections, and applying dispute resolution mechanisms. FKE has trained personnel from 30 employers (seven apparel and 23 tea companies) on effective grievance-handling procedures in the workplace. AHK staff shared their plans to develop procedures and provide follow-up training for employers to effectively use tools to handle grievances. Such procedures should align with ILO grievance-handling principles, including the right to submit a grievance without suffering any prejudice and the right to an effective grievance examination procedure open to all workers. Such workplace procedures may offer an avenue to help workers ensure their rights are respected and help strengthen businesses by “constituting a safety valve which helps to prevent the outburst of serious disputes.”<sup>25</sup> Such procedures could potentially provide a confidential system for airing complaints directly to the inspectorate. For example, the assessment proposed that workers who are victims of noncompliance be able to signal problems directly to the inspectorate via the ECMS and recommended that the project invest in real-time information and communications technology approaches such as telephone and SMS hotlines associated with the ECMS. The recent exposure of systematic abuse in the tea sector has made clear that workers’ grievances have neither been aired nor effectively managed. Such an “outburst” has occurred and highlights the urgency of this promising practice in the Kenyan context.
- CAPSA’s evolving youth engagement outreach builds awareness of child labor and rights that could potentially accelerate community demand for accountable government services to protect youth and other vulnerable populations. CAPSA engaged with youth to build awareness of child labor and child rights; whereas AHK trained workers through FKE to increase awareness of workers’ rights. These activities hold promise for generating community demand for accountable government services that protect workers’ rights through laws and ordinances, inspection and enforcement processes, dispute resolution opportunities, and private sector goods from employers that respect workers’ dignity. By demonstrating compliance with ACW and good practices, including social dialogue and streamlined grievance-handling and mediation, communities and workers are more able to demand increased government services.

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<sup>24</sup> *Ibid.*

<sup>25</sup> As discussed by a group of experts who contributed to the development of ILO Recommendation 130 (The Examination of Grievances Recommendation, 1967, No. 130), Grievance Handling Fact Sheet No. 5.

## 4. CONCLUSIONS

This section summarizes the ET's conclusions regarding the two projects at their mid-point against the evaluation criteria.

### 4.1 RELEVANCE AND COHERENCE

Both projects are relevant to the needs of most stakeholders and have used mechanisms such as project advisory committees, multistakeholder convening, and assessments. Additionally, they both hold stakeholder discussions to validate policy drafts and tools, and recommendations for CAPSA and AHK in Kenya, and conduct joint validation to sustain stakeholder engagement and relevance.<sup>26</sup> Both projects have effectively engaged the tripartite as well as NGO stakeholders in CAPSA. Nearly all stakeholders believed the projects were relevant to demonstrated needs but also suggested prioritizing more direct engagement with employers and workers organizations. Initial AHK assessments of women, youth, and informal workers in the tea and textile industries revealed that workers are not organized, lack trust in institutions, do not participate in social dialogues, and are unaware of their most basic right to organize and be paid the statutory minimum wage.<sup>27</sup> Both CAPSA and AHK would have benefited from early gender equity and youth analyses to establish baselines and guide program design.

Finally, it is unclear whether potential violations uncovered during the ET's data collection—such as news reports that employers are controlling the movement and communications of their employees while they are not at work—are being interpreted by project stakeholders as workers' rights violations. These observations build on newspaper reports indicating that workers are not free to leave premises and move about unhindered when they are not working. The projects and their tripartite partners should further explore and address these likely violations.

### 4.2 EFFECTIVENESS

Both CAPSA and AHK have been effective in the strategic engagement of key government institutions, workers' and employers' organizations, CSOs, and NGOs. CAPSA has strengthened national and local committees, supported the passage of key national laws and local ordinances, and supported the adoption of child labor and sexual harassment policies at the employer level. AHK has contributed to government effectiveness in ILS/ACW compliance by drafting ADR rules, developing an inspection toolkit and investing in ECMS. Respondents shared that both projects increased awareness and understanding of labor issues through facilitated meetings, training, and tools. CAPSA respondents indicated some workplace policies had improved. Both projects successfully engaged most partners and embedded activities within local institutions that are aligned with those institutions' priorities, according to respondents from government, and workers' and employers' organizations.

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<sup>27</sup> Assessment of judicial and nonjudicial remedies, AHK, 2021.

Many of these stakeholders lauded the consultative tripartite approach of both projects. Stakeholders expressed that the projects brought them together and built awareness and a common understanding of child labor under CAPSA, and the function and benefits of compliance, social dialogue, and grievance handling under AHK. This has led to achievements in strengthening tripartite relations, from multisectoral validation of draft laws and rules (and/or passage), and workplace policies in the case of CAPSA, to agreement on high-level project priorities and subsequent development of tools and roll-out of training.

The ongoing media and government investigations into alleged widespread abuses and workers' rights violations in both projects' targeted sectors may affect the workplan and make it more difficult to complete all planned activities during the period of performance. CAPSA activities have advanced further in implementation while many AHK activities are nearer to start-up, but both projects have not reported results in some activities. Consequently, both projects should engage in participatory exercises with local partners and consider establishing milestones and other criteria to prioritize a narrower set of activities for implementation through December 2024. In the absence of this stocktaking, also called "pause and reflect" sessions, some activities may become less effective if there is a rush to complete many activities with limited time, resources, and sufficient personnel.

Project effectiveness is impacted by workers' agency and the ability or willingness of employers' and workers' organizations to empower workers. Workers in the targeted sectors are vulnerable to losing their jobs due to mechanization and experience increasingly hostile work environments, as reported by respondents in both Kenya and Uganda. This presents a major challenge to incorporating workers' voices meaningfully into the current projects' activities and future design considerations. Membership in unions is reportedly decreasing according to stakeholders and workers stated there are risks to organizing. It may be necessary for the projects to design activities that address cultural and social norms that affect workers' behavior and willingness to engage in organized and collective action in order to address their labor rights concerns. **Based on KIs, many representatives from workers' organizations said they were not aware of the dire conditions in many worksites as portrayed in the ongoing BBC Kenya and government investigations.**

#### 4.3 EFFICIENCY

Efficiency would be improved if the project monitored early and mid-term data for decision-making and strengthened its internal adaptive management and learning practices. Overall, both projects have been accountable for the use of funds and incurred spending at prevailing levels, according to USDOL and other stakeholder informants. Concerns with efficiency have arisen in two main areas: challenges in the administrative management of the projects and robust M&E systems in CAPSA's CMEP and AHK's PMP. Administrative issues within the project's control have centered on insufficient human resources, delays in hiring key staff, and delayed payments to partners.

M&E are key components of efficiency as they are meant to guide project decisions and the precise use of resources, building on what is working and eliminating what is not. Both projects would benefit from regularly scheduled local partner dialogues to jointly assess monitoring data and discuss the implications. In these sessions, ILO and partners could also agree upon needed improvements to CMEP and PMP reporting to make the reports more accessible and informative. As noted in the findings, some CAPSA indicators do not have targets or report on targets, while AHK data are heavily skewed to measure outputs that have been pushed to the latter part of implementation or outcomes that cannot be achieved until delayed outputs have had a chance to lead to outcome changes. The AHK PMP does not explicitly show tracking and reporting on activity completion and related outputs for each activity. There are currently only two indicators that support adaptive management decision-making.

#### **4.4 SUSTAINABILITY**

CAPSA appears on track to achieve sustainable outcomes related to the strengthening of national and local committees, the passage of key national laws and local ordinances, and the adoption of child labor policies and sexual harassment policies at the employer level. AHK appears on track to achieve sustainable outcomes related to the adoption of the minimum wage law and the likely near-term adoption of ADR rules. CAPSA and AHK are both working with local partners to advocate for increasing government interest, commitment, and institutional capacity, which are key factors in assessing the likelihood of long-term sustainability.

Both projects have developed sustainability plans that are lengthy and probably overly complex for easy adoption by local partners. The AHK plan has too many activities to be practical and includes 80 sub-strategies and dozens of indicators (that duplicate the PMP indicators). It is also lacking a clear statement about the sustainability of various outcomes that stakeholders agree should be achieved during the project duration. As noted in the findings, the majority of stakeholders were unaware or unfamiliar with these plans. The AHK sustainability plan does have a lot of useful and comprehensive analyses, especially assessing the power and interest of key stakeholders and the likelihood and impact of various risks.

As a good practice, the AHK plan is treated as a living document and is updated quarterly to account for changes in the operating environment. Yet, the updated plan does not reference dramatic disruptions in the tea and textile sectors nor offers any mitigating strategy to take advantage of timely opportunities and address new risks. Regular engagement can help articulate the incentives for why stakeholders should carry on with any given initiative, and specifics on required stakeholder funding allocation to carry on the given initiatives, feeding into ILAB's TOsC outcome domains. As such, no concise plans indicate how the project will work to alleviate these issues and, if it cannot alleviate them, what ought to be done.

There are high expectations that the launch of the Kenyan ECMS will lead to long-term sustainable changes to labor and OSH compliance inspection and enforcement processes. The ECMS is a highly visible activity that tracks employers' compliance. It is important that compliance incentives for employers are sustained, and governments enforce penalties and costs for noncompliance, which is an effective incentive. The CAPSA and AHK activities are largely embedded in local institutions, and these localization approaches present significant opportunities to achieve sustainability if those institutions make adequate budgetary commitments, particularly within the government and private sector. Sustainability approaches include the creation of gender-balanced workplace labor and OSH committees and government implementation of policy revisions and roll-out of the new compliance toolkit and ECMS, again with gender dimensions well integrated. There are opportunities for them to strengthen institutional commitment through preserving or increasing their memberships and through face-to-face activities with their worker members to raise awareness of workers' rights and remedies.

#### **4.5 GENDER EQUITY**

The ET considered the extent to which project interventions are equitably reaching and benefitting underserved populations and contributing to the reduction of discrimination and harassment in the workplace. It is worth noting that an activity may significantly improve work conditions and worker representation but not improve gender equity. In other spaces in which ILAB activities operate, however, such as international value chains and industry standards, it is difficult to influence gender equity or attribute any changes in gender equity to a specific activity. Many factors influence value chains and industry standards, most of which are outside ILAB's or its partners' control, and which factors are critical for increasing equity may vary across industries and value chains. Therefore, it is reasonable to note how an activity may have contributed to advancing gender equity, but very difficult to develop a clear rating of its impact.



## 5. RECOMMENDATIONS

This section presents action-oriented recommendations to ILO, ILAB, and government partners implementing CAPSA and AHK. Table 9 provides references to supporting evidence for each recommendation.

### 5.1 RECOMMENDATIONS TO CAPSA AND AHK PROJECT TEAMS

#### 5.1.1 ACCELERATE DIRECT ENGAGEMENT WITH THE PRIVATE SECTOR AND WORKERS AND EXPLORE PRACTICAL WAYS TO INCLUDE WORKERS' VOICES IN PLANNING AND MONITORING.

CAPSA and AHK teams should convene with the PAC to develop responsive strategies to prioritize worker voices in activity implementation. COTU-K and NOTU can advise on concerns about the project teams' ability to capture workers' voices regarding critical issues such as informal employment, union membership, excessive monitoring of employees' lives outside of work, workers' fears of retaliation, logistical difficulties in accessing workers, and equitable representation. These issues may vary by county, district, sector, and employer. The PAC can serve as an interlocutor to tap into workers' concerns without violating privacy and ensuring do no harm principles are respected. AHK should facilitate a stock-taking exercise to develop selection criteria to prioritize high-value activities. For example, AHK may want to accelerate the implementation of planned activities with the 60 selected employers in the tea and textile sectors to accelerate the establishment of OSH and labor committees in each workplace. These committees potentially offer a pathway towards sustainable improvements to dignity and safety in the workplace and improve the gender balance of representation in labor committees.

#### 5.1.2 FORMALIZE SUPPORT TO KENYA TO ADOPT ILO CONVENTION 190 (C190) ON ELIMINATING VIOLENCE AND HARASSMENT IN THE WORLD OF WORK AND ADOPT LAWS AND POLICIES TO MEET ITS REQUIREMENTS.

Provide guidance to AHK partners in Kenya to adopt ILO Convention 190 (C190) on *Eliminating Violence and Harassment in the World of Work*, while supporting Uganda via support to CAPSA to implement laws and policies aligned to its requirements. NGO partners like Oxfam can mobilize civil society and other local partners to build capacity in organizing and advocacy for passage of C190, which will aid women in the informal economy. CAPSA has already supported this process convening multistakeholder dialogues in Uganda and Kenya to promote ratification.<sup>28</sup>

Tripartite partners are important for advancing ratification and creating demand for Kenya to pass comprehensive laws and policies that address violence and harassment at work. Broad protection is needed for current and terminated workers, informal workers, job seekers, volunteers, and other worker categories across sectors.

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<sup>28</sup> The ET noted that these two meetings occurred per the CMEP data reporting annex to CAPSA's March 30, 2023, TPR. The narrative has not yet been provided to the project for further details on the status, pending report finalization by ILAB/ILO. After initial drafting of this report, Uganda officially ratified C190 in August 2023.

A national tripartite process could extend beyond the life of both projects, but it is imperative that government and other partners launch the effort. The tripartite chairs may want to consider inviting stakeholders from other countries to share their experiences in completing the ratification, such as Mauritius, Nigeria, and South Africa. ILO's C190 campaign toolkit, a public resource with messages and media products customizable to local needs could be a good resource. (See Exhibit 1 sample.)

**Exhibit 1: C190 Campaign, Sample Media, ILO, 2021**



### 5.1.3 CONDUCT STAKEHOLDER-LED BUDGET ADVOCACY TO NATIONAL MINISTRIES TO ALLOCATE FUNDING FOR SERVICE DELIVERY, AWARENESS-RAISING, INSPECTION AND ENFORCEMENT, AND CAPACITY DEVELOPMENT TO SUPPORT SUSTAINABILITY.

Increase advocacy efforts to increase government resources for victim services, awareness-raising, inspection, enforcement, and capacity building for CAPSA. CSOs delivering services to victims and providing shelters also lack funding. Government funding is needed to support both CAPSA and AHK efforts to sustain robust inspections, enforcements, ECMS, and use of appropriate inspection toolkits. The projects should engage local partners in creating the demand for better services through targeted advocacy efforts involving public and private sectors and other donors as described in ILAB TOsC's "available capital" change category. It is important to develop achievable milestones and reasonable timelines for tripartite partners to advocate for filling the gap between spending needs and current allocations. Each project should incorporate an advocacy component into its project work and sustainability plan. The plans should be practical and should not attempt to do more than what is reasonable within the project timeline.

#### 5.1.4 INCREASE PARTNER ENGAGEMENT, INCLUDING AT LOCAL LEVELS, IN SUSTAINABILITY PLANS AND M&E PROCESSES, AND REVAMP AND SIMPLIFY SUSTAINABILITY PLANS FOR PRACTICALITY AND BREVITY.

Strengthen local ownership in MEL and sustainability plans by scaling back sustainability plans and focusing on integrating the TOsC's sustainability dimensions into PMP indicators to best monitor spheres of influence and interest. This would eliminate the need to create a separate plan and set of indicators to monitor and report on sustainability outputs and outcomes. Clear targets are important because the project's resources and duration are insufficient to achieve full sustainability of all outcomes, and sustainability can exist on a continuum. Participatory discussions should be held to agree on which actions and activities are the most feasible to achieve as CAPSA and AHK stakeholders are largely unaware of the projects' sustainability plans' details. The AHK sustainability plan includes four dimensions of sustainability in a useful framework that includes stakeholder engagement and capacity, systems strengthening, and evidence-based practice, but it is too lengthy and difficult to decipher. Overly complex sustainability plans dilute the key actions and monitoring that are most required for sustainability. The AHK sustainability plan omits the key elements of incentives of why stakeholders should continue to invest in specific activities.

CAPSA and AHK should prioritize a few important risks to sustainability. The sustainability analysis plans should include a heavy emphasis on incentives for local stakeholders to continue activities and identify priorities that either highlight and leverage existing incentives or develop and identify new incentives. This analysis is well done in the current AHK sustainability plan so the analytical phase should not demand much additional effort for AHK. The revised sustainability plan should include a short timeline that integrates into each project's workplan. CAPSA and AHK can facilitate a similar deliberation process at the county and district levels.

In addition, project M&E teams might consider adopting at least one quarterly or semi-annual stock-taking exercise to engage district, county, and national stakeholders in meaningful adaptive management. Partners already convene quarterly reviews in Ugandan districts, so good practices already exist. These participatory exercises allow stakeholders to share learning, build trust, and contribute to joint decision-making opportunities. ILO and ILAB could customize pause-and-reflect activities that are described in the U.S. Agency for International Development's (USAID's) pause-and-reflect toolkit or various other open resources. Potential participatory reflections include hot washes, after-action reviews, chalk talks, liberating structures, and knowledge cafes.<sup>29</sup> These practices can reinforce and expand the knowledge base for complexity-aware monitoring, evaluation, and learning as part of the learning proposed within ILAB's TOsC framework.

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<sup>29</sup> Resources for these and other pause-and-reflect tools are found at USAID Learning Lab's "Facilitating Pause and Reflect Toolkit" accessible at: [https://usaidlearninglab.org/sites/default/files/resource/files/cla\\_toolkit\\_adaptive\\_management\\_facilitating\\_pause\\_and\\_reflect\\_final\\_508.pdf](https://usaidlearninglab.org/sites/default/files/resource/files/cla_toolkit_adaptive_management_facilitating_pause_and_reflect_final_508.pdf)

ILO should assess current strategic communications and dissemination plans to ensure the project's learnings and successes are shared with targeted stakeholders. Some stakeholders observed that commissioning six separate needs assessments for AHK was excessive and integrating the findings into the project design took too much time. The PMP development process was also slow; some stakeholders said there were too many ILO and USDOL layers that constrained and lengthened the process. These processes need to be streamlined and inclusive of local partners who were not included. CAPSA and AHK have established baselines due to these extensive needs assessments. Any follow-on projects should update these baselines rather than conducting another series of overlapping assessments. It is recommended that gender equity and youth analysis be conducted with any new project.

CAPSA and AHK should consider using social media or popular chat applications to disseminate one to two weekly messages to stakeholder partners. Messages should update stakeholders on the progress of specific activities, share quick learning or capsule-format M&E reports, and highlight success stories from first-person perspectives. Messages can use polling and other digital feedback functions (e.g., Google Forms, Twitter polls) to reinforce two-way communication and dialogue. This small step could alleviate gaps between project touchpoints and the continual flow of exchanges among stakeholders. The communication habit can be adapted when quick communications or announcements are required. This may also increase logistics efficiency during workshop and training planning, and include logistics details, reimbursement messages, and more.

## **5.2 RECOMMENDATIONS TO ILO GENEVA/HQ**

### **5.2.1 STREAMLINE AND CODIFY ILO PROJECT ADMINISTRATIVE PROCESSES TO MAKE INTERACTIONS AMONG LOCAL PARTNERS MORE TRANSPARENT AND TIMELIER.**

Many respondents noted that ILO's operations and personnel practices caused many project delays at start-up and continue to hamper activities. CAPSA and AHK are relatively small projects and ILO may consider conducting an inventory of the formal/ documented and de facto project management systems and processes (finance, administrative, logistics, human resources, etc.) that it uses for limited-duration projects and apply these to CAPSA and AHK. ILO may engage project management experts to map some of the key processes, identify and address inefficiencies and unnecessary steps, and then identify and codify more streamlined systems for future projects. Systems should incorporate digital tools for project tracking, finance, budget, and reimbursement functions. Delegation of technical, financial, and administrative authority to country-based project teams would be welcome, according to stakeholders. This might include a program and administrative assistant to be based in the country office and put in charge of expediting administrative and financial matters. This person could share duties across these and other in-country projects. Since ILO is a nonresident UN agency in both countries, ILO should ensure that project teams communicate clearly and frequently with partners to instill greater confidence in their abilities to implement activities.

### 5.2.2 STRENGTHEN ASSESSMENT AND M&E TOOLS AND TEMPLATES AND ENSURE FUTURE ILO PROJECTS INCLUDE INDICATORS THAT MONITOR EARLY STAGES OF PROJECTS.

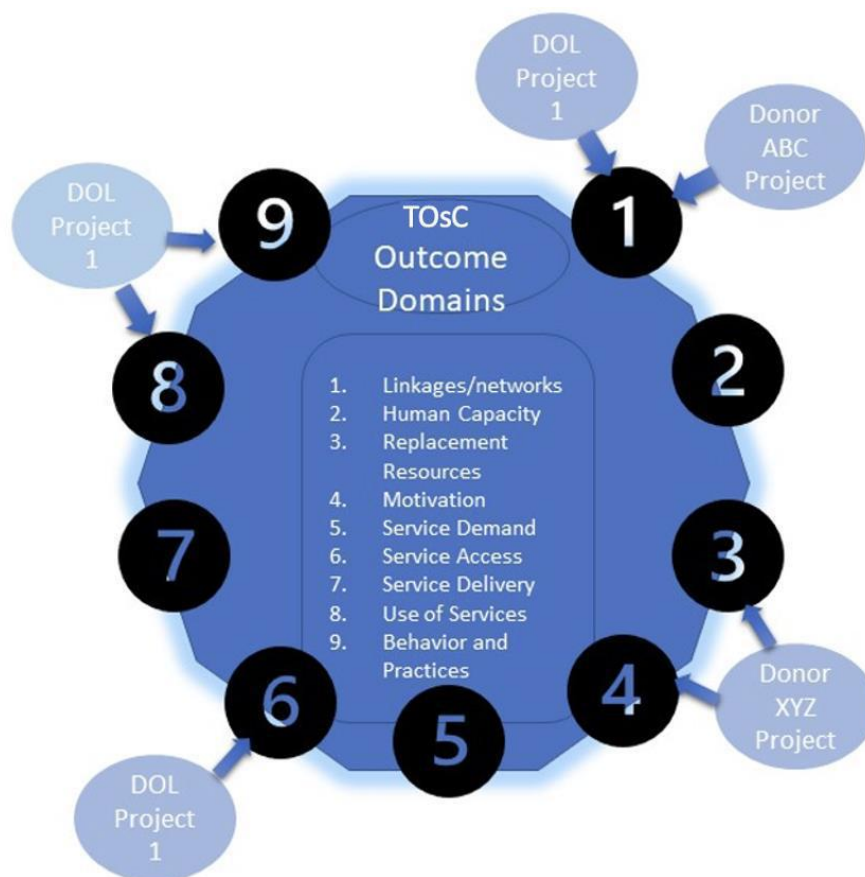
Adapt monitoring and process indicators relevant to the early stages of implementation to allow closer and more frequent tracking outputs. ILO's M&E team should integrate the learning from this evaluation to improve its monitoring of all project phases. ILO should consider adopting "compound" type indicators that measure one dependent and another independent phenomenon, such as "number trained who have applied practice X," but only in cases where "number trained" is also counted separately. ILO should also ensure a clear definition and consistent means of measuring the "number who have applied practice X." The AHK PMP suffers from some of these small shortcomings, which should be rectified. More generally, ILO should provide thorough M&E guidance to project teams and conduct frequent reviews of project result frameworks, detailed indicator definitions, and the manner in which indicator values are being reported. The results section of this report highlights some of the concerns related to indicator validity, definitions, and reporting accuracy/fidelity to definitions in the AHK PMP and the CAPSA CMEP. It would be helpful for local partners to receive guidelines and tools that simplify, streamline, and make assessments more practical. This would include creating assessment scopes that identify key project implementation questions rather than overly comprehensive environmental scans. A basic tracker to document which recommendations were adopted and how they are implemented would be useful, as well as a rationale for why certain recommendations were not adopted.

## 5.3 RECOMMENDATIONS TO ILAB

### 5.3.1 PLAN RELATED PROJECTS SO THEIR INTERVENTION LOGIC CONNECTS MORE FORMALLY ACROSS PROJECTS AND TO A LARGER ILAB REGIONAL/COUNTRY STRATEGY, INCLUDING GENDER AND EQUITY STRATEGY.

ILAB should consider including an intentional gender and equity analysis during project start-up to inform the project design, implementation and key performance indicators. Conducting this type of analysis will ensure that both projects are mainstreaming gender and equity considerations throughout the period of performance. ILAB, as part of its movement toward working within the TOsC framework, may wish to consider longer-term strategies that formalize the connected logic among related projects, fitting them into larger defined regional and country TOsCs and strategies. If not integrated, a single project has an extensive scope that may not be achievable with the funding and time available. It is preferable for multiple projects to contribute to relevant TOsC outcome domains, ensuring complementary activities and comparative advantages for different teams of experts. Regional and country strategies should integrate donor coordination and U.S. Government programs to leverage existing resources. This approach can allow individual projects to focus on selected activities that are realistic while fitting into a well-defined larger vision. Exhibit 2 presents a simplified model to illustrate the idea.

**Exhibit 2: Model of Interlinked Projects Feeding a Joint Regional of National TOSc**



**5.3.2 PROVIDE NEW PROJECTS WITH A STEP-BY-STEP GUIDE AND SIMPLIFIED M&E SYSTEMS (PMP/CMEP) TEMPLATES TO IMPROVE CONSISTENCY AND QUALITY ACROSS PROJECTS.**

In line with the TOSc model, ILAB should provide new projects with a step-by-step guide and simplified templates to help develop inception-phase assessments and M&E plans (PMP/CMEP). This approach helps ensure consistency and simplify the process of developing assessments and M&E plans. Assessments should be closely linked to M&E plans and work plans, ensuring they are practical and targeted to the immediate knowledge needs of projects. ILAB curates U.S. Government and donor tools in a resource library to help build on the best of what already exists, but these resources may not be practical for local partners. ILAB may want to consider developing a new toolkit of simplified procedures and templates that are more accessible to local partners and provide guidance on suitable gender equity approaches.

Assessments and M&E systems should consistently include gender equity components and questions/measures/indicators that go beyond sex disaggregation of results. The frameworks need one or two sustainability indicators and context indicators if helpful and practical. While workplan tracking is useful to monitor the timely completion of planned processes, such as developing a training curriculum and delivering a training activity, this does not replace the utility of key output indicators linked to each outcome. This eases analysis and helps make the link to outcomes clearer. Routinely tracking output indicators can help the project assess progress and detect delays, as well as visualize how outcomes and outputs are linked across location. For example, mapping that illustrates how many employers have been trained (output indicator) overlaid with compliance changes (outcome indicator) by location, to help validate the TOC by visually linking training outputs to behavioral results.

ILAB may want to consider inviting partners to structured meetings to introduce new USG priorities and Executive Orders to determine how best to address them within existing programming and resources or document if there are unsuitable activities to contribute to those priorities. This process would assist both ILAB partners in maintaining a clear vision of how their activities contribute to ILAB and wider USG goals, as well as providing clarity in advance of evaluations (at the program or portfolio level) as to how each program contributes to overarching priorities.

Both CAPSA and AHK should consider convening partners semi-annually, especially those that are shared across the two projects, to reach consensus on new risks and opportunities, along with steps to mitigate said risks and build on opportunities.

#### **5.4 RECOMMENDATION TO GOVERNMENTS OF KENYA AND UGANDA**

Governments should increase financial and human resource allocations at local levels to ensure adequate coverage across sectors; inform employers of routine compliance and enforcement activities; and integrate new tools such as the ECMS to increase efficiency. National and especially local governments should review their financial and physical assets (vehicles and computer equipment), and human resource allocations to ensure adequate inspection and enforcement coverage across sectors to monitor compliance with labor/OSH standards and compliance with child labor regulations. The budgets should cover what is necessary to both identify compliance concerns, monitor remediation by employers, and engage in enforcement activities. The governments should also continue to monitor the rollout of the ECMS to ensure officers are adequately trained and have the base knowledge and tools to make the most of the ECMS. Current processes to plan and monitor local county/district development plans should be tightly integrated with budget planning and monitoring using transparent and inclusive budget planning and monitoring approaches and tools. Moreover, the sustainability of these systems depends on clear and budgeted commitments by labor administrations to provide ongoing human and financial support for maintenance and further development, often at significant cost.

**Table 9: Recommendations to CAPSA, AHK, ILO, ILAB, and Government Partners with Supporting Evidence**

Recommendation	Evidence	Pages
<b>Recommendations to CAPSA and AHK projects</b>		
1. Accelerate direct engagement with the private sector and workers and explore practical ways to include workers' voices in planning and monitoring.	CAPSA Result 1 AHK Result 1	22 25
2. Formalize support to Kenya to adopt ILO Convention 190 (C190) on Eliminating Violence and Harassment in the World of Work and to adopt laws and policies to meet its requirements.	CAPSA Result 4 AHK Result 2	29 26
3. Conduct stakeholder-led budget advocacy to national ministries to allocate funding for service delivery, awareness-raising, inspection and enforcement, and capacity development to support sustainability.	CAPSA Result 10 AHK Result 9	37 39
4. Increase partner engagement, including at local levels, in sustainability plans and M&E processes and revamp and simplify sustainability plans for practicality and brevity.	CAPSA Result 10 AHK Result 9	37 39
5. Strengthen project communications and dissemination of successes. Use short and graphic formats that are conducive to social media and other rapid-sharing formats.	CAPSA Result 2 AHK Result 3	24 26
<b>Recommendations to ILO Geneva/HQ</b>		
6. Streamline and codify ILO project administrative processes. Map current administrative processes, eliminate unnecessary steps, and target more timely completion of each process.	CAPSA Result 9 AHK Result 8	36 35
7. Strengthen M&E tools and templates and ensure future ILO projects include indicators that monitor early stages of projects.	AHK Result 5	31
<b>Recommendations to ILAB:</b>		
8. Plan related projects so their intervention logic connects more formally across projects and to a larger ILAB regional/country strategy, including a gender and equity strategy.	Induction based on the broad way the projects work (not a specific finding.) n/a	n/a
9. Use the TOsC implementation process as an opportunity to strengthen M&E tools and templates for grantees.	CAPSA Result 7 AHK Result 7	33 34



Recommendation	Evidence	Pages
<b>Recommendations to Government Partners:</b>		
<p>10. Governments and private sector partners should allocate resources through budgetary commitments for roll-out of the new compliance toolkit and ECMS. Governments should sensitize employers to the importance of complying with legal requirements and allowing worker representatives on labor committees to be elected by their peers. Enable these committees to meet, address workplace safety, and suggest solutions that can improve safety and productivity. Employers need to be incentivized to enable these committees to play their intended roles.</p>	<p>CAPSA and AHK Sustainability</p>	<p>40</p>

## **ANNEX A. DOCUMENTS REVIEWED**

### **NEWS ARTICLES REGARDING LABOR ABUSE ALLEGATIONS IN TEA SECTOR**

- “True cost of our tea: Sexual abuse on Kenyan tea farms revealed,” *BBC/Kenya*, February 20, 2023
- “Endless pain of operating tea-plucking machines,” *Sunday Nation*, March 26, 2023
- “Tea pickers turn to bhang to dull pain of grinding labor,” *Nation*, March 27, 2023
- “Tea pickers seek Sh20bn from firm for work injuries,” *Nation*, March 28, 2023
- “Chaos as Kericho residents torch tea plucking machines,” *Daily Nation*, May 23, 2023
- “Ekaterra Tea halts operation in two counties amid arson attacks,” *The Standard*, May 24, 2023
- “How scaling down of operations by tea multinationals will hit you,” *The Standard*, May 25

### **STRENGTHENING CAPACITY OF GOVERNMENTS TO ADDRESS CHILD LABOR, FORCED LABOR, AND VIOLATIONS OF ACW IN SUB-SAHARAN AFRICA (CAPSA).**

#### **Project Operation and Data Reporting Documents**

- Project proposal, 2022.
- TPRs and status reports submitted from the project start through June 2023.
- Data reporting form, 2022.
- Approved CAPSA Comprehensive Monitoring and Evaluation Plan (CMEP) document.
- Workplans, Uganda and Kenya, submitted with TPRs.
- Annex A, Performance Monitoring Plan Data, of TPRs.

#### **Research, Training, and Policy Documents and Products**

- International Labour Organization (ILO). Toolkit for Combating Child Labour in Small and Medium-Sized Enterprises (SMEs) in Kenya. CAPSA project.
- Workshop report, Training of the County Child Labour Committees/Area Advisory Council on Child Labour, Forced Labour and Trafficking in Bungoma, 15–18 October 2021.
- ILO. Child Labour, Forced Labour and Human Trafficking: Communication and Outreach Strategy. A report from the CAPSA project, 2021.
- ILO. Strengthening Capacity of Governments to Address Child Labor and/or Forced Labor, and Violations of Acceptable Conditions of Work in Sub Saharan Africa: Training Report, 10–12 March 2021.

- ILO. Knowledge, Attitude and Practices (KAP) Survey on Child Labour, Forced Labour, Human Trafficking and Violations of Acceptable Conditions of Work in Kenya. A report from the CAPSA project, 2021.
- ILO. Mapping of Assistance Services for Victims of Child Labour, Forced Labour, and Other Vulnerable Populations: Typology, Locations and the Role and Responsibilities of Relevant Government and Non-Governmental Stakeholders, to Assess Gaps and Weaknesses. A report from the CAPSA project, 2021.
- ILO. Mapping of the Existing Labour Law and Policy Framework, Enforcement Structures, Systems and Processes Relating to Child Labour, Forced Labour, Human Trafficking and Violations of Acceptable Conditions of Work in Kenya. A report from the CAPSA project, 2021.
- Ministry of Labor, Government of Kenya. Wages and Remuneration Policy for Kenya, 2022.

## **ALL HANDS IN KENYA: ADVANCING LABOR STANDARDS THROUGH COOPERATIVE ACTION (AHK).**

### **Project Operation and Reporting Documents**

- Funding opportunity announcement, ILAB-20-08, 2020.
- AHK award modification and associated documents, 2020.
- Project proposal.
- TPRs and status reports submitted from the project start through April 30, 2023.
- Communications associated with submitted TPRs from the project start until May 2023.
- Data reporting form, 2023.
- Approved AHK Comprehensive Monitoring and Evaluation Plan (CMEP) document.
- Workplans, submitted with TPRs.
- Annex A, Performance Monitoring Plan Data, of TPRs.
- AHK sustainability plan, 2023.
- AHK budget, 2023.
- AHK performance management task, 2022.
- Project Sustainability Plan, 2023 (provided July 2023).

### **Research, Workshop, and Policy Documents**

- ILO. All Hands in Kenya (AHK) Project Wages Council Activity Report.
- Ministry of Labor, Government of Kenya. Stakeholder Validation Workshop on the Wages and Remuneration Policy for Kenya held on the 13th of May 2022 at the Sarova Stanely Hotel, 2022.

- All Hands in Kenya, Project Advisory Committee (PAC) Meeting Summary, 5–8 September 2022.
- Minimum wage gazette notice, 2022.
- Report of All Hands in Kenya Project Launch, 15 October 2021 (hybrid).
- Angote, G. Mapping Labour Inspection Workflows Report, 2021.
- Mumma, C.M., and Mulupi, J.M. Increasing Access to Labour Justice in Kenya: Assessment of Judicial and non-Judicial Remedies. ILO, 2021.
- ILO. Assessing Labour Laws: Compliance with International Labour Standards in the Republic of Kenya, 2021.
- ILO. Project Document All Hands Kenya: Advancing Labour Standard through Cooperative Action December 2020–December 2024.
- Angote, G. Labour Inspection Process: Labour Inspectorate and OSH Inspectorate—Process Narration.
- ILO. All Hands in Kenya: Advancing International Labour Standards through Cooperative Action. Project brief.
- ILO. Rapid Labour Inspection Assessment.

## **ANNEX B. EVALUATION ITINERARY**

The ET interviewed 66 stakeholders for this evaluation. Interviews were conducted in person (22) and virtually (44).

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## ANNEX C. STAKEHOLDER WORKSHOP AGENDA

The ET hosted a stakeholder workshop on May 5, 2023. The objective was to validate some emerging themes generated from the preliminary analysis of qualitative and scorecard data with the participants. This workshop solicited additional feedback from participants on emerging themes. The workshop was in a hybrid format with participants in person in Nairobi, Kenya, and attending remotely via Zoom. Table 10 presents the workshop agenda, including discussion points used to guide the feedback discussion.

**Table 10: Stakeholder Workshop Agenda**

Time	Agenda Item
9:00–9:45 am	Part 1 Introduction and Welcome Part 2 Project and Evaluation Background Part 3 Emerging Themes Presentation from Data Collection
9:45–10:45 am	Part 4 Guided Discussion: Part 4 used the following eight questions to guide discussion with the participants on emergent themes from the qualitative data collection, organized around the evaluation criteria: Relevance <ol style="list-style-type: none"> <li>1. How will the project adjust its design and activities in light of recent exposure of abuse in the tea industry?</li> <li>2. How can the electronic case management system technology be made successful and sustainable?</li> </ol> Efficiency <ol style="list-style-type: none"> <li>3. How can the project better engage all stakeholders (CSOs at county/district levels, government, unions/workers, employers) in the ongoing monitoring of project progress and learning?</li> <li>4. What, if any, lessons have been learned in terms of planning and logistics that can be taken forward to help things run as smoothly as possible and ensure participation?</li> </ol> Effectiveness <ol style="list-style-type: none"> <li>5. What would you recommend to increase coordination within and across government agencies?</li> <li>6. How can the projects ensure the interventions reach the most vulnerable people?</li> </ol> Sustainability <ol style="list-style-type: none"> <li>7. What would you recommend to increase project ownership by stakeholders?</li> <li>8. What would you recommend to build capacity of government at the county and district levels considering resource constraints and the remoteness of some locations?</li> </ol>
Time	Agenda Item
10:45–11:00 am	BREAK

11:00 am-12:00 pm	Part 4 Guided Discussion (continued)
12:00 pm	Lunch

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## ANNEX D. EVALUATION METHODOLOGY AND LIMITATIONS

This annex presents the evaluation methodology and limitations, including the EQs and subquestions, data sources, data collection and analysis methods, and study limitations. Primary data was collected using a hybrid approach (remote and in-person interviews) in Kenya and Uganda from March to April 2023. The ET interviewed 66 stakeholders for this evaluation.

**Evaluation Questions and Subquestions.** This evaluation answered five main EQs and nine subquestions, presented in Table 11.

**Table 11: Evaluation Questions and Subquestions**

Criteria	Evaluation Question	Subquestion
<b>Relevance and Coherence</b>	1. To what extent are each project's design, theory of change, and strategies relevant to the specific needs of project participants, communities, and other stakeholders?	1a. To what extent have stakeholders in government, civil society, and employers been engaged during project activities?
<b>Effectiveness</b>	2. To what extent is each project making progress toward its planned outcomes? What are the key internal or external factors (including those related to the COVID-19 pandemic) that are facilitating or limiting achievement of outcomes?	<p>CAPSA</p> <p>2a. To what extent has the engagement of government, civil society, and private sector led to increased capacity and understanding related to CL, FL, TIP, and ACW?</p> <p>2b. To what extent have coordination and communication improved among the key government/law enforcement and civil society stakeholders involved in addressing issues related to CL, FL, and TIP?</p> <p>2c. To what extent has the project been effective in supporting Kenya's government agencies in revising legal frameworks and policies related to CL, FL, TIP, and AWP?</p> <p>AHK</p> <p>2d. To what extent has the engagement of government, civil society, and employer stakeholders led to increased capacity and understanding related to compliance with ILS and ACW?</p> <p>2e. To what extent has compliance with ILS and ACW improved?</p>
	3. To what extent is each project making progress toward meeting equity and gender objectives through mainstreaming or cross-cutting approaches?	3a. Which approaches are perceived to be most and least effective for achieving equity, including gender equity, objectives?



Criteria	EQ	Subquestion
<b>Efficiency</b>	4. How efficient are the project's interventions and management strategies?	4a. Do the CAPSA CMEP and the AHK PMP, respectively, monitor progress and achievement, and to what extent have the M&E systems been effectively used to inform management decision-making?
<b>Sustainability</b>	5. To what extent has a phase-out strategy been defined and to what extent are sustainability plans adapted to the local and national levels and to the capacity of partners?	5a. What steps have been taken, either within a defined plan or otherwise, to foster sustainability?

**Data Sources.** The EQs and subquestions guided the development of the qualitative and quantitative data collection tools. The ET answered these EQs using multiple sources of data, including a desk review of relevant project and background documents (presented in Annex A), key informant interviews (KIIs) with 66 stakeholders, performance monitoring data, and rapid scorecard data collected from interview respondents. These are described in Annex C.

**Evaluation Schedule.** The ET completed a project document and desk review in February 2023, prior to starting fieldwork. The terms of reference for this evaluation (Annex D) was approved by the United States ILAB in March 2023, which outlined the evaluation approach and included the data collection guides. Prior to starting fieldwork, the ET hosted logistics calls with ILO project teams for CAPSA and AHK. ILO provided the ET with a list of potential stakeholders to be interviewed, their contact information, and made introductions. The ET then followed up to schedule interviews. The remote and in-person primary data collection occurred in Kenya (Nairobi, Machakos, Mombasa, Kwale, Nukuru, Kajiado, Nandi, Kericho, and Kiambu), Uganda (Kampala and Hoima), Geneva, Switzerland, and Washington, D.C., from March 20 to April 12, 2023. The data were cleaned simultaneously during the data collection period. Preliminary data analysis began at the end of April 2023, and a stakeholder validation workshop was hosted on May 5, 2023. The ET held a debrief call with ILAB and ILO to discuss the field work. Data analysis and report writing were conducted in May 2023.

### Data Collection

**Desk Review.** The ET reviewed documents relevant to the CAPSA and AHK projects, including project documents, technical project reports, project modification approvals, project proposals, communications materials, research and policy products, workshop and training materials, and other supporting materials. Annex A presents a full list of documents reviewed for this evaluation.

**Remote and In-Person KIIs.** Between March and April 2023, the ET conducted in-person and remote KIIs with purposively sampled key informants based on their role in relation to the CAPSA and AHK projects, respectively. The ET interviewed 66 informants in Kenya and Uganda, of these 22 were interviewed in person and 44 virtually. In certain

cases, in Nairobi, in-person meetings had been planned, but needed to shift to a remote option due to protests and demonstrations. Stakeholder categories included United States Department of Labor and ILO staff based in Washington, D.C., Kenya, Uganda, and Switzerland; national and county-level government representatives; nongovernmental organization partners; and employers' and workers' organization representatives. Most interviews were with one person, but in several cases, particularly when multiple staff from the same or a similar organization or ministry were invited to participate, interviews were conducted in small groups of two or three people.

Interviews lasted approximately one hour. The interviewers took extensive summary notes of the respondents' answers and highlighted verbatim quotes provided during the interview. Consent for participation was read for each respondent prior to beginning the interview, and all respondents provided oral and written consent to participate. To protect respondents' confidentiality, the ET has not presented data attributable or identifiable to one individual participant, instead attributing quotes and perspectives to overall stakeholder categories.

The interviews followed a semi-structured, open-ended approach where the interviewer posed a set of questions to each respondent and followed up with probing questions to elicit more understanding from the respondent. Annex D in the terms of reference presents an approved list of the interview questions.

**Rapid Scorecards.** At the conclusion of each KII, respondents were asked to ascribe a quantitative rating (Low=1, Moderate=2, Above-Moderate=3, High=4) to the respective project's performance for three separate questions.

For CAPSA, respondents were asked to rate the following three questions regarding either Uganda or Kenya, depending on their role in the project:

- How has CAPSA's program performed in achieving formulation and adoption of legal or policy frameworks on child labor, forced labor, and violations of acceptable conditions of work?
- What is the level of CAPSA's program engagement and partnership with organizations that implement child labor, forced labor, trafficking in persons, and acceptable conditions of work activities?
- How has CAPSA performed in enabling organizations that are implementing child labor, forced labor, trafficking in persons, and acceptable conditions of work activities to collaborate with each other?

For AHK, respondents were asked to rate the following:

- What is the level of AHK's program achievement on government effectiveness in improving compliance with ILS and acceptable conditions of work?
- What is the level of AHK's program achievement on employers' actions to improve compliance with ILS and acceptable conditions of work?
- How well has AHK engaged with workers' organizations, government, and employers to improve compliance with ILS and acceptable conditions of work?

**Stakeholder Validation Workshop.** Following completion of the KIIs in Kenya and Uganda, the ET hosted a stakeholder validation workshop in Nairobi, allowing for in-person and remote participation, on May 5, 2023. Annex B presents an agenda for this workshop. During this workshop, the ET presented initial findings for the effectiveness criteria for CAPSA and AHK, iterating with participants on these initial findings. Then, the ET engaged in dialogue with the participants on key discussion questions related to the other evaluation criteria topics, relevance, efficiency, and sustainability (presented in Annex B), to gather additional feedback, insights, and comments from participants. A rapporteur was engaged for this workshop and provided discussion notes from the workshop, which were included in the qualitative data analysis.

**Data Analysis.** The ET utilized multiple sources of data and data analysis techniques to triangulate evidence and strengthen the credibility and validity of the results.

**Quantitative Analysis.** The quantitative scorecard data were inputted into an Excel file database and analyzed using descriptive statistics techniques. The scorecard data were analyzed according to stakeholder categories and, in the case of CAPSA, according to Kenya and Uganda implementation.

**Qualitative Analysis.** The ET used thematic qualitative analysis to categorize and code the qualitative data generated from the KIIs and stakeholder validation workshop according to the EQs and criteria. Using NVivo software, the ET first organized all qualitative data according to evaluation criteria and then read through all interview notes to generate emergent themes from the data. One team member coded all qualitative data according to the emergent themes, and a second team member conducted a read-through of the qualitative data to reconcile any omissions or discrepancies. Key quotes were extracted to provide evidentiary support to results generated from the qualitative analysis. In addition, a summary analysis was conducted to identify the number of stakeholders who shared insights to support the emergent themes. While generating results, the ET triangulated the qualitative data with other data sources, namely the project performance monitoring, scorecard results, and document review, to strengthen the analysis.

**Limitations.** Several factors posed limitations to the data collection and analysis efforts for this evaluation. First, the ET initially planned to conduct a quantitative survey of workers and employers in the tea and textile industries in Kenya. However, due to extenuating circumstances surrounding a recently released BBC documentary regarding incidences of abuse in these industries, implementing this survey would have breached do no harm principles for these potential respondents, and therefore, in collaboration and agreement with ILAB, the ET did not implement the quantitative survey. Additionally, the ET's ability to conduct KIIs with workers and private sector employees was restricted, and this is a missing perspective in this evaluation. However, the ET was able to conduct KIIs with representatives of workers' and employers' organizations.

Second, while conducting KIIs, a few stakeholders either declined to participate in the interview or did not respond to requests for an interview. However, these were limited in number, and the ET was able to interview sufficient numbers of stakeholders from the intended categories of respondents.

Finally, in several cases, respondents had difficulty distinguishing between the respective ILO projects (CAPSA and AHK) and between other funded initiatives implemented in Kenya and Uganda. The interviewers used probing techniques to ensure the responses given were in reference to the correct project; however, this is a noted limitation that may have affected some interviewees' responses.

## **ANNEX E. TERMS OF REFERENCE**

# **TERMS OF REFERENCE**

Final Version | February 27, 2023

# **INTERIM EVALUATION ALL HANDS IN KENYA (AHK) AND CAPSA**

### **SUBMITTED TO**

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## BACKGROUND AND JUSTIFICATION

The Office of Trade and Labor Affairs (OTLA) and the Office of Child Labor, Forced Labor, and Human Trafficking (OCFT) are offices within the ILAB, an agency of the USDOL, that provides a wide range of technical assistance around the world. ILAB's mission is to promote a fair global playing field for workers in the United States and around the world by enforcing trade commitments among trading partners, strengthening global labor standards, promoting racial and gender equity, and combating international child labor, forced labor, and human trafficking.

OTLA provides services, information, expertise, and technical assistance programs that support USDOL and U.S. foreign labor policy objectives. OTLA provides technical assistance to improve labor conditions and respect for workers' rights internationally. Technical assistance projects funded by OTLA address a range of labor issues that help to make sure that governments, workers, and employers have the tools and capacity to enforce and improve labor protections and comply with a trade agreement's or preference program's labor obligations.

OCFT works to combat child labor, forced labor, and human trafficking around the world through international research, policy engagement, technical cooperation, and awareness-raising. OCFT supports technical cooperation projects in more than 90 countries around the world. Technical assistance projects funded by OCFT support sustained efforts that address child labor and forced labor's underlying causes, including poverty and lack of access to education.

This evaluation approach will be in accordance with DOL's Evaluation Policy<sup>30</sup>. ILAB is committed to using the most rigorous methods applicable for this performance evaluation and to learning from the evaluation results. The evaluation will be conducted by an independent third party and in an ethical manner and safeguard the dignity, rights, safety and privacy of participants. The evaluation criteria generally guiding evaluations of ILAB technical assistance programming are: Relevance, Coherence/Alignment (to the extent possible), Effectiveness, Efficiency/Resource Use, Impact (to the extent possible), and Sustainability.<sup>31</sup> A broader set of evaluative criteria or domains may also be considered depending on the learning objectives for this evaluation, including themes of design, equity, replicability, consequence, unintended effects, among others.<sup>32</sup> In conducting this evaluation, the evaluator will strive to uphold the American Evaluation Association Guiding Principles for Evaluators.<sup>33</sup> ILAB will make the evaluation report available and accessible on its website.

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<sup>30</sup> [U.S. Department of Labor Evaluation Policy](#).

<sup>31</sup> These criteria stem from [Better Criteria for Better Evaluation: Revised Evaluation Criteria Definitions and Principles for Use by the Organization for Economic Cooperation and Development's Development Assistance Committee \(OECD-DAC\)](#) Network on Development Evaluation. DOL determined these criteria are in accordance with the OMB Guidance M-20-12.

<sup>32</sup> [Evaluative Criteria: An Integrated Model of Domains and Sources, American Journal of Evaluation, Rebecca M. Teasdale, 2021, Vol. 42\(3\) 354-376.](#)

<sup>33</sup> [American Evaluation Association's Guiding Principles](#).

ILAB has contracted with Integra LLC under order number 1605C2-22-00045 to conduct performance evaluations of technical assistance projects. The present terms of reference (TOR) pertain to the joint interim performance evaluation of two ILO-implemented projects: All Hands In Kenya (AHK), implemented in Kenya and the Strengthening Capacity of Governments to Address Child Labour and/or Forced Labour, and Violations of Acceptable Conditions of Work in Sub-Saharan Africa (CAPSA) project, implemented in Kenya and Uganda. This document serves as the framework and guidelines for the evaluation. It is organized into the following sections:

1. Background and Justification
2. Purpose, Scope, and Audience
3. Evaluation Questions
4. Evaluation Design and Methodology
5. Evaluation Team, Management, and Support
6. Roles and Responsibilities
7. Evaluation Milestones and Timeline
8. Deliverables and Deliverable Schedule
9. Evaluation Report
10. Annexes

### **Project Context (AHK and CAPSA)**

The most recent technical progress report (for the six-month period ending September 30, 2022) from the CAPSA project provides an overview of up-to-date Kenyan political, economic, and COVID-19-related context relevant to the two projects. This section summarizes key elements of that context, extracted from the TPR, information provided by DOL and ILO, and publicly available information:

**Political context:** On August 9th 2022, Kenya held national elections; William Ruto’s election was confirmed by the Supreme Court and he was inaugurated in September. The environment remained largely peaceful during the post-election period with minimal violence reported across Kenya. The Government of Kenya (GoK) remained operational since the key civil servants were available in the office to serve the citizens, including those from the Ministry of Labor (MOL). While the Ministers are undergoing change, according to information from the ET’s kick-off meeting with DOL, the heads of key MOL directorates, for example, remain responsible for Occupational Safety and Health). Per the AHK TPR, “To ensure continuity in support of the project, AHK has planned to have a meeting with the new leadership to introduce the project and share the plan of activities and achievements. This is in addition to the engagement that the project has maintained with the senior leadership in the MOL to ensure continuity.”

**Economic context:** Kenya's economy rebounded strongly in 2022 within a challenging environment and is projected to grow 5.7 percent in 2022 according to the International Monetary Fund (IMF). Per AHK TPR (period ending 9/2022), "the Kenya National Bureau of Statistics (KNBS) further reports that annual inflation rate in Kenya accelerated for the seventh consecutive month to 9.2 percent in September of 2022, above market forecasts of 8.6 percent and the ceiling of the central bank's target range of 2.5-7.5 percent." The TPR reports that Kenya continues to see increases in the cost of food, fuel, and housing, stating: "On a monthly basis, consumer prices were up 0.9 percent, after a 0.4 percent rise in the previous month. This has partially been attributed to uncertainties emanating from the war in Ukraine, continuing drought in the semi-arid regions, unsettled global financial market conditions and the political calendar. But Kenya's medium-term outlook remains favorable. According to [the] IMF report, the very strong tax performance seen in fiscal year 2021/22 has created fiscal space to temporarily cushion part of the impact of rising international fuel prices on households and businesses."

**Child labor and school.** Per the CAPSA TPR, "more than 54,500 children in 17 drought-affected counties are at risk of dropping out of school unless urgent measures are taken to provide them with sufficient food and water." While children's primary school completion rate is high in Kenya, there still exist issues related to child labor, including in domestic service and commercial sexual exploitation. In 2020, 35.6 percent of children aged 5 to 14 were working while 85.8 percent were attending school.<sup>34</sup>

**COVID-19 situation in Kenya.** The COVID-19 situation in Kenya has remained stable over 2022 with a slight peak in the month of June 2022. As of December, prevalence is near its lowest yet since the pandemic began<sup>35</sup>. There have been no restriction measures introduced by the government; businesses including restaurants, major workplaces, and public transport services, continue operating normally and at full capacity.

### Project Specific Information

**All Hands in Kenya (AHK): Advancing Labour Standards through Cooperative Action.** AHK is a four-year (3 December 2020 - 2 December 2024), USD \$3 million project implemented by the International Labor Organization (ILO) and funded by the ILAB through the USDOL. The project aims to provide technical assistance to institutions in Kenya to improve compliance with international labor standards (ILS) and acceptable conditions of work (ACW), specifically within the tea and textile/apparel sectors. Initially for the tea sector, the project planned to work with County Government entities of Kericho, Nandi, Kiambu, Nyeri, Kirinyaga, Murang'a and Kisii, while for the apparel sector, with Nairobi, Athi River and Mombasa Counties. However, following an initial needs assessment and revision of the project design, the project expanded its reach to four additional Counties – Kilifi, Bomet, Vihiga and Nyamira. Key project stakeholders include the Ministry of Labor and Social Protection, county-level labor inspectors, the Federation of Kenyan Employers and its employer members in the tea and textile/garment sectors, the Central Organization of Trade Unions and its member trade unions in the tea and textile/garment sectors, and individual workers in these sectors.

<sup>34</sup> 2020 Findings on the Worst Forms of Child Labor: Kenya, DOL/ILAB

<sup>35</sup> 32 cases seven-day rolling daily average on December 18, 2022 ([Our World In Data](#), University of Oxford).



The AHK objective as stated above (to improve compliance with ILS and ACW in the tea and textile sectors) aligns with the ILO Country Programme Outcomes (CPOs) and feeds into the ILO's strategic framework (including Decent Work Country Program (DCWP), Country Programme Outcomes, and ILO Strategic Objectives). The objective also links to the United Nations Sustainable Development Cooperation Framework (UNCDF) and specific targets under SDG Number 8, all of which influence the intervention of other partners at the country and regional levels. AHK integrates cross-cutting issues of gender equality, disability inclusion and non-discrimination, and incorporates strategies of social dialogue, norm change, and capacity development. In collaboration with the tripartite partners – including different government departments, actors in the tea and textile sectors, and county government entities responsible for labor law enforcement – the project is guided by three expected outcomes and has planned the following short-term and medium-term outputs under each outcome:

**Outcome 1: Increased government effectiveness in improving compliance with international labour standards and ACW.**

*MTO 1.1: Labour inspectorate more effectively promotes and enforces compliance to international Labour standards and ACW*

STO 1.1.1: Capacity of labor inspectors improved to effectively detect and address labor violations in the tea and textile sectors.

STO 1.1.2: An electronic case management system (ECMS) is installed and in use to monitor and report on labor inspection activities at county levels.

STO 1.1.3: Strategic Compliance Plan developed and implemented by the labor inspectorate to ensure optimal use of resources to enforce compliance with ILS and ACW.

STO 1.1.4: Improved functionality of institutions under Ministry of Labour and tripartite bodies (National Labor Board and Wage Councils)

*MTO 1.2: Improvements to Domestic law, regulations and practice adopted in line with the Kenya Constitution, ILS and ACW*

STO 1.2.1.: Legislative, regulatory, practice and ratification recommendations from labour law assessment promoted to Government entities and stakeholders for consideration.

*MTO 1.3: Increased access to judicial and non-judicial (ADR) remedies related to ILS and ACW through public institutions.*

STO 1.3.1: Recommendations from assessment on judicial remedies are implemented

STO 1.3.2: Recommendations on access to Non-Judicial (ADR) mechanisms are implemented

**Outcome 2: Increased employers' actions to improve compliance with Kenyan laws related to and consistent with those standards and conditions.**

MTO 2.1: Employers utilize new tools and procedures to handle workplace cooperation and workplace grievance handling using best practices.

STO 2.1.1: The business and trade case developed and disseminated to employers towards compliance with ILS and ACW

MTO 2.2: Improved capacity for social dialogue among the employers and workers that promote mutual understanding of labor rights and responsibilities.

STO 2.2.1: A pilot programme on workplace cooperation and workplace-level grievance-handling in selected enterprises in the tea and textile sectors is developed and supported using the model procedures.

STO 2.2.2: Effective social dialogues process among the workers and employers established and in place at workplace level.

**Outcome 3: Increased engagement of CSOs, including workers' organizations, with government and employers to improve compliance with ILS and ACW.**

MTO 3.1: Workers' Organization advocate more effectively to the government, employers, and other stakeholders on behalf of workers.

STO 3.1.1: Improved capacity of trade union officials to advocate for workers' rights with employers, government, and other stakeholders.

STO 3.1.2: Improved workers' capacity to engage their union officials to advocate for their labor rights with employers, government, and other stakeholders.

**CAPSA**

CAPSA is an approximately five-year (December 2019 to December 2024, USD \$5.25 million project funded by The ILAB through the USDOL. CAPSA is a regional project covering Kenya and Uganda, with limited elements addressing East African Community (EAC) governments. The project goal is to strengthen the capacity of the GOK, Government of Uganda (GOU), and East African Community governments to address child labor, forced labor/human trafficking and violations of acceptable conditions of work. The project includes a geographic focus at the national level in Kenya and Uganda, with an additional county-level focus via Kenya County Advisory councils (CACs) in Nairobi, Kwale, Kajiado and Bungoma and Child Well-being Committees (CWCs) in Uganda. CAPSA stakeholders in **Kenya** include the Ministry of Labor and Social Protection (MLSP), the Advisory Committee on Counter-Trafficking in Persons, the National Steering Committee on Child Labor (NSC-CL), the Department of Children's Services, the Office of the Directorate for Public Prosecutions, and the Directorate for OSH Services.

In Uganda, they include the Ministry for Gender, Labor, and Social Development (MGLSD), the Ministry of Internal Affairs (MOIA), and the Office of the Director of Public Prosecutions (ODPP). A more detailed list of relevant stakeholders, disaggregated by project, appears in Table 2 below (Stakeholder Sampling Strategy, page 15). In both countries, stakeholders also include law enforcement officers and frontline service providers. Project activities ultimately are designed to improve assistance to people at risk of/people who are victims of child labor and/or forced labor. The project is guided by three key outcomes:

1. Improved enforcement of the legal framework and/or policies pertaining to child labor and/or forced labor, and violations of acceptable conditions of work
2. Improved assistance services for victims of child labor and/or forced labor
3. Strengthened partnerships to accelerate progress in addressing child labor and/or forced labor, and violations of acceptable conditions of work

Planned outputs of CAPSA are as follows.

Under Outcome 1:

- Targeted technical assistance to revise the legal and policy framework to address child labor, forced labor/human trafficking and violations of acceptable conditions of work to make it in line with ILS is provided
- The governing structures (National Steering Committee, Technical Working Group and County Committees) for child labor, forced labor/human trafficking and violations of acceptable conditions of work are established
- Law enforcement personnel are trained to enforce laws and policies relating to child labor, forced labor/human trafficking and violations of acceptable conditions of work

Under Outcome 2:

- Existing services, structures, and systems to support victims of child labor and forced labor are mapped and gaps identified
- Coordination mechanisms among CSOs, community-based organizations (CBOs), government agencies and social partners are established
- Frontline service providers are trained to assist victims of child labor and forced labor

Under Outcome 3:

- A comprehensive strategy to facilitate effective communication and increase knowledge (including sharing lessons learned) between partners and stakeholders is implemented
- Multi-stakeholder efforts to address the elimination of child labor and forced labor are coordinated

- Communication and knowledge sharing is enhanced between government departments, social partners, CSOs and other stakeholders, of information collected on of child labor, forced labor and violations of acceptable conditions of work
- Targeted advocacy and awareness-raising is conducted around issues of child labor, forced labor and violations of acceptable conditions of work among employers and workers
- Cross-country, regional, and transnational information-sharing events on issues related to forced labor and violations of acceptable conditions of work are conducted

## **PURPOSE AND SCOPE OF EVALUATION**

### **Evaluation Purpose**

The purpose of the interim performance evaluation of AHK and CAPSA includes:

- Assessing the relevance of the projects in the cultural, economic, and political context in the country, as well as the validity of the projects' design and the extent to which they are suited to the priorities and needs of local stakeholders, especially workers in the target sectors, along with the host government, employers, and other civil society stakeholders
- Determining whether the projects are on track, considering their respective timelines and periods of performance, toward achieving their overall project objective and expected outcomes, identifying the challenges and opportunities encountered in doing so, and analyzing the driving factors for these challenges and opportunities
- Assessing the effectiveness of the projects' strategies, and strengths and weaknesses in implementation and identifying areas in need of improvement, with particular attention to women, youth, and non-formal workers, who have been identified as the key groups where equity and inclusion are concerns, in discussions with ILAB and the Grantee. (Other underserved groups may be identified by the ET in the course of the evaluation.)
- Providing conclusions, lessons learned, and recommendations; and
- Assessing the projects' plans for sustainability at local, national, and regional levels (considering for CAPSA the regional work with the EAC), and among implementing organizations and identifying steps to enhance its sustainability.

### **Intended Users**

The evaluation will provide ILAB, the grantee, participants and other project stakeholders or actors who have a concern, interest and/or influence on the labor rights problem the projects intended to address, an assessment of the projects' performance, its effects on the projects' participants, and an understanding of the factors driving the projects' results.

The evaluation results, conclusions and recommendations will serve to inform any project adjustments that may need to be made, and to inform stakeholders in the design and implementation of subsequent phases or future labor rights projects as appropriate. The evaluation report will be published on the USDOL website, so the report will be written as a standalone document, providing the necessary background information for readers who are unfamiliar with the details of the project.

## EVALUATION QUESTIONS

Following an initial kick-off consultation with representatives from ILAB, ILO, and the AHK and CAPSA teams and initial review of project documents provided to the ET, the proposed EQs were refined. The table below outlines five EQs aligned to the OECD-DAC evaluation criteria. The broad EQs will pertain to both AHK and CAPSA projects, however responses will be disaggregated to analyze the respective evaluation criteria of each project. In addition, sub-questions under the effectiveness criterion differ for CAPSA and AHK. These are presented along with additional details, including data sources, in **Annex A** of this TOR.

**Table 1. AHK and CAPSA Evaluation Questions**

Evaluation Criteria	Evaluation Question
<b>Relevance and Coherence</b>	1. To what extent are each project’s design, theory of change, and strategies relevant to the specific needs of project participants, especially workers in the target sectors, and other stakeholders?
<b>Effectiveness</b>	2. To what extent is each project making progress towards its respective planned outcomes? What are the key internal or external factors (including those related to the COVID-19 pandemic) that are facilitating or limiting achievement of outcomes?
	3. To what extent is each project making progress towards meeting equity and gender objectives through mainstreaming or cross-cutting approaches? <sup>36</sup>
<b>Efficiency</b>	4. How efficient are each project’s interventions and management strategies?
<b>Sustainability</b>	5. To what extent has a phase-out strategy been defined and to what extent are sustainability plans adapted to the local and national levels and to the capacity of implementing partners? <sup>37</sup>

<sup>36</sup> The development of this question was informed by the *Executive Order Advancing Racial Equity and Support for Underserved Communities Through the Federal*, Executive Order No. 13985, Signed by U.S. President Joseph R. Biden, January 20, 2021

<sup>37</sup> This question may address relevant dimensions of sustainability including replacement resources, ownership and political will, capacity, partnership, and integration in local systems. “Sustainability Guide; A Practical Tool for Sustaining Development Gains,” Developed for ILAB under Contract DOLJ129K33985 Task Order No. 1605DC-17-T-00082, August 22, 2018.

In addition, the ET will objectively rate the level of achievement of each of the two projects' major outcomes on a four-point scale (i.e., low, moderate, above-moderate, and high, in accordance with DOL/ILAB guidelines for these ratings) based on a desk review of project performance data, a review meeting with the ILO, and relevant KIIs.

The above EQs will provide the structure for the evaluation and be tailored to the specific learning priorities, objectives, expected results, activities, and stakeholders of AHK and CAPSA.

## **EVALUATION METHODOLOGY AND TIMEFRAME**

The evaluation methodology will consist of the following activities and approaches:

### **A. Approach**

The evaluation approach will use mixed methods to triangulate secondary quantitative performance monitoring data from both AHK and CAPSA projects, secondary qualitative data from a desk review of relevant projects documents and secondary sources, primary quantitative survey and scorecard data, and primary qualitative data from in-person and virtual individual interviews. The evaluation will be conducted by an independent, third-party ET. Project staff and implementing partners will provide the ET with introductions to stakeholders, communities, and beneficiaries. The following additional principles will be applied during the evaluation process:

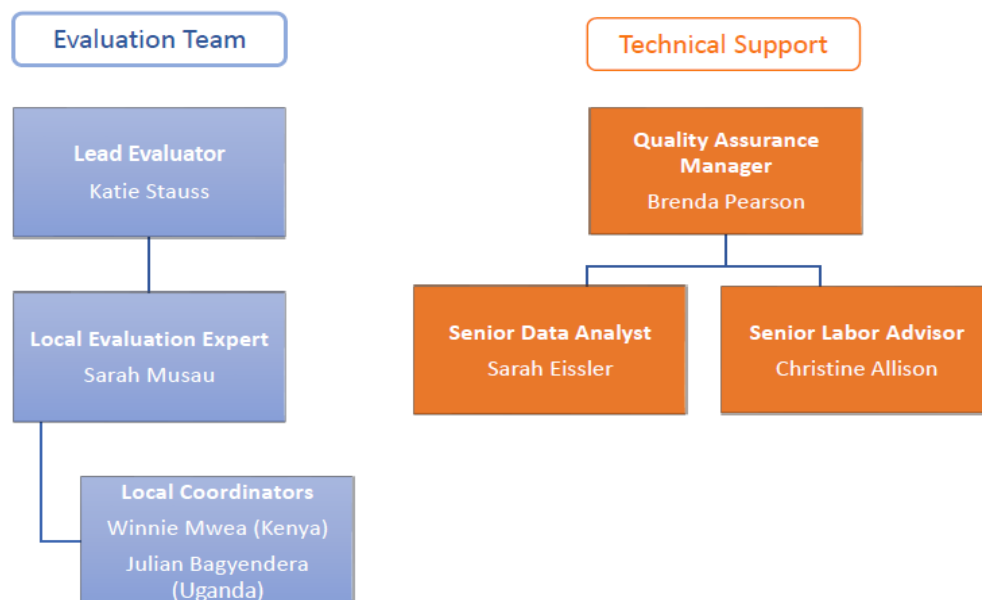
1. Methods of data collection and stakeholder perspectives will be triangulated for each of the EQs.
2. For AHK, efforts will be made to amplify the voices of workers from diverse backgrounds, acknowledging the diversity of their perceptions and interests, including workers from underserved populations and communities, especially women, young people, and non-formal workers, while also safeguarding their identity and information, preserving their dignity, and protecting them from possible retaliation or other harm.
3. Gender, diversity, and cultural sensitivity, 'Do No Harm,' and rights-based approaches will be integrated in the evaluation approach.
4. Primary data collection approaches and the data validation workshop with select stakeholders, after data collection has been completed but prior to drafting of the evaluation report, will incorporate a degree of flexibility to maintain a sense of ownership of the stakeholders and beneficiaries, allowing additional questions to be posed that are not included in the TOR, while ensuring that key information requirements are met.
5. As far as possible, a consistent approach will be followed for KIIs and surveys for each respondent category and across project sites, with adjustments made for the different actors involved, activities conducted, and the progress of implementation in each locality or institution.

## B. Evaluation Team (ET)

The ET will manage the evaluation of both AHK and CAPSA jointly, with some key informants selected to provide insight on both projects, while many will provide insight on only one of the two projects. The team includes the Lead Evaluator, Local Evaluation Expert, and two Local Coordinators (one in Kenya and one in Uganda), with the following responsibilities:

- The **Lead Evaluator** will manage each phase of the AHK and CAPSA evaluation (design, data collection, analysis and validation, final reporting, and dissemination), overseeing the team and providing updates on deliverables status and timelines.
- The **Local Evaluation Expert** will support finalization of the evaluation design and data collection instruments (including proper adaptation and translation), oversee logistics coordination for data collection, and conduct primary data collection. She will also provide support to data analysis and report writing.
- The **Local Coordinators** will lead scheduling for KIIs and will assist in data collection to supplement the Local Evaluation Expert data collection efforts.

The ET will be supported by a team of technical experts through the course of the evaluation study. The Senior Labor Advisor (SLA) will provide subject matter expertise on labor rights policy and programming and USDOL Evaluation Policy, including analysis of key policy documents from the desk review (e.g., national wage policy).. The Senior Data Analyst (SDA) will organize and analyze qualitative data from surveys, interviews, score-card data by category of respondent, and reported performance data for each AHK and CAPSA. She will guide a robust methodological approach and ensure the ET uses this data to triangulate findings, informed by qualitative project information provided by each project. The Project Contract Manager will provide quality assurance and oversee technical progress and deliverable quality. **Figure 1** depicts the ET and technical support organization.

**Figure 1. Evaluation Team and Technical Support Organization**

## C. Data Collection Methodology

### 1. DOCUMENT REVIEW

For AHK and CAPSA, prior to conducting field visits, the ET will conduct an extensive desk review of documents provided by the ILAB team in mid-December 2022 and other documents related to the projects found through an online search. During fieldwork, documentation will be verified and additional documents may be collected. If available (for CAPSA only as the only OCFT project), Routine Data Quality Assessment (RDQA) documentation will be included in the document review, and the ET will assess whether results from the RDQA were used by the project to formulate and implement measures to strengthen data management, reporting, and data quality and include that analysis in the evaluation report. The ET will also review key Comprehensive Monitoring and Evaluation Plan (CMEP)/ Performance Monitoring Plan (PMP) outcomes and OCFT and OTLA Standard Output indicators with the ILO. This will include reviewing the indicator definitions in each CMEP/PMP and the reported values in each project's TPR to determine whether reporting is likely to be accurate and complete.



Documents to be reviewed include, but are not limited to:

- Funding Opportunity Announcement (FOA)
- CMEP/PMP documents and data reported in Annex A of the TPR,
- Routine Data Quality Assessment (RDQA) form (if available for CAPSA)
- Baseline survey reports or pre-situational analyses,
- Project document and revisions,
- Project budget and revisions,
- Cooperative Agreement and project modifications,
- Technical Progress and Status Reports,
- Work plans,
- Correspondence related to Technical Progress Reports,
- Management Procedures and Guidelines,
- Research or other reports undertaken (KAP studies, etc.), and,
- Project files as appropriate.
- Kenya and Uganda DCWP documents

## 2. EVALUATION MATRIX

In developing this TOR, the ET created an evaluation matrix that outlines the sources of data the ET plans to use to inform each EQ. This is presented in Annex A. This will inform the ET as they make decisions about allocating time for KIIs. It will also help the ET ensure that they are exploring all possible avenues for data triangulation and to clearly note where their evaluation results are coming from.

## 3. INTERVIEWS WITH STAKEHOLDERS

The ET will conduct KIIs with approximately 60 respondents over a three-week period with project stakeholders in Kenya and Uganda. The team will attempt to balance men and women respondents to the extent possible. The ET will conduct interviews with the ILAB Project Managers and MEL specialists (former and current) and with representatives of the following organizations listed below. The breakdown of sample size by category, and the final list of respondents, will be updated following completion of the desk review. In addition, the number of KIIs and participants for each organization will depend on availability. Depending on the circumstances, these meetings will be held in individual or small group (two or three, maximum) KIIs of two to three people from like categories.

**Table 2. Stakeholder Sampling Strategy**

Stakeholder Type	Est. Sample	Potential Respondents	Project Relevance
US Government	4	ILAB CAPSA Project Manager and MEL Specialist	CAPSA
		ILAB AHK Project Manager and MEL Specialist	AHK
Grantee and Implementing Partners - ILO	6	ILO HQ Backstopping Unit/ILO Dar es Salaam Office (for Kenya), CAPSA National Program Coordinator, M&E Officer, Finance Officer	CAPSA
		ILO HQ Backstopping Unit/ILO Dar es Salaam Office (for Kenya), AHK National Program Coordinator, M&E Officer, Finance Officer	AHK
East African Community	1	EAC Department of Gender, Children, Youth, and Community Development	CAPSA
Kenyan Government	6	Ministry of Labor and Social Protection; Office of the Director of Public Prosecutions (ODPP), Directorate of Occupational Safety and Health Services (DOSHS), County Labor Officers/Inspectors	CAPSA and AHK
	6	Employment and Labor Relations Court, Alternative Dispute Resolution Personnel, Court personnel, Court Users Committee, Export Processing Zones Authority (EPZA, a state corporation under Ministry of Investment, Trade, and Industry), County OSH Officers/Inspectors, Wage Councils	AHK
	6	Counter Trafficking of In Person (CTIP) Secretariat, National Steering Committee on Child Labor, Child Labor Secretariat, National Productivity and Competitiveness Centre (NPCC), Department of Children's Services - National, Kwale County, Kajiado County, Bungoma, Nairobi City County), ODPP - Kajiado County	CAPSA
Ugandan Government	7	Ministry of Gender, Labour, and Social Development (MGLSD), Office of the Director of Public Prosecutions (ODPP), Ministry of Internal Affairs (MIA), Local Governments (Hoima, Kikuube, Masindi, Jinja, Bugiri, Iganga, Mbale), National Child Labor Steering Committee, Child Labor Secretariat	CAPSA
Service Providers	2	Front-line service providers	CAPSA

Stakeholder Type	Est. Sample	Potential Respondents	Project Relevance
Kenya Employers Associations, Producers	1	Federation of Kenya Employers (FKE)	CAPSA and AHK
	3	Kenya Tea Growers Association (KTGA (FKE affiliate), Kenya Agricultural Employers Association, Kenya Tea Development Agency (smallholder-owned company)	AHK
Uganda Employers Associations	3	Federation of Uganda Employers	CAPSA
Kenya Workers' Organizations	3	Central Organization of Trade Unions (COTU-K), Kenya Plantation & Agricultural Workers Union (KPAWU), Tailors and Textile Workers Union (TTWU)	AHK
Kenyan Workers	8	Kenyan Tea and Textile Workers	AHK
Uganda Workers Organizations	4	National Organization for Trade Unions, Platform for Labor Action	CAPSA
Kenya NGOs, CSOs	4	County Advisory Councils (CACs), Terre des hommes (Tdh), Centre for Domestic Training and Development (CDTD), Awareness Against Trafficking (HAART), Kenya Alliance on Advancement of Child Rights (KAACR)	CAPSA
	1	Rainforest Alliance (To be confirmed)	AHK
Uganda CSOs	3	County-level Child Wellbeing Committees), Elimination of Child Labour in Agriculture Foundation, Platform for Labor Action, African Network for the Prevention and Protection Against Child Abuse and Neglect (ANPPCAN)	CAPSA
Private Sector and International Brand Representatives	2	Tea and Textile/Apparel Brand Representatives	AHK
Estimated Total	70		

#### 4. FIELD VISITS

For AHK, the ET will interview stakeholders in and around Nairobi and a selection of counties where the project is implementing activities in the tea and textile/apparel sectors. For CAPSA, the ET will interview stakeholders based in the East African Community (see above), in and around Nairobi and Kampala, and a selection of counties where the project is implementing activities. The final selection of field sites to be visited will be made by the ET.

## D. Quantitative Analysis of primary Data

The ET will conduct a locally administered survey over the course of several days with a sample of stakeholders listed below in Table 3. The ultimate number of participants will depend on availability and interest in participating in the survey. The ET will coordinate site visits with the implementing partner and relevant stakeholders to ensure that participation in the survey during working hours is not detrimental in any way.<sup>38</sup>

**Table 3: Survey Data Collection Strategy**

Stakeholder Type	Method	Estimated #	Potential Respondents
Managers; Supervisors	Survey	15	Staff that have management and oversight responsibilities
Workers of textile and tea plantations	Survey	100	Workers that are program beneficiaries

### 1. SURVEY SAMPLING APPROACH

The ET will work with the CAPSA and AHK program teams to determine an appropriate survey administration plan, which will include a hybrid approach of paper and/or tablet-administered surveys. The ET will adopt a quasi-purposive sampling approach for this data collection effort, narrowing the audience to primarily worker voices. Questions will be targeted to the appropriate stakeholder group using separate surveys for each. The survey seeks to amplify the voices of workers and management/owners, validate qualitative findings, triangulate stakeholder perceptions, and reveal broad-based trends. The ET will utilize SurveyCTO, which allows the team to collect survey responses offline. This tool has been used previously by one of our Local Coordinator in Kenya; it is a reliable and secure platform that can be used with smart phone apps and is supported by a 24/7 help desk. The ET will collect survey responses on-site at the work sites using a tablet or phone. Survey responses will be uploaded to the server in batches, pending internet availability. The ET will attempt to survey more women respondents than men and will assess the number of men and women as the surveys are being conducted to make changes to increase female representation, as needed.

### 2. SURVEY INSTRUMENTS

The quantitative survey includes a limited number of questions that are specific to workers and manager/owners, respectively. Each survey consists of eight questions that are designed to capture perceptions regarding worker representation, workplace safety, awareness of rights, recruitment/hiring of underrepresented workers, equity, and workers empowerment (See Annex E). The survey questions are closed and utilize a Three-Point Likert scale<sup>39</sup>. Based on the desk review and consultations with the

<sup>38</sup> Participation in the survey should take no longer than 10 minutes but workers may be reluctant to forgo a break or loss of income due to lost productivity.

<sup>39</sup> The Likert scale has been modified to include an additional response choice: “do not know” as workers may not be familiar with the program interventions at this stage of the program cycle.

implementing partner, the ET has designed the survey questions according to anticipated knowledge and awareness levels of the participants regarding programmatic activities. The ET members will serve as the enumerators for the survey and are conversant in locally spoken languages thus mitigating any literacy or language issues which could hinder any beneficiary's ability to complete the survey.

### 3. RISK MITIGATION PROTOCOLS

The ET does not anticipate travel risks but will coordinate closely with DOL, local partners, and Team Integra's Security Director to remain informed of potential risks before and during the survey administration process. The team will travel to site locations to collect survey data as well as remotely. If available, the ET will also utilize available worker contact information to collect survey data remotely. In order to provide a robust and significant analysis of survey data, the team is leveraging multiple strategies to enhance the response rate ensuring a sufficient sample size of 100 respondents.

### 4. DATA COLLECTION PLAN

The local members of the ET will serve as the enumerators for the survey. Using a tablet or smart phone with SurveyCTO installed, the ET will travel to site locations to collect survey responses. Pending DOL and Implementer approval, the ET may offer refreshments to workers while completing the survey. Respondents would have the option of completing the survey directly on the provided tablet, with the assistance of the ET as the primary enumerators (oral survey administration), or via a paper copy of the survey. All survey data will be collected offline and uploaded at the end of each day pending internet availability.

### 5. DATA QUALITY AND SURVEY DEBRIEF SESSIONS

The lead evaluator will provide technical oversight and organize routine feedback debriefing sessions with the local evaluation expert and local coordinators during the data collection exercise. Regular data quality checks will be conducted to review and confirm the quality, consistency, and completeness of survey data in a timely manner and to make any corrective actions to address identified data errors. Throughout the data collection period, regular virtual check-in meetings will be conducted, including sequenced debrief sessions. At the end of each day during the survey period, the Lead Evaluator will perform quality assurance and adjust the administration plan accordingly.

### 6. QUANTITATIVE AND QUALITATIVE SURVEY DATA INCLUDED IN SYNTHESIS REPORT

The Senior Data Analyst, Dr. Sarah Eissler, will provide overall technical oversight and quality assurance. The relevant findings related to equity, worker empowerment, and agency from this quantitative survey and findings from primary data collection will be integrated into a Synthesis Report that includes this mid-term evaluation and three other evaluations.

## E. Quantitative Analysis of Secondary Data

Secondary data for both CAPSA and AHK will consist of available monitoring data, and, where relevant, other sources of secondary data from the GoK and GoU and other sources (Demographic and Health Surveys; etc.) such as household data on child work patterns.<sup>40</sup> The ET will work with ILAB to secure prompt access to secondary data from the ILO, relevant government bodies, and external sources. After gaining access to the data, the ET will assess their quality and relevance in answering the research questions and develop a list of relevant indicators. The ET's analysis of these data will be used to triangulate and to the extent possible, validate, findings from primary data collection efforts.

The ET will analyze project monitoring data to assess the performance of activities relative to expected results, and equity considerations. The ET's analysis, which will rely on descriptive statistics such as counts, tabulated proportions, and means, will identify common trends, patterns, and any changes in stakeholders' motivation, behavior, capacity, practices, policies, programs, relationships, or resource allocation as result of project activities to the extent these data are available and of sufficient quality. The ET will use project monitoring data and quantitative data collected during evaluation fieldwork (see Appendix D for rapid scorecard template), triangulated with relevant qualitative data collected during interviews, to develop summary achievement and sustainability ratings, as well as an assessment of equity in relation to access to project interventions as well as outcomes for target beneficiaries with particular attention to underserved populations.

### 1. OUTCOME ACHIEVEMENT, EQUITY AND SUSTAINABILITY RATINGS

The ET will objectively rate the outcomes thus far from AHK and CAPSA respectively, according to three factors: 1) level of achievement, 2) level of equity with respect to access to project interventions and/or targets achieved, and 3) potential for sustainability on a four-point scale (low, moderate, above-moderate, and high). Outcome equity ratings will be provided only for the equity-related outcomes designated by ILAB.

#### ACHIEVEMENT

"Achievement" measures the extent to which a development intervention or project attains its objectives/outcomes, as described in its CMEP/PMP and workplan.

For assessing the achievement of program or project outcomes, the ET will consider the extent to which the objectives/outcomes were achieved and identify the major factors influencing the achievement or non-achievement of the outcomes. As this evaluation is an interim evaluation, the team will also consider the likelihood of the outcomes being achieved by the end of the project if the critical assumptions hold, as well as the extent the project requires course corrections to bring it back on track.

Project achievement ratings will be determined through the triangulation of qualitative and quantitative data. The ET will collect qualitative data from individual and group interviews through a structured data collection process. Interviews will also provide context for the results reflected in the Data Reporting Form submitted with the TPR.

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<sup>40</sup> Information can be provided in general statistical terms, not individual, following report models that the system can provide, especially according to the availability of the data collected and processed by each entity.

The ET will also analyze quantitative data collected by the project on key performance indicators defined in the CMEP/PMP and reported on in the TPR Data Reporting Form. The ET will consider the reliability and validity of the performance indicators and the completeness and accuracy of the data collected. The assessment of quantitative data will consider the extent to which the project achieved its targets and whether these targets were sufficiently ambitious and achievable within the period evaluated, considering also external contextual factors during the period. The ET will assess each of the project's outcome(s) according to the following scale, integrating the team's objective opinion and independent judgment to further triangulate the perspectives of participants and stakeholders:

- High: met or exceeded most targets for the period evaluated, with mostly positive feedback from key stakeholders and participants.
- Above-moderate: met or exceeded most targets for the period evaluated, but with neutral or mixed feedback from key stakeholders and participants.
- Moderate: missed most targets for the period evaluated, but with mostly positive feedback from key stakeholders and participants.
- Low: missed most targets for the period evaluated, with mostly neutral or negative feedback from key stakeholders and participants.

## EQUITY

“Equity” assesses the extent to which a development intervention or project provides for equitable access to project interventions or services, as well as the extent to which the project contributes to equitable outcomes for all individuals, including individuals who belong to underserved communities<sup>41</sup> that have been denied such treatment. For the purposes of this evaluation, underserved populations will include women, youth, informal workers, and workers in rural communities, many of whom lack access to legal services or knowledge of workers' rights or access to services to protect their rights.

For assessing the equity of program or project outcomes, the ET will consider who has/has not been reached, served, engaged, or affected by the projects' interventions, in positive, negative or undetermined ways. The ET will review the projects' overall outputs and outcome data and their disaggregated data for specific groups to identify trends and patterns with respect to equitable access and outcomes. As this is an interim evaluation of both projects, the ET will also identify specific pain points<sup>42</sup> or barriers affecting

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<sup>41</sup> “Underserved communities” refers to populations who have been historically underserved, marginalized, or denied equitable treatment on the basis of disability, gender identity, sexual orientation, race, ethnicity, religion, migration status, and persons or groups otherwise adversely affected by persistent poverty or inequality. In accordance with Executive Order 13985 of January 20, 2021, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, the term “underserved communities” refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life.

<sup>42</sup> “Pain points” are real or perceived problems, frustrations, or troublesome issues, especially ones experienced by beneficiaries, participants, clients, consumers, customers, or employees. Four common types of pain points are financial, productivity, process, and support pain points. When countering barriers for historically underserved, underrepresented, or marginalized groups and communities, it is important to understand and address pain points that may impede diversity, equity and inclusion goals.

equitable service delivery or outcomes for underserved groups, as well as the extent the projects require course corrections to ensure more equitable processes and results.

Project equity ratings will be determined through triangulation of qualitative data from the KIIs and quantitative data from disaggregated performance data. The ET will also analyze aggregated and disaggregated quantitative data collected by the project on key performance indicators defined in the CMEP/PMP and reported on in the TPR Data Reporting Form. The ET will consider the reliability and validity of the performance indicators and the completeness, representativeness and accuracy of the data collected. The assessment of quantitative data will consider the extent to which the projects achieved targets in an equitable manner and whether the targets for specific underserved groups were appropriate and sufficiently ambitious and achievable within the period evaluated. The ET will assess each of the project's outcome(s) according to the following scale:

- High: reported outcome data reflect tangible benefits for most or all underserved groups during the period evaluated, with mostly positive feedback from representatives of each of the relevant underserved groups.
- Above-moderate: reported outcome data reflect tangible benefits for most or some of the underserved groups during the period evaluated, but with mixed or neutral feedback from representatives of one or more of the relevant underserved groups.
- Moderate: reported outcome data reflect limited or no tangible benefits for underserved groups during the period evaluated, but with mostly positive feedback from representatives of those groups.
- Low: reported outcome data do not reflect tangible benefits for underserved groups during the period evaluated (or the project lacks disaggregated data to demonstrate), with mostly neutral or negative feedback from representatives of those groups.

### *SUSTAINABILITY*

“Sustainability” is concerned with measuring whether the benefits of an activity are likely to continue after donor funding has been withdrawn. When evaluating the sustainability of a project, it is useful to consider the likelihood that the benefits or effects of a particular output or outcome will continue after donor funding ends. It is also important to consider the extent to which the project takes into account the actors, factors, and institutions that are likely to have the strongest influence over, capacity, and willingness to sustain the desired outcomes and impacts. Indicators of sustainability include agreements/linkages with local partners, stakeholder engagement in project sustainability planning, and successful handover of project activities or key outputs to local partners before project end, among others.



The projects' Sustainability Plans (including the associated indicators) and TPRs (including the attachments) are key (but not the only) sources for determining their ratings. The ET will assess each of the projects' objective(s) and outcome(s) according to the following scale:

- High: strong likelihood that the benefits of project activities will continue after donor funding is withdrawn and the necessary resources<sup>43</sup> are in place to ensure sustainability;
- Above-moderate: above average likelihood that the benefits of project activities will continue after donor funding is withdrawn and the necessary resources are identified but not yet committed;
- Moderate: some likelihood that the benefits of project activities will continue after donor funding is withdrawn and some of the necessary resources are identified;
- Low: weak likelihood that the benefits of project activities will continue after donor funding is withdrawn and the necessary resources are not identified.

In determining the rating above, the ET will also consider the extent to which sustainability risks were adequately identified and mitigated through the projects' risk management and stakeholder engagement activities.

#### **F. Ethical Considerations and Confidentiality**

The ET will observe utmost confidentiality related to sensitive information and feedback elicited during the individual and group interviews, FGDs, and during survey administration. To mitigate bias during the data collection process and ensure a maximum freedom of expression of the stakeholders and respondents participating in interviews, implementing partner staff will not be present during interviews. However, implementing partner staff may accompany the evaluator to make introductions whenever necessary, to facilitate the evaluation process, make respondents feel comfortable, and to allow the evaluator to observe the interaction between the implementing partner staff and the interviewees, when appropriate.

The ET will respect the rights and safety of participants in this evaluation. During this study, the ET will take several precautions to ensure the protection of respondents' rights:

- No interview will begin without receipt of informed consent from each respondent.
- The ET will conduct individual and group interviews in a confidential setting, so no one else can hear a respondent's answers.
- COVID-19 precautions and social distancing will be implemented during face-to-face interviews.
- The ET will be in control of its written notes at all times.
- The ET will transmit data electronically using secure measures.

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<sup>43</sup> Resources can include financial resources (i.e. non-donor replacement resources), as well as organization capacity, institutional linkages, motivation and ownership, and political will, among others.

- The ET will talk with respondents to assess their ability to make autonomous decisions and their understanding of informed consent. Participants will understand that they have the right to skip any question with which they are not comfortable or to stop at any time.

### **G. Stakeholder Meeting**

Following the field visits and remote data collection, a stakeholder meeting will be organized jointly by the projects and led by the ET to bring together a wide range of stakeholders, including the implementing partners and other interested parties to discuss the evaluation results. The list of participants to be invited will be drafted prior to the stakeholder meeting and confirmed in consultation with ILAB and project staff in advance of the meeting. ILAB staff may participate in the stakeholder meeting virtually.

The meeting will be used to present the major preliminary results and emerging issues, solicit recommendations, discuss project sustainability and obtain clarification or additional information from stakeholders, including those not interviewed earlier. The agenda of the meeting will be determined by the ET in consultation with project staff. Specific questions for stakeholders will be prepared to guide the discussion along with a brief written feedback form.

The agenda is expected to include some of the following items:

- Presentation by the evaluator of the preliminary main results
- Feedback and questions from stakeholders on the results
- Opportunity for implementing partners not met to present their views on progress and challenges in their locality
- Discussion on learning from what has worked and from what has not worked
- Discussion of recommendations to improve the implementation and ensure sustainability. The ET will distribute a feedback form for participants to nominate their “action priorities” for the remainder of the project.

A debrief call will be held with the ET and USDOL after the stakeholder workshop to provide USDOL with preliminary results and solicit feedback as needed.

### **H. Limitations**

Fieldwork for the evaluation will last three weeks; the ET will not have enough time to conduct interviews in all project geographies. Remote interviews may fill some of these gaps. But, given the time constraint, there may be some geographies where remote interviews are also not conducted. As a result, the ET will not be able to take all geographies into consideration when formulating their results. The ET anticipates conducting in-person interviews in Nairobi, and at least three other counties in Kenya, as well as in Kampala and Jinja, in Uganda. Additional interviews will be scheduled remotely.

This is not a formal impact assessment. Results for the evaluation will be based on information collected from background documents and in interviews with stakeholders, project staff, and project participants. The accuracy of the evaluation results will be

determined by the integrity of information provided to the ET from these sources. Recall bias and selection bias will also limit the quality of the data.

Furthermore, the ET's ability to determine efficiency will be limited by the amount of financial data available. A cost-efficiency analysis is not included because it would require impact data, which is not available.

The analysis of survey of tea and textile supervisors, managers, and workers will be limited but by the ability of the ET to draw conclusions that link AHK and CAPSA activities to the respondents' opinions/replies.

## **I. Roles and Responsibilities**

### **The Contractor is responsible for accomplishing the following items:**

- Providing all evaluation management and logistical support for evaluation deliverables within the timelines specified in the contract and TOR;
- Providing all logistical support for travel associated with the evaluation;
- Providing quality control over all deliverables submitted to ILAB;
- Ensuring the ET conducts the evaluation according to the TOR;

### **The ET will conduct the evaluation according to the TOR. The ET is responsible for accomplishing the following items:**

- Receiving and responding to or incorporating input from the grantees and ILAB on the initial TOR draft;
- Finalizing and submitting the TOR and sharing concurrently with the grantees and ILAB;
- Reviewing project background documents;
- Reviewing the EQs and refining them as necessary;
- Developing and implementing an evaluation methodology, including document review, individual and group interviews, and secondary data analysis, to answer the EQs;
- Conducting planning meetings or calls, including developing a field itinerary, as necessary, with ILAB and grantees;
- Deciding the composition of field visit interview participants to ensure the objectivity of the evaluation;
- Developing an EQ matrix for ILAB;
- Presenting preliminary results verbally to project field staff and other stakeholders as determined in consultation with ILAB and grantees;
- Preparing an initial draft of the evaluation report for ILAB and grantee review;
- Incorporating comments from ILAB and the grantee/other stakeholders into the final report, as appropriate.

- Developing a comment matrix addressing the disposition of all of the comments provided;
- Preparing and submitting the final report;

**ILAB is responsible for the following items:**

- Launching the contract;
- Reviewing the TOR, providing input to the ET as necessary, and agreeing on final draft;
- Providing project background documents to the ET, in collaboration with the grantees;
- Obtaining country clearance from U.S. Embassy in fieldwork country;
- Briefing grantees on the upcoming field visit and working with them to coordinate and prepare for the visit;
- Reviewing and providing comments on the draft evaluation report;
- Approving the final draft of the evaluation report;
- Participating in the pre- and post-trip debriefing and interviews;
- Including the ILAB evaluation contracting officer's representative on all communication with the ET;

**The grantee is responsible for the following items:**

- Reviewing the TOR, providing input to the ET as necessary, and agreeing on the final draft;
- Providing project background materials to the ET, in collaboration with ILAB;
- Preparing a list of recommended interviewees with feedback on the draft TOR;
- Participating in planning meetings or calls, including developing a field itinerary, as necessary, with ILAB and evaluator;
- Scheduling meetings during the field visit and coordinating all logistical arrangements;
- Helping the ET to identify and arrange for interpreters as needed to facilitate worker interviews;
- Reviewing and providing comments on the draft evaluation reports;
- Organizing, financing, and participating in the stakeholder debriefing meeting;
- Providing in-country ground transportation to meetings and interviews;
- Including the ILAB program office on all written communication with the ET.

**J. Timetable**

The tentative timetable is presented in Table 3 below. Actual dates may be adjusted as needs arise.

**Table 3. Tentative timetable**

<b>TASK</b>	<b>RESPONSIBLE PARTY</b>	<b>DATE (ESTIMATE)</b>
Evaluation launch call	DOL/ILAB	Dec 12, 2022
Background project documents sent to Contractor	DOL/ILAB	Dec 12, 2022 and Dec 16, 2022
Contractor and Grantee work to develop draft itinerary and stakeholder list	Contractor and Grantee	Jan 20-27, 2023
Draft TOR sent to DOL/ILAB and Grantee	Contractor	Dec 22, 2022
DOL/ILAB and Grantee sent comments on draft TOR	DOL/ILAB and Grantee	Jan 13/19, 2023
Revised TOR (2nd submission) sent to DOL/ILAB and grantee	Contractor	Feb 7, 2023
Logistics call - Discuss logistics and field itinerary	Contractor and Grantee (DOL/ILAB as needed)	Feb 14, 2023
Contractor sends minutes from logistics call	Contractor	Est. Feb 13, 2023
Final TOR approval from DOL/ILAB	DOL/ILAB	Feb 14, 2023
Submit field itinerary and budget for fieldwork to DOL/ILAB	DOL/ILAB, Contractor, and Grantee	Feb 15, 2023
Revise and finalize field itinerary, TOR and stakeholder list based on DOL/ILAB and Grantee comments	DOL/ILAB, Contractor, and Grantee	Feb 23, 2023
Submit finalized TOR to Grantee	Contractor	Feb 14, 2023
Interview call with DOL/ILAB	Contractor	Feb 20, 2023
Interview call with ILO HQ staff	Contractor	Feb 21, 2023
Fieldwork / Data collection	Contractor	Mar 15–Apr 5
Post-fieldwork debrief call	Contractor	Mar 23, 2023
Stakeholder Data Validation Workshop	Contractor	Mar 31, 2023
Initial draft report for review submitted to ILAB and Grantee	Contractor	May 1, 2023

<b>TASK</b>	<b>RESPONSIBLE PARTY</b>	<b>DATE (ESTIMATE)</b>
1 <sup>st</sup> round of review comments due to Contractor	ILAB and Grantee	May 8, 2023
Revised report submitted to DOL/ILAB and Grantee	Contractor	May 15, 2023
DOL/ILAB and Grantee/key stakeholder comments due to contractor after 2 <sup>nd</sup> round of review	DOL/ILAB and Grantee	May 29, 2023
Revised report in redline submitted to DOL/ILAB and Grantee demonstrating how all comments were addressed either via a comment matrix or other format	Contractor	Jun 14, 2023
DOL/ILAB and Grantee provide concurrence that comments were addressed	DOL/ILAB and Grantee	Jun 21, 2023
Final report submitted to DOL/ILAB and Grantee	Contractor	Jun 21, 2023
Final approval of report by DOL/ILAB	DOL/ILAB	Jun 28, 2023
Draft infographic/brief document submitted to DOL/ILAB	Contractor	Jun 14, 2023
DOL/ILAB comments on draft infographic/brief	DOL/ILAB	Jun 21, 2023
Editing and Section 508 compliance by contractor	Contractor	Jun 28–Jul 5, 2023
Final infographic/brief submitted to DOL/ILAB (508 compliant)	Contractor	Jun 28, 2023
Final approval of infographic/brief by DOL/ILAB (508 compliant)	DOL/ILAB	Jul 5, 2023
Final edited report submitted to COR (508 compliant)	Contractor	Jul 5, 2023
Final edited approved report and infographic/brief shared with grantee (508 compliant)	Contractor	Jul 5, 2023
Learning Event for ILAB staff, Grantees and other stakeholders as requested (usually virtual)	Contractor	TBD

## **EXPECTED OUTPUTS/DELIVERABLES**

Four weeks after completion of data collection, a first draft evaluation report will be submitted by the ET. The report will have the following structure and content:

1. Table of Contents
2. List of Acronyms
3. Executive Summary (no more than five pages providing an overview of the evaluation, summary of main results/lessons learned/emerging good practices, and key recommendations)
4. Evaluation Objectives
5. Project Descriptions (AHK and CAPSA)
6. Listing of EQs
7. Results
  - a. The results section includes the facts, analysis, and supporting evidence. The results section of the evaluation report should address the EQs. It does not have to be in a question-response format but should be responsive to each EQ. The results section will include discussion of the two projects and each of their respective results as well as any joint results that both projects may have contributed to, if relevant. Results will include data and analysis of the scorecards by respondent category.
8. Conclusions and Recommendations
  - a. Conclusions: interpretation of the facts, including criteria for judgments. Conclusions will in some cases involve the two projects jointly and in others will involve them individually, to be specified clearly for each conclusion.
  - b. Lessons Learned and Emerging Good Practices<sup>44</sup>
  - c. Key Recommendations: critical for successfully meeting project objectives and/or judgments on what changes need to be made for sustainability or future programming. Recommendations will be relevant in some cases to both projects and in others individually; this will be specified clearly for each recommendation.

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<sup>44</sup> An emerging good practice is a process, practice, or system highlighted in the evaluation reports as having improved the performance and efficiency of the program in specific areas. They are activities or systems that are recommended to others for use in similar situations. A lesson learned documents the experience gained during a program. They may identify a process, practice, or systems to avoid in specific situations

## 9. Annexes

- a. List of documents reviewed for each project;
- b. Interviews (including list of stakeholder groups; without PII in web version)/ meetings/site visits; the list will specify which project(s) the respondent provided information about;
- c. Stakeholder workshop agenda and participants (single workshop for both projects);
- d. TOR, Evaluation Methodology and Limitations;
- e. Summary of Recommendations (citing page numbers for evidence in the body of the report, listing out the supporting evidence for each recommendation, and identifying party that the recommendation is directed toward.)

The key recommendations will be action-oriented and implementable. The recommendations will be clearly linked to results and directed to a specific party to be implemented. The report will contain no more than 10 key recommendations, but other suggestions may be incorporated in the report in other ways.

The total length of the report will be approximately 45 pages for the main report, excluding the executive summary and annexes.

The first draft of the report will be circulated to ILAB and the grantee individually for their review. The ET will demonstrate how they incorporated or addressed comments from ILAB and the grantee/other key stakeholders into the final reports as appropriate, and the ET will show what changes have been made and provide a response as to why any comments might not have been incorporated or addressed.

While the substantive content of the results, conclusions, and recommendations of the report shall be determined by the evaluator, the report is subject to final approval by ILAB in terms of whether or not the report meets the conditions of the TOR.

The electronic submissions of any deliverables intended for publication, including the evaluation report and infographics, or other communication products will include two versions: one version, including personally identifiable information (PII) that is not Section-508 compliant, and a second version for publication that is Section-508 compliant and does not include PII such as names and/or titles of individuals interviewed.



## TOR ANNEX A: EVALUATION DESIGN MATRIX

Prior to development of KII and after conclusion of the document review, the ET will refine the design matrix below and will elaborate sub-EQs.

**Table 4: Evaluation Matrix**

Evaluation Questions	Sub Evaluation Questions	Type of Responses	Data Sources	Data Collection Methods	Method of Data Analysis
<b>Evaluation Criteria: Relevance and Coherence</b>					
1. To what extent are each project’s design, theory of change, and strategies relevant to the specific needs of project participants, communities, and other stakeholders?	1a. To what extent have stakeholders in government, civil society, and employers been engaged during project activities?	Descriptive	Qualitative data from interviews with personnel from DOL, ILO, and stakeholders  Rapid scorecard data and survey data	KIIs and Desk Review, Survey	Content analysis  Thematic analysis
<b>Evaluation Criteria: Effectiveness</b>					
2. To what extent is each project making progress towards its respective planned outcomes? What are the key internal or external factors (including those related to the COVID-19 pandemic) that are facilitating or limiting achievement of outcomes?	<u>AHK</u> 2a. To what extent has the engagement of government, civil society, and employer stakeholders led to increased capacity and understanding related to compliance with ILS and ACW?  2b. To what extent has compliance with ILS and ACW improved?	Descriptive  Statistical	Qualitative data from interviews with personnel from DOL, ILO, and stakeholders  Quantitative project performance data and other secondary data/evidence from industry stakeholders  Rapid scorecard data and survey data	KIIs and Desk Review, Survey	Content analysis  Thematic analysis  Descriptive statistical analysis

	<p><u>CAPSA</u></p> <p>2c. To what extent has the engagement of government, civil society, and private sector led to increased capacity and understanding related to CL, FL, TIP, and ACW?</p> <p>2d. To what extent have coordination &amp; communication improved among the key government/law enforcement &amp; civil society stakeholders involved in addressing issues related to CL, FL, TIP?</p> <p>2e. To what extent has the project been effective in supporting Kenya's government agencies in revising legal frameworks &amp; policies related to CL, FL, TIP and AWP?</p>				
<p>3. To what extent is each project making progress towards meeting equity and gender objectives through mainstreaming or cross-cutting approaches?</p>	<p>Which approaches are perceived to be most and least effective for achieving equity, including gender equity, objectives?</p>	<p>Descriptive</p> <p>Statistical</p>	<p>Qualitative data from interviews with personnel from DOL, ILO, and stakeholders</p> <p>Quantitative project performance data and other secondary data/evidence from industry stakeholders</p> <p>Rapid scorecard data and survey data</p>	<p>KIIs and Desk Review, Survey</p>	<p>Content analysis</p> <p>Thematic analysis</p> <p>Descriptive statistical analysis</p>

Evaluation Questions	Sub- Evaluation Questions	Type of Responses	Data Sources	Data Collection Methods	Method of Data Analysis
<b>Evaluation Criteria: Efficiency</b>					
4. How efficient are the project's interventions and management strategies?	4a. Do the CAPSA CMEP and AHK PMP, respectively, monitor progress and achievement; and to what extent have the monitoring and evaluation (M&E) systems been effectively used to inform management decision-making?	Descriptive	Qualitative data from interviews with personnel from DOL, ILO, and stakeholders	KIIs and Desk Review	Comparative analysis of capacity gaps (documented by project as part of capacity building process) to designed project interventions
<b>Evaluation Criteria: Sustainability</b>					
5. To what extent has a phase-out strategy been defined and to what extent are sustainability plans adapted to the local and national levels and to the capacity of partners? <sup>45</sup>	What steps have been taken, either within a defined plan or otherwise, to foster sustainability?	Descriptive	Qualitative data from interviews with personnel from DOL, ILO, and stakeholders	KIIs and Desk Review	Content analysis Thematic analysis

<sup>45</sup> This question may address various relevant dimensions of sustainability including replacement resources, ownership and political will, capacity, partnership, and integration in local systems. "Sustainability Guide; A Practical Tool for Sustaining Development Gains," Developed for ILAB under Contract DOLJ129K33985 Task Order No. 1605DC-17-T-00082, August 22, 2018.

## **TOR ANNEX B: INFORMED CONSENT AGREEMENT – KII**

*Evaluators will review this form in detail with all informants before the interview and be sure that informants understand it clearly before obtaining their signature. If the informant is illiterate or expresses discomfort signing the form but verbally consents to proceed with the interview, the evaluator may sign the form to indicate that they received verbal consent.*

**Purpose:** Thank you for taking the time to meet with us today. My name is [NAME]. I am a researcher from an organization called Integra LLC, a company that provides M&E services. I am here to conduct a study about the USDOL financed project called AHK/CAPSA implemented by the International Labor Organization.

You have been asked to participate today so that we can learn more about the support you (or your organization) may have received from the International Labor Organization.

We would like your honest impressions, opinions, and thoughts about various issues related to (the implementation of activities of) this program. I am an independent consultant and have no affiliation with those who provided you with assistance. In addition, I do not represent the government, employers, employers' organizations, or workers' organizations.

**Procedures:** If you agree to participate, we ask you to discuss your experience and opinion of the activities and services implemented under this program. The interview will take about one hour of your time. Although we will publish our results in a public report, all of your answers will be kept confidential. Nothing you tell us will be attributed to any individual person. Some results will be attributed to roles. An internal version of the report that is not disclosed to the public will share a list of the names of people interviewed, without attributing specific comments to them individually. The report will include only a composite of all of the answers received by all of the individuals we interview. Although we may use quotes, none of the individuals interviewed will be named in the report.

**Risks/Benefits:** There is no risk or personal gain involved in your participation in this interview. None of your comments in the report will be identified or attributable to an individual. You will not receive any direct benefit or compensation for participating in this evaluation. Although this study will not benefit you personally, we hope that our results will help improve the support provided to improve compliance with ILS and ACW (for AHK)/to address child labor, forced labor, and ACW (for CAPSA).

**Voluntary Participation:** Participation in this interview/FGD is completely voluntary. You do not have to agree to be in this study. You are free to end the interview/leave the FGD at any time or to decline to answer any question which you do not wish to answer. If you decline to participate in the interview, no one will be informed about this.

Do you have any questions at this time? [Interviewer should answer any questions] Do I have your permission to proceed?

**TOR ANNEX C: RIGHT TO USE**

**United States Department of Labor**

**Right to Use**

I, \_\_\_\_\_, grant to the United States Department of Labor (including any of its officers, employees, and contractors), the right to use and publish photographic likenesses or pictures of me (or my child), as well as any attached document and any information contained within the document. I (or my child) may be included in the photographic likenesses or pictures in whole or in part, in conjunction with my own name (or my child's name), or reproductions thereof, made through any medium, including Internet, for the purpose of use, dissemination of, and related to USDOL publications.

I waive any right that I may have to inspect or approve the finished product or the advertising or other copy, or the above-referenced use of the portraits or photographic likenesses of pictures of me (or my child) and attached document and any information contained within the document.

Dated \_\_\_\_\_, 20\_\_

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Signature

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Name Printed

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Address and phone number

Identifier (color of shirt, etc.): \_\_\_\_\_

## ANNEX D: EVALUATION TOOLS – KIIS

### KII Guide 1: DOL/ILO

<b>Respondents</b>
USDOL/ILAB/OCFT and OTLA
ILO HQ Staff
CAPSA and AHK Project Staff

[Prompts and instructions are bracketed and underlined.]

[Read consent agreement in full before proceeding.]

<b>Introduction</b>
<p>0. What is your name, organization, position, country (and county if applicable)?</p> <p>1. Can you briefly describe your role in relation to the <b>[CAPSA/AHK]</b> project? To what extent were you involved in the design of the project? To what extent are you now involved in managing its implementation?</p>
<b>Relevance</b>
<p>2. From your perspective, to what extent are the project’s design, theory of change, and strategies relevant to the specific needs of project participants, communities, and stakeholders?</p> <p>[Interviewer may prompt, if needed, with the list of stakeholders including underserved groups (women, youth, children, workers in textile and tea industries.)]</p> <p>3. To what extent have stakeholders in government, civil society, and employers been engaged during project activities?</p>
<b>Effectiveness</b>
<p>4. Considering that the project is ongoing, from your perspective, to what extent is it making progress towards its planned outcomes?</p> <p>What if any internal or external factors (including COVID-19) are facilitating or limiting achievement of outcomes?</p> <p>How has the project been able to adapt to or address these factors, so far?</p> <p>From what you have learned, what, if any, interventions originally proposed were not effective?</p> <p>[For AHK Respondents:]</p> <p>4c. To what extent has the engagement of government, civil society, and employer stakeholders led to increased capacity and understanding related to compliance with ILS and ACW?</p> <p>4d. To what extent has compliance with ILS and ACW improved?</p> <p>[For CAPSA Respondents:]</p> <p>4e. To what extent has the engagement of government, civil society, and private sector led to increased capacity and understanding related to CL, FL, TIP, and ACW?</p> <p>4f. To what extent have coordination and communication improved among the key government/law enforcement and civil society stakeholders involved in addressing issues related to CL, FL, TIP?</p> <p>4g. To what extent has the project been effective in supporting Kenya's government agencies in revising legal frameworks and policies related to CL, FL, TIP and AWP?</p>

5. To what extent is the project making progress towards meeting equity objectives?  
 5a. From your perspective, so far, which approaches are the most and least effective for achieving equity, including gender equity objectives?

**Efficiency**

6. From your perspective, how efficient are the project’s interventions and management strategies?  
 [Prompt: Please consider the planned timeline, budget, scope, and operating context in your response.]  
 6a. Do the [CAPSA CMEP/AHK PMP] and associated M&E systems work well to monitor progress and achievement and inform management decision-making, including technical strategies and resource allocation?

**Sustainability**

7. To your knowledge, to what extent have sustainability plans/a phase-out strategy been defined by the project explicitly or implicitly? [Interviewer should prompt regarding dimensions of sustainability: capacity, ownership, political will, resources, local systems.]  
 [If respondent is aware of plans:],  
 7a. To what extent are those sustainability plans adapted to the local and national levels and to the capacity of partners?  
 7b. What steps have been taken so far, either within a defined plan or otherwise, to foster sustainability?  
 7c. Please describe your concerns, if any, about the project achieving sustainable results by the end of the project?

**Synthesis Question**

8. Considering the successes and challenges of the project so far, as you have described them, what would be your recommendations for adjustments going forward?

**Four Point Scale Questions (Rapid Score Card)**

[For CAPSA:]  
 9a. On a four-point scale, how has CAPSA’s program performed in achieving formulation and adoption of legal or policy frameworks on child labor, forced labor, and violations of ACW in Kenya? Low, moderate, above-moderate, high In Uganda? Low, moderate, above-moderate, high  
 9b. On a four-point scale, what is the level of CAPSA’s program engagement and partnership with organizations that implement CL, FL and ACW activities in Kenya? Low, moderate, above-moderate, high In Uganda? Low, moderate, above-moderate, high  
 9c. On a four-point scale, how has CAPSA performed in enabling organizations to collaborate with each other that are implementing CL, FL, and ACW in Kenya? Low, moderate, above-moderate, high In Uganda? Low, moderate, above-moderate, high

[For AHK:]  
 9d. On a four-point scale, what is the level of AHK’s program achievement on government effectiveness in improving compliance with ILS and ACW? Low, moderate, above-moderate, high  
 9b. On a four-point scale, what is the level of AHK’s program on employers’ actions to improve compliance with ILS and ACW? Low, moderate, above-moderate, high  
 9c. On a four-point scale, what is the level of AHK’s program on engagement of CSOs, including workers’ organizations, with government and employers to improve compliance with ILS and ACW in the apparel and tea sectors? Low, moderate, above-moderate, high

**KII GUIDE 2: GOVERNMENT**

<b>Respondents</b>
<i>CAPSA and AHK in Kenya:</i> Ministry of Labor and Social Protection; Office of the Director of Public Prosecutions (ODPP), Directorate of Occupational Safety and Health Services (DOSHS), County Labor Officers/Inspectors
<i>AHK:</i> Employment and Labor Relations Court, Alternative Dispute Resolution Personnel, Court personnel, Court Users Committee, Export Processing Zones Authority (EPZA, a state corporation under Ministry of Investment, Trade, and Industry), County OSH Officers/Inspectors, Wage Councils
<i>CAPSA Kenya:</i> EAC Department of Gender, Children, Youth, and Community Development, Counter Trafficking of In Person (CTIP) Secretariat, National Steering Committee on Child Labor, Child Labor Secretariat, National Productivity and Competitiveness Centre (NPCC), Department of Children’s Services - National, Kwale County, Kajiado County, Bungoma, Nairobi City County), ODPP – Kajiado County
<i>CAPSA Uganda:</i> Ministry of Gender, Labour, and Social Development (MGLSD), Office of the Director of Public Prosecutions (ODPP), Ministry of Internal Affairs (MIA), Local Governments (Hoima, Kikuube, Masindi, Jinja, Bugiri, Iganga, Mbale), National Child Labor Steering Committee, Child Labor Secretariat

[Prompts and instructions are bracketed and underlined.]

[Read consent agreement in full before proceeding.]

<b>Introduction</b>
<p>0. What is your name, organization, position, country (and county if applicable)?</p> <p><u>[For each question, if dual respondent, prompt for CAPSA then AHK]</u></p> <p>1.Can you briefly describe your role in relation to the [CAPSA/AHK] project?</p> <p>1a. To what extent were you involved in the design of the project(s)?</p> <p>1b. To what extent are you now involved in implementation? <u>[Prompt: Ask about both assistance received and involvement in planning/monitoring ongoing interventions?]</u></p>
<b>Relevance</b>
<p><u>[For each question, if dual respondent, prompt for CAPSA then AHK]</u></p> <p>2. From your perspective, to what extent are the project’s strategies relevant to the specific needs of your organization?</p> <p>2a. What about relevance to other project participants, communities, and stakeholders?</p> <p><u>[Prompt, if not addressed, about underserved groups (women, youth, children, workers in textile and tea industries.)]</u></p> <p>3. To what extent has your organization been engaged during project activities?</p> <p>3b. What about the engagement of other stakeholders in government, civil society, and employers?</p>



**Effectiveness**

[For each question, if dual respondent, prompt for CAPSA then AHK]

- 4. What are the project’s planned outcomes with respect to your organization?
- 5. Considering that the project is ongoing, from your perspective, to what extent is it making progress towards its planned outcomes with your organization?  
What if any internal or external factors (including COVID-19) are facilitating or limiting achievement of outcomes?  
How has the project been able to adapt to or address these factors, so far?  
From what you have learned, what, if any, interventions originally proposed were not effective?

[For AHK Respondents:]

- 5d. To what extent has the engagement of government, civil society, and employer stakeholders led to increased capacity and understanding related to compliance with ILS and ACW?
- 5e. To what extent has compliance with ILS and ACW improved?

[For CAPSA Respondents:]

- 5f. To what extent has the engagement of government, civil society, and private sector led to increased capacity and understanding related to CL, FL, TIP, and ACW?
- 5g. To what extent have coordination and communication improved among the key government/law enforcement and civil society stakeholders involved in addressing issues related to CL, FL, TIP?
- 5h. To what extent has the project been effective in supporting government agencies in revising legal frameworks and policies related to CL, FL, TIP and AWP?

- 6. To what extent is the project making progress towards meeting equity objectives?  
6a. From your perspective, so far, which approaches are the most and least effective for achieving equity, including gender equity objectives?

**Efficiency**

[For each question, if dual respondent, prompt for CAPSA then AHK]

- 7. From your perspective, how efficient are the project’s interventions and management strategies?  
[Prompt: Please consider the timeline and operating context in your response.]
- 7a. Do you/your organization participate in any way in monitoring and evaluation of project activities, either overall or the specific activities in which you are involved?
- 7b. [If yes:] How effective is the monitoring and evaluation in informing project decision-making and technical strategies?

**Sustainability**

[For each question, if dual respondent, prompt for CAPSA then AHK]

- 8. To your knowledge, to what extent have sustainability plans/a phase-out strategy been defined by the project, starting with your organization and proceeding to others? [Interviewer should prompt regarding dimensions of sustainability: capacity, ownership, political will, resources, local systems.]  
[If respondent is aware of plans:],

8a. To what extent are those sustainability plans adapted to the local and national levels and to the capacity of partners?

8b. What steps have been taken so far, either within a defined plan or otherwise, to foster sustainability?

8c. Please describe your concerns, if any, about the project achieving sustainable results by the end of the project?

**Synthesis Question**

9. Considering the successes and challenges of the project(s) so far, as you have described them, what would be your recommendations for adjustments going forward [If dual respondent, prompt for CAPSA then AHK]

**Four Point Scale Questions (Rapid Score Card)**

[For CAPSA:]

10a. On a four-point scale, how has CAPSA’s program performed in achieving formulation and adoption of legal or policy frameworks on child labor, forced labor, and violations of ACW in Kenya? Low, moderate, above-moderate, high In Uganda? Low, moderate, above-moderate, high

10b. On a four-point scale, what is the level of CAPSA’s program engagement and partnership with organizations that implement CL, FL and ACW activities in Kenya? Low, moderate, above-moderate, high In Uganda? Low, moderate, above-moderate, high

10c. On a four-point scale, how has CAPSA performed in enabling organizations to collaborate with each other that are implementing CL, FL, and ACW in Kenya? Low, moderate, above-moderate, high In Uganda? Low, moderate, above-moderate, high

[For AHK:]

10d. On a four-point scale, what is the level of AHK’s program achievement on government effectiveness in improving compliance with ILS and ACW? Low, moderate, above-moderate, high

10e. On a four-point scale, what is the level of AHK’s program on employers’ actions to improve compliance with ILS and ACW? Low, moderate, above-moderate, high

10f. On a four-point scale, what is the level of AHK’s program on engagement of CSOs, including workers’ organizations, with government and employers to improve compliance with ILS and ACW in the apparel and tea sectors? Low, moderate, above-moderate, high

### KII Guide 3: Employer and Worker Organizations

<b>Respondents</b>
<i>Kenya CAPSA and AHK Employers:</i> Federation of Kenya Employers
<i>Kenya AHK Employers:</i> Kenya Tea Growers Association (KTGA (FKE affiliate), Kenya Agricultural Employers Association, Kenya Tea Development Agency (smallholder-owned company)
<i>Uganda CAPSA Employers:</i> Federation of Uganda Employers
<i>Kenya AHK Workers Unions:</i> Central Organization of Trade Unions (COTU-K), Kenya Plantation and Agricultural Workers Union (KPAWU), Tailors and Textile Workers Union (TTWU)
<i>Uganda AHK Workers Unions:</i> NOTU, Platform for Labor Action

[Prompts and instructions are bracketed and underlined.]

[Read consent agreement in full before proceeding.]

<b>Introduction</b>
<p>0. What is your name, organization, position, country (and county if applicable)?                  [If dual respondent, prompt for CAPSA then AHK]</p> <p>1.Can you briefly describe your role in relation to the [CAPSA/AHK] project?</p> <p>1a. To what extent were you involved in the design of the project(s)?</p> <p>1b. To what extent are you now involved in implementation? [Prompt: Ask about involvement in designing/planning/monitoring interventions and assistance received]</p>
<b>Relevance</b>
<p>[For each question, if dual respondent, prompt for CAPSA then AHK]</p> <p>2.From your perspective, are the project’s strategies relevant to your organization and its [employer/worker] members? Why/why not?</p> <p>2a. What about relevance to other project participants, communities, and stakeholders?                  [Prompt, if not addressed about underserved groups (women, youth, children, workers in textile and tea industries.)]</p> <p>3. To what extent has your organization been engaged during project activities?</p> <p>3a. What about the engagement of other organizations/stakeholders in government, civil society, and employers?</p>

**Effectiveness**

[For each question, if dual respondent, prompt for CAPSA then AHK]

4. What are the project’s planned outcomes with respect to your organization?

5. Considering that the project is ongoing, from your perspective, to what extent is it making progress towards its planned outcomes with your organization?

What if any internal or external factors (including COVID-19) are facilitating or limiting achievement of outcomes?

How has the project been able to adapt to or address these factors, so far?

From what you have learned, what, if any, interventions originally proposed were not effective?

[For AHK Respondents:]

5d. To what extent has the engagement of government, civil society, and employer/worker organizations led to increased capacity and understanding related to compliance with ILS and ACW?

5e. To what extent has compliance with ILS and ACW improved, to your knowledge?

[For CAPSA Respondents:]

5f. To what extent has the engagement of government, civil society, and the private sector led to increased capacity and understanding related to CL, FL, TIP, and ACW?

5g. To what extent have coordination and communication improved among the key government/law enforcement and civil society stakeholders involved in addressing issues related to CL, FL, TIP?

5h. To what extent has the project been effective in supporting government agencies in revising legal frameworks and policies related to CL, FL, TIP and AWP?

6. From your perspective, what are important equity concerns related to women, youth, and disadvantaged groups and which equity-related objectives does or should the project have?

6a. To what extent is the project making progress towards meeting equity objectives?

6b. From your perspective, so far, which approaches are the most and least effective for achieving equity, including gender equity objectives?

**Efficiency**

[For each question, if dual respondent, prompt for CAPSA then AHK]

7. From your perspective, how efficiently has the project’s work been?

[Prompt: Please consider the timeline and operating context in your response.]

7a. Do you/your organization participate in any way in monitoring and evaluation of project activities, either overall or the specific activities in which you are involved?

7b. What do you think are key metrics, being used now or that the project should use, for deciding whether the project is performing well?

7c. [If yes to 7a:] How effective have monitoring and evaluation activities been in informing project decision-making and technical strategies?

**Sustainability**

[For each question, if dual respondent, prompt for CAPSA then AHK]

8. To your knowledge, to what extent have sustainability plans/a phase-out strategy been defined by the project, starting with your organization, then proceeding to others? [Interviewer should prompt regarding dimensions of sustainability: capacity, ownership, political will, resources, local systems.]

[If respondent is aware of plans:],

8a. To what extent are those sustainability plans well adapted to the needs of your organization?

8b. What steps have been taken so far, either within a defined plan or otherwise, to foster sustainability?

8c. Please describe your concerns, if any, about the project achieving sustainable results by the end of the project?

**Synthesis Question**

9. Considering the successes and challenges of the project(s) so far, as you have described them, what would be your recommendations for adjustments going forward [If dual respondent, prompt for CAPSA then AHK]

**Four Point Scale Questions (Rapid Score-Card)**

[For CAPSA:]

10a. On a four-point scale, how has CAPSA’s program performed in achieving formulation and adoption of legal or policy frameworks on child labor, forced labor, and violations of ACW in Kenya? Low, moderate, above-moderate, high In Uganda? Low, moderate, above-moderate, high

10b. On a four-point scale, what is the level of CAPSA’s program engagement and partnership with organizations that implement CL, FL and ACW activities in Kenya? Low, moderate, above-moderate, high In Uganda? Low, moderate, above-moderate, high

10c. On a four-point scale, how has CAPSA performed in enabling organizations to collaborate with each other that are implementing CL, FL, and ACW in Kenya? Low, moderate, above-moderate, high In Uganda? Low, moderate, above-moderate, high

[For AHK:]

10d. On a four-point scale, what is the level of AHK’s program achievement on government effectiveness in improving compliance with ILS and ACW? Low, moderate, above-moderate, high

10e. On a four-point scale, what is the level of AHK’s program on employers’ actions to improve compliance with ILS and ACW? Low, moderate, above-moderate, high

10f. On a four-point scale, what is the level of AHK’s program on engagement of CSOs including workers’ organizations, with government and employers to improve compliance with ILS and ACW in the apparel and tea sectors? Low, moderate, above-moderate, high

## KII Guide 4: Tea and Textile Workers

### Respondents

Tea and textile workers in Uganda and Kenya

[Prompts and instructions are bracketed and underlined.]

[Read consent agreement in full before proceeding]

### Introduction

0. What is your name, organization, country, county, and work sector?

0a. Please describe your familiarity with ILO, AHK, and/or CAPSA.

1. Were you engaged in the design of AHK or CAPSA? If yes, how?

2. What assistance have you or your organization received if any?

### Relevance

[For each question, if dual respondent, prompt for CAPSA then AHK]

3. From your perspective, is the project relevant and important to you? Why/why not?

3a. Is it relevant to any other stakeholders you know of?

[Prompt, if not addressed, about underserved groups (women, youth, children, workers in textile and tea industries.)]

3b. To what extent have you and other workers been engaged in project activities?

3c. What about the engagement of other organizations/stakeholders in government, civil society, and employers?

### Effectiveness

4. From your perspective, what is [ILO/CAPSA/AHK] trying to achieve with its project?

5. Considering that the project is ongoing, from your perspective, to what extent is it making progress towards achievement?

What if any internal or external factors (including COVID-19) are facilitating or limiting achievement of outcomes?

How has the project been able to adapt to or address these factors, so far?

What, if any, interventions have not been/are not effective?

5d. To your knowledge, what are some important ILS and acceptable conditions of work?

[Fill in ILS/ACW knowledge gaps to proceed to the next questions.]

5e. From your perspective, has the engagement of government (inspectors, for example), employers, or worker organizations led to increased capacity and understanding of how to comply with ILS and ACW? (AHK)

5f. To what extent has compliance with ILS and ACW improved on the part of your employer or other employers, to your knowledge? (AHK)

5g. To what extent has the engagement of government, civil society, and the private sector led to increased capacity and understanding related to child labor, forced labor, trafficking in persons? (CAPSA)

6. From your perspective, what are important equity concerns related to women, youth, and disadvantaged groups and which equity-related objectives does or should the project have?

6a. To what extent is the project making progress towards addressing these concerns?

6b. From your perspective, so far, which approaches are the most and least effective for achieving equity, including gender equity objectives?

**Efficiency**

n/a

**Sustainability**

8a. What steps has [ILO/CAPSA/AHK] taken so far, either within a defined plan or otherwise, to foster lasting results \with employers and workers organizations that will go beyond the next 2 years?

8b. Please describe your concerns, if any, about the project achieving lasting results?

**Synthesis Question**

9. Considering the successes and challenges of the project so far, as you have described them, what would be your recommendations for adjustments going forward?

**Four Point Scale Questions (Rapid Score-Card)**

[For CAPSA:]

10a. On a four-point scale, how has CAPSA’s program performed in achieving formulation and adoption of legal or policy frameworks on child labor, forced labor, and violations of ACW? Low, moderate, above-moderate, high

10b. On a four-point scale, what is the level of CAPSA’s program engagement and partnership with organizations that implement CL, FL and ACW activities? Low, moderate, above-moderate, high

10c. On a four-point scale, how has CAPSA performed in enabling organizations to collaborate with each other that are implementing CL, FL, and ACW in Kenya? Low, moderate, above-moderate, high

[For AHK:]

10d. On a four-point scale, what is the level of AHK’s program achievement on government effectiveness in improving compliance with ILS and ACW? Low, moderate, above-moderate, high

10e. On a four-point scale, what is the level of AHK’s program on employers’ actions to improve compliance with ILS and ACW? Low, moderate, above-moderate, high

10f. On a four-point scale, what is the level of AHK’s program on engagement of CSOs, including workers’ organizations, with government and employers to improve compliance with ILS and ACW in the apparel and tea sectors? Low, moderate, above-moderate, high

## KII Guide 5: NGOs (CAPSA Only)

<b>Respondents</b>
Kenya NGOs/CSOs: County Advisory Councils (CACs), Terre des hommes (Tdh), Centre for Domestic Training and Development (CDTD), Awareness Against Trafficking (HAART), Kenya Alliance on Advancement of Child Rights (KAACR)
Uganda NGOs/CSOs: County-level Child Wellbeing Committees (CWCs), Elimination of Child Labour in Agriculture Foundation, Platform for Labor Action, African Network for the Prevention and Protection Against Child Abuse and Neglect (ANPPCAN)

[Prompts and instructions are bracketed and underlined.]

[Read consent agreement in full before proceeding.]

<b>Introduction</b>
<p>0. What is your name, organization, position, country (and county if applicable)?</p> <p>1. Can you briefly describe your role in relation to the project?</p> <p>1a. To what extent were you involved in the design of CAPSA?</p> <p>1b. To what extent are you now involved in implementation? <u>[Prompt: Ask about both assistance received and involvement in planning/monitoring ongoing interventions?]</u></p>
<b>Relevance</b>
<p>2. From your perspective, to what extent are the project’s strategies relevant to the specific needs of your organization?</p> <p>2a. What about relevance to other project participants, communities, and stakeholders?</p> <p><u>[Prompt, if not addressed, about underserved groups (women, youth, children, workers in textile and tea industries).]</u></p> <p>3. To what extent has your organization been engaged during project activities?</p> <p>3b. What about the engagement of other stakeholders in government, civil society, and employers?</p>
<b>Effectiveness</b>
<p>4. What are the project’s planned outcomes with respect to your organization?</p> <p>5. Considering that the project is ongoing, from your perspective, to what extent is it making progress towards its planned outcomes with your organization?</p> <p>What if any internal or external factors (including COVID-19) are facilitating or limiting achievement of outcomes?</p> <p>How has the project been able to adapt to or address these factors, so far?</p> <p>From what you have learned, what, if any, interventions originally proposed were not effective?</p> <p>5d. To what extent has the engagement of government, civil society, and private sector led to increased capacity and understanding related to CL, FL, TIP, and ACW?</p> <p>5e. To what extent have coordination and communication improved among the key government/law enforcement and civil society stakeholders involved in addressing issues related to CL, FL, TIP?</p> <p>5f. To what extent has the project been effective in supporting government agencies in revising legal frameworks &amp; policies related to CL, FL, TIP and AWP?</p>



6. From your perspective, what are important equity concerns related to women, youth, and disadvantaged groups and which equity-related objectives does or should the project have?

6a. To what extent is the project making progress towards meeting equity objectives?

6b. From your perspective, so far, which approaches are the most and least effective for achieving equity, including gender equity objectives?

**Efficiency**

7. From your perspective, how efficient are the project’s interventions and management strategies?

[Prompt: Please consider the timeline and operating context in your response.]

7a. Do you/your organization participate in any way in monitoring and evaluation of project activities, either overall or the specific activities in which you are involved?

7b. [If yes:] How effective is monitoring and evaluation in informing project decision-making and technical strategies?

**Sustainability**

8. To your knowledge, to what extent have sustainability plans/a phase-out strategy been defined by the project, starting with your organization and proceeding to others? [Interviewer should prompt regarding dimensions of sustainability: capacity, ownership, political will, resources, local systems.]

[If respondent is aware of plans:]

8a. To what extent are those sustainability plans adapted to the local and national levels and to the capacity of partners?

8b. What steps have been taken so far, either within a defined plan or otherwise, to foster sustainability?

8c. Please describe your concerns, if any, about the project achieving sustainable results by the end of the project?

**Synthesis Question**

9. Considering the successes and challenges of the project(s) so far, as you have described them, what would be your recommendations for adjustments going forward?

**Four Point Scale Questions (Rapid Score-Card)**

10a. On a four-point scale, how has CAPSA’s program performed in achieving formulation and adoption of legal or policy frameworks on child labor, forced labor, and violations of ACW? Low, moderate, above-moderate, high

10b. On a four-point scale, what is the level of CAPSA’s program engagement and partnership with organizations that implement CL, FL and ACW activities? Low, moderate, above-moderate, high

10c. On a four-point scale, how has CAPSA performed in enabling organizations to collaborate with each other that are implementing CL, FL, and ACW? Low, moderate, above-moderate, high

## TOR ANNEX E: QUANTITATIVE SURVEY AND RAPID SCORE CARD QUESTIONS

(To be entered into SurveyCTO software):

<b>1. Demographics</b>
<ul style="list-style-type: none"> <li>• Sex</li> <li>• Under the age of 25, 25-40, over 40</li> <li>• How long have you worked in this position: less than 1 year, 2-3 years, more than 3 years</li> </ul>
<b>2. Factory Managers/Owners</b>
<ul style="list-style-type: none"> <li>a) How has worker representation in the workplace changed over the past three years? <ul style="list-style-type: none"> <li>○ worse, unchanged, better, don't know</li> </ul> </li> <li>b) How has workplace safety changed over the past year? <ul style="list-style-type: none"> <li>○ worse, unchanged, better, don't know</li> </ul> </li> <li>c) How have worker welfare provisions/services changed over the past year? <ul style="list-style-type: none"> <li>○ Worse, unchanged, better, don't know</li> </ul> </li> <li>d) Has your awareness of workers' rights changed over the past year? <ul style="list-style-type: none"> <li>○ No change, small improvement, large improvement, don't know</li> </ul> </li> <li>e) To what extent does your organization try to recruit and retain underrepresented or disadvantaged workers? <ul style="list-style-type: none"> <li>○ Not at all, for some positions/inconsistently, for all positions/consistently, don't know</li> </ul> </li> <li>f) What has been the impact of the CAPSA/AHK program on worker empowerment? <ul style="list-style-type: none"> <li>○ No change, small improvement, large improvement, don't know</li> </ul> </li> <li>g) To what extent does the government support change to improve working conditions? <ul style="list-style-type: none"> <li>○ Not at all, sometimes/inconsistently, frequently/consistently, don't know</li> </ul> </li> <li>h) To what extent does the private sector support change to improve working conditions? <ul style="list-style-type: none"> <li>○ Not at all, sometimes/inconsistently, frequently/consistently, don't know</li> </ul> </li> </ul>
<b>3. Workers</b>
<ul style="list-style-type: none"> <li>a) How has workplace safety changed in the past year? <ul style="list-style-type: none"> <li>○ Worse, unchanged, better, don't know</li> </ul> </li> <li>b) How have worker welfare provisions/services changed over the past year? <ul style="list-style-type: none"> <li>○ Worse, unchanged, better, don't know</li> </ul> </li> <li>c) Has your awareness of workers' rights changed over the past year? <ul style="list-style-type: none"> <li>○ No change, small improvement, large improvement, don't know</li> </ul> </li> <li>d) How often do you see or experience inequities in the workplace? <ul style="list-style-type: none"> <li>○ Every week, every month, about every year, never, don't know</li> </ul> </li> <li>e) How often do workers have difficulty accessing benefits and services? <ul style="list-style-type: none"> <li>○ Every week, every month, about every year, never, don't know</li> </ul> </li> <li>f) Do women and young workers have the same experiences accessing benefits and services as men and older workers? <ul style="list-style-type: none"> <li>○ More difficulty, no difference, less difficulty, don't know</li> </ul> </li> <li>g) How has worker representation in the factory changed over the past year? <ul style="list-style-type: none"> <li>○ Worse, unchanged, better, don't know</li> </ul> </li> <li>h) Compared to one years ago, do you believe it is harder or easier to advance worker rights? <ul style="list-style-type: none"> <li>○ Harder, no difference, easier, don't know</li> </ul> </li> </ul>