

## INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: 10 November 2020

<b>Post Title:</b>	Individual Consultant-legal review
<b>Starting Date:</b>	15 Dec 2020
<b>Duration:</b>	15 Dec 2020- 28 Feb 2021
<b>Locations:</b>	Home Based
<b>Project:</b>	Domestic workers in the Arab region: legal frameworks and lived realities
<b>National/International consultancy</b>	International
<b>Requisition Number:</b>	

### CONTEXT/BACKGROUND

UNDP and ILO are collaborating in the Arab region to shed light on the status of domestic workers and their lived experiences especially during the COVID-19 crisis. The crisis has exposed how essential care work is for human well-being and the functioning of society and has also exposed the vulnerability of informal workers who live hand-to-mouth and cannot afford lockdowns. Domestic workers are a core category of care workers<sup>1</sup> that often overlaps with informal workers. Generally, domestic jobs are characterized by low pay, bad working conditions, lack of protection and exposure to violence including sexual and gender-based violence and exploitation. The fact that the workplace is the household makes it more difficult for governments to regulate this work and for workers to access recourse or justice especially in the case of migrants or refugees. The ILO Domestic Workers Convention, 2011 (No. 189) defines domestic work as “work performed in or for a household or households” and a domestic worker is “any person engaged in domestic work within an employment relationship”. The workplace – the household –is accordingly the defining feature of the sector.

The Arab region has the highest percentage among other regions of the world of domestic employment to total employment standing at 5.8%<sup>2</sup>. Domestic workers are also mostly women. In the Arab Region, 52.8% of all employed females are in the care economy and nearly half of those or 21.2% of all employed females are domestic workers<sup>3</sup> compared to 3.2% of men. In addition to feminization of domestic work, this category of workers in the region includes refugees and migrants: according to 2015 figures, 1.6 million female migrant workers in the region were working as domestic workers<sup>4</sup> in GCC countries, Lebanon and Jordan thus adding additional layers of vulnerability. COVID-19 has further exacerbated the bad conditions of domestic work with anecdotal evidence suggesting risks of dismissal, refusal to pay, longer hours and increased violence. Domestic workers in the region are thus at the intersection of multiple vulnerabilities, yet they remain invisible and at risk of being left behind especially in the COVID-19 crisis. ILO has done significant work in the region to advance the rights of domestic migrant workers, but more data and analysis are needed to place domestic workers issues on the policy debate

<sup>1</sup> Care workers also includes unpaid care workers, care workers in non-care sectors and non-care workers in care sectors ILO (2018), Care Work and Care Jobs

<sup>2</sup> ILO calculations based on labour force and household survey microdata.

<sup>3</sup> Defined only as workers employed in the household

<sup>4</sup> [https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms\\_619661.pdf/](https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_619661.pdf/).

and advocate their inclusion as a pressing issue in the COVID-19 crisis. As mentioned above, the household is the workplace of domestic workers which has posed difficulties in regulating domestic work and accordingly domestic workers in the region generally fall outside the protection of the labour law although specific legislation exists in some countries to offer some protection to specific groups such as migrant workers.

## SCOPE OF WORK AND DELIVERABLES

The purpose of this assignment is to conduct an analysis of legislation and policies across the Arab region<sup>5</sup> concerning domestic workers in light of the ILO Domestic Workers Convention, 2011 (No. 189) to identify the gaps in providing full protection of domestic workers as per the standards set by the conventions. The review will also include an analysis of regulations concerning domestic service providers or private employment agencies that recruit both national and migrant domestic workers. The methodology will include a desk review of legislation in the Arab states and an assessment of the gaps between existing legislation and policies and the ILO convention no.189.

The study should benefit from UNDP's Gender Justice and the Law project and available information at ILO such as reviews of legislation against international labour standards in selected countries; ongoing work in Lebanon and Jordan on migrant domestic work and the gap analysis of Jordanian legislation with respect to the ILO C189 that was carried out.

## EXPECTED OUTPUTS AND DELIVERABLES

Deliverable	Expected number of working days	Approvals
A work plan detailing the timeframe and methodology suggested to collect and analyze the data	1	The deliverables would need to be approved by the Regional Hub Gender Team before proceeding to the next step and before final approval
An initial matrix on the status of legislation and policies in the different countries in the region	18	
A draft qualitative analysis report on the status of policies and legislations and the gaps in English language	5	
The final report	3	

## INSTITUTIONAL ARRANGEMENT

- The individual is required to exhibit his or her full-time commitment with UNDP-RBAS by prioritizing this work during the duration of the work as outlined in the section below;

<sup>5</sup> Jordan, Lebanon, Syria, Iraq, Egypt, Palestine, Saudi Arabia, Kuwait, UAE, Oman, Bahrain, Qatar, Yemen, Egypt, Libya, Tunisia, Algeria, Morocco, Somalia and Djibouti

- S/He shall perform tasks under the general guidance of the Gender Team at the Regional Hub-Regional Bureau of Arab States in Amman and the direct supervision of the Gender Team Leader. The supervision will include approvals/acceptance of the outputs as identified in the previous section;
- The individual is expected to liaise and collaborate in the course of performing the work with UNDP and ILO colleagues, as required;
- The individual is required to provide periodical progress reports on regular and needed basis throughout the assignment in order to monitor progress;
- The individual is required to maintain close communication with UNDP-RBAS on regular and needed basis at any period throughout the assignment in order to monitor progress. In the event of any delay, S/he will inform UNDP promptly so that decisions and remedial action may be taken accordingly;
- Should UNDP deem it necessary, it reserves the right to commission additional inputs, reviews or revisions, as needed to ensure the quality and relevance of the work.

### **DURATION OF THE WORK**

The duration of the work is estimated at 27 working days to start on 15 December 2020 and end no later than 28 February 2021.

### **DUTY STATION AND TRAVEL PLAN**

The assignment is home-based and no travel is required.

If any unforeseen travel outside the individual home based city is requested by UNDP and not required by the Terms of References (ToR), such travel shall be covered by UNDP in line with applicable rules and regulations and upon prior written agreement. In such cases, the individual shall receive living allowances not exceeding the United Nations (UN) Daily Subsistence Allowance (DSA) rate for such other location(s).

### **QUALIFICATIONS OF THE SUCCESSFUL INDIVIDUAL CONTRACTOR**

- I. Academic qualification: Master degree in Law, with additional course work in Women/Gender Studies and/or International Development;
- II. Work Experience:
  - At least 5 years of experience working on gender, social or labour rights issues
  - Experience in legal research in the Arab Region on gender and human rights including data collection, qualitative data analysis and report writing;
  - Familiarity with the International labour conventions and the ILO convention on domestic workers;
  - Experience in the Arab region;
- III. Language Requirements  
Fluency in both English and Arabic is required for this assignment
- IV. Key Competencies
  - Corporate

- Demonstrates integrity and fairness, by modeling the UN/UNDP's values and ethical standards;
  - Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability.
- **Functional**
    - Time management and organizational skills, with the ability to undertake multiple tasks and deliver under pressure;
    - Strong analytical and synthesis skills;
    - Ability to work independently and achieve quality results with limited supervision and within tight schedules;
    - Strong qualitative research skills;
    - Experience in reports production;
    - Ability to write in a clear and concise manner;
    - Good teamwork and interpersonal skills;
    - Flexibility and ability to work under pressure;
    - Excellent computer skills especially Word, Excel and Power Point.
  - **Knowledge Management and Learning**
    - Ability to strongly promote and build knowledge products;
  - **Leadership**
    - Demonstrated flexibility in leadership by performing and/or overseeing the analysis/resolution of complex issues;

#### **SCOPE OF PRICE PROPOSAL AND SCHEDULE OF PAYMENTS**

All proposals must be expressed in a *lump sum amount*. This amount must be “all-inclusive”. Please note that the terms “all-inclusive” implies that all costs (professional fees, communications, consumables, etc.) that could possibly be incurred are already factored into the final amounts submitted in the proposal. Also, please note that the contract price will be Deliverables/Outputs based - not fixed - subject to change in the cost components.

The contractor will be paid an all-inclusive Deliverables/Outputs based lump sum amounts over the assignment period, subject to the submission of Certification of Payment (CoP) duly certified and confirmation of satisfactory performance of achieved work (deliverables/outputs) in line with the schedule of payments table hereunder:

<b>Milestone</b>	<b>Estimated due date</b>	<b>Payment</b>
<b>Milestone 1:</b> Successful delivery of deliverable 1	20 December 2020	0%
<b>Milestone 2:</b> Successful delivery of deliverable 2	21 January 2021	30%
<b>Milestone 3:</b> Successful delivery of deliverable 3	11 February 2021	30%
<b>Milestone 4:</b> Successful delivery of deliverable 4	28 February 2021	40%

## **DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS.**

Candidates wishing to be considered for this assignment are required to submit the following documents /information to demonstrate their qualifications. Please group them into one (1) single PDF document as the application only allows you to upload maximum one document:

- Duly accomplished **Letter of Confirmation of Interest and Availability** using the template provided by UNDP;
- **Personal CV or P11**, indicating all past experience from similar projects, as well as the contact details (email and telephone number) of the Candidate and at least three (3) professional references;

All necessary information including: Complete Procurement Notice, the Selection Criteria, and Annexes are found on the following link under Procurement <http://procurement-notices.undp.org/> Interested individual consultants must submit the abovementioned documents/information to demonstrate their qualifications **to Job advertisement website** [https://jobs.undp.org/cj\\_view\\_jobs.cfm](https://jobs.undp.org/cj_view_jobs.cfm) not later than **21 November 2020** , Candidates that fail to submit the required information on or before the set deadline will not be considered.

**Please do not submit a financial proposal in this stage. Financial proposals shall be requested from Candidates who are considered technically responsive**

## **CRITERIA FOR SELECTION OF THE BEST OFFERS**

Candidates will be compared using a combined scoring method with the qualifications weighted at 70% and the price offer weighted at 30%.

Only those applicants who meet the minimum level of education and relevant years of experience requirements for the assignment will be considered for the technical evaluation. The technical evaluation will include a desk review and may also include interviews with shortlisted applicants.

### **Step I: Screening and desk review:**

Applications will be first screened and only candidates meeting the following minimum requirements will progress to the pool for shortlisting:

- **Criteria A:** Master degree in Law, with additional course work in Women/Gender Studies and/or International Development;
- **Criteria B:** At least 5 years of experience working on gender, social or labour rights issues
- **Criteria C:** Fluency in both English and Arabic

### **Step II : Technical Review**

Shortlisted candidates will undergo a technical evaluation based on their CVs and may be invited for an interview.

### **Technical evaluation Criteria max 100 points (Weighted 70):**

- Master's degree in law, with additional course work in Women/Gender Studies and/or International Development; (20 points)
- At least 5 years of experience working on gender, social or labour rights issues (30 points)
- Experience in legal research in the Arab Region on gender and human rights including data collection, qualitative data analysis and report writing; (30 Points)
- Familiarity with the International labour conventions and the ILO convention on domestic workers; (10 points)
- Fluency in both English and Arabic (10 points)

**Only candidates who pass the technical evaluation** obtaining a minimum of 49 points (70%) **will be contacted and requested to submit a financial proposal.**

### **Financial Criteria - 30% of total evaluation**

For those offers considered in the financial evaluation, the lowest price offer will receive 30 points. The other offers will receive points in relation to the lowest offer, based on the following formula:  $(PI / P_n) * 30$  where  $P_n$  is the financial offer being evaluated and  $PI$  is the lowest financial offer received.

### **Step II: Final evaluation**

The final evaluation will combine the scores of technical and financial evaluation with the following weights assigned to each:

Individual consultants will be evaluated based on the cumulative analysis methodology (weighted scoring method), where the award of the contract will be made to the individual consultant whose offer has been evaluated and determined as:

- Responsive/compliant/acceptable; and
- Having received the highest score out of a pre-determined set of technical and financial criteria specific to the solicitation.

*“responsive/compliant/acceptable” can be defined as fully meeting the TOR provided.*

Technical Criteria weight: [70%]

Financial Criteria weight: [30%]