



Terms of Reference (TOR)
**Support to Conduct Baseline Assessment of Knowledge and Awareness of
Responsible Business Conduct (RBC) in the Electrical and Electronics (E&E) and
Automotive Sectors**

Background

The project “Building Responsible Value Chains in Asia through the Promotion of Decent Work in Business Operations (Phase II)” is implemented in the context of an increasing demand on companies to respect human rights and labour rights in their operations, and to promote respect for such rights in their supply chains, including by conducting due diligence. At the same time, there is recognition that many sustainability challenges and opportunities in supply chains relate to structural and systemic issues at the national level that require collective action beyond what an individual company or the private sector can achieve on its own.

Building on Phase I of the Project conducted in Bangladesh, Cambodia, Vietnam and Japan, Phase II will be implemented in India, Lao PDR, Malaysia and Japan. Using the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration) as a framework for action, this two-year Phase II project funded by the Ministry of Economy, Trade and Industry of Japan [METI], aims at putting in place supportive measures to accompany enterprises' efforts to promote compliance with national law and respect for the principles of international standards. More specifically the fundamental principles and rights at work and to promote resilient, responsible and sustainable workplaces in supply chains in Asia.

The Phase II project consists of two Outcomes; Outcome 1 focuses on training enterprises and nurturing experts on Responsible Business Conduct (RBC) and Business and Human Rights (BHR) to support the enterprises while Outcome 2 focuses on the capacity building of and dialogue among constituents to foster enabling environment for sustainable and responsible business practices and decent work. The project has decided to achieve the two Outcomes in the Electrical & Electronics (E&E) and Automotive sectors which aligns with the New Industrial Master Plan (NIMP2030) and the National Industry Environmental, Social and Governance (ESG) Framework (“i-ESG Framework”) to prepare the manufacturing sector in Malaysia to embrace ESG principles, and for tapping into a US\$12-trillion global market on ESG-focused opportunities. On top of that, the Government also published the National Baseline Assessment (NBA) on Business and Human Rights outlining key issues and gaps in business and human rights in Malaysia in three main areas including the labour dimension. The National Business Human Rights Action Plan (NBHRAP) is expected to be launched in 2025.

Objectives:

The project aims to conduct a baseline assessment among the enterprises in the E&E and Automotive sectors to identify the current level of knowledge and awareness, current practices related to Responsible Business Conduct and the labour dimension of Human Rights Due Diligence. The assessment will also identify the gaps and opportunities in both sectors wherein the RVC Project can provide supportive measures to the enterprises to comply with national laws and align their practices with International Labour Standards.

Scope of Work:

- Herewith are the details of the specific tasks and activities to be undertaken:
 - Conduct **desk research** on the general overview of the target sectors, including industry size, export volume and value, the number of enterprises (both local and FDI including Japanese companies), size of enterprises (if possible Tier 1, Tier 2, Tier 3 the supply chains).
 - Conduct a **preliminary survey** of the enterprises in both sectors to:
 - assess the level of knowledge and awareness on the international framework and trends on Responsible Business Conduct and Human Rights Due Diligence International Labour Standards, and national policies that is particular to the industry;
 - assess existing initiatives or practices on RBC and HRDD: such as human rights policy at the enterprise level and Human Rights Due Diligence implemented by the enterprises and their suppliers, remediation mechanisms, frequency of labour-management dialogue
 - understand the challenges and opportunities to better align their practices with the principles of international labour standards as well as to implement responsible business conduct
- The survey instrument will be further developed and confirmed with ILO.
- **Select 4-5 Enterprises per sector** to conduct interviews in consultation with the ILO
 - Conduct **interviews** with the selected enterprises:
 - Prepare a list of draft questions for interviews, in consultation with the ILO and potentially with relevant employers and business associations, which shall include the following areas:
 - Have qualitative insights on challenges and opportunities for the enterprises to conduct HRDD and to align their practices with the principles of international labour standards
 - Assess opportunities and modalities to conduct awareness activities within the enterprises and sectors.
 - Existing good practices conducted by the enterprises in compliance with national laws and demonstrating the alignment with the principles of international labour standards, ILO MNE Declaration
 - Prepare the **draft final report** and present it to the ILO which includes the executive summary, results from the desk review and interviews, recommendations based on challenges and opportunities observed, and documentation of good practices in Annex
 - Present the report in a **validation workshop** which will be organized by the ILO in February 2024.
 - Prepare the **final report** based on the feedback from the ILO
 - Meetings with ILO during the assignment on a weekly/bi-weekly basis (to be further determined)

Deliverables:

The expected total number of days is around **30 to 40 days – to be suggested in the quote.**

- **Deliverable 1:** Complete the work plan and desk research
- **Deliverable 2:** Complete the preliminary survey and the interviews
- **Deliverable 3:** Validation workshop and final report upon the satisfaction of ILO

Duration of the Assignment:

Contract term: The day of the signing of the contract – 31 March 2024.

Timeline:

- 1st- 2nd week of December: Work Plan and Desk Research
- 3rd week of December: Survey questions are prepared and disseminated to the enterprises in both sectors
- 4th week of December- 1st week of January: Survey concluded and results are analysed. and prepare for the interviews
- 2nd-3rd week of January: Complete interviews
- By 1st week of February: Draft final report
- By 2nd week of February: ILO provides input to the draft report
- 3rd-4th week of February: Validation workshop and reflection on the final report
- 1st-2nd week of March: Submission of the Final report

Payment modality

The consultant will submit an invoice with the allocated days to complete each Deliverable. All payments will be made upon delivery of outputs to the satisfaction of the ILO.

Qualifications and Experience:

- University education in social sciences, business, economics, law or related fields.
- Technical knowledge of responsible business conduct in supply chains, business and human rights or/and international labour standards.
- Minimum 2 years of experience in conducting research, preferably in the field of responsible business conduct, business and human rights, supply chains and/or international trade.
- Ability to communicate effectively both orally and in writing in Malay and English, including the ability to write structured reports.
- Prior experience working with the ILO is an advantage.
- Self-motivated and able to work independently with minimal supervision in an outcome-based work culture.
- Good knowledge of Microsoft Office (such as Word, Excel, PowerPoint and Teams)
- Ability to work in a multicultural environment and to demonstrate gender-sensitive and non-discriminatory behaviour and attitude

We invite interested candidates to send a CV and budget proposal, as well as a minimum of ONE (1) example of previous work such as academic/ semi-academic reports to KUALALUMPUR@ilo.org before 5 pm on 11 November 2024 (Monday).