Employer Self-Assessment Tool

Tool to understand an employer’s management systems and practices vis a vis the Ethical Charter

Version 1.0, May 2018
Introduction

In 2018, the Boards of Directors of our two industry associations, Produce Marketing Association and United Fresh Produce Association, launched the Ethical Charter on Responsible Labor Practices (Charter). The Charter contains guiding principles and values intended to set a reference framework for responsible labor practices throughout the global fresh produce and floral supply chains.

To support its adoption across the industry, our associations are developing a set of reference tools for communication of best practices and to provide a common interpretation of responsible labor standards and their implementation. This Employer Self-Assessment Tool (ESAT) is the first of these reference tools.

The ESAT asks a company to collect information on each of the thirteen principles contained in the Charter, focusing on either compliance with applicable laws and regulations, or an organization’s activities or controls/management systems for implementation of the Charter’s principles.

The ESAT is a valuable tool for any supply chain responsible labor practices program. It:

- Promotes awareness of the principles contained in the Charter;
- Provides a tool to communicate what is currently being done in the industry to promote, reinforce and improve responsible labor practices;
- Encourages self-reflection and responsibility for learning, helping employers evaluate and consequently manage responsible labor policies, practices, and performance;
- Provides a means for suppliers to provide information regarding their management systems and practices to their customers or other stakeholders;
- Reduces the burden of multiple questionnaires, to avoid duplication and improve efficiency, in efforts to make reasoned judgments about conformance to the Charter; and
- Enable buying companies around the world to work towards mutual recognition of audits.

To use this tool, employers may wish to develop a strategy to consider how to best gather the data needed. It is helpful to consult a variety of resources (e.g., company policies, wage slips, time records, health & safety records, etc.) and colleagues (e.g., health and safety officers, human resource managers, field supervisors, etc.). Workers are also valuable resource and it
may be impossible to gather a clear picture of responsible labor practices without their input. Interviewing workers will be particularly important in the case vulnerable workers are employed, such as migrant workers, either directly or through a third-party labor contractor.

This ESAT is not an exhaustive list of the Charter’s principles and values; rather, the Measurement Criteria is the proper reference document for this purpose. Note that this document is not intended to be, nor should it be construed as, legal guidance, given that specific legal requirements will differ per jurisdiction. Moreover, the presentation of questions in this document pertaining to specific employer practices does not necessarily imply an endorsement of either those practices or related codes of conduct; each company will need to develop its own management systems unique to its needs.

The ESAT is not a means to an end, but rather a tool to enable a spirit of cooperation, learning and transparency across the floral and produce supply chains about labor conditions, policies, and practices, as permitted by law.
Ethical Charter for Responsible Labor Practices

We believe that everyone deserves to be treated with dignity and respect. We are committed to respecting workers’ rights and protecting their safety and health, while recognizing the cultural and legal differences found throughout the industry and the world. As an industry, we care about the wellness, respect and safety of the workers who help us offer the wide variety of fresh fruit, vegetables and flowers consumers enjoy.

The guiding values and principles set out in this Ethical Charter provide a framework for coordinated, focused action across the industry. When growers, labor agencies, packers, distributors, foodservice operators, marketers and retailers of fresh produce and flowers work together to assure ethical working standards, everyone in the supply chain benefits and consumer confidence in our products is enhanced. Responsible labor practices are the right thing to do and our success as an industry depends on it.

Our Values

● We believe that work in the fresh produce and floral industries should provide economic opportunity for all involved. Employers, workers, their families, and communities should benefit financially as a result.
● We respect, value, and encourage mutually beneficial efforts and a positive relationship between the employer and the employee, and intend to support efforts that strengthen that relationship.
● We operate in a spirit of cooperation, learning and transparency with our workers, trading partners and other stakeholders.
● We support transparency in our supply chains about labor conditions, policies, and practices, as permitted by law, with the aim of improving the work environment and giving workers opportunities for success.
● We seek to inspire continual learning and progress across the produce and floral supply chain, through education and an exchange of ideas and best practices in implementation of these principles.
● We believe in accountability throughout the supply chain and among all stakeholders to deliver our shared vision of responsible labor practices. These values can only flourish because of our day-to-day behavior and actions, with each of us working within our individual area of responsibility and strengths.

Our Guiding Principles

Respect for Laws at Work

Legal Compliance
Employers shall adhere to the law and regulations as established by the applicable jurisdiction.

Occupational Safety & Health
Workers shall be provided a safe, hygienic, and sanitary environment at both work-related sites, and at any housing mandated or provided by the employer. Employers shall adopt reasonable measures to identify hazards and control occupational risk of injury and illness. Examples of such safeguards may include, but are not limited to, the following: industrial hygiene and sanitation programs; injury and illness prevention; emergency preparedness and response; chemical safety; equipment and machine safety; ergonomics; ventilation and lighting.

Wages & Benefits
Workers shall be paid for all work performed. Employers must comply with all applicable legal requirements regarding legal eligibility to work, benefits and wages (including wages for overtime premiums and/or minimum compensation for any payment arrangement based on productivity). Employers must provide leave and benefits as required by law. Payments will be made in accordance with any applicable contract terms and pay calculation shall be transparent to workers.

Working Hours
Employers manage working hours in accordance with applicable laws, recognizing that agricultural labor needs vary by season, crop and task, and workers are sometimes needed for shorter or longer time periods than a standard workweek. Employers provide rest
periods if needed to support a safe and healthy workplace. Employers inform workers about their expectations regarding hours of work and gain their agreement at time of hiring.

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**Respect for Professional Conduct**

**Communication and Worker Protections**
Direct communication between management and their employees is the most effective way of resolving workplace issues and concerns. All workers should have both the right and responsibility to voice questions, report in good faith any improper or wrongful activity, or discuss opportunities and/or grievances. To do so, there should be a fair, transparent, and accessible channel of communication to provide input to management and to resolve workplace issues. Employers should encourage timely disclosure of concerns and shall prohibit retaliation against anyone who, in good faith, reports concerns.

**Ethical Recruitment**
Employers shall recruit workers ethically. Abusive, deceptive, fraudulent, or corrupt practices are unacceptable at any stage of the recruitment and selection process. No worker should pay for a job; employers shall bear the costs of recruitment and placement. If third-party labor contractors are utilized, appropriate due diligence is performed to ensure their commitment to uphold the Ethical Charter.

**Management Systems and Continuous Improvement**
Employers commit to integrating sound management systems (such as policies, processes, education and training, documentation, communication, and feedback channels) that sustain and demonstrate compliance with applicable labor, employment, occupational health and safety laws governing the employer. Employers should look to these systems to continuously improve performance against compliance objectives.

**Responsible Purchasing Practices**
Companies purchasing commercial quantities of produce and floral products understand and seek to mitigate the impact of their planning and purchasing practices on the commitments in this Ethical Charter.

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**Respect for Human Rights**

**Employment is Freely Chosen**
Employers must not tolerate modern day slavery – such as forced or compulsory labor, debt bondage, involuntary prison labor or the trafficking of persons. Employers commit to a work environment where employment is freely chosen and not performed under threat, coercion, force, or menace of penalty.

**Freedom of Association**
Employers follow applicable law regarding freedom of association and collective bargaining and workers’ equal right to refrain from such activity.

**Humane Treatment and Non-Harassment**
Every worker deserves to be treated with dignity and respect and should not be subject to physical, sexual, psychological, or verbal harassment or abuse, coercion, or the threat of such conduct. Employers address the need to prevent sexual harassment with education, communication and disciplinary procedures that demonstrate that such behavior will not be tolerated.

**Non-Discrimination**
Equal employment opportunities are respected, including respect for all individuals. Workers deserve a workplace free from unlawful discrimination in any form, where employment decisions are based only on the requirements of the job.

**Protection of Children and Young Workers**
Respecting and supporting children’s well-being requires employers to actively safeguard children’s interests, preventing harm at the workplace. Young people who can legally work also desire and deserve economic opportunities but need age-appropriate work and appropriate supervision. Employers commit to prevent children and/or young workers from performing work that is mentally, psychologically, physically, or socially dangerous or harmful, or that hinders compulsory education. Employers do not hire anyone below the legal age of employment or younger than 15 where no minimum employment age exists.
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Mitigating Impact on Health & Safety from Working Hours
Advanced Communication of Overtime Hours
Transparency of Hours
Self-Assessment Tool

Management Systems

Commitment, Strategy, Policies & Procedures

1. Has the owner or most senior management level (such as CEO or Board of Directors) committed to responsible labor practices?
   - Yes
   - No
   - Planned

   Please explain:

2. Do you have a dedicated senior manager in charge of ensuring compliance with all national, provincial, and other local laws and regulations pertaining to the workplace across all your facilities?
   - Yes
   - No
   - Planned

   Please explain:

3. Do you have a documented strategy for addressing labor practices and driving the implementation of sound human resources practices?
   - Yes
   - No
   - Planned

   Please explain:

3.1. If yes, is this strategy based on an assessment of risks and opportunities related to workers’ rights, safety, and welfare, and their causes?
   - Yes
   - No
   - Planned
   - N/A

   Please explain:

4. Do you have operational management systems to ensure the delivery of the strategy and achievement of stated targets?
   - Yes
   - No
   - Planned

   Please explain:
5. Please explain how you have allocated sufficient resources to implement policies and procedures.

6. For each Charter Principle, please indicate if you have written policies defining your approach and corresponding procedures its implementation and oversight:

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<th>Principle</th>
<th>Policy</th>
<th>Procedure</th>
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<td>Legal compliance</td>
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<td>Wages &amp; benefits</td>
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<td>Communication &amp; worker protections</td>
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<td>Employment is freely chosen</td>
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<td>Freedom of association</td>
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<td>☐ No ☐ Yes</td>
<td>☐ Planned</td>
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<tr>
<td>Protection of children and young workers</td>
<td>☐ No ☐ Yes</td>
<td>☐ Planned</td>
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7. For each item below, please indicate if it is within the scope of your policy & procedure:

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<th>Principle</th>
<th>Aspects</th>
<th>Within Scope?</th>
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<td>Wages &amp; Benefits</td>
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<td>Wage legal compliance with piece rate</td>
<td>☐ No ☐ Yes ☐ Planned</td>
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<td>Direct and timely payment in legal tender</td>
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<td>Legal withholdings and deductions</td>
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<td>What We Work</td>
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**Training**

8. Do person(s) responsible for implementing responsible labor practices at your site(s) and/or facilities receive appropriate training necessary to conduct their activities?

☐ No ☐ Yes ☐ Planned

*Please explain:*

8.1. If yes, do you have records to track the training, answering who, what, when?

☐ No ☐ Yes ☐ N/A

**Monitoring Performance**

9. How often does the management of your company review management systems to identify continuous improvement opportunities?

☐ Never ☐ Annually ☐ Periodically

10. Do you **evaluate practices** to learn what is working well or poorly and why? Do you monitor your performance?

☐ No ☐ Yes ☐ N/A

If yes:

10.1. Are workers involved in the evaluation?

*Please explain:*

10.2. What was the date of the last management review:

10.3. Please provide an overview of the results of this review:

10.4. Please list areas that are currently undergoing improvement, if applicable:

11. Do you have a main **system of documentation** that enables you to monitor and oversee all labor employment, and health and safety practices in the workplace?

☐ No ☐ Yes ☐ Partially
12. Do you have a program to engage in continuous improvement of processes and social compliance? □ No □ Yes □ Planned

Please explain:

12.1. If yes, do you also analyze areas for root causes of non-compliance or other problems to reduce the risk of reoccurrence? □ No □ Yes □ Planned □ N/A

Please explain:

Communication & Worker Protections

Communication Channels

13. Do you have methods to create an informed workplace? □ No □ Yes □ Planned

If yes:

13.1. Do these methods inform workers of company policies and procedures? □ No □ Yes □ Planned

13.2. Do these methods inform workers of their duties, obligations & rights? □ No □ Yes □ Planned

13.3. Are a variety of methods used, to take into consideration the composition of the workforce and the complexity of the message? □ No □ Yes □ Planned

13.4. Are workers made aware of the methods and programs they can use for communication, consultation, or engagement? □ No □ Yes □ Planned

14. Does the facility have written policies related to employee involvement? □ No □ Yes □ Planned

15. Do you have management systems for worker consultation and engagement? □ No □ Yes □ Planned
15.1. If yes, which of the following **communication or consultation methods** are deployed, whereby management and workers can discuss issues of interest to workers, and elicit their feedback:

- ☐ Regular meetings
- ☐ Worker assemblies
- ☐ Regular dormitory meetings
- ☐ Suggestion boxes
- ☐ Worker-management committees
- ☐ Worker surveys
- ☐ Other __________________________________________________

☐ No ☐ Yes ☐ N/A

15.2. If yes, do the methods deployed take into consideration the cultural and language differences of the workforce when promoting the understanding or, and the ability to participate?

*Please explain:*

☐ No ☐ Yes ☐ N/A

15.3. Does the facility provide training to all employees on employee involvement policies and procedures?

☐ No ☐ Yes ☐ Planned

**Dispute Resolution**

16. Does the company have a **mechanism for resolving workplace complaints**, should they occur?

☐ No ☐ Yes ☐ Planned

If yes:

16.1. Can all workers use it?

☐ No ☐ Yes ☐ N/A

16.2. Which of the following does it include?

- ☐ Reporting processes for submitting complaints, disputes, or issues of concern
- ☐ Processes for their review and determination
- ☐ Processes for reporting back to parties involved
- ☐ Processes to protect against retaliation for good faith use or participation in mechanism

16.3. Does the company **encourage workers to report** violations or issues of concern?

☐ No ☐ Yes ☐ N/A
Employer Self-Assessment Tool 1.0

Please explain:

17. Do you require labor contractors to have their own similar mechanisms?
☐ No ☐ Yes ☐ Planned

Please explain:

Employment is Freely Chosen

Voluntary Labor

18. Do you have a policy that prohibits forced labor?
☐ No ☐ Yes

18.1. If yes, please indicate what is prohibited under the policy:
☐ Forced labor
☐ Involuntary prison labor
☐ Bonded labor
☐ Debt bondage
☐ Indentured labor
☐ Trafficking of persons
☐ Other ________________________________

☐ No ☐ Yes

If yes, please explain:

19. Do you use prison labor?
☐ No ☐ Yes

Debt Mitigation

20. Are there any deposits or collateral associated with obtaining work?
☐ No ☐ Yes

21. Is there any use of labor in exchange for debt repayment?
☐ No ☐ Yes

22. Do you charge workers for any training or education required for the job?
☐ No ☐ Yes

23. Are pay advances allowed?
☐ No ☐ Yes
23.1. If yes, please describe any limits in amounts, if any: □ N/A

24. Are loans available to workers from the employer? □ No □ Yes □ Planned

If yes:
24.1. Are wages deductions for repayments disclosed and agreed to in writing prior to any deduction? □ N/A
24.2. Are repayment terms such that deductions are within legal limits, and ensure sufficient income for necessities? □ No □ Yes
24.3. Are workers required to pay back the loan before they can terminate employment? □ No □ Yes □ N/A
24.4. Please describe for what loans are offered, and the repayment terms:

25. Is housing, food, or daily transportation provided by the employer? □ No □ Yes □ Planned □ N/A

If Yes:
25.1. Is their use voluntary? □ No □ Yes
25.2. Are their costs reasonable? □ No □ Yes
25.3. Please explain any “yes” answers:

Freedom of Movement

26. Are any restrictions of movement inside the place of production or any employer-provided facilities? □ No □ Yes

26.1. If yes, are restrictions limited to legitimate safety, security, or business concerns? □ No □ Yes □ N/A
26.2. Are all workers free to leave the employment site during nonworking hours or at the end of their shift? (including workers who live on-site) □ No □ Yes
26.3. Are employees allowed to leave the facility during work hours: for any reason; for medical appointments or in cases of emergency; or during break, rest time or after working hours?
26.4. If housing is provided, are residents able to leave when they wish (even in the case where curfews may be used)?

- [ ] No
- [ ] Yes
- [ ] N/A

26.5. Are employees allowed access to restroom breaks, drinking water and medical facilities?

- [ ] No
- [ ] Yes
- [ ] N/A

27. Is surveillance used?

- [ ] No
- [ ] Yes
- [ ] N/A

If Yes:

27.1. Is it narrowly tailored in time, place, and manner?

- [ ] No
- [ ] Yes
- [ ] N/A

27.2. Are workers notified of all monitoring

- [ ] No
- [ ] Yes
- [ ] N/A

28. Are workers able to access drinking water, sanitary facilities, and medical facilities without suffering financial penalty?

- [ ] No
- [ ] Yes
- [ ] N/A

*Please explain any restrictions or how this freedom is assured:

29. Do you hold or safeguard workers’ documents (ID cards, or passports, or residency papers)?

- [ ] No
- [ ] Yes
- [ ] N/A

If Yes:

29.1. If yes, is it a legal requirement for you to do so?

- [ ] No
- [ ] Yes
- [ ] N/A

29.2. Do employees provide these documents of their own consent and is there a system through which they have free and easy access?

- [ ] No
- [ ] Yes
- [ ] N/A

29.3. If housing is provided by the employer, is secure and accessible storage provided to safeguard personal documents and other valuables?

- [ ] No
- [ ] Yes
- [ ] N/A

30. Are migrant workers free to return to their home country or domicile during periods of annual or personal leave, without having to pay a deposit, or without being subject to threats of termination or retaliation?

- [ ] No
- [ ] Yes
- [ ] N/A

Respect Workers’ Decision to End Their Employment

31. Are all workers free to leave their employment?
☐ Yes, at any time
☐ Yes, when completing contract
☐ Yes, when worked off his/her debt
☐ Yes, upon giving notice If yes, describe notice period:

32. Are workers responsible for any fees, or are there any wage deductions, if they terminate the job earlier than the contracted work period?

If yes, please explain:

☐ No ☐ Yes

33. Are there any cases where you withhold any payments or entitlements upon termination?

If yes, please explain:

☐ No ☐ Yes

34. Are all final wages paid, upon termination, within the standard pay period detailed in the terms of employment?

If no, please explain:

☐ No ☐ Yes

35. Do you arrange and pay for the repatriation of foreign migrant workers at the end of their contracts?

☐ No ☐ Yes ☐ N/A

35.1. Do you repatriate foreign migrant workers if you terminate his/her contract (for any reason other than documented gross misconduct) before the contract end date?

☐ No ☐ Yes ☐ N/A
# Ethical Recruitment

## Transparency of Terms of Employment

<table>
<thead>
<tr>
<th>Question</th>
<th>Response Options</th>
</tr>
</thead>
<tbody>
<tr>
<td>36. Does the facility have written policies related to ethical employee recruitment and hiring?</td>
<td>☐ No ☐ Yes ☐ Planned</td>
</tr>
<tr>
<td>37. Do you obtain workers’ informed consent to terms of employment without deception, threat, or coercion?</td>
<td>☐ No ☐ Yes</td>
</tr>
<tr>
<td>38. Are the main terms of employment provided to workers?</td>
<td>☐ No ☐ Yes ☐ Planned ☐ N/A</td>
</tr>
<tr>
<td>If Yes:</td>
<td></td>
</tr>
<tr>
<td>38.1. Are they provided in writing?</td>
<td>☐ No ☐ Yes</td>
</tr>
<tr>
<td>38.2. Are they explained verbally to enable review and understanding?</td>
<td>☐ No ☐ Yes</td>
</tr>
<tr>
<td>38.3. What information about the job does the company provide at the time of recruitment? At the time of contract signing? Upon entrance to the job?</td>
<td>☐ N/A</td>
</tr>
<tr>
<td>38.4. Do you have a signed term of employment for every directly employed worker?</td>
<td>☐ No ☐ Yes ☐ Planned</td>
</tr>
<tr>
<td>38.5. Does the facility provide trainings on recruitment and hiring policies and procedures to individuals responsible for hiring and recruitment?</td>
<td>☐ No ☐ Yes ☐ Planned</td>
</tr>
<tr>
<td>38.5.1. Does the facility provide new employees with orientation trainings to assist their understanding of all workplace policies and procedures?</td>
<td>☐ No ☐ Yes ☐ Planned</td>
</tr>
<tr>
<td>38.5.2. Does the facility communicate workplace policies and procedures to new employees? (i.e. by providing a handbook or equivalent)</td>
<td>☐ No ☐ Yes ☐ Planned</td>
</tr>
</tbody>
</table>

## Employer Pays Principle

<table>
<thead>
<tr>
<th>Question</th>
<th>Response Options</th>
</tr>
</thead>
<tbody>
<tr>
<td>39. Have you committed to the employer pays principle?</td>
<td>☐ No ☐ Yes ☐ Planned</td>
</tr>
<tr>
<td>39.1. Do you have a clear forward-facing policy that specifies the range of costs to be met by workers vs employers, and any expectations and timelines for reimbursement?</td>
<td>☐ No ☐ Yes ☐ Planned</td>
</tr>
</tbody>
</table>
39.2. Please explain how this commitment and/or policy is implemented: □ N/A

40. Do workers **pay any fees** at any point in the process of applying or getting hired, or for keeping their jobs? □ No □ Yes □ Not Sure

40.1. If fees are paid, please list all fee amounts, what they were for, and to whom they were paid. □ N/A

40.2. If you answer no, have you validated with workers that they are not paying any fees of any type, whether before or during employment? Please explain: □ No □ Yes □ N/A

40.3. If workers pay fees, are they reimbursed? Please explain: □ No □ Yes □ Planned □ N/A

40.4. In the last 12 months, have there been circumstances in which the facility has had to use **deportation, cancellation of visas or reporting to the authorities** as a disciplinary measure? If yes, please explain: □ No □ Yes

**Ethical Conduct & Transparent Practices in Recruitment**

41. How do you ensure that all **advertising** for applicants is done in a manner that discloses the true nature of the work? Please explain: □ N/A

42. How do you ensure that when **recruiting with international or foreign migrant workers** that recruitment is done in
accordance with both sending and receiving laws or regulations?

Please explain:

43. Is contract substitution prohibited?  □ No  □ Yes  □ N/A

Please explain:

Responsible Labor Contractors

44. Do you have an ongoing method of monitoring the practices of your labor contractor?  □ No  □ Yes  □ Planned  □ N/A

Please explain:

45. Have you validated the license, if applicable, of the labor contractor and have you checked for any prior legal violations by the labor contractor?  □ No  □ Yes  □ N/A

46. What remedial action do you take when a labor contractor rejects, or fails to cooperate in, due diligence, or is unwilling to remedy a violation of labor law or human rights?  □ N/A

Freedom of Association

Legal Compliance

47. Do you comply with all applicable laws and regulations regarding freedom of association and collective bargaining?  □ No  □ Yes
47.1. Please describe how you ensure compliance all applicable laws and regulations?

47.2. In the last 12 months, have there been any violations of the law related to freedom of association or collective bargaining? □ No □ Yes

If yes, please explain:

---

**Humane Treatment**

**Prohibition against Harassment & Abuse**

48. Do you **comply with all applicable laws and regulations** regarding harassment and abuse? □ No □ Yes

48.1. Please describe how you ensure compliance all applicable laws and regulations?

48.2. In the last 12 months, have there been any violations of the law related to harassment and abuse? □ No □ Yes

If yes, please explain:

49. Does your company have defined rules against harassment & abuse? □ No □ Yes □ Planned

49.1. **In terms of scope**, which of the following is prohibited by your rules? □ Yes □ No □ N/A

- Verbal harassment or abuse
- Physical harassment or abuse
- Visual harassment or abuse
- Psychological harassment or abuse
- Sexual harassment or abuse
- Unlawful harassment or retaliation
Employer Self-Assessment Tool 1.0

☐ Penalties for acts of harassment and/or abuse
☐ Worker recourse in case of violations
☐ Other ________________________________

Prohibition against Harassment & Abuse

50. Do you take reasonable care to prevent harassment or abuse?
   ☐ No ☐ Yes

51. Do you provide workers with detailed communications on their rights and protections regarding harassment?
   ☐ No ☐ Yes ☐ Planned

51.1. If yes, please explain the methods used to ensure that workers both receive and understand it?
   ☐ N/A

52. Does your company have any educational efforts on sexual harassment?
   ☐ No ☐ Yes ☐ Planned

Please explain:

52.1. Do you train managers, supervisors, and crew leaders on employee treatment?
   ☐ No ☐ Yes ☐ Planned

52.2. If yes, when is this training provided?
52.3. If yes, which of the following is included in the training:
   ☐ Procedures for bringing, investigating, and responding to a complaint
   ☐ Recognizing unacceptable behavior
   ☐ Preventing unacceptable behaviors
   ☐ Appropriate or effective responses
   ☐ Other ________________________________
   ☐ N/A

Commitment to Investigate & Take Action

53. Do you have a formal, documented grievance procedure?
   ☐ No ☐ Yes ☐ Planned

Employer Self-Assessment Tool 1.0 15
53.1. If yes, which of the following is within the scope of your procedure? ☐ Procedures for reporting harassment or abuse complaints ☐ Procedures for the investigation of complaints in a fair and thorough manner ☐ Procedures for responding to complaints ☐ The designation of a qualified individual for oversight and/or implementation ☐ Clear roles, responsibilities ☐ Immediate and effective corrective action, in the event of confirmed occurrence ☐ Procedures to assess root cause of problems, and possible preventive responses ☐ Non-retaliation protection for making a compliant or assisting in its investigation ☐ System to discipline supervisors, managers and employees who engage in any form of harassment or abuse? ☐ Other __________________________________________________

53.2. If yes, please describe the efforts taken to identify lessons for improving the mechanism and preventing future grievances and harms raised through the mechanism. ☐ N/A

54. In the last 12 months, have there been any cases of harassment or abuse? ☐ No ☐ Yes

54.1. Any of violence against employees or where employees were threatened? ☐ No ☐ Yes

54.2. Any cases of physical harassment or abuse at the facility? ☐ No ☐ Yes

54.3. Any cases of verbal harassment or abuse at the facility? ☐ No ☐ Yes

54.4. Any cases of psychological or mental harassment at the facility? ☐ No ☐ Yes

54.5. Any cases of sexual abuse at the facility? ☐ No ☐ Yes

If yes, please explain:
Non-Discrimination

Non-Discrimination Compliance

55. Do you **comply with all applicable laws and regulations** regarding nondiscrimination?  □ No □ Yes

55.1. In the last 12 months, have there been any **cases of discrimination** brought against the company due to a legally protected class?  □ No □ Yes

*If yes, please explain:*

56. How do you ensure that any decisions during hiring, employment, or termination, are never based on a **personal characteristic** of the worker?  □ N/A

57. How do you ensure there is **no difference in pay** for workers performing substantially similar work with a comparable composite of skill, effort and responsibility, absent bona-fide factors recognized by law?  □ N/A

Prohibited Inquiries and Medical Testing

58. Is **medical testing** required as a condition of being hired or promoted?  □ No □ Yes

58.1. If yes, please explain what is tested, and whether it is legally required for the position being contracted:  □ N/A

59. Do you ever ask females about **pregnancy status** during hiring or during the course of employment?  □ No □ Yes
59.1. If yes, please explain the business reason for this: ☐ N/A

Equal Opportunity

60. How do you ensure all persons of the same skill level have an equal opportunity for training and advancement? ☐ N/A

61. How do you ensure all that the allocation of tasks, access to training, access to opportunities, working hours, pay, overtime, benefits, health care, union rights, collective bargaining agreements, disciplinary measures, and termination policies, are both transparency and based on the principle of equal treatment? ☐ N/A

62. Are supervisors trained in avoiding disciplinary practices? ☐ No ☐ Yes ☐ Planned

If yes, please explain:

63. Do you comply with all applicable legal work requirements for pregnant, post-partum and lactating women? ☐ No ☐ Yes

Please explain:
64. In the last 12 months, have employees who are pregnant or on parental leave been terminated or resigned?

☐ No ☐ Yes

*If yes, please explain:*
Employer Self-Assessment Tool 1.0

Occupational Safety & Health

Legal Compliance

65. Does the facility comply with all applicable laws and regulations related to health and safety? ☐ No ☐ Yes

65.1. Please describe how you ensure compliance to all applicable health & safety laws and regulations?

65.2. In the last 12 months, have there been any violations of the law related to occupational health and safety? ☐ No ☐ Yes

If yes, please explain:

65.3. Are building certificates and permits available, as required by law? ☐ No ☐ Yes

Policies and Procedures

66. Does the company have health and safety policies that are relevant to the production being performed, to identify and guard against hazards and prevent injury or illness at work? ☐ No ☐ In Place ☐ Partial ☐ Planned

66.1. If yes, which of the following is within the scope of your policy? ☐ N/A

<table>
<thead>
<tr>
<th>Principle</th>
<th>Policy</th>
<th>Procedure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industrial hygiene and sanitation</td>
<td>☐ No</td>
<td>☐ Yes</td>
</tr>
<tr>
<td>Chemical safety</td>
<td>☐ No</td>
<td>☐ Yes</td>
</tr>
<tr>
<td>Injury and illness prevention</td>
<td>☐ No</td>
<td>☐ Yes</td>
</tr>
<tr>
<td>Emergency preparedness and response</td>
<td>☐ No</td>
<td>☐ Yes</td>
</tr>
<tr>
<td>Equipment and machine safety</td>
<td>☐ No</td>
<td>☐ Yes</td>
</tr>
<tr>
<td>Ergonomics</td>
<td>☐ No</td>
<td>☐ Yes</td>
</tr>
<tr>
<td>Aspect</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>--------------------------------------</td>
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</tr>
<tr>
<td>Ventilation</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>Lighting</td>
<td>☐</td>
<td>☑</td>
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<tr>
<td>Structural and building safety</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>Other:______________________________</td>
<td>☐</td>
<td>☑</td>
</tr>
</tbody>
</table>

66.2. Please explain what is missing: ☐ N/A

67. Does the company have health and safety procedures that are relevant to the production being performed, to identify and guard against hazards and prevent injury or illness at work?

[ ] No
[ ] In Place
[ ] Partial
[ ] Planned

67.1. If yes, please tick off which subjects are included in the procedures:

[ ] Accident and injuries are documented and investigation
[ ] Access to clean drinking water during working hours (unlimited access)
[ ] Building evacuation procedures (where applicable)
[ ] Chemical handling and pesticide-related procedures
[ ] Canteen safety & hygiene
[ ] Communication channels between workers and management on health and safety matters
[ ] Contractor safety
[ ] Documentation and investigation of accidents, injuries
[ ] Dormitory safety & hygiene
[ ] Electrical safety
[ ] Emergency contact information for local authorities
[ ] Emergency plans, response, and communication procedures
[ ] First aid, medical
[ ] Food handling rules (where applicable)
[ ] General work environment (e.g. ventilation, cleanliness, lighting, noise, etc.)
[ ] Hearing conservation
[ ] Heat stress and/or sunstroke signs, symptoms, and prevention
[ ] Hygiene: toilets, handwashing, drinking water

[ ] N/A
☐ Machine maintenance, licensing, safety devices and inspections
☐ Material safety data sheets in native language of persons handling chemicals
☐ Mitigation and prevention of repetitive motion injury
☐ Physically demanding work
☐ Preventing or controlling exposures that endanger life, health, or physical condition
☐ Procedures for inclement weather
☐ Provision, maintenance and use of appropriate personal protective equipment
☐ Rules about working when ill
☐ Rules for smoking, eating, chewing tobacco, spitting
☐ Safe handling of electricity
☐ Safe use of electrical equipment
☐ Structural safety of buildings (where applicable)
☐ Use of jewelry, watches, or other personal effects
☐ Vehicle operation and safety procedures
☐ Other: _______________________________________________________________________

67.2. Please explain any missing elements: ☐ N/A

68. Are all workers (including temporary workers) **trained** on health, safety, and hygiene?
   ☐ No  ☐ Yes  ☐ Planned

68.1. If yes, how often does this occur: ☐ N/A
68.2. If yes, please select which documentation is available:
   ☐ Training schedule
   ☐ Training curriculum samples
   ☐ Records of the names of all personnel trained and the dates they were trained
   ☐ Photos of training
   ☐ Other________________________________________________________________________

Risk Mitigation & Industrial Hygiene Practices

69. Does your company have a **health & safety risk assessment process** to identify, prioritize and mitigate the potential OHS risks associated with your operations and activities?
   ☐ No  ☐ In Place  ☐ Partial  ☐ Planned
Please explain:

69.1. If applicable, please specify any high-risk areas identified through the risk assessment process. □ N/A

69.2. Do you implement action plans for all risk areas identified? If yes, please provide an example:
☐ No ☐ Yes ☐ N/A

69.3. When was the last health and safety risk assessment carried out? ☒ N/A

69.4. Is your occupational health & safety management system certified to an ISO or equivalent standard? ☐ No ☐ Yes ☐ N/A

Employer-Provided Housing

70. Is sleeping in the field prohibited? ☐ No ☐ Yes

71. Is housing secured, provided, or mandated in connection with the work? ☐ No ☐ Yes ☐ Planned

Please explain:

72. Does the housing meet all applicable laws and regulations for occupancy, structural, health, sanitation, and safety? ☐ No ☐ Yes

73. Do housing conditions and infrastructure ensure sanitation, decency, privacy, and security? ☐ No ☐ Yes

Please explain:
74. Are measures in place to prevent overcrowding in housing and sleeping arrangements?  
☐ No  ☐ Yes  ☐ Planned

*Please explain:*

---

**Emergency Preparedness and Response**

75. Do you have an emergency response plan to prepare for, and respond to, fire, natural disaster or accidents or other emergencies?  
☐ No  ☐ Yes  ☐ Planned

*Please explain:*

---

75.1. Which staff person is responsible for implementation of the plan?  
☐ N/A

75.2. Is first aid available at the work site?  
☐ No  ☐ Yes  ☐ Planned

*Please explain:*

75.3. Is emergency contact for local authorities accessible and understandable?  
☐ No  ☐ Yes  ☐ Planned

*Please explain:*

75.4. Do workers have a means to contact authorities in the event of an emergency?  
☐ No  ☐ Yes  ☐ Planned

*Please explain:*

---

**Protection of Children and Young Workers**

**Minimum Age for Employment**

76. Does the facility have written policies related to the recruitment and hiring of child labor/underage labor?  
☐ No  ☐ Yes  ☐ Planned
77. Is there a **minimum wage of employment** requirement in the country, region, or locality where your facility operates?

☐ No  ☐ Yes

If yes, what is it?

78. What is the **date of birth of the youngest worker**, and when did he or she start working in the company?

79. Are all employees currently **at or above the applicable legal minimum working age**?

☐ No  ☐ Yes  ☐ N/A there is no minimum age legally

79.1. If there is no established minimum age for employment under law, are all employees currently at least fifteen years old?

☐ No  ☐ Yes  ☐ N/A

80. Do you have a robust system for checking and **verifying the ages** of workers, and that he/she is legally allowed to work?

☐ No  ☐ Yes  ☐ Planned

80.1. If yes, what documents do you use to confirm the age of applicants?

☐ ID card  ☐ Birth certificate  ☐ School certificate  ☐ Church certificate  ☐ School certificate  ☐ Dental or doctor certificate  ☐ Driver’s license  ☐ Passport  ☐ Social security document  ☐ Other: ____________________________

☐ N/A

80.2. Do you keep copies of proof of **age documentation in worker’s personnel files**?

☐ No  ☐ Yes  ☐ Planned

80.3. Do you **check with labor brokers** you are using to supply labor that the company has copies of ID’s of their workforce?

*Please explain:*

---

**Young Workers Protection**

81. Does the facility have **written policies** related to recruitment and employment practices of young workers?

☐ No  ☐ Yes  ☐ Planned

82. Does the facility have **written procedures** related to recruitment and employment practices of young workers?

☐ No  ☐ Yes  ☐ Planned

82.1. Do you have an up to date **risk assessment** that covers young workers and the potential areas of risk in the workplace?

☐ No  ☐ Yes  ☐ Planned
83. Do you have any young workers (i.e. below the age of 18), or do you have any apprentices in the employment site? ☐ No ☐ Yes

If yes:

83.1. Does the facility meet all legal requirements pertaining to the employment of young workers? ☐ N/A

83.2. Do you have a program to comply with any regulatory restrictions or requirements applicable for those under the age of 18? ☐ No ☐ Yes

83.3. Does the facility monitor the working hours of all young workers separately? ☐ No ☐ Yes

83.4. Do you make sure that young workers are exempt from hours of work that conflict with their ability to attend compulsory education? ☐ No ☐ Yes

83.5. Do you make sure that your workers are exempt from overtime work? ☐ No ☐ Yes

83.6. Do you make sure that your workers are exempt from night work? ☐ No ☐ Yes

83.7. Do you make sure that young workers are exempt from hazardous work? ☐ No ☐ Yes

83.8. Does the facility maintain parental permission for young workers to work in the facility, as legally required? ☐ No ☐ Yes

83.9. Does the facility arrange health checks for all young workers, as legally required? ☐ No ☐ Yes

83.10. Please describe your systems for the protection of young workers or why you do not need one:

Removal of Children

84. What is your facility's practice when it comes to children visiting the production areas? (i.e. children that are not employees, but are just visiting)
85. Are non-employed children provided from access to production, harvest, or other work areas? ☐ No ☐ Yes

86. Do childcare facilities, if made available at work, overlap with worksite areas where work is performed? ☐ No ☐ Yes ☐ N/A

86.1. If you do not provide child care facilities, do you prohibit your employees from bringing their children to work? ☐ No ☐ Yes ☐ N/A

87. Have you ever had child workers on your employment site? ☐ No ☐ Yes

87.1. If yes, what did you do? ☐ N/A

88. Do you have a formal procedure for remedying any confirmed instances of child labor? ☐ No ☐ Yes ☐ Planned

Please describe your systems for remediation of child labor, or why you do not need one:

88.1. If yes, does it include removal from the workplace immediately, and include a process for keeping the child safe until he/she is handed over to a legal custodian? ☐ No ☐ Yes ☐ Planned

Please explain:
89. Do you communicate or engage with your customers on how their planning and purchasing practices impact your commitment to responsible labor practices?

☐ No  ☐ Yes  ☐ Planned

Please explain:

89.1. If yes, in which of the following areas:
☐ N/A
☐ Alignment of financial terms with responsible labor practices
☐ Accuracy and timeliness of planning/forecasting
☐ Accuracy and timeliness of tech packs
☐ Adequacy of lead time provided
☐ Conflicting demands between business and compliance needs
☐ Hit rates on products developed for customers
☐ Paying bills on time and in full
☐ Visibility into ordering plans
☐ Other: ____________________________________________________________________________
☐ Other: ____________________________________________________________________________

90. Do you receive incentives from customers for responsible labor standards or practices?

☐ No  ☐ Yes  ☐ Planned  ☐ N/A

90.1. If yes, which incentives:
☐ Consistent minimum volume of production per month
☐ Customer paid training for skill or capacity development
☐ Larger volume
☐ Less social compliance audits (timing or amount)
☐ More favorable mix of products
☐ Option to set higher minimum order level
☐ Premium pricing
☐ Supplier award or recognition program
☐ Other: ____________________________________________________________________________
91. Do you communicate to your suppliers any expectations regarding responsible labor practices?  
☐ No  ☐ Yes  ☐ Planned

91.1. If yes, please describe which types of suppliers receive this communication, in what form and by what methods:  ☐ N/A

Wages & Benefits

Minimum Wage Legal Compliance & Wage Legal Compliance with Piece Rate

92. Does the facility comply with all applicable laws and regulations related to wages and benefits?  ☐ No  ☐ Yes

92.1. Please describe how you ensure compliance to all applicable wages & benefits laws and regulations?

92.2. In the last 12 months, have there been any violations of the law related to wages or benefits?  ☐ No  ☐ Yes  
If yes, please explain:

93. Is there a legal minimum wage requirement in the country, region, or locality where your facility operates?  ☐ No  ☐ Yes

If yes:

93.1. Please enter the minimum wage in U.S. dollars per hour:  ☐ N/A
93.2. Do any workers at your facility receive less than the minimum wage? □ No □ Yes
93.3. Is the minimum wage paid for a standard work week? □ No □ Yes
93.4. Is productivity-based pay compared to the applicable minimum wage rate to ensure legal compliance? □ No □ Yes

94. How much does the lowest paid worker earn in a standard working hour per hour, for each of the following:

94.1. Permanent worker?
94.2. Temporary worker?
94.3. Piece rate worker?
94.4. Subcontractor?
94.5. Homeworker?

95. Do you pay workers for overtime hours in addition to regular working hours? □ No □ Yes □ N/A

95.1. If yes, what is the rate of overtime pay compared to regular time pay? (Select the best answer which matches your lowest rate of overtime paid.) □ N/A
□ Less than regular time
□ Equal to regular time
□ More than regular time, but less than time-and-a-half
□ Equal to, or between time-and-a-half, and double time
□ Equal to double-time or more
□ Other: ____________________________

96. Is the appropriate premium rate applied for overtime? □ No □ Yes □ N/A

Please explain:

Direct, Timely Payment in Legal Tender & Wage Statements

97. Are wages paid directly to workers and not to a third party, by you or a qualified payroll service? □ No □ Yes

98. In which of the following ways are workers paid:

□ Cash □ Bank check □ Bank transfer
□ Money order □ Direct deposit
□ Voucher to the company store □ Pre-paid credit card
□ Other: ____________________________
99. How often do workers receive their wages?

*Please specify the frequency and exact date, if any:*

99.1. Does any wage period exceed 30 days?  
☐ No ☐ Yes

99.2. In the last 12 months, have there been circumstances under which wages were delayed or withheld from employees?  
*If yes, please explain:*

---

**Legal Withholdings & Deductions**

100. Do you make any deductions from workers’ pay?  
☐ No ☐ Yes

If yes:

100.1. Are deductions ever made as a disciplinary measure?  
☐ No ☐ Yes

100.2. Are all deductions and withholdings legally compliant?  
☐ No ☐ Yes

100.3. After deductions are made, do any workers receive less than the legally applicable minimum wage?  
☐ No ☐ Yes

100.4. Please provide details of:  
Legally required deductions:  
Other deductions:  

101. Do you make any government required withholdings?  
☐ No ☐ Yes

If yes:

101.1. Do withhold for taxes?  
☐ No ☐ Yes

101.2. Do withhold for social security?  
☐ No ☐ Yes

101.3. Do withhold for social insurance?  
☐ No ☐ Yes

101.4. Are government required withholdings correctly calculated?  
☐ No ☐ Yes

101.5. Are government required withholdings submitted to applicable authority?  
☐ No ☐ Yes

101.6. Are withholdings submitted within the legally required timeframe?  
☐ No ☐ Yes

101.7. Are withholdings documented properly?  
*Please explain:*

---

102. Do all your workers receive clear information in the local or appropriate language(s) about how their actual wages are calculated?  
☐ No ☐ Yes  
☐ Planned
Please explain:

103. Do workers receive an understandable pay statement? □ No □ Yes □ Planned

103.1. Please indicate which of the following your wage statement includes:

☐ Dates of the pay period
☐ Name and address of employer
☐ Name and address of employee
☐ Total number of regular hours worked
☐ Total number of overtime hours
☐ Gross wages (all earnings before taxes or deductions)
☐ Net wages (after taxes and deductions),
☐ Rates of pay and the number of hours at each rate
☐ Amounts for piece rate bonuses or allowances
☐ Other: ________________________________

Payments for Work Related Activity

104. Is all mandatory time at the work site paid to workers, including training or meetings? □ No □ Yes □ Planned

105. Are workers paid for any time that they are required to be on the employer’s premises or on duty at the prescribed work location? □ No □ Yes □ N/A

105.1. Which of the following are covered?

☐ Mandatory meetings
☐ Mandatory trainings
☐ Time spent traveling from one work site to another during the workday and after arrival at first work site
☐ Time spent traveling to and from a new assignment away from a usually prescribed work location
☐ Other: ________________________________

Legal Benefits

106. Are all legally required benefits given? □ No □ Yes

106.1. If yes, please explain what is provided:
106.2. Do you provide any **social benefits** to the workers (e.g. health insurance, pension fund, child care, education, accommodation etc.)? □ No □ Yes

106.3. Are all legally required paid leaves given? □ No □ Yes

106.4. Are all legally required paid rest or meal periods given? □ No □ Yes

106.5. Are all legally required paid leaves given? □ No □ Yes

106.6. Are all legally required paid bonuses given? □ No □ Yes
Working Hours

Legal Compliance in Working Hours

107. Does the facility comply with all applicable laws and regulations related to hours of work?
☐ No ☐ Yes

107.1. Related to maximum hours workers can be required to work?
☐ No ☐ Yes

107.2. Related to young workers’ hours of work?
☐ No ☐ Yes

107.3. Recording working time?
☐ No ☐ Yes

107.4. Time record keeping?
☐ No ☐ Yes

107.5. Periods of leave?
☐ No ☐ Yes

107.6. Rest days?
☐ No ☐ Yes

107.7. Holidays?
☐ No ☐ Yes

107.8. Rest periods?
☐ No ☐ Yes

107.9. Meal intervals?
☐ No ☐ Yes

Please describe how you ensure compliance to all applicable hours of work laws and regulations?

107.10. In the last 12 months, have there been any violations of the law related to hours of work?
☐ No ☐ Yes
If yes, please explain:

108. Are there any hours of work limits (daily, weekly, monthly, or annually) defined by either local law or regulation or collective bargaining agreement?
☐ No ☐ Yes

If yes:

108.1. In the last 12 months, are all regular working hours (daily, weekly, monthly, or annually) for all employees within allowable limits under applicable law or agreement?
☐ N/A

108.2. In the last 12 months, are all overtime working hours (daily, weekly, monthly, or annually) for all employees within allowable limits under applicable law or agreement?
☐ No ☐ Yes

108.3. Are any exceptions to this maximum allowed?
If yes, please explain:
109. What are the **typical or average** hours of work?

109.1. Standard work week?

109.2. Average number of weekly overtime hours per person, per week?

109.3. Maximum hours workers work per day in peak season?

109.4. Maximum hours workers work per week in peak season?

**Mitigating Impact on Health & Safety from Working Hours**

110. Does the company **analyze the impact of overtime or extended working hours** on the risk of occupational injuries and illnesses?

*If yes, please explain:*

111. What strategies does the company have in place to **prevent work injuries**?

**Advanced Communication of Overtime Hours**

112. Is overtime **compulsory**, or a condition of employment?

112.1. If so, are workers **informed** of this policy at the beginning of their employment?

*Please explain:*

**Transparency of Hours**

113. Does the company have a **time keeping system** for the accurate and complete tracking and reporting of work and leave time, which enables accurate calculation of pay?

113.1. How are working hours **recorded** (regular & overtime) daily for each worker?

☐ N/A. I do not record working hours

☐ Attendance lists
☐ Employee documented records
☐ Punch / time cards
☐ Electronic recording system
☐ Other: _____________________________________________________________

113.2. How does the time recording system used make hours of work (including overtime) transparent to the employee and the company?