



# Fair Labor Practices and Community Benefits Standard

Draft Version 2.0

Scientific Certification Systems 2010

Contact: Fair Labor Practices  
2200 Powell St Suite 725  
Emeryville, CA, 94608  
fairlabor@scscertified.com  
+1.510.452.8000

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## **1.0 Introduction**

This document contains the Criteria that comprise the Fair Labor Practices and Community Benefits Standard (hereafter referred to as the “Fair Labor” Standard). The Criteria were developed referencing ILO Conventions, OSHA and EPA regulations, and FAO guidance. The Criteria are designed to assess working conditions in agricultural production, processing, and manufacturing settings and impacts on surrounding communities. While legal compliance is a baseline for most Criteria, many other Criteria represent best practices in social responsibility.

## **2.0 Standard Development and Pilot Project**

After two years of initial development, the Fair Labor Standard Version 1.0 was officially launched as a pilot project in June 2009. The aim of the pilot project is to test the Standard’s relevance and applicability in a variety of regional and national settings, and within different agricultural commodity sectors and supply chains. Version 1.0 of the Standard underwent minor revisions in December 2009 and March 2010. In April 2010, a more significant revision of the Standard began, which resulted in this Draft Fair Labor Standard Version 2.0.

The Draft Fair Labor Standard will be available for public comment and stakeholder review starting in August 2010. SCS will solicit feedback over a 60 day public comment period from pilot project participants, NGOs and advocacy groups, the private sector, industry and trade groups, certification bodies engaged in agricultural certification, and other parties with relevant expertise. Upon completion of the public comment period, SCS will review and selectively incorporate feedback into the Draft Fair Labor Standard Version 2.0. If substantive feedback is received during the first review period, SCS will post the revised version for further review and comments for an additional 30 days before approval and release of the Fair Labor Standard Version 2.0, tentatively scheduled for November 2010. The Draft Fair Labor Standard Version 2.0 will be available for field testing following the 60 day public comment period.

The scope of the public comment and stakeholder review will include certification prerequisites, the scope of the Standard, recognition, and producer group certification, the structure of the Standard, Critical Requirements and remediation of Non-Conformities.

## **3.0 Pilot Project Certifications**

Certificates granted during the pilot project are valid for three years, with renewal of the certificate in the fourth year of the audit cycle. Certificates are effective from the date of the certification decision. Entities audited against Version 1.2 of the Fair Labor Standard will be audited against the Draft Version 2.0 Criteria once the public comment and stakeholder review are complete. SCS reserves the right to conduct audits against the Draft Version 2.0 Criteria during the public comment period to examine effectiveness and ease of use. For more information concerning the certification process and frequency

of audits please see the Fair Labor Practices and Community Benefits Certification Manual.

#### **4.0 Certification Prerequisites**

For business to consumer claims (B2C), Fair Labor certification is currently available for certified organic supply chains. For business to business claims (B2B), Fair Labor certification is currently available for agricultural producers certified to the GlobalGAP Standard. Other environmental certification programs may be considered as acceptable prerequisites and will be evaluated on a case-by-case basis. Growers, packers, distributors, manufacturers and companies interested in participating in the Fair Labor Program, but lacking conformance with prerequisite certifications, are still eligible to undergo Fair Labor audits without formal certification.

#### **5.0 Certification Scope**

The Criteria are designed to be broad in their scope, applying to a range of agricultural operators, from producer organizations to large-scale growers. In addition, the Criteria are applicable both domestically and internationally to all types of agricultural commodities and production processes, including dairy and livestock.

The Program emphasizes full supply chain accountability. In order to qualify for use of the on-product Fair Labor logo and claim, all entities involved in the production, processing, manufacturing, and packaging of a certified Fair Labor product must undergo the same auditing process. This ensures that responsibility is spread evenly across the supply chain, rather than disproportionately being placed on growers.

#### **6.0 Recognition**

Given the proliferation of standards and certification frameworks in the marketplace and the need to avoid audit redundancy, SCS will seek opportunities to recognize conformance with other preexisting social certification initiatives in supply chains. For example, if a producer group is currently participating in a Fair Trade certification program and a processor and buyer wish to pursue Fair Labor certification while sourcing from this Fair Trade certified producer group, a desk audit of the Fair Trade report could be carried out instead of an onsite audit of the producer group. Assuming that conformance with Fair Labor Criteria was determined based on the desk audit of the Fair Trade report, the processor and buyer could then undergo on-site Fair Labor audits and, upon a successful certification outcome, market their products as being produced and processed by Certified Fair Labor operations.

#### **7.0 Producer Group Certification**

In the case of producer groups, the practices of individual smallholder producers, either dependent on family or hired labor, are to be evaluated collectively based on the approach outlined below:

- For the purposes of evaluating smallholder groups who are formally organized as cooperatives or producer organizations, a Fair Labor audit will be carried out at the organizational level, with Fair Labor auditors visiting a representative number of producer member farms as a sample population based on the square root of the total number of producer members. On-site farm visits serve to assess work safety, access to education, child labor and forced labor indicators.
- For the purposes of evaluating smallholder groups who are not formally organized, the entity (or entities) responsible for collecting and processing products produced by the smallholder farmers will be considered the first point in the supply chain to be evaluated against the Criteria. In these situations, Fair Labor auditors will also visit a square root sample of member farms to assess work safety, access to education, child labor and forced labor indicators.
- For either organized or unorganized producer groups involved in the production and harvesting of wild crafted products, Fair Labor auditors will visit an area determined as representative of the overall productive area to assess work safety, access to education, child labor and forced labor indicators.

## 8.0 Structure of the Standard

Each criterion in the Standard is subdivided into two categories (Note: currently, some Criteria do not contain Tier 2 Requirements):

- 1) Tier 1 Requirements are assessed during the first year evaluation audit and, as the point of entry to the Program, represent minimum practices in social responsibility and community support. Ongoing conformance with Tier 1 Criteria is monitored through yearly surveillance audits. (Note: Additional Tier 1 Criteria may be developed as part of the pilot project.)
- 2) Tier 2 Requirements, representing best practices in social responsibility and community support, are assessed beginning with the renewal audit occurring in the fourth year of the audit cycle. After the renewal audit, ongoing conformance with both Tier 1 and Tier 2 Criteria is monitored through yearly surveillance audits. (Note: Additional Tier 2 Criteria may be developed as part of the pilot project.)

## 9.0 Critical Requirements

Critical Requirements represent those Requirements specific to minimum wage, child labor, forced labor, non-discrimination, hiring practices, and the freedom for workers to associate without fear of retaliation, along with other associated Requirements. Non-conformance with a Critical Requirement may result in a decision to deny certification in the Program depending on the severity and extent of the Non-Conformity. The following Requirements in the Criteria are designated as Critical Requirements:

Critical Requirements			
Subject Area	Criteria	Requirements	
Hiring and Employment Practices	Hiring, Wages and Non-Discrimination	HW-1.1	HW-1.9
		HW-1.2	HW-1.10
		HW-1.3	HW-1.11
		HW-1.4	HW-1.12
		HW-1.5	HW-1.13
		HW-1.6	HW-1.14
		HW-1.7	HW-1.15
		HW-1.8	
	Freedom of Association, Right to Organize and Collective Bargaining	FA-1.1	
	FA-1.2		
	FA-1.3		
Child Labor and Forced Labor		CL-1.1	
		CL-1.2	
		CL-1.3	
		CL-1.4	

## 10.0 Evaluation of Requirements

The Fair Labor auditor(s) responsible for carrying out on-site audits will use the following nomenclature to evaluate whether Requirements laid out in the Standard are met.

Comply: Indicates compliance with a Requirement based on the evidence available at the time of the audit.

Not Applicable: Indicates that the Requirement is not applicable based on the absence of conditions called for in the Requirement.

Not Comply: Indicates non-compliance with a Requirement based on the evidence available at the time of the audit. A Not Comply evaluation will result in the issuance of a Non-Conformity, which may be designated as either Minor or Major based on the conditions outlined below.

Non-Conformity: A written finding as a result of a Not Comply evaluation with one or more Requirements contained in the Fair Labor Standard. A single Non-Conformity may be written to address multiple Not Comply evaluations for interrelated Requirements.

A Non-Conformity shall be considered Major if, either alone or in combination with further Non-Conformities, it results in, or is likely to result in a fundamental failure to achieve the objective of the relevant Requirement in the operation(s) within the scope of the evaluation. Such fundamental failure shall be indicated by noncompliance(s) with one or more Requirements which:

- a. continue over a long period of time;
- b. are repeated or systematic;
- c. affect a wide range of the production;
- d. are not corrected or adequately responded to by the responsible managers once they have been identified;

- e. result from a Not Comply evaluation with any Critical Requirement (see regardless of whether any of the above conditions are met).

**Depending on the nature of a Major Non-Conformity, such as in the case of a Not Comply evaluation with a Requirement concerning child labor, the certification committee may elect to not certify.**

A Non-Conformity may be considered Minor if the non-compliance with one or more Requirements:

- a. is a temporary lapse;
- b. is unusual/non-systematic;
- c. has impacts which are limited in their temporal and organizational scale;
- d. does not result in a fundamental failure to achieve the objective of the relevant Requirement.

## **11.0 Remediation of Non-Conformities**

Corrective Action Plan (CAP): A plan for action taken to eliminate the cause(s) of a detected Non-Conformity. Corrective action is taken to prevent reoccurrence.

As a result of any Non-Conformity issued due to one or more Not Comply evaluations for any Requirement in the Standard, a Corrective Action Plan (CAP) will need to be developed and implemented. The CAP is submitted to the SCS Program Coordinator as a response to a Non-Conformity identified by the SCS Auditor. The CAP should describe the corrective and preventive actions to be taken, the plan of action, the person(s) responsible, and expected timeframe for implementation. All Non-Conformities require a response in the form of a CAP.

Remediation of Major Non-Conformities: Clients must submit a CAP within 30 days of receipt of the Final Audit Report. A CAP for Major Non-Conformities should be considered a priority. Evidence of corrective action implementation must be provided to SCS within the timeframe specified in the Non-Conformity Report. Provision of evidence demonstrating corrective action implementation is a condition for continued certification in the Program. If evidence of corrective action implementation is not provided within the specified timeframe, SCS will suspend certification and notify the client of what actions are necessary to take before SCS can consider reinstatement.

Remediation of Minor Non-Conformities: Clients must submit a CAP within 30 days of receipt of the Final Audit Report. Evidence of corrective action implementation will be verified during the surveillance or renewal audit the following year. Minor Non-Conformities whose CAPs are not properly implemented will be elevated to Majors and require immediate attention.

**Any questions concerning the evaluation of the Fair Labor Standard and the process through which remediation of Non-Conformities occurs should be sent via email to the Fair Labor Program Coordinator at [fairlabor@scscertified.com](mailto:fairlabor@scscertified.com) or communicated by phone by calling +1.510.452.6381.**

**12.0 Fair Labor Practices and Community Benefits Standard Draft Version 2.0**

Fair Labor Practices			
Hiring and Employment Practices			
Criterion	Requirements	C/NC/NA	
Hiring and Wages (HW)	<b>Tier 1</b>		
	HW-1.1	<u>Critical Requirement:</u> The Employer’s hiring and employment policy ensures equal opportunity and non-discrimination on the basis of race, color, gender, religion, political opinion, nationality or social class.*	
	HW-1.2	<u>Critical Requirement:</u> Written policies pertaining to hiring and employment, occupational health and safety, non-discrimination and sexual harassment, grievances, child labor, workplace conditions, and freedom of association are posted in a location easily accessible to all workers.	
	HW-1.3	<u>Critical Requirement:</u> Workers are not required to surrender identity papers or other original personal documents or pay deposits as a condition of employment.	
	HW-1.4	<u>Critical Requirement:</u> Migrant workers are not hired through an illegal recruiter.	
	HW-1.5	<u>Critical Requirement:</u> If the Employer requires that applicants undergo a medical examination as a condition of hire and an annual medical examination,* such examinations exclude HIV, genetic, or pregnancy tests.	
	HW-1.6	<u>Critical Requirement:</u> Workers are paid the national or regional minimum wage or a wage that is consistent with local industry standards, whichever is greater. If workers are paid by production, wages meet the above Requirements.* If government regulations exempt certain workers from national or regional minimum wages, or if national wage laws dictate an alternative wage scale for migrant workers, or allowances are made for partial in-kind payments, wages paid to workers are in line with legal Requirements.	
	HW-1.7	<u>Critical Requirement:</u> Workers are paid on a regular basis in accordance with national law, in cash or cash equivalent (check, direct deposit).	
	HW-1.8	<u>Critical Requirement:</u> Wages are paid directly to workers (cash, check, direct deposit), not through intermediaries.	
	HW-1.9	<u>Critical Requirement:</u> Workers are provided equal pay for equal work, regardless of gender.*	
	HW-1.10	<u>Critical Requirement:</u> Management maintains complete written earning records for workers, which at a minimum itemize all wages and deductions in a form that can be audited.	
	HW-1.11	<u>Critical Requirement:</u> Workers are paid normal wages while participating in any required trainings and meetings.	
	HW-1.12	<u>Critical Requirement:</u> Wages are only deducted under the conditions prescribed by, and to the extent allowed by, national laws and regulations, or collective agreement.*	
	HW-1.13	<u>Critical Requirement:</u> Financial disciplinary penalties are not imposed on workers.*	
	HW-1.14	<u>Critical Requirement:</u> Once a female worker has completed a minimum probationary period of no more than six months, the Employer is obligated to provide maternity leave with compensation in accordance with applicable local or national standards, with a guarantee of return to the same or equivalent position at the same or higher wage at the end of the maternity leave.	
	HW-1.15	<u>Critical Requirement:</u> Where contract labor is used, there is a written policy requiring contractors to uphold the practices outlined in this criterion (HW).	
HW-1.16	Workers are provided with a written agreement describing the terms of hire.		

\* Refer to Fair Labor Standard Guidance Supplement.

Hiring and Wages (HW)	HW-1.17	Written pay records, clearly stating wages, taxes and other withholding deductions, are issued to workers.	
	HW-1.18	Workers are provided with access to their complete personal earnings records and other employment records.	
	HW-1.19	Auditable records are maintained in personnel files describing causes for termination.	
	HW-1.20	The Employer is able to demonstrate that any termination of worker employment has been carried out in accordance with local and national laws.	
	<b>Tier 2</b>		
	HW-2.1	All workers are paid wages that are higher than the local industry standards or higher than regionally established minimum wages, whichever is greater. Wages paid to full-time workers meet or exceed a living wage as defined by a governmental or non-governmental organization.*	
	HW-2.2	Management provides an annual summary of worker wages as compared to the minimum wage or the local industry average, whichever is greater.	
	HW-2.3	There is a prior written agreement between the Employer and recruited migrant workers regarding conditions of employment.*	
	HW-2.4	Contractors are used only when full-time workers are not sufficiently skilled, or where the intended work is periodic or episodic in nature.	
	HW-2.5	The following information has been obtained from contractors: i. Copy of contractor's current business license; ii. Work references; iii. Auditable records of contractor payroll for contract workers providing services to the Employer, if allowable by law; iv. Assurance that minimum wage requirements are met; and v. Documentation that individuals assigned to perform potentially hazardous work have received the proper training, have proper personal protective equipment in good condition, and are using properly maintained equipment.	
HW-2.6	Policies have been established for worker pay increases and promotions that take into consideration work performance, seniority, and level of training on an equitable basis.		
<b>Criterion</b>	<b>Requirements</b>		<b>C/NC/NA</b>
Working Hours (WH)	<b>Tier 1</b>		
	WH-1.1	Workers do not work more <i>normal</i> hours or days per week than the maximum amount specified by national law. Where national law does not specify working hours, workers do not work more than 48 regular hours (i.e. not including overtime) per week and more than six days per week, except where a written agreement between the employer and workers exists.	
	WH-1.2	Workers may not work more <i>total</i> hours (i.e. including overtime hours) per day or week than allowable by national law. Where such regulations do not exist, workers may not work more than 60 hours per week, except when a written agreement exists between the employer and workers.*	
	WH-1.3	Workers are not required to work more than 16 consecutive hours in a 24-hour period.	
	WH-1.4	Workers are compensated for overtime hours at a rate specified by national or local laws, or at least 50% higher than regular wages where no such local or national laws exist, and are informed at the time of hiring if mandatory overtime is a condition of employment.	
	WH-1.5	There is a written employment policy governing working hours and overtime that is easily accessible to all workers.	

\* Refer to Fair Labor Standard Guidance Supplement.

Working Hours (WH)	<b>Tier 2</b>		
	WH-2.1	Workers are compensated for overtime hours at a rate that is higher than required by local or national laws, or at least 100% higher than regular wages, where no such local or national laws exist.	
<b>Criterion</b>	<b>Requirements</b>		<b>C/NC/NA</b>
Freedom of Association (FA)	<b>Tier 1</b>		
	FA-1.1	<u>Critical Requirement:</u> Management does not penalize workers for involvement in union organization activities, or engage in anti-union activities.*	
	FA-1.2	<u>Critical Requirement:</u> Worker representatives are not subject to discrimination, harassment, or administrative oversight, and worker representatives are provided with access to all workplaces necessary to enable them to carry out their representation functions. Management and workers, or worker representatives, meet on a regular basis.*	
	FA- 1.3	<u>Critical Requirement:</u> Management ensures the right of workers to gather to discuss workplace grievances without fear of reprisal.	
	FA-1.4	Management has acknowledged in writing the workers' right to freedom of association.*	
	FA-1.5	Management has acknowledged in writing the workers' right to collective bargaining.*	
	FA-1.6	Management has stated in writing that workers have the right to establish organizations, to draw up the rules of the organizations, to elect representatives, and to formulate programs and activities aimed at benefiting workers and their families.*	
	<b>Tier 2</b>		
	FA-2.1	Where a workers' association exists, it is recognized and financially supported by Management.	
	FA-2.2	Where a workers' association exists, there is a schedule of regular meetings to be held between the workers' association and management.	
<b>Criterion</b>	<b>Requirements</b>		<b>C/NC/NA</b>
Vacation and Leave (VL)	<b>Tier 1</b>		
	VL-1.1	Full-time workers are provided with paid sick leave and a worker's compensation program that meets or exceeds the local or nationally mandated minimum.	
	VL -1.2	Full-time workers are provided with a vacation plan that meets local or national law, including the observance of national holidays.	
	<b>Tier 2</b>		
	VL-2.1	All workers are provided with paid sick leave and a worker's compensation program that meets or exceeds the local or nationally mandated minimum.	
	VL-2.2	All workers are provided with a vacation plan that meets local or national law, including the observance of national holidays.	
	VL-2.3	Management maintains written records of employee vacation time taken, and allows workers to carry over accrued vacation days to the next year, if not used.	
<b>Criterion</b>	<b>Requirements</b>		<b>C/NC/NA</b>
Child Labor and Forced Labor (CL)	<b>Tier 1</b>		
	CL-1.1	<u>Critical Requirement:</u> The Employer does not employ any persons under the age of 15 or whatever age is required under local or national law, whichever represents the higher standard.*	

\* Refer to Fair Labor Standard Guidance Supplement.

Child Labor and Forced Labor (CL)	CL-1.2	<u>Critical Requirement:</u> Workers under the age of 18 are not allowed to handle potentially harmful chemicals, or undertake jobs that inherently have the potential to jeopardize health and safety.	
	CL-1.3	<u>Critical Requirement:</u> Where minors are employed, the Employer has observed all legal requirements for the work of authorized minors, including, but not limited to, those pertaining to hours of work, wages, and minimum education and working conditions.	
	CL-1.4	<u>Critical Requirement:</u> There is an enforced policy prohibiting the use of forced labor, compulsory labor, slave labor, bonded labor, indentured labor or involuntary convict labor.	
	CL-1.5	Where minors are employed, the following documentation is maintained for all workers legally defined as minors: i. Name ii. Date of birth iii. Current address iv. Name of parents or legal guardian v. Employment authorization signed by parents or legal guardian vi. Type of work being conducted vii. Number of hours assigned and worked viii. Salary	
	<b>Tier 2</b>		
There are currently no Tier 2 Requirements			
<b>Workplace Conditions</b>			
<b>Criterion</b>	<b>Requirements</b>		<b>C/NC/NA</b>
Sanitation and Housing (SH)	<b>Tier 1</b>		
	SH-1.1	Workers are provided with a clean and safe working environment.*	
	SH-1.2	Workers are provided with ready access to potable water.*	
	SH-1.3	Where workers and/or their families reside on-site, they are provided with access to clean, safe and habitable dwellings situated away from production areas to prevent agrochemical exposure.	
	SH-1.4	Waste is collected from worker housing on a regular basis.	
	<b>Tier 2</b>		
	SH-2.1	Management has established a process for assessing the housing needs of workers and their families, including such issues as habitability, affordability and accessibility.	
	SH-2.2	Water analysis is conducted on an annual basis to confirm potability in conformance with local or national regulations.	
<b>Criterion</b>	<b>Requirements</b>		<b>C/NC/NA</b>
Worker Training (WT)	<b>Tier 1</b>		
	WT-1.1	Training is provided to all workers covering the following topics: worker rights; employer responsibilities to workers; non-discrimination and sexual harassment; policies related to workers and working conditions; and personal safety/hygiene.*	
	WT-1.2	Training in the use of protective equipment and proper operational procedures is provided to workers who are involved with the operation of equipment and machinery, or who are asked to perform inherently dangerous tasks.	
	WT-1.3	Training is provided to workers who are in contact with agrochemicals or other potentially hazardous substances.*	

\* Refer to Fair Labor Standard Guidance Supplement.

Worker Training (WT)	WT-1.4	Workers are informed during training about hazards associated with exposure to chemicals used at the workplace, and workers are instructed how to obtain and use the information provided on labels and MSDS sheets.*		
	WT-1.5	The worker training program includes a discussion of emergency procedures, contingency plans and procedures that have been developed to address potential emergencies.*		
	WT-1.6	A written record documenting instructors, materials and attendance for all worker trainings is maintained.		
	WT-1.7	Trainings occur at regular intervals, at a minimum yearly, free of charge, and during regular working hours.		
	WT-1.8	Safety meetings for all relevant workers are scheduled regularly.		
	WT-1.9	Training is provided to all workers on the work processes associated with the operation, including workers' roles and responsibilities.		
	<b>Tier 2</b>			
	WT-2.1	Where migrant workers are employed, training is provided to migrant workers about their rights and responsibilities, including provisions in the case of loss of employment, freedom from harassment, and non-discrimination.*		
	WT-2.2	Management provides workshops, classes, and/or trainings on relevant sustainability issues related to the operation.		
WT-2.3	Management provides funding to support technical training and continued professional development for full-time workers.			
<b>Criterion</b>	<b>Requirements</b>		<b>C/NC/NA</b>	
Occupational Health and Safety (OH)	<b>Tier 1</b>			
	OH-1.1	Appropriate and sufficient personal protective equipment (PPE) is supplied free of charge to all applicable workers. Instruction on the proper use of PPE occurs on an annual basis at minimum.		
	OH-1.2	Workers or others who may be exposed to hazardous chemicals, airborne particulates, or other physical workplace risks utilize appropriate personal protective equipment (PPE).*		
	OH-1.3	Personal protective equipment (PPE) is maintained in good working order, meeting local occupational health and safety standards. Such equipment is replaced when deemed necessary, based on worker reports, internal checks or external audits.		
	OH-1.4	Management enforces written policies and procedures governing the safe use of chemicals in the workplace.*		
	OH-1.5	Written safety procedures have been established, and will be followed in the event of accidents or exposures to hazardous materials.		
	OH-1.6	Readily accessible (i.e. within 400m of the handling/mixing site) decontamination supplies are provided for all workers who handle, mix, or apply agrochemicals.*		
	OH-1.7	Procedures are in place to ensure that clothing worn during handling, mixing and application of agrochemicals does not pose a health risk to workers.		
	OH-1.8	Workers under the age of 18 and pregnant women are prohibited from handling, mixing or applying chemical and biological agents.		
	OH-1.9	Pregnant workers are reassigned to positions that do not involve heavy lifting, protracted bending or other inappropriate physical activities, without any reduction in pay.		
OH-1.10	Management only assigns workers who are trained as per WT 1.2 and 1.3* and authorized to apply chemical and biological agents and operating machinery to such tasks.			

\* Refer to Fair Labor Standard Guidance Supplement.

Occupational Health and Safety (OH)	OH-1.11	Workers are not placed in situations that would result in exposure to hazardous materials (e.g. agrochemicals, etc.) any longer than allowable under law. Where no such law exists, work with hazardous materials is restricted to six hours a day, for no more than three months out of the year.		
	OH-1.12	Hazardous chemicals (e.g. pesticides, synthetic fertilizers, solvents, cleaning products, etc.) are properly labeled or otherwise identified. In cases where pesticides or other hazardous agrochemicals are used, application registers are maintained and are accessible to all workers concerned and their representatives.*		
	OH-1.13	The exposure of workers to hazardous chemicals is monitored and recorded.* Where health and safety codes require bio-monitoring (i.e., cholinesterase blood testing) of workers potentially exposed to pesticides, such testing is conducted in accordance with these codes. Where no such codes exist, workers handling pesticides who have been potentially exposed undergo bio-monitoring at least twice per year.* In all cases, if any bio-monitoring results indicate that health thresholds are exceeded, workers are either permanently or temporarily reassigned to positions that do not involve further exposure, with no reduction in pay.*		
	OH-1.14	Management recognizes the right of workers to remove themselves from situations involving the use of chemicals or equipment when they have reason to believe that there is an imminent and serious risk to their safety or health.*		
	OH-1.15	In the event of suspected pesticide exposure, the Employer provides pesticide application information, a copy of the container label(s) and material safety data to the affected person or his/her representative* within 24 hours of the report of suspected exposure. In the event of a medical emergency, the information is provided within one hour.		
	OH-1.16	Work areas have been designed in a manner that promotes worker safety and prevents risks to the environment.*		
	OH-1.17	Work equipment that is potentially hazardous to operate is: i) maintained in good working condition; ii) stored safely and cleanly; iii) equipped with safety devices, including the use of protective guards placed over moving parts when available; and iv) accompanied by operating instructions for safe use.		
	OH-1.18	A summary report of worker accident/illness incidents is prepared at least annually.*		
	OH-1.19	Safety records are stored for at least three years.*		
	OH-1.20	There is an enforced policy prohibiting the presence of any person under age 15 in any place on the property other than a designated suitable area (e.g., child care) or for specific family oriented events.*		
	<b>Tier 2</b>			
	OH-2.1	Workers' knowledge of agrochemical application is regularly monitored through meetings or another feedback mechanism.		
	OH-2.2	Records of the monitoring of the working environment and of worker exposure to hazardous chemicals are kept for a period of no less than five years and are accessible to the workers and their representatives.*		
	OH-2.3	Management has developed contingency plans in cooperation with worker representatives based upon a risk assessment of potential emergency situations that could arise* and conducts drills at least annually.		
	OH-2.4	Workers who are using protective equipment to handle, mix, or apply hazardous agrochemicals or other hazardous materials are provided with a clothes changing station where contaminated clothing can be stored separately from street clothes.		
	OH-2.5	Clothing worn during the handling, mixing and application of hazardous agrochemicals is removed on-site, and washed by the Employer.*		

\* Refer to Fair Labor Standard Guidance Supplement.

Criterion	Requirements		C/NC/NA
Human Resources (HR)	<b>Tier 1</b>		
	HR-1.1	A policy has been established to ensure that the work environment is free of physical punishment or abuse, and free of verbal abuse or coercion of workers. Procedures are in place to address incidents that may occur.	
	HR-1.2	A written grievance policy has been established whereby workers can communicate grievances to management representatives without fear of reprisal. Management has notified workers that this policy exists.	
	HR-1.3	A written procedure has been established whereby workers can report incidents of sexual harassment to management without fear of reprisal. Management has notified workers that this procedure exists.	
	HR-1.4	A written grievance follow-up procedure has been established to address reported cases of sexual harassment, thus ensuring that worker complaints are fully investigated and that proper disciplinary action is taken where warranted.	
	HR-1.5	For operations employing more than 30 full-time workers, there is a written employee manual which is provided to all workers, describing all relevant employment policies.*	
	<b>Tier 2</b>		
	HR-2.1	For any size operation, regardless of the number of workers employed, a written employee manual has been made available to all workers, which describes all relevant employment policies.*	
	HR-2.2	Management has designated an individual to assess the human resource (i.e., socio-economic) needs of its workers, and implemented a plan to address these needs.	
	HR-2.3	Auditable records regarding the rate of worker turnover are maintained.	
	HR-2.4	If meal services are provided on-site, meals are offered at no cost to workers.	
<b>Worker and Worker Family Access to Services</b>			
Criterion	Requirements		C/NC/NA
Access to Education (AE)	<b>Tier 1</b>		
	AE-1.1	In remote locations with no access to schools, school-aged children of workers who live on-site are provided with access to formal education consistent with minimum national requirements.	
	<b>Tier 2</b>		
	AE-2.1	The Employer encourages education of workers' children by providing them with incentives to stay in school.	
	AE-2.2	A process has been established to assess the educational needs of workers and their families.	
	AE-2.3	Management meets regularly with community representatives to assess education needs.	
	AE-2.4	Management actively supports development of local educational facilities through financial contributions or in-kind donations.*	
Criterion	Requirements		C/NC/NA
Health Services (HS)	<b>Tier 1</b>		
	HS-1.1	In case of medical emergency, a transportation plan and care procedures are in place.	
	HS-1.2	Adequately stocked first aid kits and other appropriate medical supplies are maintained to address major medical emergencies associated with occupational health risks.*	

\* Refer to Fair Labor Standard Guidance Supplement.

Health Services (HS)	HS-1.3	Workers are permitted to have access to regular medical and dental wellness care during normal working hours.	
	HS-1.4	Health benefits are provided to all full-time workers and each worker's right to confidential medical records is recognized.*	
	<b>Tier 2</b>		
	HS-2.1	A formal process has been developed and implemented for assessing the health needs of workers and their families.	
	HS-2.2	Health benefits are provided to all workers.*	
	HS-2.3	The Employer has contracted with or employed an on-site medical/health professional.	
<b>Criterion</b>	<b>Requirements</b>		<b>C/NC/NA</b>
Access to Transportation (AT)	<b>Tier 1</b>		
	AT-1.1	The transportation needs of workers, including availability of services and costs, have been assessed.	
	<b>Tier 2</b>		
	AT-2.1	Significant steps have been taken to address the identified transportation needs of workers.	
	AT-2.2	If migrant workers are recruited, the topic of transportation of such workers to and from the site of employment is addressed in the initial work contract.	

<b>Community Benefits</b>			
<b>Addressing Local and Regional Community Impacts</b>			
<b>Criterion</b>	<b>Requirements</b>		<b>C/NC/NA</b>
Addressing Impacts (AI)	<b>Tier 1</b>		
	AI-1.1	A written summary is available describing the operation's commitment to responsible natural resource management, considering local and regional resource depletion issues, is available and includes an overview of natural resources the operation consumes on an annual basis.	
	AI-1.2	A written summary is available describing the ways in which the operation has impacted, both positively and negatively, the surrounding community and natural environment,* and, if applicable, areas that have cultural, religious or historical significance.	
	<b>Tier 2</b>		
	AI-2.1	Natural resources (e.g. water) consumed by the operation are tracked on an ongoing basis and the total consumption reporting per relevant resource area occurs at least annually.	
	AI-2.2	Based on the written summary of community impacts prepared by the operation, practices and procedures have been developed and implemented in consultation with the community to minimize current or potential negative impacts on the surrounding community.*	
	AI-2.3	For operations with waste and byproducts that are discharged into the surrounding environment, an environmental impact assessment has been commissioned, identifying any adverse environmental impacts resulting from the operation's processes and outputs.*	
	AI-2.4	Based on the assessment of negative environmental impacts, practices and procedures have been implemented to minimize such operational impacts.	

\* Refer to Fair Labor Standard Guidance Supplement.

Providing Local and Regional Community Support			
Criterion	Requirements	C/NC/NA	
Providing Community Support (PS)	<b>Tier 1</b>		
	PS-1.1	A written summary of current policies has been provided, regarding: a. preferences for local hiring; b. procurement from regional sources; and c. contribution to community infrastructure maintenance.	
	<b>Tier 2</b>		
	PS-2.1	A policy has been developed and implemented establishing preferences for local hiring.	
	PS-2.2	A policy has been developed and implemented to prioritize procurement from regional supplies and services.	
	PS-2.3	Community support is provided through charitable giving within the community, or contributions to environmental research, in the form of time, materials or money.	
	PS-2.4	Assistance of time, materials, or money is provided for maintenance of community infrastructure (e.g., roads).*	
	PS-2.5	The Employer has collaborated with local health authorities to support clinics/hospitals through donations of money, time, scholarships or materials.	
PS-2.6	The Employer has collaborated with local education authorities to support local educational institutions through donations of money, time, scholarships or materials.		
Economic Viability			
Criterion	Requirements	C/NC/NA	
Economic Viability (EV)	<b>Tier 1</b>		
	EV-1.1	The Operation's payments and expenses are documented and tracked continuously.	
	EV-1.2	Receipts, invoices, and other applicable financial transaction records are maintained, and clearly indicate the following: dates, name of entity to receive or make payment, description of items bought or sold, units of measurement, quantity, and price.	
	EV-1.3	Management has devised a long-term business plan for the operation.	
	<b>Tier 2</b>		
There are currently no Tier 2 Requirements			

\* Refer to Fair Labor Standard Guidance Supplement.