



Fair Labor Practices & Community Benefits

Producer Organization and Handler Evaluation Criteria V1.0

Scientific Certification Systems 2009

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Introduction

This document contains the Evaluation Criteria for the Fair Labor Practices and Community Benefits (FLP&CB) standard. The FLP&CB criteria were developed based on ILO Conventions and other commonly recognized benchmarks for social responsibility. The criteria are designed to assess working conditions and impacts on surrounding communities in agricultural production, processing, and manufacturing settings.

For business to consumer claims (B2C), the standard is currently available to supply chains working with certified organic agricultural products as either raw material components in a finished product (e.g. certified organic cotton in a t-shirt, certified organic fruit in a juice blend) or as a fresh or packaged food product (e.g. certified organic apples, certified organic coffee). For business to business claims (B2B), the standard is currently available for agricultural producers certified to the GlobalGAP Standard. As program prerequisites, both organic agricultural production and processing certification and GlobalGAP certification provide assurance that impacts on workers and ecosystems, resulting from application of fertilizers and pesticides with acute toxicity, are mitigated.

After two years of initial development, the FLP&CB standard 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. As part of the pilot project, the standard will be opened up for public comment and stakeholder review. Feedback will be solicited from pilot project participants, NGOs and public interest groups, other certification bodies, and other parties with relevant expertise. Besides the standard and associated evaluation criteria, other aspects of the program already developed and still undergoing development will be reviewed, including, but not limited to, the program logo, the program's auditing methodology, labeling guidelines, program prerequisites (additional environmental certification program prerequisites are being considered) and/or the addition of environmental criteria, marketing structure, traceability requirements, remediation mechanism, appeals and complaints policy, and conformance requirements (Tier 1 requirements will be rewritten, reordered and possibly expanded, while Tier 2 requirements will undergo similar revision and may be expanded to incorporate new requirements as well). The first official stakeholder review will take place by the end of Year 1 of the pilot program, with changes being deployed immediately thereafter to allow for further testing through field implementation in Year 2 of the pilot.

Working with other certification bodies to benchmark social responsibility standards to arrive at commonly accepted certification criteria and methodologies, the FLP&CB program will look for every opportunity to avoid unneeded redundancy and competition among certification frameworks. An auditing system whereby FLP&CB audits are carried out in conjunction with organic inspections and GlobalGAP audits by cross trained auditors will help avoid a significant increase in costs. In addition, desk audits of reports for other social certification programs may be conducted for some entities in a

supply chain thus avoiding multiple audits against multiple programs. Until arrangements for recognition with other certifications are established, the eligibility of entities seeking recognition of their preexisting status with other social certifications will be determined on a case by case basis

FLP&CB certificates granted during the pilot project are valid for three years, with renewal occurring in the fourth year of the audit cycle, and are effective as of the date of the certification decision. For more information concerning the certification process associated with the FLP&CB program, please see the FLP&CB Program Overview.

Evaluation Criteria Scope and Applicability

FLP&CB program Evaluation Criteria scope is designed for two types of operators: producers/producer organizations and handlers.

- 1) Evaluation Criteria for producers and producer organizations- All entities involved in agricultural production are to be evaluated against applicable criteria for producers and producer organizations. Producer organizations representing producers are assessed against applicable criteria while farm visits allow for confirmation that sufficient internal control systems are in place. The final audit report for a producer organization will evaluate conformance of both the producer organization and producer members with applicable program criteria (Note: Many requirements concerning documentation are not applicable for producer members).
- 2) Evaluation Criteria for handlers- All entities involved in the handling, processing, storage, packing or packaging of agricultural products are to be evaluated against applicable criteria for handlers.

Structure of the Evaluation Criteria

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

- 1) Tier 1 Evaluation Criteria 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 Evaluation Criteria, 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.)

Critical Requirements

Critical requirements represent those requirements specific to minimum wage, child labor, access to education, 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 FLP&CB program depending on the severity and extent of the non-compliance. The following requirements in the Evaluation Criteria are designated as Critical Requirements:

Critical Requirements for Producers For conformance to the Standard		
1.1 Hiring and Employment Practices		
Criteria	Description	Requirements
1.1.1.	Hiring, Wages and Non-Discrimination	1.1.1.1.a 1.1.1.1.b 1.1.1.1.d 1.1.1.1.e 1.1.1.1.f 1.1.1.1.g 1.1.1.1.h 1.1.1.1.i 1.1.1.1.j 1.1.1.1.m 1.1.1.1.n 1.1.1.1.o 1.1.1.1.p 1.1.1.1.q 1.1.1.1.t
1.1.3	Freedom of Association, Right to Organize and Collective Bargaining	1.1.3.1.d 1.1.3.1.e 1.1.3.1.f
1.1.5	Child Labor and Forced Labor	1.1.5.1.a 1.1.5.1.b 1.1.5.1.c 1.1.5.1.d

Critical Requirements For Handlers For conformance to the Standard		
1.1 Hiring and Employment Practices		
Criteria	Description	Requirements
1.1.1.	Hiring, Wages and Non-Discrimination	1.1.1.1.a 1.1.1.1.b 1.1.1.1.d 1.1.1.1.e 1.1.1.1.f 1.1.1.1.g 1.1.1.1.h 1.1.1.1.i 1.1.1.1.j 1.1.1.1.m 1.1.1.1.n 1.1.1.1.o 1.1.1.1.p 1.1.1.1.q 1.1.1.1.t
1.1.3	Freedom of Association, Right to Organize and Collective Bargaining	1.1.3.1.d 1.1.3.1.e 1.1.3.1.f
1.1.5	Child Labor and Forced Labor	1.1.5.1.a 1.1.5.1.b 1.1.5.1.c 1.1.5.1.d

Evaluation of Program Requirements

The SCS auditor responsible for carrying out onsite audits will use the following nomenclature to evaluate whether requirements laid out in the evaluation criteria are met.

Comply: This evaluation for a requirement will signify that it is met based on the evidence available at the time of the audit.

Not Applicable: This evaluation will signify that a requirement is not applicable based on the absence of conditions called for in a program criteria.

Not Comply: This evaluation for a requirement will signify that it is not met 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 evaluation criteria in the FLP&CB 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) which:

- a. continue over a long period of time, or
- b. are repeated or systematic, or
- c. affect a wide range of the production, or
- d. are not corrected or adequately responded to by the responsible managers once they have been identified, or
- e. result from a Not Comply evaluation with any critical requirement 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 Child Labor requirement, the certification committee may elect to not certify.

A Non-Conformity may be considered minor if:

- a. it is a temporary lapse, or
- b. it is unusual/non-systematic, or
- c. the impacts of the non-compliance are limited in their temporal and organizational
- d. scale, and
- e. it does not result in a fundamental failure to achieve the objective of the relevant requirement.

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 Evaluation Criteria, 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 stipulated 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 stipulated timeframe, SCS will suspend certification and notify the client of whether reinstatement is a possibility.

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 not properly implemented based on the submitted CAPs will be elevated to Majors and require immediate attention.

Any questions concerning the evaluation of program requirements and the process through which remediation of Non-Conformities occurs should be sent to Nathan Smith at nsmith@scscertified.com or communicated by phone by calling (510) 452-8033.

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PRODUCER/PRODUCER ORGANIZATIONS

1.0. Fair Labor Practices

1.1 Hiring and Employment Practices

Criteria	Requirements	C/NC/NA	
1.1.1. Hiring, Wages and Non-Discrimination	Tier 1		
	1.1.1.1.a	<u>Critical requirement:</u> The Producer/Producer Organization's hiring and employment policy shall ensure equal opportunity and non-discrimination on the basis of race, color, gender, religion, political opinion, nationality or social class in accordance with ILO Convention 111. [Add. Ref. 5].	
	1.1.1.1.b	<u>Critical requirement:</u> The Producer/Producer Organization shall have the right to require that applicants undergo a medical examination by a competent medical authority as a condition of hire, and an annual medical examination thereafter. However, the Producer/Producer Organization shall not require HIV, genetic, or pregnancy tests as a condition of hire. The Producer/Producer Organization may identify other medical conditions that disqualify an applicant from handling agrochemicals or from other potentially hazardous or arduous tasks.	
	1.1.1.1.c	The Producer/Producer Organization shall provide workers with a written agreement (e.g., employment contract) describing the terms of hire.	
	1.1.1.1.d	<u>Critical requirement:</u> The Producer/Producer Organization shall not require workers to surrender identity papers or other original personal documents or pay deposits as a condition of employment.	
	1.1.1.1.e	<u>Critical requirement:</u> The Producer/Producer Organization shall pay workers at least the cash equivalent of the national minimum legal wage or a wage that is consistent with local industry standards, whichever is greater. If workers are paid by production, an objective appraisal of the amount of work to be performed shall be conducted as per ILO Convention 100, and the resultant wages shall meet the above requirements [Add. Ref. 5]. An exception shall be made for migrant workers if national wage laws dictate an alternative wage scale, or allow for partial in-kind payments in accordance with ILO Convention 110 [Add. Ref. 5].	
	1.1.1.1.f	<u>Critical requirement:</u> Consistent with ILO Convention 110, the Producer/Producer Organization shall make wage deductions only under conditions and to the extent prescribed by national laws or regulations or fixed by collective agreement. Workers shall be informed of the conditions under which and the extent to which such deductions may be made [Add. Ref. 5].	
	1.1.1.1.g	<u>Critical requirement:</u> The Producer/Producer Organization shall pay workers on a regular basis in accordance with national law, in cash or cash equivalent (check, direct deposit).	
	1.1.1.1.h	<u>Critical requirement:</u> The Producer/Producer Organization shall provide workers equal pay for equal work, regardless of gender, unless contracts stipulate otherwise (e.g., based on seniority), as per ILO Convention 100 [Add. Ref. 5].	
	1.1.1.1.i	<u>Critical requirement:</u> The Producer/Producer Organization shall pay wages directly to workers (cash, check, direct deposit), not through intermediaries.	
	1.1.1.1.j	<u>Critical requirement:</u> The Producer/Producer Organization shall maintain complete written earning records for workers, which at a minimum itemizes all wages and deductions in a form that can be audited.	
	1.1.1.1.k	The Producer/Producer Organization shall issue written pay records to workers that clearly state the wages, taxes and other withholding deductions.	
	1.1.1.1.l	The Producer/Producer Organization shall provide workers with access to their complete personal earnings records and other employment records.	
	1.1.1.1.m	<u>Critical requirement:</u> The Producer/Producer Organization shall pay workers normal wages while participating in any required trainings and meetings.	
1.1.1.1.n	<u>Critical requirement:</u> The Producer/Producer Organization shall not impose financial disciplinary penalties on workers except where penalties are levied to protect worker safety, or where such penalties are allowable under national labor law. Where these exceptions exist, the Producer/Producer Organization shall offer alternative non-financial disciplinary options to the worker, provided that such alternatives have been approved by a representative worker committee.		

1.1.1. Hiring, Wages and Non-Discrimination	1.1.1.1.o	<u>Critical requirement:</u> Once a female worker has completed a minimum probationary period established by the Producer/Producer Organization of no more than six months, the Producer/Producer Organization shall be 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.		
	1.1.1.1.p	<u>Critical requirement:</u> The Producer/Producer Organization shall post 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 in a location easily accessible to all workers.		
	1.1.1.1.q	<u>Critical requirement:</u> The Producer/Producer Organization shall not recruit migrant workers through the use of an illegal recruiter, consistent with ILO Convention 143 [Add. Ref. 5].		
	1.1.1.1.r	The Producer/Producer Organization shall maintain auditable records in personnel files describing causes for termination.		
	1.1.1.1.s	The Producer/Producer Organization is able to demonstrate that any termination of worker employment has been carried out in accordance with local and national laws.		
	1.1.1.1.t	<u>Critical requirement:</u> When contract labor is used, the Producer/Producer Organization shall develop a written policy requiring its contractors to uphold the practices outlined in this section (1.1.1.1. a-s)		
	Tier 2			
	1.1.1.2.a	The Producer/Producer Organization shall provide an annual summary of worker wages as compared to the minimum wage or the local industry average, whichever is greater.		
	1.1.1.2.b	The Producer/Producer Organization shall pay workers wages that are higher than the local industry standards or higher than regionally established minimum wages, whichever is higher, or shall pay permanent workers a living wage as defined by a governmental organization. (If such data do not exist, the cost of living may be established by measuring the average cost of food, shelter, transportation, health care, clothing, energy and education, in accordance with the formula generated by the 1998 International NGO Living Wage Summit.)		
	1.1.1.2.c	Consistent with ILO 87, 98 and 110 [Add. Ref. 5], there shall be a prior written agreement between the Producer/Producer Organization and recruited migrant workers regarding: wages; trip expenses; trip safety; work hours; overtime arrangements; duration of employment; minimum age of employment; non-discrimination; breach of contract; and terms of repatriation should the recruited worker become ill or incapacitated before reaching the place of employment, be found to be medically unfit, or be denied employment after recruitment for a reason for which he/she is not responsible.		
	1.1.1.2.d	The Producer/Producer Organization shall use contractors only when permanent workers are not sufficiently skilled, or where the intended work is periodic or episodic in nature.		
	1.1.1.2.e	Where contract labor is used, the Producer/Producer Organization shall develop a written policy requiring its contractors to uphold the same hiring practices as those outlined in Section 1.1.1.1 above.		
	1.1.1.2.f	The Producer/Producer Organization shall obtain the following information 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 Producer/Producer Organization, 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.		
1.1.1.2.g	The Producer/Producer Organization shall establish policies for worker pay increases and promotions that take into consideration work performance, seniority, and level of training on an equitable basis.			

Criteria	Requirements		C/NC/NA
1.1.2. Working Hours and Overtime	Tier 1		
	1.1.2.1.a	The Producer/Producer Organization shall not require workers to work more than the maximum total hours per week specified by applicable national laws. If there are no national laws specifying hours of work, then the Producer/Producer Organization shall not require workers to work more than 48 hours per work week, excluding overtime, except when a written agreement exists between the Producer/Producer Organization and its workforce.	
	1.1.2.1.b	The Producer/Producer Organization workers shall be compensated for overtime hours at a rate specified by local or national laws. Workers shall be informed at the time of hiring if mandatory overtime is a condition of employment.	
	1.1.2.1.c	The Producer/Producer Organization shall have a written employment and hiring policy available that is easily accessible to all workers.	
	1.1.2.1.d	Workers may not work more overtime per day or week than allowable by national law. In the absence of national regulations, any work hours exceeding 8 hours/day or 48 hours/week is considered overtime and workers may not work more than 60 hours per week except when a written agreement exists between the Producer/Producer Organization and its workers. The Producer/Producer Organization shall permit workers, at a minimum, twenty-four consecutive hours off in every seven day period or what is required by local law, whichever is greater, except during peak harvest periods, provided such a period does not exceed 30 days and that workers are paid for overtime.	
	1.1.2.1.e	The Producer/Producer Organization shall not require workers to work more than 16 consecutive hours in a 24-hour period.	
	Tier 2		
1.1.2.2.a	The Producer/Producer Organization shall compensate workers for overtime hours at a rate that is higher than required by local or national laws, or at least 50% higher than regular wages, where no local or national laws.		
Criteria	Requirements		C/NC/NA
1.1.3. Freedom of Association, Right to Organize and Collective Bargaining	Tier 1		
	1.1.3.1.a	The Producer/Producer Organization shall acknowledge in writing the workers' right to freedom of association, in accordance with ILO Convention 87 [Add. Ref. 5].	
	1.1.3.1.b	The Producer/Producer Organization shall state in writing that both the employer and workers shall each 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, in accordance with ILO Convention 87 [Add. Ref. 5].	
	1.1.3.1.c	The Producer/Producer Organization shall acknowledge in writing the workers' right to collective bargaining, in accordance with ILO Convention 87 [Add. Ref. 5].	
	1.1.3.1.d	<u>Critical requirement:</u> The Producer/Producer Organization shall not terminate or enact punitive measures against any worker for involvement in union organization activities, or engage in anti-union activities, in accordance with ILO Conventions 98 and 135 [Add. Ref. 5]. Any workers who have been subject to punitive action or terminated for such activities shall be reinstated or receive appropriate compensation.	
	1.1.3.1.e	<u>Critical requirement:</u> The Producer/Producer Organization shall not subject worker representatives to discrimination, harassment, or administrative oversight, and shall provide worker representatives with access to all workplaces necessary to enable them to carry out their representation functions, as per ILO Conventions 98 and 135 [Add. Ref. 5]. The Producer/Producer Organization and its workers, or worker representatives, shall meet on a regular basis.	
	1.1.3.1.f	<u>Critical requirement:</u> The Producer/Producer Organization shall ensure the right of workers to gather to discuss workplace grievances without fear of reprisal or other negative consequences.	
	Tier 2		
	1.1.3.2.a	The Producer/Producer Organization shall recognize a democratically-elected workers' association, if such an association has been formed.	
	1.1.3.2.b	The Producer shall establish a schedule of regular meetings to be held between the workers' associations and management.	
1.1.3.2.c	The Producer/Producer Organization shall provide funding to worker-sanctioned programs or to a worker productivity stimulus plan subject to approval by a democratically-elected workers' association.		

Criteria	Requirements		C/NC/NA
1.1.4. Vacation and Sick Leave	Tier 1		
	1.1.4.1.a	The Producer/Producer Organization shall provide full-time workers paid sick leave and worker's compensation program that meets or exceeds the local or nationally mandated minimum.	
	1.1.4.1.b	The Producer/Producer Organization shall provide full-time workers with a vacation plan that meets national or local law, including national holidays, under which paid vacation days are accrued.	
	Tier 2		
	1.1.4.2.a	The Producer/Producer Organization shall provide all workers with paid sick leave and a worker's compensation program that meets or exceeds the local or nationally mandated minimum.	
	1.1.4.2.c	The Producer/Producer Organization shall extend sick leave to all workers The Producer/Producer Organization shall maintain written records of employee vacation time taken, and allow workers to carry over accrued vacation days to the next year, if not used.	
1.1.5. Child Labor and Forced Labor	Tier 1		
	1.1.5.1.a	<u>Critical requirement:</u> The Producer/Producer Organization shall not accept employment of any persons under the age of 15 or whatever age is required under local or national law, whichever is older, in accordance with ILO Convention 138 [Add. Ref. 5]. Exceptions to this requirement may be made for family businesses that do not regularly employ hired workers, to be evaluated on a case-by-case basis.	
	1.1.5.1. b	<u>Critical requirement:</u> The Producer/Producer Organization shall not allow workers under the age of 18 to handle potentially harmful chemicals, or undertake jobs that inherently have the potential to jeopardize health and safety as per ILO Convention 138 [Add. Ref. 5].	
	1.1.5.1. c	<u>Critical requirement:</u> The Producer/Producer Organization shall observe 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.	
	1.1.5.1. d	<u>Critical requirement:</u> The Producer/Producer Organization shall have an enforced policy prohibiting the use of forced labor, compulsory labor, slave labor, bonded labor, indentured labor or involuntary convict labor.	
	1.1.5.1. e	The Producer/Producer Organization shall maintain the following documentation for all workers who are legal minors under the age of 18: 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	
	Tier 2 There are currently no Tier 2 requirements		
1.2. Workplace Conditions			
Criteria	Requirements		C/NC/NA
1.2.1. Access to Housing, Potable Water and Sanitary Facilities	Tier 1		
	1.2.1.1.a	The Producer/Producer Organization shall provide workers with a clean, safe and litter-free working environment that includes, but is not limited to, convenient access to toilet facilities in adequate numbers, adequate lighting, access to clean eating areas, convenient access to potable water, sufficient ventilation and/or heating, and access to first aid kits and equipment for emergencies. Washroom and showers walls and floors shall be impermeable to water and readily cleansable with liquid disinfectants.	
	1.2.1.1.b	The Producer/Producer Organization shall provide workers with ready access to potable water. If water supply is not maintained by relevant government authorities, then potability is documented through regular chemical analysis to WHO potability or national standards, whichever are higher.	

1.2.1. Access to Housing, Potable Water and Sanitary Facilities	1.2.1.1.c	The Producer/Producer Organization shall provide workers and their families living on-site with access to clean, safe and litter-free habitable dwellings located outside of area of production. Worker housing shall be sited sufficiently far from agricultural production areas to prevent agrochemical exposure.	
	1.2.1.1.d	The Producer/Producer Organization shall arrange for waste collection from worker housing.	
	Tier 2		
	1.2.1.2.a	The Producer/Producer Organization shall establish a process for assessing the housing needs of its workers and their families, including such issues as habitability, affordability and accessibility.	
	1.2.1.2.b	The Producer/Producer Organization shall conduct water analysis on an annual basis to confirm potability in conformance with local or national regulations.	
Criteria	Requirements		C/NC/NA
1.2.2. Worker Training	Tier 1		
	1.2.2.1.a	The Producer/Producer Organization shall provide training to all workers about the Agricultural Production Plan, including workers' roles and responsibilities in the implementation of the plan.	
	1.2.2.1.b	The Producer/Producer Organization shall provide training 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. In addition, if pesticides or other hazardous substances are used at the worksite, then all workers shall be trained in: i) steps to reduce workplace, "take home" or drift exposures to themselves and their families, ii) information about the immediate, intermediate and long-term health risks to workers and their families, including risks to pregnant women, from exposure to the specific pesticides used at the worksite, iii) contact information for nearby low-cost or free legal and health services, and iv) the purpose and procedures of the bio-monitoring tests (see Section 1.2.3.1.n).	
	1.2.2.1.c	The Producer/Producer Organization shall provide training to workers who are involved with the operation of equipment and machinery, or who are asked to perform inherently dangerous tasks, in the use of protective equipment and proper operational procedures.	
	1.2.2.1.d	The Producer/Producer Organization shall provide training to workers who are in contact with agrochemicals or other potentially hazardous substances in: i) the use of proper clothing and additional protective equipment; ii) safe handling of hazardous materials, chemicals and biological agents; iii) understanding of chemical labels and chemical safety data sheets; and iv) the operation of application and mixing equipment (consistent with ILO Convention 170, and <i>FAO Guidelines For Personal Protection When Working With Pesticides In Tropical Climates</i> [Add. Ref. 1, Add. Ref. 5]).	
	1.2.2.1.e	The Producer/Producer Organization shall inform workers during training about hazards associated with exposure to chemicals used at the workplace, and instruct workers on how to obtain and use the information provided on labels and MSDS sheets (consistent with ILO Convention 170), including an explanation that: i) workers may be suffering from a pesticide-related illness when they are experiencing symptoms associated with the pesticides to which they have been exposed; ii) MSDS sheets and labels can help a health professional diagnose a pesticide-related condition; and iii) these documents should be provided to a health care provider, in case of suspected poisoning, consistent with US and international norms [Norm. Ref. 1, Add. Ref. 5].	
	1.2.2.1.f	The Producer/Producer Organization shall include in its worker training program a discussion of emergency procedures, contingency plans and procedures that have been developed to address potential emergencies, consistent with ILO Convention 155 [Add. Ref. 5], such as fire, flood, workplace accidents and other disasters.	
	1.2.2.1.g	The Producer/Producer Organization shall maintain a written record documenting instructors, materials and attendance for all worker trainings.	
	1.2.2.1.h	Trainings shall occur at regular intervals, at a minimum yearly, free of charge, and during regular working hours.	
	1.2.2.1.i	The Producer/Producer Organization shall schedule regular safety meetings for all relevant workers.	
	Tier 2		
	1.2.2.2.a	The Producer/Producer Organization shall provide workshops, classes, and/or trainings on ecological issues related to agricultural production processes to workers.	

1.2.2. Worker Training	1.2.2.2.b	The Producer/Producer Organization shall provide training to migrant workers about their rights and responsibilities, including provisions in the case of loss of employment, freedom from harassment, and non-discrimination, consistent with ILO Convention 143 [Add. Ref. 5].	
Criteria	Requirements		C/NC/NA
1.2.3. Occupational Health and Safety	Tier 1		
	1.2.3.1.a	The Producer/Producer Organization shall develop and enforce written policies and procedures governing the safe use of chemicals in the workplace, consistent with US Worker Protection Standards [Norm. Ref. 1] and ILO Convention 170 [Add. Ref. 5].	
	1.2.3.1.b	The Producer/Producer Organization shall establish written safety procedures to be followed in the event of accidents or exposures to hazardous materials.	
	1.2.3.1.c	The Producer/Producer Organization shall provide instruction in, and enforcement of, proper use of equipment safety guards and personal protective gear, including clothing and additional equipment.	
	1.2.3.1.d	The Producer/Producer Organization shall provide decontamination supplies for all workers who handle, mix, or apply agrochemicals with access to eye baths, hand washing and showers with soap and single use towels, after the handling of such chemicals. Decontamination supplies shall be available within ¼ mile (400 meters) of the handling/mixing site (or where activities are performed more than ¼ mile from the nearest place of vehicular access, supplies shall not be maintained in an area being treated with pesticides) [Norm. Ref. 1].	
	1.2.3.1.e	The Producer/Producer Organization shall require workers or others who may be exposed to hazardous chemicals, airborne particulates, or other physical workplace risks, to wear appropriate clothing and additional protective equipment when mixing and applying chemical and biological agents operating machinery, in accordance with ILO Convention 170, the UN FAO <i>Pesticide Storage and Stock Control Manual</i> , and the FAO <i>Guidelines For Personal Protection When Working With Pesticides In Tropical Climates</i> [Add. Ref. 2, Add. Ref. 4, Add. Ref. 5]. Such protective equipment shall be provided at no cost to all applicable workers, and may include: respirators, goggles or face shields, head protection, non-permeable overalls or ponchos, aprons, gloves, rubber boots, hearing protection, etc.	
	1.2.3.1.f	The Producer/Producer Organization shall maintain protective equipment in good working order, meeting local occupational health and safety standards. Such equipment shall be replaced by the Producer/Producer Organization when deemed necessary, based on corroborated worker reports or external audits.	
	1.2.3.1.g	The Producer/Producer Organization shall describe procedures in place for ensuring that clothing worn during handling, mixing and application of pesticides does not pose a health risk to workers.	
	1.2.3.1.h	The Producer/Producer Organization shall prohibit workers under the age of 18 and pregnant women from handling, mixing or applying chemical and biological agents.	
	1.2.3.1.i	In the case of pregnancy, the Producer/Producer Organization shall reassign a worker to a position that does not involve heavy lifting, protracted bending or other inappropriate physical activities, without any reduction in pay.	
	1.2.3.1.j	The Producer/Producer Organization shall only assign workers who are trained as per 1.2.2.1(c) and (d) and authorized to apply chemical and biological agents and operating machinery to such tasks.	
	1.2.3.1.k	The Producer/Producer Organization shall not put workers in a situation that would result in exposure to chemicals any longer than allowable under law.	
1.2.3.1.l	The Producer/Producer Organization shall ensure that agrochemicals are properly labeled or otherwise identified, that MSDS sheets for agrochemicals are available, and that records of agrochemical use are accessible to all workers concerned and their representatives, as per US Worker Protection Standards and ILO Convention 170 [Norm. Ref. 1, Add. Ref. 5].		

1.2.3. Occupational Health and Safety	1.2.3.1.m	The Producer/Producer Organization shall monitor and record the exposure of workers to hazardous chemicals when this is necessary to safeguard their safety and health or as may be prescribed by a government authority, in accordance with ILO Convention 170 [Add. Ref. 5]. In jurisdictions where health and safety codes require bio-monitoring (i.e., cholinesterase blood testing) of workers potentially exposed to pesticides, the Producer/Producer Organization shall ensure that such testing is conducted in accordance with these codes. In jurisdictions where no such codes exist, the Producer/Producer Organization shall ensure that workers who mix or apply such pesticides and who have been potentially exposed during any 6 days in a 30-day period to carbamate or organophosphate pesticides that are labeled with the words “danger” or “warning”, undergo bio-monitoring before and after handling of pesticides, at least twice per year [Add. Ref. 1]. Bio-monitoring results should be maintained in the employee file. If any health thresholds are exceeded, workers shall be reassigned to positions that do not involve further exposure, with no reduction in pay. Workers shall have access to their exam results. If any bio-monitoring results indicate that workers have been exposed to excessive levels of pesticides, then the Producer/Producer Organization shall be responsible for undertaking immediate corrective actions and procedures where warranted. In any given year, no worker shall handle, mix or apply pesticides for more than three months.		
	1.2.3.1.n	The Producer/Producer Organization shall enforce the workers’ rights to remove themselves from situations involving the use of chemicals or equipment when they have reasonable justification to believe that there is an imminent and serious risk to their safety or health. The Producer/Producer Organization shall instruct workers who exercise this right to inform their supervisor immediately. No penalties shall be applied to workers who exercise this right, consistent with ILO Convention 170 [Add. Ref. 5].		
	1.2.3.1.o	In the event of suspected pesticide exposure to a worker, a worker’s family member or bystander, the Producer/Producer Organization shall provide pesticide application information and a copy of the label(s) and MSDS or information sheets to the affected person, his/her representative or a health care professional, upon request, within 24 hours of the report of suspected exposure. In the event of a medical emergency, the information shall be provided within one hour.		
	1.2.3.1.p	The Producer/Producer Organization shall site and design work areas in a manner intended to promote worker safety and prevent risks to the environment, including such considerations as: i) unobstructed access for workers and work vehicles; ii) adequate ventilation and lighting; iii) readily cleanable walls, floors, and surfaces; iv) clearly marked emergency exits and pathways free from obstructions; v) proper containment and storage space for hazardous materials; vi) proper warning signage; and vii) access to emergency equipment such as fire extinguishers.		
	1.2.3.1.q	The Producer/Producer Organization shall ensure that work equipment that is potentially hazardous to operate is: i) maintained in good working condition; ii) stored safely and clean; and iii) equipped with safety devices, including the use of protective guards placed over moving parts when available. The Producer/Producer Organization shall make operating instructions for safe use available to workers.		
	1.2.3.1.r	The Producer/Producer Organization shall have 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. Such areas shall be located away from any chemical spraying, mixing or transporting operations to avoid any potential for exposure.		
	1.2.3.1.s	The Producer/Producer Organization shall prepare a summary report of worker accident/illness incidents at least annually, and shall include a description of the nature of injury or illness, and where and how the event occurred. Such events may include: work-site accidents, skin disorders, respiratory conditions, poisoning, hearing losses, deaths, and days away from work.		
	1.2.3.1.t	The Producer/Producer Organization shall store safety records for at least three years (e.g., U.S. Occupational Safety and Health Administration OSHA Form 300).		
	Tier 2			
	1.2.3.2.a	The Producer/Producer Organization shall regularly monitor workers’ knowledge of agrochemical application through meetings or other feedback mechanism.		
1.2.3.2.b	The Producer/Producer Organization shall ensure that 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, in accordance with ILO Convention 170 [Add. Ref. 5].			

1.2.3. Occupational Health and Safety	1.2.3.2.c	The Producer/Producer Organization shall develop contingency plans in cooperation with worker representatives based upon a risk assessment of potential emergency situations that could arise, including but not limited to personal medical emergencies, fire, workplace accidents, chemical exposure, and natural disasters, consistent with ILO Convention 155 [Add. Ref. 5], and shall conduct drills at least annually.	
	1.2.3.2.d	The Producer/Producer Organization shall provide workers who are using protective equipment (e.g., boots, gloves, masks, suits) to handle, mix, or apply hazardous agrochemicals or other hazardous materials with a clothes changing station where contaminated clothing can be stored separately from street clothes.	
	1.2.3.2.e	The Producer/Producer Organization shall require that clothing worn during the handling, mixing and application of hazardous agrochemicals be removed on-site, and not be taken home by workers. Laundering shall be the responsibility of the Producer/Producer Organization. Such clothes shall be washed and stored separately from other clothes.	
Criteria	Requirements		C/NC/NA
1.2.4. Human Resources Management	Tier 1		
	1.2.4.1.a	The Producer/Producer Organization shall establish a policy to ensure that the work environment is free of physical punishment or abuse, and free of verbal abuse or coercion of workers, and institute procedures to address incidents that may occur.	
	1.2.4.1.b	The Producer/Producer Organization shall establish a written policy describing the means by which workers can communicate grievances to designated management representatives. Workers shall be notified of such mechanisms, which shall guarantee no reprisals.	
	1.2.4.1.c	The Producer/Producer Organization shall establish a written procedure whereby workers can report incidents of sexual harassment to management without fear of reprisal, and educate workers about its policies and procedures.	
	1.2.4.1.d	The Producer/Producer Organization shall establish written grievance procedures for workers who experience sexual harassment, to ensure that worker complaints are fully investigated and that proper disciplinary action is taken where warranted.	
	1.2.4.1.e	For Agricultural Production Operations employing more than 30 permanent workers, the Producer/Producer Organization shall produce a written employee manual made available to all workers, which describes all relevant employment policies, including but not limited to hiring, termination, conditions of employment, workplace conditions, working hours, benefits, pay schedule, holidays, sick leave, non-discrimination, sexual harassment, unacceptable behavior.	
	Tier 2		
	1.2.4.2.a	For any size Agricultural Production Operation, regardless of the number of workers employed, the Producer/Producer Organization shall produce a written employee manual made available to all workers, which describes all relevant employment policies, including but not limited to hiring, termination, conditions of employment, workplace conditions, working hours, benefits, pay schedule, holidays, sick leave, non-discrimination, sexual harassment, unacceptable behavior.	
	1.2.4.2.b	The Producer/Producer Organization shall designate an individual to assess the human resource (i.e., socio-economic) service needs of its workers, and implement a plan to address these needs.	
	1.2.4.2.c	The Producer/Producer Organization shall maintain auditable records about the rate of worker turnover.	
1.2.4.2.d	If meal services are provided on-site, the Producer/Producer Organization shall demonstrate that the cost of meals to employees does not exceed 25% of the purchase price of ingredients.		
1.3. Worker and Worker Family Access to Services			
Criteria	Requirements		C/NC/NA
1.3.1. Access to Education	Tier 1		
	1.3.1.1.a	In remote locations with no access to schools, the Producer/Producer Organization shall provide school-aged children of workers housed on-site with access to formal education consistent with minimum national requirements.	
	Tier 2		
	1.3.1.2.a	The Producer/Producer Organization shall encourage education of workers' children by providing them with incentives for staying in school.	
1.3.1.2.b	The Producer/Producer Organization shall establish a process for assessing the educational needs of its workers and their families.		

1.3.1. Access to Education	1.3.1.2.c	The Producer/Producer Organization shall meet regularly with community representatives to assess community health and education needs.	
	1.3.1.2.d	The Producer/Producer Organization shall actively support — through capital, in-kind or time — local efforts to address barriers to education, such as efforts to promote the construction of schools, the hiring of teachers, the purchasing of educational materials, and the provision of transport.	
Criteria	Requirements		C/NC/NA
1.3.2. Access to Health Services	Tier 1		
	1.3.2.1.a	The Producer/Producer Organization shall have transportation and care procedures in place in case of medical emergency.	
	1.3.2.1.b	The Producer/Producer Organization shall maintain the appropriate supplies and equipment to address major medical emergencies associated with occupational health risks, including a first-aid kit, an eye flush and/or shower facility for accidental exposure to toxic pesticides and other hazardous chemicals and irritants.	
	1.3.2.1.c	The Producer/Producer Organization shall allow workers to have access to regular medical and dental wellness care during normal working hours.	
	1.3.2.1.d	The Producer/Producer Organization shall ensure workers the right to confidentiality in terms of their medical files, except that: 1) summary findings of initial and annual medical examinations shall be made available to the Producer/Producer Organization to ensure that the worker does not have a medical condition that disqualifies him or her from handling agrochemicals or performing arduous tasks; and 2) biomonitoring test results conducted at the expense of the Producer/Producer Organization to comply with this Standard shall be reported to the Producer/Producer Organization.	
	Tier 2		
	1.3.2.2.a	The Producer/Producer Organization shall develop and implement a formal process for assessing the health needs of its workers and their families.	
	1.3.2.2.b	The Producer/Producer Organization shall provide health benefits (medical/dental) to workers (e.g., contributions to a worker health insurance program, establishment of a worker health fund, provision of on-site health services).	
	1.3.2.2.c	The Producer/Producer Organization shall contract with or employ an on-site medical/health professional.	
Criteria	Requirements		C/NC/NA
1.3.3. Access to Transportation	Tier 1		
	1.3.3.1.a	The Producer/Producer Organization shall assess the transportation needs of its workers, including availability of services and costs.	
	Tier 2		
	1.3.3.2.a	The Producer/Producer Organization shall take significant steps to address the identified transportation needs of its workers.	
1.3.3.2.b	If migrant workers are recruited, the Producer/Producer Organization shall address the issue of transportation of such workers to and from the site of employment in the initial work contract, consistent with Section 1.1.1.2 above.		

PRODUCER/PRODUCER ORGANIZATIONS

2.0. Community Benefits

2.1. Addressing Local and Regional Community Impacts

Criteria	Requirements	C/NC/NA	
2.1.1. Addressing Local/ Regional Community Impacts	Tier 1		
	2.1.1.1.a	The Producer/Producer Organization shall provide a summary of the ways in which the Agricultural Production Operation has impacted areas of significant historical, religious and cultural interest to the community (e.g., burial sites, churches, registered historic landmarks).	
	2.1.1.1.b	The Producer/Producer Organization shall provide a summary of the ways in which the Agricultural Production Operation has contributed to significant environmental issues of community concern (e.g., noise, chemical contamination, waste, transportation impacts, resource overuse, ecological damage, visual impacts).	
	Tier 2		
	2.1.1.2.a	The Producer/Producer Organization shall conduct an assessment of the Agricultural Production Operation area to determine current or potential impacts to areas of significant historical, religious and cultural interest. This assessment shall include a formal process for gathering input from neighbors and local stakeholders, including indigenous and tribal peoples where applicable. The Producer/Producer Organization shall maintain an auditable record of this community engagement.	
	2.1.1.2.b	The Producer/Producer Organization shall identify significant environmental issues of community concern (e.g., noise, chemical contamination, waste, transportation impacts, resource overuse, ecological damage, visual impacts) resulting from agricultural production processes. This assessment shall include a formal process for gathering input from neighbors and local stakeholders, including indigenous and tribal peoples where applicable. The Producer/Producer Organization shall maintain an auditable record of this community engagement.	
	2.1.1.2.c	Based on its assessment of current or potential impacts to areas of significant historical, religious and cultural interest, the Producer/Producer Organization shall implement practices and procedures to minimize current or potential impacts on areas of significant historical, religious and cultural interest in the vicinity of the Agricultural Production Operation.	
	2.1.1.2.d	Based on its assessment of significant environmental issues of community concern, the Producer/Producer Organization shall implement practices and procedures to minimize such operational impacts.	

2.2. Providing Local and Regional Community Support

Criteria	Requirements	C/NC/NA	
2.2.1. Providing Local/Regional Community Support	Tier 1		
	2.2.1.1.a	The Producer/Producer Organization shall provide a summary of current policies regarding: a. preferences for local hiring; b. procurement from regional sources; and c. contribution to community infrastructure maintenance.	
	Tier 2		
	2.2.1.2.a	The Producer/Producer Organization shall develop and implement a policy establishing preferences for local hiring.	
	2.2.1.2.b	The Producer/Producer Organization shall develop and implement policy that puts a priority on procurement from regional supplies and services.	
	2.2.1.2.c	The Producer/Producer Organization shall provide assistance of time, materials, or money for maintenance of community infrastructure (e.g., roads), especially where such infrastructure is impacted directly or indirectly by agricultural production processes.	
2.2.2.2.d	The Producer/Producer Organization shall have a written policy and procedure for providing charitable giving within the community, or contributing to environmental research, in the form of time, materials or money.		

2.2.1. Providing Local/Regional Community Support	2.2.2.2.e	The Producer/Producer Organization shall engage in collaboration with local health authorities to support clinics/hospitals through donations of money, time, scholarships or materials.	
	2.2.2.2.f	The Producer/Producer Organization shall engage in collaboration with local education authorities to support local education institutions through donations of money, time, scholarships or materials.	
2.3. Economic Viability			
Criteria	Requirements		C/NC/NA
2.3.1. Economic Viability	Tier 1		
	2.3.1.1.a	The Producer/Producer Organization shall provide documentation to substantiate that the Agricultural Production Operation is financially able to operate in accordance with its Organic Management Plan, and that financial exigencies do not lead to decisions that compromise environmental protection and social sustainability objectives.	
	2.3.1.1.b	The Producer/Producer Organization shall demonstrate that investment and reinvestment decisions support management objectives with respect to environmental protection and social sustainability.	
	2.3.1.1.c	The Producer/Producer Organization shall demonstrate a commitment to maximizing the utilization of production resources (e.g., through experimentation with new varieties, the development of new markets).	
	Tier 2		
There are currently no Tier 2 requirements			

HANDLERS

1.0. Fair Labor Practices

1.1 Hiring and Employment Practices

Criteria	Requirements	C/NC/NA	
1.1.1. Hiring, Wages and Non-Discrimination	Tier 1		
	1.1.1.1.a	<u>Critical requirement:</u> The Handler's hiring and employment policy shall ensure equal opportunity and non-discrimination on the basis of race, color, gender, religion, political opinion, nationality or social class in accordance with ILO Convention 111. [Add. Ref. 5].	
	1.1.1.1.b	<u>Critical requirement:</u> The Handler shall have the right to require that applicants undergo a medical examination by a competent medical authority as a condition of hire, and an annual medical examination thereafter. However, the Handler shall not require HIV, genetic, or pregnancy tests as a condition of hire. The Handler may identify other medical conditions that disqualify an applicant from handling agrochemicals or from other potentially hazardous or arduous tasks.	
	1.1.1.1.c	The Handler shall provide workers with a written agreement (e.g., employment contract) describing the terms of hire.	
	1.1.1.1.d	<u>Critical requirement:</u> The Handler shall not require workers to surrender identity papers or other original personal documents or pay deposits as a condition of employment.	
	1.1.1.1.e	<u>Critical requirement:</u> The Handler shall pay workers at least the cash equivalent of the national minimum legal wage or a wage that is consistent with local industry standards, whichever is greater. If workers are paid by production, an objective appraisal of the amount of work to be performed shall be conducted as per ILO Convention 100, and the resultant wages shall meet the above requirements [Add. Ref. 5]. An exception shall be made for migrant workers if national wage laws dictate an alternative wage scale, or allow for partial in-kind payments in accordance with ILO Convention 110 [Add. Ref. 5].	
	1.1.1.1.f	<u>Critical requirement:</u> Consistent with ILO Convention 110, the Handler shall make wage deductions only under conditions and to the extent prescribed by national laws or regulations or fixed by collective agreement. Workers shall be informed of the conditions under which and the extent to which such deductions may be made [Add. Ref. 5].	
	1.1.1.1.g	<u>Critical requirement:</u> The Handler shall pay workers on a regular basis in accordance with national law, in cash or cash equivalent (check, direct deposit).	
	1.1.1.1.h	<u>Critical requirement:</u> The Handler shall provide workers equal pay for equal work, regardless of gender, unless contracts stipulate otherwise (e.g., based on seniority), as per ILO Convention 100 [Add. Ref. 5].	
	1.1.1.1.i	<u>Critical requirement:</u> The Handler shall pay wages directly to workers (cash, check, direct deposit), not through intermediaries.	
	1.1.1.1.j	<u>Critical requirement:</u> The Handler shall maintain complete written earning records for workers, which at a minimum itemizes all wages and deductions in a form that can be audited.	
	1.1.1.1.k	The Handler shall issue written pay records to workers that clearly state the wages, taxes and other withholding deductions.	
	1.1.1.1.l	The Handler shall provide workers with access to their complete personal earnings records and other employment records.	
	1.1.1.1.m	<u>Critical requirement:</u> The Handler shall pay workers normal wages while participating in any required trainings and meetings.	
1.1.1.1.n	<u>Critical requirement:</u> The Handler shall not impose financial disciplinary penalties on workers except where penalties are levied to protect worker safety, or where such penalties are allowable under national labor law. Where these exceptions exist, the Handler shall offer alternative non-financial disciplinary options to the worker, provided that such alternatives have been approved by a representative worker committee.		
1.1.1.1.o	<u>Critical requirement:</u> Once a female worker has completed a minimum probationary period established by the Handler of no more than six months, the Handler shall be 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.		

1.1.1. Hiring, Wages and Non-Discrimination	1.1.1.1.p	<u>Critical requirement:</u> The Handler shall post 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 in a location easily accessible to all workers.	
	1.1.1.1.q	<u>Critical requirement:</u> The Handler shall not recruit migrant workers through the use of an illegal recruiter, consistent with ILO Convention 143 [Add. Ref. 5].	
	1.1.1.1.r	The Handler shall maintain auditable records in personnel files describing causes for termination.	
	1.1.1.1.s	The Handler is able to demonstrate that any termination of worker employment has been carried out in accordance with local and national laws.	
	1.1.1.1.t	<u>Critical requirement:</u> When contract labor is used, the Handler shall develop a written policy requiring its contractors to uphold the practices outlined in this section (11.1.1.1. a-s).	
	Tier 2		
	1.1.1.2.a	The Handler shall provide an annual summary of worker wages as compared to the minimum wage or the local industry average, whichever is greater.	
	1.1.1.2.b	The Handler shall pay workers wages that are higher than the local industry standards or higher than regionally established minimum wages, whichever is higher, or pay permanent workers a living wage as defined by a governmental organization. (If such data do not exist, the cost of living may be established by measuring the average cost of food, shelter, transportation, health care, clothing, energy and education, in accordance with the formula generated by the 1998 International NGO Living Wage Summit.)	
	1.1.1.2.c	Consistent with ILO 87, 98 and 110 [Add. Ref. 5], there shall be a prior written agreement between the Handler and recruited migrant workers regarding: wages; trip expenses; trip safety; work hours; overtime arrangements; duration of employment; minimum age of employment; non-discrimination; breach of contract; and terms of repatriation should the recruited worker become ill or incapacitated before reaching the place of employment, be found to be medically unfit, or be denied employment after recruitment for a reason for which he/she is not responsible.	
	1.1.1.2.d	The Handler shall use contractors only when permanent workers are not sufficiently skilled, or where the intended work is periodic or episodic in nature.	
1.1.1.2.e	Where contract labor is used, the Handler shall develop a written policy requiring its contractors to uphold the same hiring practices as those outlined in Section 1.1.1.1 above.		
1.1.1.2.f	The Handler shall obtain the following information 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 Handler, 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.		
1.1.1.2.g	The Handler shall establish policies for worker pay increases and promotions that take into consideration work performance, seniority, and level of training on an equitable basis.		
Criteria	Requirements		C/NC/NA
1.1.2. Working Hours and Overtime	Tier 1		
	1.1.2.1.a	The Handler shall not require workers to work more than the maximum total hours per week specified by applicable national laws. If there are no national laws specifying hours of work, then the Handler shall not require workers to work more than 48 hours per work week, excluding overtime, except when a written agreement exists between the Handler and its workforce.	
	1.1.2.1.b	The Handler's workers shall be compensated for overtime hours at a rate specified by local or national laws. Workers shall be informed at the time of hiring if mandatory overtime is a condition of employment.	

	1.1.2.1.c	The Handler shall have a written employment and hiring policy available that is easily accessible to all workers.	
1.1.2. Working Hours and Overtime	1.1.2.1.d	Workers may not work more overtime per day or week than allowable by national law. In the absence of national regulations, any work hours exceeding 8 hours/day or 48 hours/week is considered overtime and workers may not work more than 60 hours per week except when a written agreement exists between the Handler and its workers. The Handler shall permit workers, at a minimum, twenty-four consecutive hours off in every seven day period or what is required by local law, whichever is greater, except during peak harvest periods, provided such a period does not exceed 30 days and that workers are paid for overtime.	
	1.1.2.1.e	The Handler shall not require workers to work more than 16 consecutive hours in a 24-hour period.	
	Tier 2		
	1.1.2.2.a	The Handler shall compensate workers for overtime hours at a rate that is higher than required by local or national laws, or at least 50% higher than regular wages, where no local or national laws.	
Criteria	Requirements		C/NC/NA
1.1.3. Freedom of Association, Right to Organize and Collective Bargaining	Tier 1		
	1.1.3.1.a	The Handler shall acknowledge in writing the workers' right to freedom of association, in accordance with ILO Convention 87 [Add. Ref. 5].	
	1.1.3.1.b	The Handler shall state in writing that both the employer and workers shall each 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, in accordance with ILO Convention 87 [Add. Ref. 5].	
	1.1.3.1.c	The Handler shall acknowledge in writing the workers' the right to collective bargaining, in accordance with ILO Convention 87 [Add. Ref. 5].	
	1.1.3.1.d	<u>Critical requirement:</u> The Handler shall not terminate or enact punitive measures against any worker for involvement in union organization activities, or engage in anti-union activities, in accordance with ILO Conventions 98 and 135 [Add. Ref. 5]. Any workers who have been subject to punitive action or terminated for such activities shall be reinstated or receive appropriate compensation.	
	1.1.3.1.e	<u>Critical requirement:</u> The Handler shall not subject worker representatives to discrimination, harassment, or administrative oversight, and shall provide worker representatives with access to all workplaces necessary to enable them to carry out their representation functions, as per ILO Conventions 98 and 135 [Add. Ref. 5]. The Handler and its workers, or worker representatives, shall meet on a regular basis.	
	1.1.3.1.f	<u>Critical requirement:</u> The Handler shall ensure the right of workers to gather to discuss workplace grievances without fear of reprisal or other negative consequences.	
	Tier 2		
	1.1.3.2.a	The Handler shall recognize a democratically-elected workers' association, if such an association has been formed.	
	1.1.3.2.b	The Handler shall establish a schedule of regular meetings to be held between the workers' associations and management.	
1.1.3.2.c	The Handler shall provide funding to worker-sanctioned programs or to a worker productivity stimulus plan subject to approval by a democratically-elected workers' association.		
Criteria	Requirements		C/NC/NA
1.1.4. Vacation and Sick Leave	Tier 1		
	1.1.4.1.a	The Handler shall provide full-time workers paid sick leave and worker's compensation program that meets or exceeds the local or nationally mandated minimum.	
	1.1.4.1.b	The Handler shall provide full-time workers with a vacation plan that meets national or local law, including national holidays, under which paid vacation days are accrued.	
	Tier 2		
	1.1.4.2.a	The Handler shall provide all workers with paid sick leave and a worker's compensation program that meets or exceeds the local or nationally mandated minimum.	
	1.1.4.2.b	The Handler shall extend sick leave to all workers.	
1.1.4.2.c	The Handler shall allow workers to carry over accrued vacation days to the next year, if		

		not used in a given year.	
Criteria	Requirements		C/NC/NA
1.1.5. Child Labor and Forced Labor	Tier 1		
	1.1.5.1.a	<u>Critical requirement:</u> The Handler shall not accept employment of any persons under the age of 15 or whatever age is required under local or national law, whichever is older, in accordance with ILO Convention 138 [Add. Ref. 5]. Exceptions to this requirement may be made for family businesses that do not regularly employ hired workers, to be evaluated on a case-by-case basis.	
	1.1.5.1.b	<u>Critical requirement:</u> The Handler shall not allow workers under the age of 18 to handle potentially harmful chemicals, or undertake jobs that inherently have the potential to jeopardize health and safety as per ILO Convention 138 [Add. Ref. 5].	
	1.1.5.1.c	<u>Critical requirement:</u> The Handler shall observe all legal requirements for the work of authorized minors, including, but not limited to, those pertaining to hours of work, wages, minimum education and working conditions.	
	1.1.5.1.d	<u>Critical requirement:</u> The Handler shall have an enforced policy prohibiting the use of forced labor, compulsory labor, slave labor, bonded labor, indentured labor or involuntary convict labor.	
	1.1.5.1.e	The Handler shall maintain the following documentation for all workers who are legal minors under the age of 18: 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	
	Tier 2		
	There are currently no Tier 2 requirements		
1.2. Workplace Conditions			
Criteria	Requirements		C/NC/NA
1.2.1. Access to Housing, Potable Water and Sanitary Facilities	Tier 1		
	1.2.1.1.a	The Handler shall provide workers with a clean, safe and litter-free working environment that includes, but is not limited to, convenient access to toilet facilities in adequate numbers, adequate lighting, access to clean eating areas, convenient access to potable water, sufficient ventilation and/or heating, and access to first aid kits and equipment for emergencies.	
	1.2.1.1.b	The Handler shall provide workers with ready access to potable water. If water supply is not maintained by relevant government authorities, then potability is documented through regular chemical analysis to WHO potability or national standards, whichever are higher.	
	Tier 2		
	There are currently no Tier 2 requirements		
Criteria	Requirements		C/NC/NA
1.2.2. Worker Training	Tier 1		
	1.2.2.1.a	The Handler shall provide training 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. In addition, if pesticides or other hazardous substances are used at the worksite, then all workers shall be trained in: i) steps to reduce workplace exposures to themselves and their families, ii) information about the immediate, intermediate and long-term health risks to workers and their families, including risks to pregnant women, from exposure to the specific compounds used at the worksite, and iii) contact information for nearby low-cost or free legal and health services.	
	1.2.2.1.b	The Handler shall provide training to workers who are involved with the operation of equipment and machinery, or who are asked to perform inherently dangerous tasks, in the use of protective equipment and proper operational procedures.	

1.2.2. Worker Training	1.2.2.1.c	The Handler shall provide training to workers who are in contact with pesticides or other potentially hazardous substances in: i) the use of proper clothing and additional protective equipment; ii) safe handling of hazardous materials, chemicals and biological agents; iii) understanding of chemical labels and MSDS sheets; and iv) the operation of application and mixing equipment (consistent with ILO Convention 170, and FAO <i>Guidelines For Personal Protection When Working With Pesticides In Tropical Climates</i> [Add. Ref. 2, Add. Ref. 5]).		
	1.2.2.1.d	The Handler shall inform workers during training about hazards associated with exposure to chemicals used at the workplace, and instruct workers on how to obtain and use the information provided on labels and MSDS sheets (consistent with ILO Convention 170), including an explanation that: i) workers may be suffering from a pesticide-related illness when they are experiencing symptoms associated with the pesticides to which they have been exposed; ii) MSDS sheets and labels can help a health professional diagnose a pesticide-related condition; and iii) these documents should be provided to a health care provider, in case of suspected poisoning, consistent with US and international norms [Norm. Ref. 1, Add. Ref. 5].		
	1.2.2.1.e	The Handler shall include in worker training program a discussion of emergency procedures, contingency plans and procedures that have been developed to address potential emergencies, consistent with ILO Convention C5 [Add. Ref. 5], such as fire, flood, workplace accidents and other disasters.		
	1.2.2.1.f	The Handler shall maintain a written record documenting instructors, materials and attendance for all worker trainings.		
	1.2.2.1.g	Trainings shall occur at regular intervals, at a minimum yearly, free of charge, and during regular working hours.		
	1.2.2.1.h	The Handler shall schedule regular safety meetings for all relevant workers.		
	Tier 2			
	1.2.2.2. a	The Handler shall provide training to migrant workers about their rights and responsibilities, including provisions in the case of loss of employment, freedom from harassment, and non-discrimination, consistent with ILO Convention 143 [Add. Ref. 5].		
Criteria	Requirements	C/NC/NA		
1.2.3. Occupational Health and Safety	Tier 1			
	1.2.3.1.a	The Handler shall develop and enforce written policies and procedures governing the safe use of chemicals in the workplace, consistent with US Worker Protection Standards [Norm. Ref. 1] and ILO Convention 170 [Add. Ref. 5].		
	1.2.3.1.b	The Handler shall establish written safety procedures to be followed in the event of accidents or exposures to hazardous materials.		
	1.2.3.1.c	The Handler shall provide instruction in, and enforcement of, proper use of equipment safety guards and personal protective gear, including clothing and additional equipment.		
	1.2.3.1.d	The Handler shall provide decontamination supplies for all workers who handle, mix, or apply agrochemicals with access to eye baths, hand washing and showers with soap and single use towels, after the handling of such chemicals.		
	1.2.3.1.e	The Handler shall require workers or others who may be exposed to hazardous chemicals, airborne particulates, or other physical workplace risks, to wear appropriate clothing and additional protective equipment when mixing and applying chemical and biological agents operating machinery, in accordance with ILO Convention 170, the UN <i>FAO Pesticide Storage and Stock Control Manual</i> , and the <i>FAO Guidelines For Personal Protection When Working With Pesticides In Tropical Climates</i> [Add. Ref. 2, Add. Ref. 4, Add. Ref. 5]. Such protective equipment shall be provided at no cost to all applicable workers, and may include: respirators, goggles or face shields, head protection, non-permeable overalls or ponchos, aprons, gloves, rubber boots, hearing protection, etc.		
	1.2.3.1.f	The Handler shall maintain protective equipment in good working order, meeting local occupational health and safety standards. Such equipment shall be replaced by the Handler when deemed necessary, based on corroborated worker reports or external audits.		
	1.2.3.1.g	The Handler shall describe procedures in place for ensuring that clothing worn during handling, mixing and application of pesticides does not pose a health risk to workers.		
	1.2.3.1.h	The Handler shall prohibit workers under the age of 18 and pregnant women from handling, mixing or applying chemical and biological agents.		

1.2.3. Occupational Health and Safety	1.2.3.1.i	In the case of pregnancy, the Handler shall reassign a worker to a position that does not involve heavy lifting, protracted bending or other inappropriate physical activities, without any reduction in pay.	
	1.2.3.1.j	The Handler shall only assign workers who are trained as per 1.2.2.1(c) and (d) and authorized to apply chemical and biological agents and operating machinery to such tasks.	
	1.2.3.1.k	The Handler shall not put workers in a situation that would result in exposure to chemicals any longer than allowable under law.	
	1.2.3.1.l	The Handler shall ensure that agrochemicals are properly labeled or otherwise identified, that MSDS sheets for agrochemicals are available, and that records of agrochemical use are accessible to all workers concerned and their representatives, as per US Worker Protection Standards and ILO Convention 170 [Norm. Ref. 1, Add. Ref. 5].	
	1.2.3.1.m	The Handler shall enforce the workers' rights to remove themselves from situations involving the use of chemicals or equipment when they have reasonable justification to believe that there is an imminent and serious risk to their safety or health. The Handler shall instruct workers who exercise this right to inform their supervisor immediately. No penalties shall be applied to workers who exercise this right, consistent with ILO Convention 170 [Add. Ref. 5].	
	1.2.3.1.n	In the event of suspected pesticide exposure to a worker, a worker's family member or bystander, the Handler shall provide pesticide application information and a copy of the label(s) and MSDS or information sheets to the affected person, his/her representative or a health care professional, upon request, within 24 hours of the report of suspected exposure. In the event of a medical emergency, the information shall be provided within one hour.	
	1.2.3.1.o	The Handler shall site and design work areas in a manner intended to promote worker safety and prevent risks to the environment, including such considerations as: i) unobstructed access for workers and work vehicles; ii) adequate ventilation and lighting; iii) readily cleanable walls, floors, and surfaces; iv) clearly marked emergency exits and pathways free from obstructions; v) proper containment and storage space for hazardous materials; vi) proper warning signage; and vii) access to emergency equipment such as fire extinguishers.	
	1.2.3.1.p	The Handler shall ensure that work equipment that is potentially hazardous to operate is: i) maintained in good working condition; ii) stored safely and clean; and iii) equipped with safety devices, including the use of protective guards placed over moving parts when available. The Handler shall make operating instructions for safe use available to workers.	
	1.2.3.1.q	The Handler shall have 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.	
	1.2.3.1.r	The Handler shall prepare a summary report of worker accident/illness incidents at least annually, and shall include a description of the nature of injury or illness, and where and how the event occurred. Such events may include: work-site accidents, skin disorders, respiratory conditions, poisoning, hearing losses, deaths, and days away from work.	
	1.2.3.1.s	The Handler shall store safety records for at least three years (e.g., U.S. Occupational Safety and Health Administration OSHA Form 300).	
	Tier 2		
	1.2.3.2.a	The Handler shall regularly monitor workers' knowledge of agrochemical application, if applicable to the Handling Operation, through meetings or other feedback mechanism.	
	1.2.3.2.b	The Handler shall ensure that 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, in accordance with ILO Convention 170 [Add. Ref. 5].	
1.2.3.2.c	The Handler shall develop contingency plans in cooperation with worker representatives based upon a risk assessment of potential emergency situations that could arise, including but not limited to personal medical emergencies, fire, workplace accidents, chemical exposure, and natural disasters, consistent with ILO Convention C5 [Add. Ref. 5], and shall conduct drills at least annually.		

1.2.3. Occupational Health and Safety	1.2.3.2.d	The Handler shall provide workers who are using protective equipment (e.g., boots, gloves, masks, suits) to handle, mix, or apply hazardous agrochemicals or other hazardous materials with a clothes changing station where contaminated clothing can be stored separately from street clothes.	
	1.2.3.2.e	The Handler shall require that clothing worn during the handling, mixing and application of hazardous agrochemicals be removed on-site, and not be taken home by workers. Laundering shall be the responsibility of the Handler. Such clothes shall be washed and stored separately from other clothes.	
Criteria	Requirements		C/NC/NA
1.2.4. Human Resources Management	Tier 1		
	1.2.4.1.a	The Handler shall establish a policy to ensure that the work environment is free of physical punishment or abuse, and free of verbal abuse or coercion of workers, and institute procedures to address incidents that may occur.	
	1.2.4.1.b	The Handler shall establish a written policy describing the means by which workers can communicate grievances to designated management representatives. Workers shall be notified of such mechanisms, which shall guarantee no reprisals.	
	1.2.4.1.c	The Handler shall establish a written procedure whereby workers can report incidents of sexual harassment to management without fear of reprisal, and educate workers about its policies and procedures.	
	1.2.4.1.d	The Handler shall establish written grievance procedures for workers who experience sexual harassment, to ensure that worker complaints are fully investigated and that proper disciplinary action is taken where warranted.	
	1.2.4.1.e	For Handling Operations employing more than 30 permanent workers, the Handler shall produce a written employee manual made available to all workers, which describes all relevant employment policies, including but not limited to hiring, termination, conditions of employment, workplace conditions, working hours, benefits, pay schedule, holidays, sick leave, non-discrimination, sexual harassment, unacceptable behavior.	
	Tier 2		
	1.2.4.2.a	For any size Handling Operation, regardless of the number of workers employed, the Handler shall produce a written employee manual made available to all workers, which describes all relevant employment policies, including but not limited to hiring, termination, conditions of employment, workplace conditions, working hours, benefits, pay schedule, holidays, sick leave, non-discrimination, sexual harassment, unacceptable behavior.	
	1.2.4.2.b	The Handler shall designate an individual to assess the human resource (i.e., socio-economic) service needs of its workers, and implement a plan to address these needs.	
	1.2.4.2.c	The Handler shall maintain auditable records regarding the rate of turnover of workers.	
1.3. Worker and Worker Family Access to Services			
Criteria	Requirements		C/NC/NA
1.3.2. Access to Health Services	Tier 1		
	1.3.2.1.a	The Handler shall have transportation and care procedures in place in case of medical emergency.	
	1.3.2.1.b	The Handler shall maintain the appropriate supplies and equipment to address major medical emergencies associated with occupational health risks, including a first-aid kit, an eye flush and/or shower facility for accidental exposure to toxic pesticides and other hazardous chemicals and irritants.	
	1.3.2.1.c	The Handler shall allow workers to have access to regular medical and dental wellness care during normal working hours.	
	1.3.2.1.d	The Handler shall ensure workers the right to confidentiality in terms of their medical files.	
	Tier 2		
	1.3.2.2.a	The Handler shall develop and implement a formal process for assessing the health needs of its workers and their families.	
	1.3.2.2.b	The Handler shall provide health benefits (medical/dental) to workers (e.g., contributions to a worker health insurance program, establishment of a worker health fund, provision of on-site health services).	

Criteria	Requirements		C/NC/NA
1.3.3. Access to Transportation	Tier 1		
	1.3.3.1.a	The Handler shall assess the transportation needs of its workers, including availability of services and costs.	
	Tier 2		
	1.3.3.2.a	The Handler shall take significant steps to address the identified transportation needs of its workers.	
1.3.3.2.b	If migrant workers are recruited, the Handler shall address the issue of transportation of such workers to and from the site of employment in the initial work contract, consistent with Section 1.1.1.2 above.		

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2.0. Community Benefits

2.1. Addressing Local and Regional Community Impacts

Criteria	Requirements	C/NC/NA	
2.1.1. Addressing Local/ Regional Community Impacts	Tier 1		
	2.1.1.1.a	The Handler shall provide a summary of the ways in which the Handling Operation has impacted areas of significant historical, religious and cultural interest to the community (e.g., burial sites, churches, registered historic landmarks), if applicable.	
	2.1.1.1.b	The Handler shall provide a summary of the ways in which the Handling Operation has contributed to significant environmental issues of community concern (e.g., noise, chemical contamination, waste, transportation impacts, resource overuse, ecological damage, visual impacts).	
	Tier 2		
	2.1.1.2.a	The Handler shall conduct an assessment of the Handling Operation area to determine current or potential impacts to areas of significant historical, religious and cultural interest, if applicable. This assessment shall include a formal process for gathering input from neighbors and local stakeholders, including indigenous and tribal peoples where applicable. The Handler shall maintain an auditable record of this community engagement.	
	2.1.1.2.b	The Handler shall identify significant environmental issues of community concern (e.g., noise, chemical contamination, waste, transportation impacts, resource overuse, ecological damage, visual impacts) resulting from Handling Operation, if applicable. This assessment shall include a formal process for gathering input from neighbors and local stakeholders, including indigenous and tribal peoples where applicable. The Handler shall maintain an auditable record of this community engagement.	
	2.1.1.2.c	Based on its assessment of current or potential impacts to areas of significant historical, religious and cultural interest, the Handler shall implement practices and procedures to minimize current or potential impacts on areas of significant historical, religious and cultural interest in the vicinity of the Handling Operation.	
2.1.1.2.d	Based on its assessment of significant environmental issues of community concern, the Handler shall implement practices and procedures to minimize such operational impacts.		

2.2. Providing Local and Regional Community Support

Criteria	Requirements	C/NC/NA	
2.2.1. Providing Local/Regional Community Support	Tier 1		
	2.2.1.1.a	The Handler shall provide a summary of current policies related to: a. preferences for local hiring; b. procurement from regional sources; and c. contribution to community infrastructure maintenance.	
	Tier 2		
	2.2.1.2.a	The Handler shall develop and implement a policy establishing preferences for local hiring.	
	2.2.1.2.b	The Handler shall develop and implement policy that puts a priority on procurement from regional supplies and services.	
	2.2.1.2.c	The Handler shall provide assistance of time, materials, or money for maintenance of community infrastructure (e.g., roads), especially where such infrastructure is impacted directly or indirectly by the Handling Operation.	
	2.2.1.2.d	The Handler shall have a written policy and procedure for providing charitable giving within the community, or contributing to environmental research, in the form of time, materials or money.	
	2.2.1.2.e	The Handler shall engage in collaboration with local health authorities to support clinics/hospitals through donations of money, time, scholarships or materials.	
2.2.1.2.f	The Handler shall engage in collaboration with local education authorities to support local education institutions through donations of money, time, scholarships or materials.		

2.3. Economic Viability			
Criteria	Requirements		C/NC/NA
2.3.1. Economic Viability	Tier 1		
	2.3.1.1. a	The Handler shall provide documentation to substantiate that financial exigencies do not lead to decisions that compromise environmental protection and social sustainability objectives.	
	Tier 2		
	There are currently no Tier 2 requirements		