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1. amfori BSCI guidelines for Business Partners

This part of the amfori BSCI System Manual consists of four chapters that provide the business partner with explanation of all relevant documents and guides that amfori BSCI makes available for them and specific guidelines on what is expected in every performance area.

• Business partners that sign the amfori BSCI Code of Conduct commit to exercise human rights due diligence and environmental protection in their supply chains and business activities. If a business partner has made its commitment to the CoC, it is most likely because at least one of its clients is an amfori BSCI member or sells to an amfori BSCI member.

Under such business relationships the related amfori BSCI member will request business partners to:

• Sign the amfori BSCI Code of Conduct
• Embed the amfori BSCI Code of Conduct in its business operations
• Be audited and take necessary actions to ensure continuous improvement and address possible human rights violations

Furthermore, the amfori BSCI member will invite its business partner into the amfori Sustainability Platform and each business partner creates their own profile on the Platform. This allows amfori members to:

• Monitor social sustainability of business partners in a structured methodology and way
• Reduce audit fatigue
• Monitor and support the continuous improvement actions of their business partners
• Access relevant trainings free of charge for their business partner.
2. Data collection and management

The goal of the amfori BSCI system is to support a culture of continuous improvement within a business. Business partners are encouraged to create a Social Management System (SMS) to analyze, control, and reduce the negative social impacts of their activities. As part of that system, business partners will need an organized way to gather and keep data and records. For more information see Annex 2: How to set up a social management system.

The business partner should choose a key contact person that:

• Provides information to amfori BSCI members
• Maintains the data in the amfori Sustainability Platform
• Takes the lead on preparing for the amfori BSCI monitoring

If the business partner does not have any data gathering system in place, the amfori BSCI system offers tools and templates to help business partners organise their data in a systematic way.

BUSINESS PARTNER INFORMATION

amfori BSCI member ask their business partners to provide a first overview of its business. One way of handling this request is by filling in the Self-Assessments:

• Company Profile
• Production and Employment Structure
• Certification and Audit Review
• Working Environment
• Remuneration Practices
• Working Hours Form
• Young Worker Data
• Housing Information
• Grievance Mechanism

The self-assessments aim at collecting data on a business partner’s business operations and practices that impact social sustainability and performance, such as:

1. **Company Profile**

   **Business data**: Information about location, sector, and products. The business partner must report if it has production or just trading activities.
Business contact details: Contact information and main language(s) spoken. The business partner provides contact details, so its client and the monitoring person can contact.

IMPORTANT: an amfori ID is a unique number generated for every company and individual Site on the Platform. However, this is an internal number to amfori systems and not a government official identifier. An amfori-ID is linked to one email address: an amfori-ID is registered with one specific email address, the email address of the main contact person of the business partner. It is not possible to use one email address for the several amfori-IDs as it will cause problems with the account!

IMPORTANT: If the company or the site information of the business partner changes, such as the company name, address, or classification, then the business partner needs to update the company information themselves under Admin > Company and/or Admin > My Sites.

- Business Partner relocation: if the Business Partner moved location (physical change of location with a new address), the main administrator of the Business Partner has to add a new site under Admin > My sites and might also change the company information under Admin> My company. The function to deactivate an old site by the Business Partner will come with future releases.
- If the change of address is only “cosmetic”, without a physical change of location, then the Business Partner can directly edit the information in the company/site profile directly.

2. Production and Employment Structure

Production data: Information on annual production volume and unit.

Production calendar: Information on the months when high, medium, or low production activity takes place.

Production structure: Information on the departments and number of workers including with shifts

Employment structure: Information on total workforce, number of male and female workers, workers categories and migrant worker breakdown.

3. Certification and Audit Review

Certification and audit overview: Information on any valid certificates and audits. These certificates and audits can relate to social performance, environmental performance, and quality performance.

4. Working environment

Freedom of Association: Information on worker organizations and trade unions and representatives

Collective Bargaining Agreement: Information on whether there is a valid CBA and benefits agreed in the CBA.

Working Hours: Information on days off in the country, legal working hours per week, legal overtime limits per week and per month (if applicable), standard overtime premium rate workday, day off, and national holiday (if applicable) and overtime premium rate on a workday, day off and national holiday.

5. Remuneration Practices

5.1 Remuneration Information

Minimum wage: Information on the applicable legal minimum wage and benefits and bonuses as well was any specific industry-specific remuneration system

Living Wage: Information on calculate living wage in local currency together with source of data
This template offers the business partner a tool to understand:

- The local cost of living and its relation to workers’ remuneration
- The calculation formula to assess living cost per family

For further information see Annex 9: How to promote fair remuneration.

Regional context information: How people commute to work, the size of an average family, and household sources of energy all contribute to living expenses. Such information may not be readily available, but the business partner can request it from different sources, such as:

- Open discussions with workers and their representatives
- Government (statistics department)
- Local NGOs or community groups

Average monthly family expenses: The business partner estimates the ‘family basket,’ or living expenses for an average family, using the information collected above.

5.1 Situational Descriptions: Describe any situation relevant to social performance (e.g. overtime, accidents, subcontracting, and strikes).

6. Working Hours Form:

Working hours form: Information on the working hours per worker to support business partner to identify potential risks to workers’ health and safety due to the amount of working hours. Collecting this information shows the business partner’s awareness of the potential social risks related to excessive working hours (which could be an indicator of a forced labour situation).

This self-assessment offers the business partner a model for learning how its workforce’s hours compare with decent working hours.

The business partner is expected to record weekly working hours for every quarter of the year. This allows the auditee to:

- Identify periods with high activity
- Balance excessive working time over a period of three months

The business partner may start by calculating working hours per department, but eventually determine the figures per worker, to become more aware of how to deal with potential health and safety risks.

7. Young Worker Data

This self-assessment is to collect information on its young workers, as defined in the amfori BSCI Code of Conduct.

Collecting this information shows the business partner’s awareness of the importance of guaranteeing special protection to the young workers in its workforce.

The business partner must have a procedure on how to verify the age of workers and a system for collecting this information and whether or not it employs young workers.

8. Housing information

This self-assessment is to collect information whether there is any housing provided to the workers directly or indirectly.
9. Grievance Mechanism

This self-assessment is to collect information on grievances that have been filed. Setting up and effectively using a grievance mechanism shows the business partner’s awareness of the need for ways to identify social risks such as discrimination, (sexual) harassment, and forms of unethical business behavior.

For information about setting up a grievance mechanism see Annex 3: How to Set up a Grievance Mechanism.

Sourcing and procurement strategy: Indicate any direct contracts with farms, homeworkers, and labour providers.

SUPPLY CHAIN MAPPING

On the amfori Sustainability Platform, if business partner should conduct their own due diligence to understand where the main risks may be in their upstream business partner network, they can use the Supply Chain Mapping tool.

At that point, this process can be followed to bring these business partners into the amfori Sustainability platform.

• The supply chain screen shows the business partner the connection between the company and the others that the company is linked with.
• Finally, when the connection has been confirmed, and details provided, business partner will see their company name and a link with an arrow to the Business Partner name.
• Note that there is no way to select business partners from a catalogue or list.

A company should conduct their own due diligence work outside the platform to understand where the main risks may be in their business partner network.
3. The benefits of a self-assessment

Compliance with the amfori BSCI Code of Conduct is monitored through amfori BSCI monitoring activities, which target 13 interrelated performance areas (PAs).

Each performance area has a set of questions that amfori BSCI monitoring partners use to assess the performance and due diligence of a business partner when compared to the amfori BSCI Code of Conduct. The same questions can be used by the business partner to:

- Conduct a self-assessment
- Prepare for the amfori BSCI monitoring activity
- Identify and assess social risks
- Develop continuous improvement activities

THE SELF-ASSESSMENT

The self-assessment helps business partners to:

- Understand each amfori BSCI performance area
- Define possible improvements (regardless if an amfori BSCI monitoring is due or not)

Since all performance areas are connected, improvements in one performance area will have a positive impact on other performance areas.

The business partner can include the self-assessment as part of its regular cycle of PLAN-DO-CHECK-ADJUST, to strengthen its ownership of the amfori BSCI continuous improvement process.

The amfori BSCI system provides self-assessments under the monitoring section of amfori Sustainability Platform. Business partners can start and conduct their own self-assessments. The self-assessment should be conducted by a person who has a minimum knowledge on the amfori BSCI system.

amfori BSCI self-assessment mirrors the amfori BSCI audit questionnaire and it allows the potential auditee to fully understand the values and principles of the amfori BSCI Code of Conduct and how to embed them in regular business practice. There are specific self-assessment questionnaires available for farms (see assessment for large farms, assessment for small farms and assessment for smallholders and family farms) on the amfori Sustainability Platform.

IMPORTANT: amfori BSCI Self-Assessments are available on amfori Sustainability Platform for Business Partners

A business partner can prepare for an amfori BSCI audit/monitoring by conducting a self-assessment, and then using the results to make proactive improvements before the full monitoring takes place.

The Self-Assessment contains all the same questions as the full, regular, amfori BSCI monitoring.

The results show percentages, rather than Grades and overall rating, and also show Findings.
If a Business Partner completes a Self-Assessment, the linked members can view the results. The self-assessment questionnaire offers the business partner the possibility to capture the information on the type of evidence it has used to assess its performance:

- MI: Management interview
- WI: Worker interview
- WRI: Worker representative interview
- DE: Documentary evidence
- SO: Site observation

For capacity building on the self-assessment process, business partners are encouraged to go to amfori Academy for specific courses.

### SELF-ASSESSMENTS OF FARMS

A business partner that sources fresh produce from farms is encouraged to:

- ask these farms to conduct self-assessment (e.g. using the farm assessment templates on the Platform)
- conduct an internal assessment if the farms are too small to do that by themselves

This practice would help the business partner to:

- have a good overview of the farms delivering fresh produce to it
- maintain a good management of potential social risks in its supply chains
- be prepared for an amfori BSCI multi-tier monitoring.

Such an amfori BSCI multi-tier monitoring will assess that the business partner (called main auditee) has:

- An effective social management system in place to select and monitor its business partners that are farms
- A credible procedure to support farms in their social performance continuous improvement
4. AMFORI BSCI MONITORING INTERPRETATION GUIDELINES

Business partners are encouraged to consult this chapter for any clarification about the way social sustainability and performance is interpreted in the context of an amfori BSCI monitoring.

**Questions:** To facilitate the search, questions are numbered in the same order as in the amfori BSCI monitoring questionnaire. They are marked as crucial when they have a high impact on the social sustainability and performance of the business partner, which will eventually impact the amfori BSCI monitoring rating. To get further information about the amfori BSCI monitoring rating see amfori BSCI System Manual Part II.

**Performance area:** Questions are grouped per topic or performance area. At the end of each performance area, there is a list of documented evidence that the business partner is advised to maintain and show during the monitoring. There is also a reminder for business partners sourcing directly from farms.

If the auditor finds flagrant human rights violation during the monitoring, it will follow the Zero Tolerance Protocol. To understand the repercussions, business partners are advised to read Annex 5: How to follow the Zero Tolerance Protocol.

**Interviews:** The auditor uses interviews to get information on the business partner’s social performance. Management should be ready to provide clear explanations about:

- The organisational chart, division of responsibilities, and communication channels
- The latest investments to improve occupational health and safety and productivity
- The different business partners and how the business selects them and monitors their social performance
- Operational details about:
  - Drafting and implementing policies and procedures
  - Hiring practices, grievance management, and workers’ training

**Type of monitoring activities:** There are four different amfori BSCI monitoring methodologies adapted to the scope of the audit:

- amfori BSCI Social Audit – Manufacturing
- amfori BSCI Social Audit – Multi-tier Food: Main auditee (farms are monitored against the dedicated farm audit questionnaires)
- amfori Social Audit – Small Producer Assessment

The questions do not directly apply to:

- Companies that meet amfori small producer definition (see Annex 12: How to assess a small producer)
- Farms that produce food and flowers (see interpretation guidelines for large, small and smallholder farms)
**Final remark:** While most questions require the business partner to take the necessary measures to ensure compliance and due diligence in business activities, amfori BSCI system recognises that a business partner cannot provide “full guarantees” of its performance but can strive to make best efforts to act as a responsible business.

**CHANGES made in the Questions and Guidelines can be seen in RED.**
PERFORMANCE AREA 1: SOCIAL MANAGEMENT SYSTEMS AND CASCADE EFFECT

A Social Management System (SMS) is the set of policies, processes and procedures that allow a business to manage its social performance through a continuous improvement approach. For more detailed information see Annex 2: How to set up a social management system.

An effective management system or management systems is crucial to ensure that social performance and due diligence processes are integrated into the business operations.

Cascade effect means that a business partner develops and communicates systems, procedures and competences necessary to live up to the amfori BSCI Code of Conduct within its own business culture and promotes it with its business partners. For more detail information see Annex 10: How to cascade the amfori BSCI through the supply chain.

Business partners: Businesses connected to business partners by a commercial relationship, including:

- Farms
- Service providers
- Sub-contractors
- Sub-suppliers

1.1 The auditee has set up an effective management system to implement the amfori BSCI Code of Conduct

This means that the auditee takes the necessary measures to set up an effective social management system and develop policies, processes and procedures to manage its social performance and due diligence. To that aim, the business partner will recognise:

- The content of the amfori BSCI Code of Conduct
- The importance of social responsibility for its clients
- The benefits of having a social management system in place and how it affects other PAs
- The importance of open communication with customers and stakeholders on its efforts

For detail information see Annex 2: How to set up a social management system.

1.2 The auditee appoints a senior manager to make sure the amfori BSCI values and principles are followed in a satisfactory manner

This means that the auditee takes the necessary measures to implement the amfori BSCI values and principles.

This requires the involvement of staff and specifically of a person with sufficient seniority, decision-making power and an allocated budget, to drive the business partner’s performance towards the implementation of amfori BSCI.

The appointed person needs to understand:

- amfori BSCI Code of Conduct and amfori BSCI System Manual
- Business and the supply chain mapping
- Significance of business partners to the business partner
- Expectations of stakeholders

In addition, the business partner assigns the staff responsible for:
• Following up on the grievance mechanism and remediation activities, including possible zero tolerance cases
• Human resources, including managing recruiting agencies if applicable
• Ensuring that workers receive training on relevant amfori BSCI values and principles
• Continuous risk assessment of occupational health and safety

1.3 Is there satisfactory evidence that the auditee has a good overview of their supply chain and has identified their significant business partners and their level of alignment with the amfori BSCI Code of Conduct?

This means that the auditee(auditees) takes the necessary measures so that at least the most significant business partners are well-known and assessed against the amfori BSCI values and principles.

**Mapping:** The business partner shall identify which business partners are significant for its business based on:

- Price, quality, and delivery time
- Volume
- Nature of the relationship
- Level of trust and reliability, including social performance

The auditee must be able to demonstrate to the auditor they have undergone an exercise to map their supply chain and subsequently identify their significant business partners.

The supply chain mapping may include but not limited to:

- Subcontractors
- Recruitment agencies
- Catering service providers
- Suppliers

**Selection:** The auditee creates criteria for choosing business partners that take into account their social performance.

**Monitoring:** The auditee sets up a monitoring system for significant business partners and keeps records of how these business partners manage:

- Their own social responsibility
- Potential grievances from their own workers

1.4 The auditee organises its workforce capacity to meet the expectations of the delivery order and/or contracts

This means that the auditee takes the necessary measures to ensure that unforeseen orders can be handled without harming workforce health and safety.

Controlling and preparing for production reduces unnecessary subcontracting and overtime, which may impact quality and workers’ health.

The auditee has control over the production planning when:

- It understands the volume and frequency that it is able to deliver
- It manages the following factors:
  - Production, quality checks, and delivery time
  - Workforce capacity (working together with workers’ representatives and the person in charge of human resources)
A contingency plan (in case something slows down or interrupts production)

 Organisation of overtime according to business needs, with a person responsible for its approval

 Cost calculation (including overtime premium paid)

 Growth expectation and human resources needed

1.5 The auditee monitors how its business partners observe the amfori BSCI Code of Conduct

This means that the auditee takes the necessary measures to ensure that its business partners are aligned with the amfori BSCI values and principles

**Preliminary steps:** The auditee requests that its business partners:

- Sign the amfori BSCI Code of Conduct (mandatory if the amfori BSCI audit includes a sample of farms)
- Share the amfori BSCI Code of Conduct with their own business partners
- Provide information regarding their social performance (e.g. internal audits, quarterly reporting, social audits, and/or certificates)

**Clear procedures:** The auditee develops and implements clear procedures to:

- Monitor the social performance of business partners (e.g. internal audits, third party audits, or reporting)
- Train staff that oversees the monitoring of business partners
- Set consequences in case business partners breach trust. For specific details see next question.

For example, the auditee should decide which circumstances lead to termination of contracts or commercial relations with a business partner due to disregard for workers’ rights.


1.6 The auditee develops the necessary policies and procedures to prevent and address any harm done to workers in its supply chain (gender-based, physically, financially or psychologically)

This means that the auditee takes the necessary measures to ensure a safe and satisfactory work environment.

Workers are often harmed when working rules are insufficient or unclear. The harm may be physical, but also can be gender-based, and/or financial and/or psychological.

**Prevention:** To deal with these issues, the auditee has methods in place to:

- Conduct risk assessment(s)
- Create steps to prevent and address harm to workers
- Allow workers to file grievances

**Remediation:** If workers’ rights violations are found in the business partner’s supply chain, the business partner makes sure it counts on:

- Decision-maker and available means of communication
- Budget and procedures to manage the impact(s)
- System to follow up on remedial actions
1.7 The auditee manages its business relations in a responsible manner

This means that the auditee takes the necessary measures to ensure that business relations with other business partners are as responsible as the auditee will like to be treated.

The auditee does not need to stop business or contracts with business partners if they have difficulties in following the amfori BSCI Code of Conduct.

To manage these difficulties, the producer should have:

- **Communication channels** to let the business partners explain their difficulties as well as the actions they’re taking to follow the amfori BSCI Code of Conduct
- **Clear procedures** to decide when a contract with suppliers or subcontractors needs to be terminated
- **Specific clauses** in its contracts about the possibility of ending a business relationship or cancelling a contract due to social issues that are not resolved

Documents related to this performance area

- Job descriptions that include the implementation of the amfori BSCI system
- Documents describing the production capacity planning
- Evidence that the amfori BSCI Code of Conduct a has been given to significant business partners
- Signed amfori BSCI Code of Conduct (if farms are part of the scope of the audit)
- Evidence of business partners’ social performance (e.g. quarterly reports, audit reports, and valid certificates)
- Evidence that the person in charge of implementing amfori BSCI is qualified
- Evidence of budget allocated to social performance and improvements

Business partners sourcing directly from farms need to cascade these criteria to the farms and support them in their implementation process. Business partners are advised to qualify at least one person to ensure that the amfori BSCI values and principles are transferred to at least the most relevant farms for its business.
PERFORMANCE AREA 2: WORKERS INVOLVEMENT AND PROTECTION

Workers and their representatives are:

- Involved in a truthful way in communications that relate to their rights, protection, and ability to perform assigned tasks
- Aware of their rights and responsibilities
- Able to access an effective grievance mechanism
- Trained in occupational health and safety issues and able to point out risks and suggest improvements

2.1 The auditee involves and exchanges information on workplace issues with workers and their representatives

This means that the auditee takes the necessary measures to ensure that workers and their representatives feel at ease in providing information on workplace related issues.

The auditee has a system in place so that:

- Management and workers meet on a regular basis to talk about how to improve working conditions
- Minutes of these meetings are taken, kept, and remain available for workers to review
- A workers’ representative is elected by workers (including seasonal workers)
- Records on the election process are kept and made available
- The concerns of the most vulnerable workers are taken into consideration (e.g. migrant, women, and young workers)
- Workers’ complaints and requests are recorded and followed up on

2.2 The auditee defines long-term goals to protect workers according to the amfori BSCI Code of Conduct

This means that the auditee takes the necessary measures to ensure workers’ protection is long-lasting in the business.

The auditee defines long-term goals together with workers and workers’ representatives and has a long-term plan (e.g. 5 years) of how they will follow the amfori BSCI Code of Conduct.

This long-term plan should:

- Include the processes in place for the business that are aligned with the amfori BSCI Code of Conduct to identify, manage, mitigate and eliminate risks.
- Have a step-by-step process for making significant improvements
- Involve workers and workers’ representatives in a truthful way in defining the goals
- Be written, approved, and followed up on by the appropriate person (or governance body in the case of cooperatives or producers’ associations)

2.3 CRUCIAL QUESTION: The auditee takes specific steps to make workers aware of their rights and responsibilities

This means that the auditee takes the necessary measure to ensure that workers feel engaged and loyal to the business by better understanding their rights and obligations.

For this question, business partners need to understand that:

Workers’ rights and obligations are defined by:
Workers’ awareness of their rights and responsibilities can be raised by means of:

- **Organising information sessions** (a good starting point, but the sessions need to be integrated with other activities to have impact)
- **Developing work contracts, working rules, and job descriptions** that follow the law and are clearly communicated to workers
- Creating effective communication channels with workers
- Ensuring that workers receive a copy of their contracts
- **Organising regular training by qualified person(s) on:**
  - The use of personal protective equipment
  - Health and safety issues that focus on the work environment
  - The procedure and use of a grievance mechanism
  - Any other topic that may have been identified as awareness is needed such as gender equality, gender-based violence and harassment and so on.

Workers’ regular trainings shall be documented, and recordkeeping should include: a list of names and job titles of the participants, dates, content of the material, and qualification of the trainers.

**IMPORTANT:** Trainings are mandatory for any new worker (even if they have been hired through a recruitment agency). Migrant workers need to be trained and must receive a version of the work contract in a language they understand. In some cases (e.g. illiterate workers or migrant workers that don’t speak the local language) workers should be informed of their rights and obligations in other ways (e.g. posters with pictures and/or with simple written words).

### 2.4 The auditee builds sufficient competence to successfully embed responsible practices in the business operation

This means that the auditee shall gain knowledge and skills to become more capable of integrating responsible practices into business operations. To that aim, the producer makes sure that:

- Workers, workers’ representatives, managers and other decision-makers are regularly trained on due diligence and social management processes and can describe them clearly.
- Management regularly receives:
  - Informative sessions on the amfori BSCI Code of Conduct
  - Specific training for workers responsible for human resources, occupational health and safety, and grievance mechanisms
  - Feedback on the amfori BSCI monitoring results and follow-up
  - Training materials related to the amfori BSCI Code of Conduct content

The recordkeeping on training (see previous question) will also support this one.

### 2.5 The auditee establishes or participates in an effective grievance mechanism for individuals and communities

This means that the auditee shall create and use a grievance mechanism that allows all stakeholders (including local communities and workers) to make suggestions or complaints related to auditee’s actions that may
have impacted workers’ or communities’ rights.

Grievance mechanism can also help preventing harmful incidents from happening.

Creating an internal grievance mechanism, or joining an existing external one, are both effective options.

To learn more about this topic see Annex 4: How to set up a grievance mechanism.

The written procedure for the grievance mechanism shall define:

- The person who is responsible for managing it
- Where the grievance mechanism is internal, note whether the complaints processing body is gender balanced in its composition.
- Potential conflicts of interest and how to overcome them (e.g. a grievance against the person who manages the mechanism)
- Timelines for responding to grievances
- Processes for appeals and escalation (with additional guarantees that the producer will address the grievance)
- Communication processes to make sure that workers and community members can use the grievance mechanism (including workers’ representatives and seasonal, migrant, temporary, young, and female workers)
- Alternative ways for filing a complaint (e.g. through a workers’ representative or directly to the management)
- A system for keeping the records of submitted grievances, including how they were investigated and handled
- Regular surveys to learn if users are satisfied with the grievance procedure

Documents related to this performance area

- Documented evidence of the workers’ representative election process
- Documented evidence of regularly scheduled workers’ meetings
- Records of agreements with workers’ representatives
- Employment contracts including those related to security personnel, cleaning and other services, particularly recruiting agencies or brokers if relevant
- Job descriptions that are aligned to the amfori BSCI values and principles
- Documented workplace rules
- Evidence of a training calendar for workers and management
- Documented evidence of training given to workers, management, and human resources
- Documented evidence that trainers are qualified
- Documented evidence of grievances filed and investigated (see Self-Assessment Grievance Mechanism on amfori Sustainability Platform

Business partners sourcing directly from farms will need to cascade these criteria to the farms and support them in their implementation process. Business partners are advised to qualify at least one person to ensure that the amfori BSCI values and principles are transferred to at least the most relevant farms for the business partner’s business.
PERFORMANCE AREA 3: THE RIGHTS OF FREEDOM OF ASSOCIATION AND COLLECTIVE BARGAINING

The business partner enables workers to approach management for discussing and negotiating better working conditions. The business partner respects the rights to:

• Freedom of association: The right of workers to form and join organisations of their own choosing.
• Collective bargaining: The process of negotiation between trade unions or workers’ representatives and employers to:
  o Define the terms and conditions of employment for workers
  o Confer rights, advantages, and responsibilities to the parties

3.1. The auditee respects the right of workers to form unions - or to refrain from doing so,- without distinction whatsoever and irrespective of gender in a free and democratic way

This means that the auditee takes the necessary measures to ensure that workers feel engaged and loyal to the business by better understanding their right to form unions.

The right of workers to form and join organisations of their own choosing is necessary for a free and open society. Even in countries where trade union activity is unlawful, the auditee should allow workers to freely elect their own representatives.

The auditee has, and follows, a clear policy NOT to:

• Keep workers from participating in the activities of unions or other workers’ organisations
• Discourage or get involved in the process of electing workers’ representatives
• Harm workers who participate (actively or passively) in the election of workers’ representatives

3.2 CRUCIAL QUESTION: The auditee respects workers’ right to bargain collectively without distinction whatsoever and irrespective of gender?

This means that the auditee encourages collective negotiations on the terms of employment. The auditee ensures that the stipulations contained in the collective bargaining agreement:

• Are available to workers, both women and men workers
• Are integrated into employment contracts in the languages which workers can understand
• Apply to workers in the same category

3.3 The auditee does not discriminate against workers because of their trade union membership

This means that the auditee puts into practice a clear policy NOT to:

• Discriminate against candidates for a company position because of their connection to a trade union
• Give more nor less benefits to workers because of their connection to trade unions
• Fire workers for being unionised

3.4 The auditee does not prevent workers’ representatives from accessing or interacting with workers in the workplace

This means that the auditee understands that:
• Workers’ representatives can meet with workers during working hours in agreement with the law
• The time workers spend meeting with workers’ representatives cannot be deducted from workers’ remuneration
• Workers’ representatives are independent of management
• Workers’ representatives should be trained to perform their duties

Documents related to this performance area

• Documented evidence of the workers’ representative(s) election
• Collective bargaining agreement (if applicable)
• Minutes or documents from meetings that led to the collective bargaining agreement (if applicable)
• Recruitment and dismissal procedures and records (hiring and firing workers)

Business partners sourcing directly from farms will need to cascade these criteria to the farms and support them in their implementation process. Business partner are advised to qualify at least one person to ensure that the amfori BSCI values and principles are transferred to at least the most relevant farms for the business partner’s business.
PERFORMANCE AREA 4: NO DISCRIMINATION, VIOLENCE OR HARRASSMENT

Discrimination is an unjust or prejudicial act and or practice based on certain characteristics of people in the organisation such as race, age or sex, among others. (See more grounds of discrimination, harassment and violence in the amfori BSCI Code of Conduct)

Violence and harassment are a range of unacceptable behaviours and practises or threats as defined in the ILO Convention 190. In accordance with amfori BSCI CoC values and principles, amfori members and their business partners commit to ensure that workers are not subject to any form of violence, harassment, and inhumane or degrading treatment in the workplace, as well as threats of violence and abuse, including corporal punishment, verbal, physical, sexual, economic or psychological abuse, mental or physical coercion, or other forms of harassment or intimidation.

Discrimination, violence and harassment in the workplace can take different forms such as:

- Restricting verbal and/or physical freedom (e.g. going to the toilet)
- Providing poor living conditions and denying water and food
- Intimidating or ignoring a worker
- Abusing a worker verbally and/or threatening workers with violence
- Treating a worker unequally on purpose
- Preventing a worker from benefits (e.g. promotion)
- Management practices with elements of structural violence
- Harassing a worker in the basis of gender

In some cultures, discrimination may be very subtle or embedded into cultural values. However, the bottom line is that discrimination is unacceptable and denies people opportunities just based on prejudices. Similarly, any act of violence and harassment is unacceptable and seriously create harm to the victim(s).

4.1 CRUCIAL QUESTION: The auditee takes the necessary measures to avoid or eradicate discrimination, violence and harassment in the workplace

To avoid discrimination and prevent violence and harassment in the workplace, the auditee makes sure to:

- Give equal opportunities to its workers and not use reasons that could be considered discriminatory when:
  - Hiring
  - Doing any daily activities in the workplace
  - Firing
  - Promoting or offering training opportunities
  - Paying social benefits
- Pay careful attention to avoiding discrimination, to preventing violence and harassment against vulnerable groups like disabled workers, pregnant women, young workers, or migrant workers
- Pay attention to potential discrimination, violence and harassment between workers in its workforce
- Discourage discriminatory behaviours, violent and/or harassing actions particularly when workers are hired, promoted, fired, or assigned benefits
- Follow up on the improvements

To end discrimination, violence and harassment in the workplace, the auditee strives for:
• Law assessment: the auditee recognizes and acts on the gaps and discriminatory practices that can exist in the national and local law affecting the ability of the different individuals or groups to work.
  – Internal assessment: Conduct an internal assessment on the most frequent grounds used for discrimination as well as the most common activities through which discrimination may occur (e.g. hiring process, advertising and hiring, interview selection, interview questions, and contract termination. This assessment should include a trend and workforce composition analysis that allows a comprehensive understanding of the situation of the different individuals/groups within the organization, to identify possible structural discriminatory practices.
  – Root cause analysis: Learn and accept the root causes of discriminatory and harassing behaviours and violent acts is the only way to be able to design solutions that can truly end the problem.
  – Policy: Draft and enforce a policy to discourage these kinds of behaviours and follow up on the improvements

IMPORTANT: Virginity tests and the use of contraception, or equivalent practices, are forbidden as requirements or preconditions for workers’ hiring, promotion, access to training, or any other social benefits. The auditee pays attention to the different needs and realities of the different groups, avoiding implicit discrimination. For example, the auditee does not run trainings in locations and at times that will be difficult for women or men to attend due to their household responsibilities or safety concerns.

4.2. Is there satisfactory evidence that the auditee takes the necessary preventative and/or remedial measures to ensure workers are not disciplined, dismissed, harassed or otherwise discriminated against because of their complaints against infringements of their rights?

This means that the auditee makes sure that workers feel free to use the grievance mechanism without fear of reprisal.

The producer regularly:
  • Gets lessons learned from all grievances submitted through the grievance mechanism and how they were handled
  • Informs workers on the improvements made thanks to some or all grievances
  • Conducts grievance satisfaction surveys
  • Trains managers and workers on how to get the best out of a grievance mechanism

All these activities shall be recorded so they can be verified during an amfori BSCI audit.

4.3 The auditee takes the necessary preventative and/or remedial measures so workers are not harassed or disciplined on grounds of discrimination as listed in the amfori BSCI Code?

This means that the auditee makes all efforts and investments to avoid that workers are hurt because of their gender, race, religion etc.

These efforts include that the producer ensures:
  • They do not use disciplinary measures that are against the law or infringe on the rights of workers or employees.
  • Workers and their representatives are consulted on disciplinary actions and how they should be enforced
  • Regular training to managers and workers on the disciplinary actions that can be applied in the workplace
• Training to managers and workers on the risks of discrimination and how to overcome them
• To have a written procedure describing reasons for disciplinary measures. (The procedure ensures there are no biases, including gender-biases, across all workers on the identification and treatment of preventive and/or remedial disciplinary measures.)
• Needs to be well-informed on what the national legislation states about which disciplinary measures are legally accepted and which are not
• Understands disciplinary measures cannot be against the law
• Maintains gender-disaggregated records on disciplinary incidents. Including the type of incidents (i.e. gender-based discrimination) and gender-disaggregated track of disciplined workers.
• Has established disciplinary procedures in writing and explain them verbally to workers in terms and language which they understand.

Documents related to this performance area

• Documented evidence of disciplinary procedures
• Documented evidence of disciplinary cases and the measures taken
• Documented evidence of workers’ performance assessments and procedures
• Documented evidence of grievances filed/investigated (see Self-Assessment Grieveance Mechanism on amfori Sustainability Platform) Work contracts or agreements, including with recruitment agencies
• Documentary evidence on hiring and promotion processes
• Letters of dismissal (e.g. if letters showed that there were dismissals due to family responsibilities this could be discriminatory)
• Pre-signed resignation letters

Business partners sourcing directly from farms will need to cascade these criteria to the farms and support them in their implementation process. Business partners are advised to qualify at least one person to ensure that the amfori BSCI values and principles are transferred to at least the most relevant farms for the business partner’s business.
PERFORMANCE AREA 5: FAIR REMUNERATION

Fair remuneration means that workers are to be paid:

- Following minimum wage regulations established by law or in collective bargaining agreements as the minimum reference for 48 hours weekly working time
- Timely, regularly, stable and fully in legal currency (in-kind payment shall be above minimum wage)
- Reflecting the skills and experience of workers
- Including mandatory social benefits
- Having only the deductions allowed by law

For better understanding of these concepts see Annex 9: How to promote fair remuneration.

5.1 CRUCIAL QUESTION: The auditee complies with the government’s minimum wage legislation or the industry standard approved through collective bargaining (if applicable).

This means that the auditee applies the relevant regulations (e.g. national or industry standard) to all workers, regardless how they have been hired.

The auditee will make all efforts to:

- Know the minimum wage or industry standard that applies to its sector
- Not pay any worker below the minimum amount or standard
- Pay above the minimum to those workers that due to their seniority or skills are entitled to receive higher benefits
- Keep pay slips for at least the 12-month period before the date of the amfori BSCI monitoring
- The auditee will dedicate special attention on the way payment is done to:
  - **Part-time workers**: The part time workers are paid at least minimum wage.
  - **Piece-rate workers**: The number of pieces produced in eight hours should amount to no less than the minimum daily wage or living wage as defined by law. The auditee calculates the quota for piece in line with standard working hours.
  - **Workers in the probationary period**: Paid according to the law
  - **Workers hired through agencies**: The auditee is aware of and keeps records on how, when, and how much the agency pays these workers
  - **In a cooperative**: The auditee is aware of the by-laws or internal regulations clearly specify how workers and how the cooperative’s members are remunerated and when. The auditee respects and documents any specifications on loans and possible advance payments and also those are approved in a General Assembly by the majority defined in the by-laws

5.2 Wages are paid in a timely manner; regularly, stable and fully in legal tender

This means that the auditee makes sure that wages are paid in the local and valid currency, that payments occur at the time that has been agreed and with a frequency that allows workers’ planning.

The auditee pays workers:

- **Timely**: As agreed upon and communicated to workers prior to their hiring.
- **Regularly**: Workers can plan and make use of their earnings, because they know when payment is due.
• **Stable**: wages remain approximately at the same level month to month or week to week, allowing workers to plan and budget.
• **Fully in legal tender**: Regular working hours are to be paid in the local and legal currency.

The auditee can only pay workers “in kind”, any benefit that:
• goes beyond regular working hours earnings
• does not represent a breach of law, goes against morals or against public and private health (e.g. It is not allowed that in-kind contribution is done in alcohol or other drugs)

**For workers hired through agencies**: The auditee is aware of and keeps records on how, when, and how much the agency pays these workers.

The auditee calculates the cost of transportation and housing given to workers and has a written policy on how these free services are included in the remuneration.

Personal protective equipment and other tools given to workers to perform their tasks are not part of the payment and should never be deducted from worker’s salaries.

The auditee can demonstrate that they pay their labour brokers or recruitment agencies enough per worker per hour to cover:
• minimum wage
• any other benefits
• any administrative costs for the broker or agency

### 5.3 The level of wages reflects the skills, seniority, responsibilities and education of workers

This means that the auditee recognises that skills can be developed through both education and experience. Many skills are not proven by having an official diploma and yet they represent such an asset for the producer that workers with those skills are rewarded accordingly.

Workers’ skills, seniority, responsibility and education are taken into consideration:
• In the hiring process
• When assigning salaries
• When assigning tasks

Having a highly-skilled worker receiving a low-skilled worker salary is not acceptable and it may be a sign of discrimination or a practice against the law.

The auditee makes sure that:
• Job descriptions are available with lists of the kinds of skills required to perform the jobs
• Human resources and supervisors are trained to assess workers’ skills
• Regular trainings are provided to strengthen workers’ skills
• People in charge of doing occupational health and safety risk assessments are consulted to determine the types of skills needed for each job
• They have a skills matrix or similar with which they rank skills against salary brackets and which they use to determine promotions and pay of workers (note, in some countries skills matrices are produced by competent authorities)
5.4 The auditee provides sufficient remuneration that allows workers to meet a decent living standard

This means that the producer (auditee) takes all necessary measures to ensure that workers can meet a decent standard of living.

Fair remuneration concerns all workers regardless if they are:
- Permanent or seasonal
- Directly or indirectly hired

The business partner may use self-assessments to estimate the living costs in its region and determine whether its remuneration practice covers this. This will be acknowledged by the auditor as a good practice. If there is a gap between the cost of living and workers’ wages, this information should be considered in future wage negotiations.

**Total remuneration** includes:
- Wages paid for up to 48 regular working hours (or whatever the maximum regular hours are according to local law)
- Social benefits including maternity and sick leave
- In kind benefits and bonuses
- Subsidised or free transportation
- Subsidised or free-living space
- Subsidised or free canteen services
- **Subsidised or free childcare services**
- **Subsidised or free health services**
- Opportunities for education or training
- Premium paid for overtime work

Remuneration does not include the cost of:
- Uniforms
- Personal protective equipment (Note that, in some cases, poorer quality PPE is provided for free and workers can purchase higher quality PPE if they choose to do so. This is not good practice; all PPE should be task-appropriate, of an adequate quality and provided to workers free of charge by the employer.)
- Training that is mandatory as part of the job requirement (e.g. occupational health and safety training)
- Any tool essential to conduct the job

5.5 The auditee provides workers with the social benefits that are legally granted without negative impact on their pay, level of seniority, position, or promotion prospects

This means that the producer auditee takes all necessary measures to ensure that workers get the social benefits that they are legally granted.

**National law:** National law defines the mandatory social benefits given to workers (both women and men) in that region.

Mandatory social benefits usually are:
- Old age pension
- Survivor’s benefit
- Family benefits and maternity and paternity leave
• Medical care
• Unemployment
• Sick leave
• Disability
• Work-related injury compensation
• Vacations

Collective bargaining agreement: A collective bargaining agreement must be respected.

Commercial insurance: In some countries, the producer may sign up for commercial insurance to cover at least some of the social benefits (usually work-related injury and health) and use these commercial insurances to replace (fully or partially) the government programme.

The producer will need to explain this approach during the amfori BSCI audit and be aware that if the workforce is insured only with private insurance, but the country’s legislation does also require contribution to the public scheme, the auditor will evaluate this question as “partially” covered.

Exceptions from social benefits: The producer may have been granted exceptions from social benefits. Such exceptions shall be:
• Issued by the legal authority (usually government department)
• Valid for the current period of time
• Applicable for the producer (e.g. identified by business licenses or similar)
• In agreement with the procedures of the business

The producer should make available the original document(s) that prove these exceptions.

Good practices: If the producer provides commercial insurance in addition to the minimum social benefits required by law, the auditor shall acknowledge it under ‘Good Practices’ in the findings report.

Further, in countries where the social benefit system is not trusted by workers, the auditee should try to educate workers to trust it and refuse to pay workers’ benefits in their salaries, even if workers request it.

5.6 CRUCIAL QUESTION: The auditee ensures that deductions from wages are only taken under the conditions and to the extent prescribed by the law

This means that the auditee cannot apply deductions to workers’ wages if they result in:
• Workers earning less than the legal minimum wage
• An economic benefit for the producer
• A form of discrimination

Training sessions: Workers cannot have deductions in wages or working hours because of the time they are in required meetings, training sessions, or other workplace situations beyond their control. Instead, the employer assumes responsibility for these situations (e.g. a machine used by a worker is under repair and the lost time negatively impacts her/his productivity).

Closure of production site: If the business partner’s production site is going to be closed down for repairs or reconstruction, the business partner has to let the workforce know in advance when it will be closed. This communication must be done with the support of the workers’ representative to make sure all workers’ rights are respected.

Objects or services: Deductions cannot be made for the use of objects, buildings, or services that are directly necessary for doing the work.

That includes entry fees and charges for the use of:
• Tools and machines
• Sanitary facilities
• Drinking water
• Washing facilities
• Protective clothing for workers

Deductions are not made to cover the costs of documents and permits required to perform the assigned employment such as:
• Work permits
• Visa and renewals
• Legally required security clearance or health tests

Use of the services offered by the auditee must always be voluntary

Deduction are not made when using legal social benefits such as sick leave, maternity / paternity leave, or any other type of legal leave that mandates to be pay by the law.

Deductions are not made without the explicit consent of the worker, who always needs to be first consulted to understand the reasons. Only then could she/he choose to give consent or not

Market rate: Deductions for services offered by the producer (e.g. transportation or food) are charged at local market rates or lower. These services must always be voluntary for workers to use.

Disciplinary measures: Deductions for disciplinary actions can only occur under the conditions specified by law or the conditions defined in a freely negotiated and established collective bargaining agreement.

Documents related to this performance area

• Documented evidence of legal deductions for goods and services
• Documentation of legal minimum wages relevant for the sector
• Documented collective bargaining agreement
• Pay slips for workers-gender-disaggregated and documented evidence of payments
• Completed Fair Remuneration Calculated based on the Self-Assessment Auditee’s contracts with labour subcontractors and service providers including recruiting agencies or labour brokers
• Personnel data files for all workers (including seasonal workers)
• Documented evidence of additional benefits (commercial insurance if applicable)
• Documented evidence of updated contributions to social insurance funds
• Lists of wage ranges and calculations including for piece rate workers

IMPORTANT: All data collected should be segregated and analysed by gender

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PERFORMANCE AREA 6: DECENT WORKING HOURS

Decent working hours include following elements:

- Working hours not exceeding 48 hours a week and 8 hours a day
- Overtime according to legal limits and paid at premium rate
- Right to resting break in every working day
- Right to one day off in every seven days, or two in every 14

Permanent and temporary exceptions may be allowed by national law for specific industries or production seasons.

Particular attention is to be paid to:

- Production peaks due to seasonality, not forecasted orders or perishability of the product
- Task rate and piece rate workers for overtime limits and payment
- Vulnerability of young workers, pregnant women, migrant workers, and night shift workers

Excessive (above 48hrs/week) or extreme (72hrs or above per week) working hours are often illegal and dangerous to workers; health, as well as having an impact on efficiency and productivity.

6.1 The auditee does not require more than 48 regular working hours per week, without prejudice to the exceptions recognised by the ILO

This means that the auditee ensures that working hours do not exceed:

- 48 regular hours per week
- 8 regular hours per day

In some countries, working hours are not regulated or companies can buy exemptions from local or national governmental authorities to increase work hours legally. Where this is the case, ILO conventions on working hours should be followed first.

The producer may apply some exceptions foreseen by the law, related to the following circumstances:

- **Management**: Supervisory or management positions may need to work more than 48 hours per week or more than 8 hours per day
- **Custom**: The law, custom or agreement may define that workers can work less than 8 hours in one or more days of the week. In these cases, the remaining days of the week can then be extended to 9 hours, provided that 48 regular working hours per week remains the maximum.
- **Shifts**: Workers employed in shifts may work for more than 48 hours per week or 8 hours per day, if the average number of working hours over a period of three weeks or less does not exceed these limits.
- **Family**: Family members running their family business may work more than 48 hours per week or more than 8 hours per day
- **Special regime**: Workers subject to a special regime, defined by the local laws (e.g. security guards often don’t have to follow regular legal requirements regarding working hours)

These exceptions make the daily and weekly limits for hours more flexible. However, average working hours within three months or less shall not exceed 48 hours per week.
If the excessive working hours are compensated in time within those three months, they will not be paid premium.

**IMPORTANT:** In agricultural works, the 48 regular working hours per week and above-mentioned expectations are to be considered recommendations. However, it will need to be understood that the specific nature of agricultural production may require more flexibility in working hours.

### 6.2 CRUCIAL QUESTION: The auditee request of overtime is in line with the requirements of the amfori BSCI Code of Conduct

This means that the auditee will only request workers to work overtime under conditions that respect the amfori BSCI Code of Conduct.

In this context, producer shall be aware of the law that applies to its industry and that:

**Overtime:**

- It is any working hour in addition to the regular hour limit. In countries where legislation sets the limit below 48 hours per week (e.g., 40 hours) any additional working hour is considered overtime.
- It must be paid in a premium rate, which cannot be less than one and one-quarter times the regular rate.
- Asking workers to work overtime will never significantly increase the likelihood of occupational health and safety hazards.

The legislation of its country will most likely define:

- **Temporary exceptions** that allow additional working hours (e.g., force majeure, accident risks, or actual and urgent work to be done to machinery)
- **Overtime limits per day, week or month** (e.g., maximum three hours per day)
- **Premium pay rates** that applies to overtime (e.g., 1.25 more than a regular working hour)
- **Type of working processes** that must be done in continuous shifts because of their nature and receive a permanent exception (e.g., national law allows two shifts of 12 hours per day instead of three shifts of eight hours per day)

**Written procedure on overtime:** Particularly regarding temporary exceptions, the producer shall enforce an internal procedure that:

- Has been approved by a worker representative and management
- Defines how many hours a worker may work daily, weekly and monthly during an exceptional period
- Defines the premium rates applicable to overtime for different days and circumstances
- Respects any other criteria defined by national law

**When drafting these procedure, workers’ representative and management shall make sure that:**

- **No discrimination:** Temporary workers, migrant workers, and piece rate workers are not always being the ones requested to work overtime.
- **No accumulation of fatigue:** Overtime should be well balance with resting periods.
- **Special protection** is granted for young workers, pregnant women, and night shift workers

**Legal permanent exceptions:** If the producer belongs to a type of industry which is covered by a legal permanent exception, the producer must keep updated documented proof of the agreement that describes the legal exception.

This agreement must have force of law and define:
• Type of exceptions
• Categories of affected workers
• The maximum additional working hours in each case
• The premium rate for overtime: at least 1.25 more than the rate for regular hours

To sum up, overtime shall be:
• Voluntary: Overtime always needs to be voluntarily agreed upon, except in cases of temporary exceptions (e.g. force majeure), which must be described in the employment contract.
• Opt-in: Overtime should be opt-in rather than opt-out. In circumstances where opt-out mechanisms are used, these should be explained and have a clear and coherent rationale.
• Exceptional: Overtime cannot be repeatedly added onto regular working hours, but to respond to an exceptional unforeseen situation.
• No risks added: Overtime shall not significantly increase the risk to workers’ health and safety.
• Premium paid: It is paid at a premium rate as defined by the law. Overtime occurring during official holidays and/or weekends may have a higher premium rate.

Corrective measures: Certain measures can be implemented to reduce excessive overtime:
• New technologies to improve production efficiency
• New production techniques
• More skilled and qualified workers
• Improvement in logistics (e.g. coordination and planning)
• A conversation with clients about delivery time expectations

All these aspects and precautions to reduce overtime also apply for agricultural work.

6.3 CRUCIAL QUESTION: The auditee grants workers the right to resting breaks in every working day

This means that the auditee ensures that workers benefit from:
• Short breaks: Workers are allowed to take short breaks during working hours, especially when the work is dangerous or monotonous, to enable workers to stay alert. A short break should at a minimum be 15 minutes long.
• Meal and toilet break: Workers are allowed to take the necessary time for meal and toilet breaks according to the law.
• Night rest: Workers working during the day are allowed at least eight hours of night rest within a 24-hour period.
• Adequate areas: Workers have access to effective resting break areas that include the following:
  – Access to ventilated areas
  – Accessible toilets and in sufficient numbers that workers don’t have to, for example, spend their whole break waiting in line.
  – Possibility for changing the physical position (either sitting down or standing up)

6.4 CRUCIAL QUESTION: The auditee grants workers the right to at least one day off in every seven days

This means that the auditee understands that workers need to rest to be able to be productive and management grants workers one full calendar day off every seven days, unless the freely negotiated collective bargaining agreement or national law defines otherwise.

Full calendar day: The producer respects relevant regulations for days off. The days off shall be full calen-
dar days and should follow national law or custom. **Promotes working hour practices that enable a healthy work-life balance for the workers**

**Documents related to this performance area**

- Documented working rules
- Pay slips for workers and documented evidence of payments
- Documented evidence of the legal permanent exception covering the business partner’s industry
- Records of hours worked by all workers
- Documented overtime procedure including agreements with workers
- Documented records of accidents

Business partners sourcing directly from farms need to cascade these criteria to the farms and support them in their implementation process. Business partners are advised to qualify at least one person to ensure that the amfori BSCI values and principles are transferred to at least the most relevant farms for its business.
PERFORMANCE AREA 7: OCCUPATIONAL HEALTH AND SAFETY

The performance of a business in occupational health and safety (OHS) is assessed in four aspects:

- Compliance with regulations
- Risk assessment
- Training of workers
- Procedures and equipment to ensure OHS

The business partner must be able to explain and provide documented evidence of its processes and procedures to ensure that OHS regulations are respected.

Imminent risks to workers’ health and/or lives identified during the audit will cause the auditor to trigger an alert according to the amfori BSCI Zero Tolerance Protocol.

7.1 The auditee observes applicable occupational health and safety (OHS) regulations

This means that the auditee has a good knowledge of the OHS regulations that apply to its business and observes these regulations.

In cases where the country does not prescribe OHS regulations, international standards apply.

The producer involves workers and their representatives in drafting and enforcing the internal procedures on occupational health and safety, which are necessary to ensure observance of OHS regulations.

7.2 The auditee seeks workers’ protection in case of accident, including through compulsory insurance schemes

This means that the producer (auditee) implements different measures to protect workers in case of accident (e.g. the producer may set or promote that workers sign up for private insurance scheme) compulsory insurance schemes and does the following:

- Involves workers and their representatives in finding better ways to protect workers from accidents
- Provides regular training for workers and management on how to avoid accidents and minimise impacts from accidents
- Regularly analyses the accident records to learn lessons and adjust accident protocols accordingly

7.3 The auditee set up an effective management system that ensures they regularly carry out risk assessments for safe, healthy and hygienic working conditions

This means that the auditee regularly conducts occupational health and safety risks assessments to:

- **Identify** the most common risks for workers
- **Classify** the risks based on their severity and likelihood
- **Define** the kind of preventive or remedial measures that may be necessary
- **Develop**, maintain, and implement an action plan
- **Allocate** budget

The auditee will keep in mind that a good risk assessment:

- Is appropriate for the safety and health of all workers
• Includes consultation with workers
• Covers all production activities, workplaces, machinery, equipment, chemicals, tools, and processes
• Uses relevant standards as a reference (e.g. national law or international standards)
• Includes regular monitoring and testing
• Provides enough human and financial resources to ensure that the identified risk(s) can be reduced
• Takes into consideration:
  – The special needs of the most vulnerable workers such as pregnant women, young workers, or migrant workers (this list is not exhaustive, it is up to the auditee to identify higher-risk workers and make provisions for them, as necessary.)
  – The transmittable and non-transmittable diseases in the work environment

7.4 There is active cooperation between management and workers (and/or their representatives) when developing and implementing systems towards ensuring OHS

This means that the auditee takes the necessary measures to proactively promote constructive dialogue between management and workers.

Workers and their representatives are to be consulted:
• During the risk assessment
• During the development of the action plan
• During the implementation of the systems to ensure safe and healthy workplace

If the producer has set up an OHS committee with democratically elected workers’ representatives, this is a positive step.

Other kinds of cooperation are acceptable, but there must be unambiguous evidence that shows how this active cooperation happens.

The producer keeps records on:
• OHS committee meetings
• OHS committee recommendations
• How the management evaluate these recommendations to accept or reject them

7.5 The auditee regularly provides OHS training to ensure workers understand the rules of work, personal protection and measures for preventing and reacting to accidents

This means that the auditee takes the necessary measures to make information available to workers about:
• The hazards and risks associated with their work
• The actions that should be taken for their protection

This information needs to be displayed in a way that can be easily understood by workers.

The auditee should make sure that workers are at least trained on the following OHS aspects:
• Using and maintaining the personal protective equipment (cleaning, replacement when damaged, and appropriate storage)
• Handling basic and site-specific hazards
• Safe work practices
• Emergency procedures for natural disasters
• Evacuation drills and/or fire-fighting drills, which have records for:
  – The purpose
  – Number of workers who participated
  – Results
– Photos and dates
– Time taken for the evacuation (the time required for evacuating the building should never be more than nine minutes)

The auditee improves its performance by doing additional training on OHS for the following audiences:

- Management, supervisors, and occasional visitors
- Workers who operate machinery and power generators
- People working with electrical installations and equipment who also must understand their tasks and safety procedures
- Workers who handle and/or administer hazardous substances (Including, but not limited to, chemicals, disinfectants, crop protection products, and biocides)

7.6 The auditee enforces the use of personal protective equipment to provide protection to workers in conjunction with other facility controls and safety systems

This means that the auditee takes the necessary measures to provide workers with adequate personal protective equipment that:

- Offers effective protection to workers and occasional visitors. Special attention is to be given to risky processes such as sand blasting for jeans or pesticide application in agriculture
- Does not cause unnecessary inconvenience to the person wearing it
- Is free of charge to all workers
- Works well for the necessary activities in the workplace

7.7 The auditee implements engineering and administrative control measures to avoid or minimise the release of hazardous substances into the work environment. It keeps the level of exposure below internationally established or recognised limits.

This means that the auditee puts into practice:

Regular risk assessments: To identify the engineering and administrative control measures that are needed to avoid or minimise the release of hazardous substances into the workplace and the environment.

Administrative control measures: At the minimum, the producer will set up the following measures at the workplace:

- Authorisation: Only authorised workers have access to chemical substances
- Protection: Workers receive adequate protection for handling and administering chemicals
- Record-keeping: The distribution, use, and disposal of chemicals are properly recorded
- Following instructions: Workers must follow the recommendations of the manufacturer, when using chemicals (trainings may be provided in this context)
- Labelling: The labelling of chemicals and marking of hazards are clearly understood by the workers and are done in agreement with nationally and internationally recognised requirements. For example:
  - The International Chemical Safety Cards (ICSC)
  - The Materials Safety Data Sheets (MSDS)

More information on the management of chemicals can be found at the following link: http://www.inchem.org/pages/icsc.html.

Engineering control measures: At the minimum, the auditee will set up the engineering measures at the workplace to:

- Expulse fumes, steam, and dust outside (e.g. spot cleaning places)
- Properly dispose of chemicals, even in the absence of national legal regulations
7.8 The auditee develops and implements accident and emergency procedures

This means that the producer (auditee) puts into practice accident and emergency procedures at least following the recommendations below:

**Step-wise:** Management and a good proportion of the workforce knows the steps to follow in case of accident or emergency, so risks are minimised.

**Written procedures:** These steps are documented in an emergency procedure, which is widely understood by workers, especially those who play a more relevant role when accidents happen (e.g. first-aid personnel).

**Special attention:** The auditee makes sure that these procedures are properly explained to:

- Seasonal and temporary workers
- Night workers
- Migrant workers
- Young workers
- Pregnant workers
- Disabled workers

7.9 The auditee makes visible potential hazards to the workers through signs and warnings

There are no universal ways to communicate potential hazards and warnings to workers and visitors. However, the auditee shall be confident that potential hazards to workers are understandable to those who are concerned.

Signals and warnings must be:

- Relevant to the specific culture and activities
- Displayed in the appropriate place for their purpose
- Related to the accident and emergency procedures
- Related and suitable to potential hazards, such as:
  - Chemicals
  - Electricity
  - Hot surfaces
  - Falling objects
  - Slippery floors
  - Machinery and vehicles

7.10 The auditee has and properly uses procedures for recording and reporting occupational accidents and injuries

This means that the auditee takes the necessary measures on:

**Reporting:** The procedures enable workers to immediately report to their supervisor any situation that presents a serious danger to life or health. Both accidents and near-misses are reported.

**Recording:** The auditee keeps records on all accidents and injuries. Records specify:

- When the accident took place (e.g. date, peak season, harvest season)
- Who was involved
- What actions were taken
- What the final results were (e.g. death or injury)
- How the accidents (or occupational diseases) were investigated
- What actions for prevention and remediation were taken
- How long workers were unable to work
7.11 The auditee seeks the stability and safety of the equipment and buildings used for production

This means that the auditee takes the necessary measures to:

• Have procedures in place to confirm the stability and safety of the equipment
• Keep accurate documentation of any official and private inspection concerning building and equipment safety and stability
• Have valid licenses to conduct its activities in the relevant building
• Ensure if structural issues are identified on site or have been fixed, that they have records in place to demonstrate how the potential risk is being managed (i.e. an engineer’s attestation that a crack in a wall is not structural, for example)

The auditee knows and follows:

• National legal requirements concerning the building:
  – Stability
  – Safety
  – Appropriateness for conducting its business activity
  Legal requirements concerning the safety of the equipment, including ongoing official inspections (if relevant)

7.12 CRUCIAL QUESTION: The auditee respects the workers’ right to remove themselves from imminent danger without seeking permission

This means that the auditee takes the necessary measures to ensure that workers can remove themselves from imminent danger without asking permission. This workers’ right:

• Applies to the workplace and residential facilities provided by the producer
• Must be well communicated to workers during trainings
• Must be properly documented in the OHS procedures

7.13 The auditee makes sure a competent person periodically checks the electrical installations and equipment

This means that the auditee takes the necessary measures to ensure that a competent person will regularly verify electrical installations and equipment.

Competent person means that the person has:

• The relevant training
• Relevant qualifications
• Acquired relevant experience
• Checks of the electrical installations and equipment will happen:
  • Within the pre-defined timeframe
  • Randomly
  • Per request

The checks are properly recorded and, if possible, posted close to the verified installation or equipment. The record includes at least:

• Name of the person in charge
• Date of the last check
• Description of findings (if any)
• Due date for the next check
Furthermore, when dealing with electrical installations and equipment, workers need to conduct their work safely by:

- Using only tools properly insulated and in good condition
- Having appropriate working space and lighting
- Informing the competent person in case electrical installations or equipment show abnormal functioning

Usually national laws define the working space and lighting needed by workers that work with electrical installations and equipment.

If national laws exclude such regulations, the producer uses common good practices and adapts them to its situation, such as:

- Workplaces being free of distribution lines
- Electrical cords not posing a tripping hazard
- Risks of strangulation and other work-related accidents being evaluated and included in the OHS procedure to minimise them
- Engaging workers who use the installations and competent persons to get suggestions on how to reduce risks
- Ensuring any electrical cables or equipment are not in danger of getting wet
- Electrical cables, equipment or installations are not covered in dust or other workplace detritus.

**7.14 CRUCIAL QUESTION: The auditee has installed an adequate amount of firefighting equipment, which works properly**

This means that the auditee takes the necessary measures to ensure that the workplace counts with the firefighting equipment required by the OHS action plan. Usually the national law specifies the standard requirements for firefighting equipment such as:

- Position and placement
- Size and effectiveness
- Maintenance and inspection requirements

If there are no legal requirements, the firefighting equipment must at least be:

- Distributed in an equal way around the workplace
- Placed at a height that ensures effectiveness
- Easily reached by workers
- Properly identified (e.g. inventoried) with clear reference to:
  - The date of the last servicing
  - The due date for the next servicing
- Where fire extinguishers are located and the route to reach them must be visually marked.

Early warning systems must be installed and function as required by the law. Warning systems can be:

- Smoke sensors
- Fire alarms
- Alarm devices

**7.15 CRUCIAL QUESTION: The auditee ensures that escape routes, aisles and emergency exits in the production site are easily accessible, clearly marked and not blocked**
This means that the auditee takes the necessary measures to ensure that workers and visitors can easily leave the premises if an incident occurs without putting their health or lives at risk.

To that aim:

- **Escape routes, aisles, and emergency exits** must be all of the following:
  - Not blocked or locked during working time (including overtime and night shifts)
  - Easily accessible
  - Clearly marked
  - Ending in a safe place for workers and visitors

- **Safe evacuation** shall be managed in a systemic and preventive manner, for which workers shall conduct fire drills at least as required by law

- **Emergency lights** and any other evacuation signals must be properly installed and function well

- **Production rooms** where more than 10 workers work in the same shift should have doors that open outwards unless the national law sets different rules

- **The number of emergency exits** must be adequate for:
  - The number of workers
  - The size and occupancy of the building
  - The arrangement of the workplace

7.16 The auditee ensures evacuation plans meet legal requirements and are posted in relevant places so workers can see and understand them

This means that the auditee takes the necessary measures to ensure that the evacuation plans are the best possible to ensure workers can evacuate the workplace safely.

Plans to evacuate the workplace (and the building) must show:

- **Standpoint**: Current position from the location where the plan is posted
- **Closest escape routes**: Location of the closest escape routes including emergency exits
- **Firefighting equipment**: Location of fire extinguishers and any other firefighting equipment
- **Assembly / muster points**: Locations outside of the site where workers should congregate if there is an emergency

The auditee organises regular trainings to ensure that workers know how to:

- use a fire extinguisher
- read and follow the evacuation plan to reach a safe point

7.17 The auditee ensures adequate safeguards for any machine part, function, or process which may cause injury to workers

This means that the auditee takes the necessary measures to ensure that workers can use any relevant machine, function or process in a safe manner.

All applicable safeguards for equipment are available and properly installed, for example:

- Belt encasements
- Grills for fans
- Emergency switch-off

Valid inspections and insurance for machinery and vehicles are available as required by law. The maintenance work is done by competent personnel and recorded. This may be the case for elevators, lifts, and other hazardous machines.

The auditee keeps records of the maintenance, which includes:
• Summary of maintenance
• Name of the competent person in charge
• Applicable insurance and its validity

7.18 CRUCIAL QUESTION: The auditee ensures qualified first-aid is available at all times

This means that the auditee takes the necessary measures to ensure that workers can receive first-aid in case of need.

National legal regulations define what kind of medical provisions shall be available for workers in the workplace.

If there are no such legal regulations, the auditee provides:

• Adequate first-aid kits, rooms, and/or stations
• Regular training on first-aid and related procedures to ensure emergency treatment
• One or multiple trained people who can administer first-aid
• Responsible people to verify and re-fill the content of the first-aid kit

Where immediate flushing with water is the recommended first-aid response, the auditee makes sure that close to workstations there are:

• Potable water sources
• Eye-wash stations
• Emergency showers

7.19 The auditee has emergency procedures to deal with cases of trauma or serious illness. These procedures must be in writing.

This means that the auditee takes the necessary measures to ensure that workers are helped in case of trauma or serious illness and are transferred to appropriate medical facility if necessary.

The emergency procedures may be in a separate document or part of the action plan developed after the OHS risk assessment. It shall include the steps to be taken when a worker has to be transferred to an appropriate medical facility as well as the names of responsible staff in every shift.

Workers are aware of the procedures and who is the responsible staff in case of trauma or serious illness of themselves or one of their fellow workers.

7.20 CRUCIAL QUESTION: The auditee provides potable water for workers at all times

This means that the auditee takes the necessary measures to ensure that workers have access to potable water always and not only during breaks.

Limiting access to potable water must be regarded as inhuman treatment or discrimination. Therefore, it must not happen, even less as a disciplinary measure.

The right to potable water shall be granted always in:

• The workplace (both factories or farms)
• The facilities where workers prepare or eat food
• Housing or dormitories provided by the business partner or provided by a broker or recruitment agency

National regulations often define:
• Water quality acceptable for human use
• Which areas may not require potable water (e.g. showers)
• The kinds of tests and authorities that verify water is potable

Certificates: Relevant and valid certificates must be made available.

Signs for non-potable water: Places where water is not potable must be properly marked to avoid any health risk to users.

Risk of dehydration: The business partner pays additional attention to the right to potable water during seasons or in regions where risk of dehydration is higher due to hot weather.

7.21 The auditee provides workers with access to an appropriate, clean area for storing food, eating and/or cooking

This means that the auditee takes the necessary measures to ensure that workers can eat, cook and store food in all safety and human dignity.

The auditee makes sure that workers are allowed to enjoy their lunch or dinner breaks in a place that is safe and clean.

If the law states that businesses must provide an eating room or canteen, the producer follows that law.

If the law does not define the minimum conditions for these facilities, the auditee should make its own assessment in consultation with workers and their representatives to define and agree on the safe and clean conditions.

The auditee pays particular attention during peak season to ensure that the facilities can accommodate the entire workforce (permanent and all other workers), and still enjoy their lunch or dinner breaks in a place that is safe and clean.

Where food is provided to workers (either free or not), producers should ensure that it is nutritionally balanced and appropriate for the type of work on site (i.e. heavy labour delivered in hot conditions requires meals that have higher calorific content and more water in it. In any case, a bowl of plain rice or similar is not considered appropriate).

The auditee must have the following information available for the audit:
• How food is stored
• Records of cleaning shifts
• Menus for the last six months before the audit
• Lunch and/or dinner shifts

7.22 The auditee provides workers with clean washing facilities, changing rooms and toilets that are respectful of local customs

This means that the auditee takes the necessary measures to ensure that workers can maintain their hygiene habits and be safe from any contamination risk.

The auditee makes sure that workers are granted decent changing rooms, washing rooms, and toilets equipped will all necessary conditions of human dignity. At the minimum, facilities must provide:
• A steady supply of soap
• Working locks
• Gender separation, or gender neutral toilets where appropriate
• Separate changing rooms for workers who change their clothes to perform their functions (e.g. to handle hazardous substances or wear protective clothing)

If the law defines the minimum number of washing facilities and toilets that businesses must provide, the producer follows that law.

If no law exists, the assessment of how many facilities are needed to serve the size of the workforce needs to be part of the OHS risk assessment and related action plan.

If there is no applicable law, the number of washing facilities, changing rooms, and toilets should meet the needs of the total number of workers. Particular attention should be given to making sure that facilities meet workers’ needs even when the number of workers increases (e.g. peak season).

The auditee is able to explain during the audit the reasons for having the amount of facilities that it has. It can also explain plans to adapt the number, if needed and that gender has been considered in terms of numbers of toilets and toilet allocation.

7.23 The auditee provides workers with transportation (either directly or by using third parties) that is safe and that complies with national regulations

This means that the auditee takes the necessary measures to ensure that workers come to work safely. To that aim:

• The producer has information on how workers get to the workplace (e.g. public transportation or bicycle)
• The means use for transportation are suitable for human transportation
• If the site uses drivers, in-house or third-party, the auditee ensures they are not under the influence of drugs or alcohol, and are fully licensed to drive the vehicle and carry the passengers they carry

7.24 The location of the social facilities or workers housing ensure that users are not exposed to natural hazards or affected by the operational impacts of the worksite (for example noise, emissions or dust)

This means that the auditee takes the necessary measures to ensure that workers are not exposed to natural hazards or operational impacts due to the location of the social facilities or housing.

National law usually defines the characteristics for where and how social facilities and housing must be located. If not, the auditee:

• Bases its decision on the OHS risk assessment and related action plan
• Ensures that the location of social facilities and housing does not expose workers to:
  – Natural hazards
  – Adverse impacts on health, safety, or their lives
• Industrial buildings (with or without industrial activity) are not used for workers’ housing

Cost of accommodations: When workers are required to temporarily leave the regular workplace for a different work environment (e.g. agricultural or animal production), the producer should provide the workers adequate facilities and accommodations at no cost for them.

7.25 The auditee verifies that temperature, humidity, space, sanitation, illumination are adequate for the health and safety of workers

This means that the auditee takes the necessary measures to ensure that workers are not exposed to unnecessary health risk due to the working conditions.

Respectful to workers’ health and safety: The auditee needs to make sure that workers have a workplace,
social facilities, and housing that are fully respectful of their health and safety.

If the law defines the minimum characteristics for the workplace, social facilities, and housing, the auditee follows that law.

If not, the auditee comes up with the relevant standards because of the OHS risk assessment. The auditee must define in consultation with workers and their representatives the adequate conditions related to:

- Temperature
- Humidity
- Space
- Sanitation
- Lighting

**Space and lighting:** Space and lighting need to be provided in such a way that is adequate for workers’ specific activities.

The auditee must be able to provide to the auditor consistent information on:

- The existing conditions
- Improvement plans (if any)
- Timeline and related cost(s) for improvements

If the auditee provides workers with housing:

- The rooms must give workers enough space and not be overcrowded
- Workers must have space to store personal items
- Laundry and waste disposal need to be properly organised
- Waste removal scheduling must be displayed for workers in the housing

**Documents related to this performance area**

**Certificates and contracts:**

- Valid inspection and insurance for machinery and vehicles
- Purchase invoices of the Personal Protection Equipment bought by the auditee
- Valid business license and all necessary official approvals to run operations
- Official building certificate about safety and appropriateness for the industry
- Contracts with service providers, including food services, transportation, and agents

**Training**

- Documented evidence of workers training on occupational health and safety
- Documentary evidence of training, consultations and informative sessions held for members of a producer organization
- Evidence of a training calendar for workers and management
- Documented evidence of the qualifications of workers who deal with dangerous machines, electrical installation, and any other activity that requires specific training due to the high level of risk

**Records and reports:**

- Risk assessment for safe, healthy, and hygienic working conditions
- Action plan for safe, healthy, and hygienic working conditions
- Documented evidence of up-to-date contributions to social insurance funds
- Occupational health and safety regulations for the industry
- Documented evidence of the election process for the health and safety committee
• Minutes of the health and safety committee meetings
  Documented evidence of the consumption, release and disposal of chemicals (including Material Safety Data Sheets – MSDS)
• Official inspections conducted to ensure building and equipment safety, including date of validity and corrective actions, if any
• Inspection reports, maintenance records, and operating and safety instructions for:
  – Dangerous machines including lifts, electrical equipment, and high-pressure equipment
  – Firefighting equipment (e.g. inspection tags on fire extinguishers)
  – Potable water at production facilities and dormitories
  – Health and safety of the facilities and dormitories including temperature, noise level, and lighting

Business partners sourcing directly from farms need to cascade these criteria to the farms and support them in their implementation process. Business partners are advised to qualify at least one person to ensure that the amfori BSCI values and principles are transferred to at least the most relevant farms for its business.
PERFORMANCE AREA 8: NO CHILD LABOUR

Child labour is work that:
- Is done by a person under 15 years old
- Is dangerous morally, physically, socially, or mentally
- Interferes with schooling
- Is not ‘light work’

Light work is the participation of children or adolescents in work such as:
- Helping parents around the house
- Assisting in a family business
- Earning money outside school hours

Light work is acceptable if children are:
- at least 13 years old (or at least 12 years old in countries that have set a minimum age of 14)
- able to attend school and have time to accomplish their homework (e.g. two hours in any working day)
- supervised by parent or guardian who ensures tasks given to children are harmless

A higher minimum age for hazardous work: Work that by its nature, or the circumstances under which it is carried out, is likely to jeopardise health, safety or morals can only be executed by a person older than 18 years old.

Please note, in almost all cases work in factories is not acceptable for children below the age of 16.

8.1 CRUCIAL QUESTION: The auditee does not engage in illegal child labour directly or indirectly

This means that the auditee takes the necessary measures to ensure that children younger than 15 years old (or younger than 14 years old in countries that have set that age as the threshold) are not engaged directly or indirectly to be part of the workforce

Child labour shall be avoided because it is:
- mentally and physically harmful to the children
- morally incorrect for a responsible business
- harmful for the community because it:
  - Deprives children of the opportunity to attend school
  - Obliges them to leave school before completing the term
  - Requires them to try to combine school attendance with excessively long and heavy work

The auditee must take the necessary actions to:
- Understand what child labour is and what it is not
- Understand the legal context it operates in and local laws relating to child labour
- Identify whether child labour is likely to occur in its industry or region (e.g. some industries such as agriculture, hunting, forestry, fishing, mining, and quarrying have higher risks of child labour than others.)
- Ensure there is a remediation process in place in case of child labour being identified on site
The business partner shall avoid engaging child labour indirectly (e.g. by using recruitment agencies or allowing migrant or seasonal workers to use their children to support them at work).

To that aim, additional precautions may be needed, and the auditee will keep up-to-date records of:

- Migrant or seasonal workers’ children’s names, ages, schooling time schedules, and school information
- Age and identity cards of workers engaged through recruitment agencies
- Agencies’ recruitment procedures to avoid engagement of children or illegal workers (among others)

All this personal data will be kept with utmost respect and according to data privacy regulations. If during the additional preventive measures, the producer realises that some of the workers were hired before they reached the legal age to work, the producer reports this to the auditor and shows that actions taken to keep the situation from happening again.

Stakeholder mapping: The producer keeps contact details of the stakeholder(s) who could provide victim and child protection support (e.g. returning to school and identification of parents).

amfori BSCI offers Template 6: Stakeholder Mapping to use for this purpose.

8.2 The auditee establishes robust age-verification mechanisms as part of the recruitment process, which may not be in any way degrading or disrespectful to the worker

This means that the auditee takes the necessary measures to ensure that its recruitment process can identify any minor before he or she is recruited.

The risk of hiring minors is higher for:

- Certain sectors (e.g. mining and textile)
- Certain cultural contexts and countries (e.g. Sumangali system in India)
- Jobs that require low or no qualifications
- Work conducted in remote areas where:
  - Labour inspectors are less likely to reach
  - Individuals have limited access to official identity cards

A robust age-verification mechanism includes:

- Training of the person or people in charge of hiring workers and dealing with high-risk situations
- Training of the person or people in charge of hiring workers to use interviewing techniques that can cross-verify the actual age of workers being interviewed
- Regular cross-verification of workers’ ages with other stakeholders (e.g. recruitment agencies and previous employers)

8.3 The auditee has adequate policies and procedures in writing, towards protecting children from any kind of exploitation

This means that the auditee takes the necessary measures to ensure that children are protected from any kind of exploitation neither directly (by the producer) or indirectly (by business partners).

The business partners shall be kept up-to-date and include:

An overview of:

- Particularly hazardous working conditions in the workplace
- Illegal activities in the region (e.g. drug trafficking, prostitution, and forced migration)
• Family poverty as a driving force behind child labour
• Child protection projects run in the area by government, NGOs, or others
• Trade union(s) that could offer support in case of child labour
• Educational or vocational training facilities nearby or in the region (including contact details and schedules)
• Education or social welfare authorities that can provide assistance in cases of child labour

An assessment of the measures to:
• Control the risk of child labour
• Reduce or eliminate child labour
• The necessary steps to deal in the most responsible way with cases of child labour

In addition, the auditee must ensure they have safeguards in place to protect young workers and children from other young workers or adults on site.

8.4 The auditee has adequate and remedial policies and procedures to provide for further protection in case children are found to be working

This means that the auditee takes the necessary measures to ensure that, should children ever be found working in its business, they would be protected.

The remediation procedure must include:
• Ways to help children return to society when they stop working (e.g. non-formal or basic education for older children so they can successfully re-enter regular schools)
• Relevant stakeholders who could support children and their families when children stop working or for them to be able to stop working (e.g. local offices of international organisations like Save the Children and UNICEF and government agencies dealing with child protection) and up-to-date contact lists
• Allocated budget to provide financial compensation to children found working so they can go to school

In some cases, the best approach for remediation may be to:
• Progressively remove children from work
• Set up a time schedule to monitor how children return to society

These two approaches might be more appropriate than immediately removing the child without any supervision.

An immediate removal might incentivise the child to get involved in less visible and more exploitative, hazardous, or illegal types of work. Having a policy to only engage adults is not acceptable as a child labour remediation procedure.

Documents related to this performance area

• Personal data files for all workers (including seasonal workers and workers hired using recruitment agencies)
• Age-verification procedure
• Documentary evidence of training given to workers, management and human resources (e.g. list of attendees with signatures)
• Procedure to avoid exploitation of children
• Child labour remediation procedure
• Worker contracts or agreements, including those with recruitment agencies

Business partners sourcing directly from farms need to cascade these criteria to the farms and support them in their implementation process. Business partners are advised to qualify at least one person to ensure that the amfori BSCI values and principles are transferred to at least the most relevant farms for its business.
PERFORMANCE AREA 9: SPECIAL PROTECTION FOR YOUNG WORKERS

Young workers:

- Must not work night shifts
- Must not work near or with dangerous substances and chemicals
- Must have received specific training on health and safety standards as well as specific training on how to access and use the producer’s grievance mechanism
- Are assigned working hours that do not put at risk their school attendance, participation in vocational orientation, or capacity to benefit from training or instruction programs

The business partner has to take all necessary measures so that such special protection is provided to protect young workers from physical, psychosocial, or moral danger at work.

9.1 The auditee ensures that young people do not work at night and are protected against conditions of work which are prejudicial to their health, safety, morals and development

This means that the auditee takes the necessary measures to ensure that young workers do not put their health, safety, morals and development at risk.

Risk assessment: The business partner has a good understanding of the activities that are potentially harmful for young workers. A risk assessment is necessary even if the producer does not employ any young workers.

The risk assessment must result in pointing out the processes and areas of work where young workers cannot be involved.

Night work is usually defined by national law, in which case the business partner uses such a legal definition as a reference to avoid young workers working at night.

Without a national law definition, the business partner follows the amfori BSCI definition. amfori BSCI defines ‘night work’ as all work which is performed during a period of seven or more consecutive hours, which include the period from midnight to 5 am, as defined by the ILO.

9.2 CRUCIAL QUESTION: young workers’ working hours do not prejudice:

- Their attendance at school
- Their participation in vocational orientation approved by the competent authority
- Their capacity to benefit from training or instruction programmes

This means that the auditee takes the necessary measures to ensure that the combination of daily work hours, school time, and transport time is limited to 10 hours a day when workers attend local compulsory education, or any other education or training programme approved by the competent authority.

The auditee makes sure that its own company trainings are scheduled in such a way that young workers can still attend school or their education/training programme.

9.3 CRUCIAL QUESTION: the auditee establishes the necessary mechanisms to prevent, identify and mitigate harm to young workers
This means that the auditee takes the necessary measures to ensure that the Occupational Health and Safety risk assessment and related action plan meet the following criteria:

- Specific attention to young workers
- Workers and their representatives are consulted to define preventive and mitigation measures
- The mitigation measures are properly recorded

### 9.4 The auditee seeks to ensure that young workers have access to effective grievance mechanisms

This means that the auditee takes the necessary measures to ensure that young workers can use the grievance mechanism and receive timely feedback.

To that aim, the business partner seeks to ensure that young workers:

- receive special training on how to submit a grievance
- are properly informed on the support they can receive to submit a grievance
- are trained regardless of the type of employment (seasonal, subcontracted, or directly employed)

**Training documentation:** The business partner keeps records of trainings given to young workers about the existence and use of the grievance mechanism. This training documentation shall include:

- Dates and schedules (which should not conflict with schooling or vocational training programmes)
- Content
- Trainer name and qualification
- Attendance list with signatures

### 9.5 The auditee seeks to ensure that young workers are properly trained on occupational health and safety and have access to related training programmes

This means that the auditee takes the necessary measures to ensure that young workers receive occupational health and safety training on the specific risks they face in carrying out their tasks.

**Training documentation:** The business partner keeps records of trainings given to young workers about the existence and use of the grievance mechanism. This training documentation shall include:

- Dates and schedules (which should not conflict with schooling or vocational training programmes)
- Content
- Trainer name and qualification
- Attendance list with signatures

### 9.6 The auditee has a good overview of all young workers engaged in its production site

This means that the auditee takes the necessary measures to ensure that it has accurate and up-to-date information on the young workers employed (directly and indirectly) at the producer business.

The auditee understands that young workers are one of the most vulnerable groups of workers.

The auditee makes extra efforts to monitor young workers’ working conditions.

**Work cycle:** The auditee has a good overview of the work cycle of young workers, which refers to:

- The recruitment process
- Remuneration
- Hours of work
- Disciplinary measures
• Promotion
• Trainings
• Termination of employment

**Record keeping:** The auditee collects and keeps specific records on young workers. For this end, amfori BSCI provides Self-Assessment on Young Worker Data that includes the minimum information needed for the records. It is especially useful if the auditee does not have its own format. It is available on amfori Sustainability Platform.

**Handling personal data:** Personal data records should only be destroyed in agreement with the national regulations for handling confidential information. See also performance area 13 Ethical Behaviour below.

**Documents related to this performance area**

- Documentation of all trainings given to young workers
- Risk assessment and related action plan with specific actions to protect young workers and young female workers
- Young workers overview records
- Young workers’ work cycle overview

Business partners sourcing directly from farms need to cascade these criteria to the farms and support them in their implementation process. Business partners are advised to qualify at least one person to ensure that the amfori BSCI values and principles are transferred to at least the most relevant farms for its business.
PERFORMANCE AREA 10: NO PRECARIOUS EMPLOYMENT

No precarious employment means that:

- Employment terms do not cause insecurity for the worker
- Employment contracts provide social security
- Temporary or seasonal contracts, apprenticeship schemes, and subcontracting are not used to avoid the law

10.1 The auditee’s employment relationships do not cause insecurity for the workers

This means that the producer (auditee) takes the necessary measures to ensure that terms of employment provide legal protection to workers

**Cause of insecurity:** Situations that cause insecurity to the worker can affect both permanent and temporary workers. They include:

- Deprive workers from social security
- Use of seasonal contracts at the expense of providing permanent positions
- Recruitment and dismissal practices to avoid consolidation of workers’ rights

The auditee monitors that work cycles are respectful to the workers don’t reveal discrepancies or discrimination at any step. These steps are:

- Recruitment process
- Remuneration
- Hours of work
- Disciplinary measures
- Promotion
- Trainings
- Termination of employment

**Temporary workers:** The definition of permanent and temporary jobs (seasonal being one type of temporary job) is usually given by law. If this is not the case, jobs that are not considered permanent, where workers are hired on rolling contracts or when workers know in advance they will be out of employment after days, weeks or months, are considered temporary.

**Homeworkers:** The auditee has specific protocols and systems to monitor and guarantee homeworkers (when relevant) working conditions, well-being, and type of employment arrangements.

**Probationary period:** National legislation often allows the first few months of a new employment relationship to be a probationary period. The maximum duration is generally specified in the national legislation. This period allows both the employer and the employee to try out the employment relationship. It normally includes the notice periods to terminate the employment relationship. They are normally associated with special periods of notice for termination, while other obligations such as the remuneration and social security provision remain unaffected.

**Good practices:** When the auditee considers the role that workers may have as parents or caregivers and adapts the working conditions accordingly, the auditor will acknowledge this as good practice.

The auditee should be proactive in reporting any other contractual practice that is not a legal requirement but a practice that the producer implements on a voluntary basis to improve working conditions.

The auditee works against work instability by having:
• Fair recruitment processes, remuneration, hours of work, disciplinary measures, promotions, trainings, and termination
• Temporary job arrangements when truly intended to cover work limited to a determined period
• Valid probationary periods and employment conditions
• Not using fix contracting based on the marital or pregnancy status of women

Please note, in some circumstances using a system whereby temporary workers from local communities being regularly replaced or rotated is beneficial to communities, as through this approach wealth and skills-building is spread more evenly and equally. If this is the case, it is important to ensure the process used to hire workers is fair and not discriminatory.

10.2 The auditee engages workers based on recognised and documented employment relationships

This means that the auditee takes the necessary measures to ensure that terms of employment are clear and according to the law. The work relationship between the producer and its workers is:

• **Recognised**: The work relationship has been established in compliance with national legislation, custom or standard practice, and international labour standards, whichever provides greater protection to workers.
• **Documented**: The work relationship is supported by documented proof that workers are made aware of their rights and obligations (e.g. work contracts and posters that indicate working rules). Particular attention must be paid when workers have difficulties reading or writing. In these cases, the producer must make additional efforts to ensure that workers understand their working conditions.

**Indirect recruitment**: The auditee should carefully look at workers’ terms of employment when it engages workers by using recruitment agencies or labour brokers. Recruitment agencies must meet the characteristics defined by law to be considered as ‘recognised agencies’. Otherwise, they represent too high of a risk for producer business reputation.

In this context:

The auditee has a good overview of how the recruitment agency engages workers, taking into consideration the following criteria:

• **Transparency**: No coercion or threat of violence, accurate information on employment conditions, and contract in language that is understood by the worker.
• **Security**: Freedom of movement, no confiscation of personal documents or vital possessions, no semi-legal recruitment or denial of social benefits, and no excessive work hours or poor working conditions.
• **Employer pays**: Workers don’t pay for a job and costs related to recruitment are covered by the employer.

The auditee regularly receives employment documents from the agency.

The auditee understands how, when, and how much the agency pays the workers, including possible deductions.

10.3 The auditee provides workers with understandable information before entering into employment

This means that the auditee takes the necessary measures to ensure that workers are aware of the rights and obligations the work demands from them.
Information provided to workers must be:

- **Understandable**: This may require translation into the workers’ languages, or documented in the local languages of migrant workers, or audio and/or visual guidance for disabled workers as well as for workers who have difficulty reading and writing.
- **Timely**: It needs to be provided before the employment relationship begins.
- **Accurate**: The information refers to rights, obligations, and employment conditions that will effectively apply to the worker upon starting employment. It includes information on:
  - Working hours
  - Trainings
  - Resting periods and holidays
  - Remuneration and terms of payment
  - Social benefits: maternity/parental leave, sick leave, childcare services, health care, etc.
  - Grievance mechanism

The same understandable information must be given to workers hired indirectly (e.g. through recruitment agencies, labour subcontractors, or brokers).

**10.4 CRUCIAL QUESTION: The auditee does not use employment arrangements in a way that deliberately conflicts with the genuine purpose of the law**

This means that the auditee takes the necessary measures to ensure that terms of employment correspond to the real purpose. They are not created to avoid the law.

If misused, some legal employment arrangements can harm workers. The producer must avoid:

- Apprenticeship schemes where there is no intention to develop skills or provide regular employment
- Seasonal or contingency work that is used to undermine workers’ protection

Some employment arrangement may have as intention to cover illegal practices or reduce workers’ rights. The producer will be extremely vigilant to avoid being directly or indirectly involved in:

- **Labour-only contracting**: The contractor or subcontractor merely recruits, supplies, or places workers to perform a job, work, or service for the employer. However, in reality the arrangement covers bonded labour practices.
- **Workers’ subcontracting**: Subcontracting should be done for efficiency or quality reasons, not to undermine workers’ rights. (e.g. to avoid reaching the minimum number of workers that allows for the presence of workers’ representatives or the right to unionise).
- **Contract substitution**: when workers review one contract at any point in their recruitment stage, and then when it comes to signing the contract is different (and often for a different job or pay grade entirely)

In all cases, the auditee must be able to explain the business logic behind the choice of these employment arrangements and demonstrate that workers’ rights are guaranteed.

**Documents related to this performance area**

- Employment contracts and/or posters where workers’ rights and obligations are displayed
- Recruitment and hiring procedures and records
- Overview of subcontractors
- Overview of apprenticeships granted in the company
• Overview of seasonal workers

Business partners sourcing directly from farms need to cascade these criteria to the farms and support them in their implementation process. Business partners are advised to qualify at least one person to ensure that the amfori BSCI values and principles are transferred to at least the most relevant farms for its business.
PERFORMANCE AREA 11: NO BONDED LABOUR

Bonded labour includes any form of servitude, or any forced, bonded, indentured, trafficked, and non-voluntary labour.

Bonded or forced labour is unacceptable regardless of the circumstances.

The risk of bonded labour is not only determined by the working conditions at factory or farm level, it can take place in the recruitment process. Workers might be exploited by unethical agents before they even enter a factory or step foot on a farm.

In agriculture, cultivation organised on a communal basis because of law or custom is not regarded as compulsory cultivation. This is in line with the ILO Convention 29 (art. 19.2) and the producer can so explain it to the auditor.

Types of forced and bonded labour vary between regions. Producers should ensure they are aware of those circumstances that could lead to forced or bonded labour in their region.

11.1 CRUCIAL QUESTION: The auditee does not engage in any form of servitude, forced, bonded, indentured, trafficked or non-voluntary labour

This means that the auditee takes the necessary measures to ensure that workers are hired:

- Based on their free will
- Having a good understanding of the rights and obligations
- Men and women workers have a full understanding of their working and contracting conditions.
- Without facing any potential or actual risk of being subject to forced labour

Workers can:

- Leave work and terminate their employment freely, provided that reasonable notice is given to the employer
- Leave the premises after working hours, without being stopped or held by security guards (armed or unarmed)
- Leave the production site and housing in their free time without having to ask for permission
- Choose other housing than the lodgement offered by the employer if the possibility is given

The auditee must make sure that:

- Work permits are valid, and the type of work permit does not show that workers have been victims of human trafficking
- Workers receive their visa, housing, training, payment, and education without entering in any form of servitude
- Workers are not asked to leave important possessions or personal documents (e.g. passport) as a deposit
- Workers are not prevented illegally and against their will from receiving their earned wages or benefits

11.2 The auditee acts rigorously and diligently when engaging and recruiting migrant workers both directly and indirectly

This means that the auditee takes the necessary measures to engage migrant workers in a way that does
not represent a risk of bonded labour. This is particularly important when workers are hired indirectly (e.g. through recruitment agencies, labour subcontractors, or brokers).

The auditee makes sure to avoid this situation when:

• Both the country of origin and host country do not provide reliable protection to migrant workers
• Workers have to pay a (high) recruitment fee to an agency to obtain a work visa and the agency hides from them deductions and remuneration for the work
• Workers have restricted movement because the visa or travel documents are controlled by the agency or the producer
• Workers do not understand the host country language, which puts them in a more vulnerable position

**Indirect recruitment:** The auditee should carefully look at workers’ terms of employment when it engages workers by using recruitment agencies or labour brokers. Recruitment agencies must meet the characteristics defined by law to be considered as ‘recognised agencies’. Otherwise, they represent too high of a risk for producer business reputation. In this context:

The auditee has a good overview of how the recruitment agency engages workers, taking into consideration the following criteria:

• **Transparency:** No coercion or threat of violence, accurate information on employment conditions, and contract in language that is understood by the worker.
• **Security:** Freedom of movement, no confiscation of personal documents or vital possessions, no semi-legal recruitment or denial of social benefits, and no excessive work hours or poor working conditions.
• **Employer pay principle:** Workers don’t pay for a job and costs related to recruitment are covered by the employer. amfori BSCI Code of Conduct Glossary explains this principle as follows:
• **Employer Pays Principle (EPP):** It is a commitment that reflects Article 1 of Dhaka Principles for Migration with Dignity: “No fees are charged to migrant workers”. In line with the principle, no worker should pay for a job; the cost of recruitment should be borne by the employer. For the purpose of amfori BSCI, the cost of recruitment includes the costs and fees in both the countries of origin and destination.

Recruitment agencies shall be considered by the business partner as significant business partners since they represent an additional social risk for the producer.

**Most pervasive forms:** The most pervasive forms of forced labour are seen in the exploitation of migrant workers through:

• Confiscation of passports and personal possessions
• Failure to provide employment contracts or provide them only in a foreign language
• Non-payment, under-payment, irregular payment, withholding of wages, lump-sum payment, or payment only ‘in kind’ (non-cash remuneration in goods and services)
• Illegal deductions from wages
• Long working hours
• Substandard living conditions and denial of water and food
• Use or threats of violence

These kinds of behaviour are considered unacceptable and producer must avoid to be directly or indirectly involved on those.

**11.3 CRUCIAL QUESTION:** The auditee does not subject workers to inhumane or degrading treatment, corporal punishment, mental or physical coercion and/or verbal abuse.
This means that the auditee takes the necessary measures to ensure workers are treated with respect and they are not subject to any corporal or mental abuse.

To that aim, the auditee:

- Creates and maintains a culture of respect through the entire business
- Rewards respectful treatment of workers, starting with managers and supervisors
- Provides regular trainings to workers and supervisors on the benefits of respectful treatment

The auditee ensures that disciplinary measures do not consist of:

- Corporal punishment
- Coercion such as:
  - Debt bondage
  - Restriction of movement
  - Violence
  - Threats and intimidation

**Housing:** When the auditee provides housing to workers, it must make sure that living conditions are respectful of workers’ dignity. Special attention is to be given to the most vulnerable workers such as migrants, seasonal workers, young workers, and pregnant women.

At a minimum, housing should provide:

- Separate locker for each worker to store personal belongings
- **Separate bed for each worker**
- Separate accommodation for women and men
- **Separate changing facilities for women and men**
- Separate toilets for women and men

### 11.4 The auditee establishes all applicable disciplinary procedures in writing and explains them verbally to workers in clear and understandable terms

This means that the auditee takes the necessary measures to ensure that the disciplinary procedures are:

- Coherent and in line with the law
- In writing and easily accessible to the workers and workers’ representatives
- Descriptive concerning the censurable behaviour and possible disciplinary actions
- Descriptive regarding the person in charge and communication channel (including appeal)
- Free from unfair deductions or financial fees, which may actually be illegal deductions

**Documents related to this performance area**

- Documented evidence of training given to workers, management, and human resources (e.g. list of attendees with signatures)
- Documented evidence on disciplinary procedures
- Recruitment procedures and records
- Employment contracts or agreements including those of recruitment agencies, labour subcontractors, and agents (if relevant) and those related to security, cleaning, and other service personnel
- Documented evidence on disciplinary cases and the measures taken
Business partners sourcing directly from farms need to cascade these criteria to the farms and support them in their implementation process. Business partners are advised to qualify at least one person to ensure that the amfori BSCI values and principles are transferred to at least the most relevant farms for its business.
PERFORMANCE AREA 12: PROTECTION OF THE ENVIRONMENT

Companies have the responsibility to follow environmental laws, minimize negative environmental impact, and make a positive contribution to long-term development.

Depending on the production processes carried out by the business partner, protection of the environment can refer to one or more of the following:

• Energy consumption and greenhouse emissions
• Emissions of pollutants
• Use of hazardous chemicals
• Management of soil fertility and water
• Conservation of biodiversity

In the context of business and human rights due diligence, the right to a healthy environment cannot be neglected and shall be part of the business due diligence. amfori BSCI business partner must be able to carry out processes and procedures to protect the environment, as relevant for their business.

12.1 The auditee continuously identifies the significant impacts and environmental implications associated to its activity

This means that the auditee takes the necessary measures to have a good understanding of the environmental impacts of its business activities.

The self-assessment for environmental impacts includes:

• All processes taking place in the scope of the company
• New production processes or newly installed equipment, which are immediately integrated into the assessment
• Clear understanding of how business activity impacts the environment
• Pre-defined time periods for doing such assessments
• Competent staff responsible for collecting the data and doing the assessment

12.2 The auditee has procedures in place to ensure integration of local environmental law into the business performance

This means that the auditee takes the necessary measures to ensure environmental legal compliance by:

• Integrating environmental policies and procedures into its core business strategy
• Making these policies and procedures a visible part of the business culture

The auditee develops effective ways to ensure:

• Ongoing identification of environmental legislation
• Definition of the environmental requirements that apply to its own daily activities

Identification of sources of information on environmental legislation such as:

– Specialised online sites
– Publications issued by industry experts
– Tailor-made services provided by specialised companies

12.3 The auditee has and maintains required environmental permits and licences
This means that the auditee takes the necessary measures to have up-to-date environmental permits and licences.

The auditee is aware of the necessary environmental permits and licences required by law for specific business activities.

If any environmental permit or licence are unavailable at the time of the audit, the auditee must at least have requested them from the appropriate authority and have a documented proof of such request.

12.4 The auditee manages waste in a way that does not lead to the pollution of the environment.

This means that the auditee takes the necessary measures to manage the waste produced by its business in a way that pollution of the environment is reduced or eliminated.

There are areas where waste separation and disposal are not managed by public authorities. This may lead to dumping waste material into the environment.

Regardless of whether there are national regulations, the auditee has procedures in place to:

- Identify and separate waste by type (hazardous versus non-hazardous) including packaging material
- Define any specific handling requirements (e.g. disposal through an authorised agent or to a specialised site)
- Create awareness among workers about the waste generated and the correct way to handle it
- Avoid dumping waste into natural environments
- Avoid burning waste in open fires
- Dispose of plastics and empty chemical containers without creating negative environmental impacts including potential harm to humans

12.5 The auditee manages water in a way that respects the environment, including preserving local water sources

This means that the auditee takes the necessary measures to promote water conservation and water waste reduction. This refers to water for industrial use and personal consumption.

Possible practices include:

- Proper identification of water springs, rivers, lakes, and other water ecosystems in the area
- Documented risk assessments that explain management decisions on water use (e.g. irrigation on farms)
- Raising awareness about water waste reduction
- Policies and procedures to include water conservation and water waste reduction as part of the business model

Both management and workers should be aware of the existence of water sources and how the facility is related to their use, supervision, and preservation.

Documents related to this performance area

- Environmental risk / impact assessment
- Map identification of water springs, rivers, lakes in the area of auditee activities
- Calculation of the necessary financial and personnel resources to comply with the minimum social and environmental requirements
- Valid certificates and environmental licenses
- Waste management plan
- Water management plan
• Environmental Management policies and procedures

Business partners sourcing directly from farms need to cascade these criteria to the farms and support them in their implementation process. Business partners are advised to qualify at least one person to ensure that the amfori BSCI values and principles are transferred to at least the most relevant farms for its business.
PERFORMANCE AREA 13: ETHICAL BEHAVIOUR

Unethical business behaviour refers to falsification, fraud, misrepresentation, corruption, extortion, embezzlement, and bribery.

Business partners should present accurate and valid information to the amfori BSCI auditor, so that:

- Documentation or records are not altered and must reflect the true situation of the business partner’s site(s) and its business partners
- Unaltered reports from previous audits (amfori BSCI and others) and/or government inspection records must also be provided
- Special care is taken to make sure sensitive information is collected and stored in a protected way (e.g. medical records) to respect the privacy of staff and workers

13.1 The auditee actively opposes any act of corruption, extortion or embezzlement, or any form of bribery in its activities as a business enterprise

This means that the auditee takes the necessary measures to ensure ethical business behaviour is fully embedded in all areas of its activity. To that aim, the auditee:

- Has a policy (e.g. amfori BSCI Code of Conduct) in place that publicly condemns corruption, extortion, and bribery as unacceptable unethical behaviours
- Has procedures in place to prevent, detect and remediate any act of corruption
- Has an internal control mechanism and program for preventing and detecting corruption, extortion, embezzlement or any form of bribery
- Identifies where the major risks of corruption could occur
- Investigates and discourages any misbehaviour among the workers, particularly those with decision-making power
- Rewards ethical behaviour and integrity in its workers and managers
- Includes ethics and integrity as part of the training offered to workers and managers
- Monitors and reduces risks of corruption in the relations with key stakeholders (e.g. with auditors)

13.2 The auditee keeps accurate information regarding its own activities, structure and performance

Disclosed information: The auditee shares information about its activities, according to applicable regulations and industry benchmark practices.

The auditee makes sure information about its business is:

- **Accurate**: The information presented by the business partner to the amfori BSCI member and/or monitoring person is exact.
- **Structured**: The information on different facilities and the way that the auditee organises its production sites is clear, organised, and available.

Activity and performance:

- The auditee’s claims about its activity are correct (e.g. production volumes, number of workers, working hours, and direct and indirect hiring of workers)
- Reports from previous audits (amfori BSCI audits or others) or government inspections are available, including follow-ups on any findings that were previously reported
13.3 CRUCIAL QUESTION: The auditee takes the necessary measures to not take part in falsifying information related to its activities, structure and performance; nor in any act of misrepresentation of its supply chain

- Falsification of information related to its activities, structure and performance
- Any act of misrepresentation of its supply chain

This means that the auditee takes the necessary measures to ensure transparency and honesty with regard the business structure and its supply chain.

**Falsification, fraud and misrepresentation:** These are purposeful actions intended to cause harm or loss to another party for one's own direct or indirect gain.

Fraud and misrepresentation in the supply chain impact supply chain integrity and can result in substandard or defective products.

The auditee has a serious commitment to build trust-worthy business relationship and therefore avoids any of these actions. It must then make sure that if any staff member behaves unethically, proper investigation and disciplinary action will follow.

13.4 The auditee collects, uses and processes personal information with reasonable care and in accordance with privacy and information security laws and regulatory requirements

This means that the auditee takes the necessary measures to collect and process the personal data of individuals with respect for the individuals' fundamental rights (particularly the right to privacy).

The level of care applies to directly hired workers, business partners, customers, and consumers in the producer's sphere of influence.

Special attention is paid to the way data is collected to make sure that the worker is protected (e.g. medical records).

**Documents related to this performance area**

- Business license
- Anti-corruption policy
- Corruption risk assessment
- Procedure for investigation and discouragement of unethical behaviour
- Communications and trainings to promote and reward integrity

Business partners sourcing directly from farms need to cascade these criteria to the farms and support them in their implementation process. Business partners are advised to qualify at least one person to ensure that the amfori BSCI values and principles are transferred to at least the most relevant farms for its business.
5. UNDERSTANDING THE AMFORI BSCI MONITORING REPORT

An opportunity to learn: The amfori BSCI monitoring report contains the information of the auditee and the evaluation of all performance areas.

Data evidence sections are only available on amfori Sustainability Platform.

The business partner should understand the connections between all performance areas and see the audit as an opportunity to learn. The report will provide crucial information to design a path towards sustainable and continuous improvements.

This report provides the auditee with a summary of the audit/monitoring result, with each Performance Area grade provided. To see the details of the monitoring activity/audit, the business partner need to access the report on the platform.

The exported pdf report has the following format:

- Monitoring data:
  - Name of Monitored Party
  - amfori ID
  - Name of the Site
  - Site amfori ID
  - Address of the site
  - Monitoring Activity
  - Monitoring Type
  - Submission and Expiration Dates
- Overall rating
- Section ratings
- General Description
- Site Details
- Metrics
- Findings

Note that this report can be downloaded by any linked member, and the business partner company themselves.

Closing meeting and findings report: The closing meeting represents the end of the amfori BSCI monitoring. The auditor uses this opportunity to:

- Present the findings from the internal audit, if applicable
- Describe to the auditee the good practices and areas of improvements identified during the audit
- Clarify to the auditee any potential doubt or concern about the amfori BSCI audit and next step

The auditee uses this opportunity to:

- Ask as many questions as needed to have more clarity on the meaning of the audit and next steps
- Engage with the workers’ representative and management (present in the closing meeting to be able
to start the planning for next steps)

Once clarifications have been made, the printout of the findings report is to be signed by:

- The auditor
- The auditee’s legal representative
- The workers’ representative (when applicable)

**Signing the findings report**: The auditee’s signature does not imply that the auditee is in agreement with the content. It acknowledges that the audit has been conducted in the correct manner. The auditee can request that the auditor integrate the remarks it made in the closing meeting into the findings report.

The auditee and the auditor keep one copy each.

**Online report**: The monitoring report is fully available to the producer in the amfori BSCI platform 15 days after the audit has been conducted. To access this information, the business partner needs to log in by using its password.

**PDF report**: This report can be downloaded by any linked member, and the business partner company themselves.

**IMPORTANT**: The rating of the audit is calculated automatically and states the improvements that the business partner needs to make in each different performance area. It does not guarantee the producer’s social performance and does not release the producer from making continuous improvements. All findings are automatically integrated into the Continuous Improvement section of the Business Partner which then the business partner can start improvement plan through defining sustainability impacts and adding measures to it.