amfori BSCI System Manual Part IV
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amfori BSCI guidelines for producers

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

Producers that sign the amfori BSCI Code of Conduct commit to respect human rights in their business activities. If a producer has made its commitment to this Code, it is most likely because at least one of its clients is an amfori BSCI participant or sells to an amfori BSCI participant.

Under such business relationships the related amfori BSCI participant will request producers to:

- Sign the amfori BSCI Code of Conduct and Terms of Implementation
- 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 participant will create a profile in the amfori BSCI platform for each concerned producer. This allows to:

- Reduce audit fatigue
- Share remediation plans
- Access relevant trainings free of charge
CHAPTER 1: DATA COLLECTION AND MANAGEMENT

The goal of the amfori BSCI system is to support a culture of continuous improvements within a business. Producers 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, producers 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 producer should choose a key contact person that:

- Provides information to amfori BSCI participants
- Maintains the data in the amfori BSCI platform
- Takes the lead on preparing for the amfori BSCI audit

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

Template 1: Business partner information

amfori BSCI participants might ask the producer to provide a first overview of its business. One way of handling this request is by filling in the amfori BSCI Template 1: Business Partner Information.

The template aims at collecting data on a producer’s business operations and practices that impact social performance, such as:

**Business data:** Information about location, sector, and products. The producer must report if it has production or just trading activities.

**Business contact details:** Contact information and main language(s) spoken. The producer provides contact details, so its client and the auditor can easily stay in contact.

**Production data:** Information on production volume and cost calculation.

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

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

**Valid certificates** for social or environmental standards show the producers’ commitment on social and environmental issues. At this point, producers are encouraged to report any valid certificate they may have. amfori BSCI recognizes efforts done within other systems.

**Working environment:** Information on working environment and applicable labour regulations.

**Business remuneration practices:** Information on the applicable legal minimum wage and benefits as well as any specific industry-based remuneration (if applicable).

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

**Sourcing and procurement strategy:** Indicate any direct contracts with farms, homeworkers, and labour providers.
Template 2: Supply chain mapping

The producer may use amfori BSCI Template 2: Supply Chain Mapping to collect information on its significant business partners. Alternatively, the producer can edit this information directly in its producer profile in the amfori BSCI platform, if already active.

For more information see Annex 10: How to cascade the amfori BSCI through the supply chains.

The producer will need to assess and classify its business partners in: ‘low, medium or high’ significance.

For example, high significant business partners are those that:

- Represent a large share of the producer’s purchasing volume and/or service provision
- Have a direct link on producer’s business reputation
- Are easy to be related to serious negative impact on workers and environment
- Lack reliable and valid information on their social performance

In this template, the producer will also keep an overview on those significant business partners that have already signed the amfori BSCI Code with related Terms of Implementation.

It is the producer’s decision who to choose as a significant business partner based on its own due diligence, not the auditor’s.

Template 3: Assessment of smallholders and family farms

If the producer has identified among its significant business partners smallholders and family farms, the amfori BSCI Template 3: Assessment of smallholders and family farms will help him to gather information and get a first understanding on the smallholders’ social performance.

It is very important for the producer to do this assessment and keep the records, particularly if the amfori BSCI audit is going to include a sample of farms in the scope.

Template 4: Working hours tracker

The producer may use amfori BSCI Template 4: Working Hours Tracker to collect information on the working hours of its workforce, per worker.

Collecting this information shows the producer’s awareness of the potential social risks related to excessive working hours (which could be an indicator of a forced labour situation).

This template offers the producer a model for learning how its workforce’s hours compare with decent working hours.

The producer 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 producer 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.
Template 5: Fair remuneration quick scan

The producer may use amfori BSCI Template 5: Fair Remuneration Quick Scan to collect information on its region and its workforce’s cost of living.

This template offers the producer 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 producer 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 producer estimates the ‘family basket,’ or living expenses for an average family, using the information collected above.

Good practices: If the producer provides the auditor with the above information and the calculation of relevant for its workforce, the auditor must acknowledge this effort under ‘Good Practices’ in the findings report.

The auditor should not judge the accuracy of the data provided by the producer. Instead, he/she should evaluate how the information was collected (e.g. from workers or from government statistics). The auditor should provide feedback on his or her calculation at the regional level, so the producer can assess if there are differences between its own calculation and the regional trend.

Template 6: Stakeholder mapping

The producer may use amfori BSCI Template 6: Stakeholder Mapping to collect information on its stakeholders.

Collecting this information shows the producer’s awareness of the importance of working with its stakeholders.

Stakeholders are individuals, communities, or organisations that are affected by and may affect an organisation’s products, operations, markets, industries, and outcomes.

Stakeholders can be internal (e.g. workers) or external (e.g. clients). The producer identifies and works together with stakeholders to deal with relevant topics, such as for example:

- Training
- Freedom of association
- Special protection for vulnerable workers
- Stopping and preventing child labour
- Grievance mechanisms
- Anti-corruption

These topics apply to both internal and external stakeholders.
Template 7: Young workers data

The producer may use [amfori BSCI Template 7: Young Workers Data](#) to collect information on its young workers, as defined in the [amfori BSCI Code of Conduct](#).

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

The producer 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.

Template 8: Grievance mechanism

The producer may use [amfori BSCI Template 8: Grievance Mechanism](#) to collect information on grievances that have been filed. Setting up and effectively using a grievance mechanism shows the producer’s awareness of the need for ways to identify social risks such as discrimination, (sexual) harassment, and forms of unethical business behavior.

The producer may use the template each time a grievance is submitted. For information about setting up a grievance mechanism see [Annex 3: How to Set up a Grievance Mechanism](#).

Notes:
CHAPTER 2: THE BENEFITS OF A SELF-ASSESSMENT

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

Each performance area has a set of questions that amfori BSCI auditors use to assess the performance of a producer when compared to the amfori BSCI Code of Conduct. The same questions can be used by the producer to:

- Conduct a self-assessment
- Prepare for the amfori BSCI audit

The Self-assessment

The self-assessment helps producers to:

- Understand each amfori BSCI performance area
- Define possible improvements (regardless if an amfori BSCI audit 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 producer can include the self-assessment as part of its regular cycle of PLAN-DO-CHECK-ADJUST, as a way to strength its ownership of the amfori BSCI continuous improvement process.

The amfori BSCI system provides three different templates to support producers conducting their own self-assessment:

- Template 3: Assessment of smallholders and family farms
- Template 11: Producers self-assessment (food and non-food)
- Template 12: Small producers self-assessment (food and non-food)

The self-assessment should be conducted by person who has a minimum knowledge on the amfori BSCI system. However, to facilitate the process and make the self-assessment as intuitive and user-friendly as possible, a producer is asked to make its self-assessment by choosing:

- Not started: When the producer has not started the implementation
- In progress: When producer has taken initial steps for all or only a part of the performance areas
- Already in practice: When the producer is already confident in the daily implementation and maintenance

The self-assessment questionnaire offers the producer 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, producers are encouraged to go to amfori Academy for specific courses.
Self-assessments of farms

A producer that sources fresh produces directly from farms (without any intermediary) is encouraged to:

- ask these farms to conduct self-assessment (e.g. using the same template)
- conduct an internal assessment if the farms are too small to do that by themselves (e.g. less than 5 workers)

This practice would help the producer 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 a multi-tier amfori BSCI audit if the amfori BSCI participant chooses to go for this approach.

Such a multi-tier amfori BSCI audit will assess that the producer (called main auditee) has:

- An effective social management system in place to select and monitor its business partners that are farms
- Internally monitored at least two farms and developed an unambiguous plan on how it will keep increasing the share of monitored farms up to over 60% (2/3 of the farms)
- A credible procedure to support farms in their social performance continuous improvement

Notes:
CHAPTER 3: AMFORI BSCI AUDIT INTERPRETATION GUIDELINES

Producers are encouraged to consult this chapter for any clarification about the way social performance is interpreted in the context of an amfori BSCI audit.

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

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 producer is advised to maintain and show during the audit. There is also a reminder for producers sourcing directly from farms.

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

Interviews: The auditor uses interviews to get information on the producer’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 audits: There are three different amfori BSCI 2.0 audit methodologies adapted to the scope of the audit:

- One site (food and non-food)
- Multi-tier (food and farms)
- Small producer assessment (processed food and non-food)

For more information see System Manual Part II, The amfori BSCI monitoring approach.

Final remark: While most questions require the producer to take the necessary measures to ensure compliance, amfori BSCI system recognises that a producer cannot provide “full guarantees” of its performance but can strive to make best efforts to act as a responsible business.
**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

**Cascade effect** means that a producer 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 producers 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 producer (auditee) takes the necessary measures to set up an effective social management system and develop policies, processes and procedures to manage its social performance. To that aim, the producer will recognise:

- The content of the amfori BSCI Code of Conduct and Terms of Implementation
- 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 producer (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 producer’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
- Significance of business partners to the producer
- Expectations of stakeholders

In addition, the producer 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 The auditee knows who its significant business partners are and assesses how they understand and apply the amfori BSCI Code of Conduct

This means that the producer (auditee) 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 producer 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 supply chain mapping includes:

- Subcontractors
- Recruitment agencies
- Catering service providers
- Suppliers (including contracted farms)

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

**Monitoring:** The producer 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 producer (auditee) take 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 producer 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 producer (auditee) takes the necessary measures to ensure that its business partners are aligned with the amfori BSCI values and principles

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

- Sign the amfori BSCI Code of Conduct and relevant Terms of Implementation (mandatory if the amfori BSCI audit includes a sample of farms)
- Share the amfori BSCI Code of Conduct and relevant Terms of Implementation 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 producer 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 producer should decide which circumstances lead to termination of contracts or commercial relations with a business partner due to disregard for workers’ rights.

For more information about stopping business relations with a business partner, see Chapter 12: Interrupting Business Relations Responsibly of the amfori BSCI System Manual Part I, The amfori BSCI due diligence implementation strategy.

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

This means that the producer (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 financial and/or psychological.

**Prevention:** To deal with these issues, the producer 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 producer’s supply chain, the producer 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 producer (auditee) take the necessary measures to ensure that business relations with other business partners are as responsible as the producer will like to be treated.
The producer 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 and Terms of Implementation have been given to significant business partners
- Signed amfori BSCI Code of Conduct and relevant Terms of Implementation (if farms are included in 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
- Copy of the social policy and procedures to implement amfori BSCI
- Evidence of budget allocated to social performance and improvements

Producers sourcing directly from farms need to cascade these criteria to the farms and support them in their implementation process. Producers 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.

**Notes:**

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

The producer (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 producer (auditee) takes the necessary measures to ensure workers’ protection is long-lasting in the business.

The producer (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 a vision, mission, and objectives for the business that are aligned with the amfori BSCI Code of Conduct
- 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 producer (auditee) take the necessary measure to ensure that workers feel engaged and loyal to the business by better understanding their rights and obligations

For this question, producers need to understand that:
Workers’ rights and obligations are defined by:

- Law
- Specific work contracts and job descriptions
- Auditee’s workplace rules (as long as these rules abide the law)

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

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 he/she has 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 producer (auditee) shall gain knowledge and skills to become more capable of integrating responsible practices (as demanded by the market) into business operations. To that aim, the producer makes sure that:

- Workers, workers’ representatives, managers and other decision-makers are regularly trained to be part of this transformation process.
- 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 audit 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 producer (auditee) shall create and use a grievance mechanism that allows workers and communities to make suggestions or complaints related to producer’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
- 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 for security, cleaning, and other service personnel
- 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 (e.g. see Template 8: Grievance Mechanism Tracker)

Producers sourcing directly from farms will need to cascade these criteria to the farms and support them in their implementation process. Producers 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 producer business.

Notes:
Performance Area 3: The rights of freedom of association and collective bargaining

The producer enables workers to approach management for discussing and negotiating better working conditions. The producer 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:
  - Define the terms and conditions of employment for workers
  - Confer rights, advantages, and responsibilities to the parties

3.1 The auditee respects the right of workers to form unions in a free and democratic way

This means that the producer (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 producer should allow workers to freely elect their own representatives.

The producer 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

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

- Are available to workers
- Are integrated into employment contracts
- 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 producer (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 producer (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
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)

Producers sourcing directly from farms will need to cascade these criteria to the farms and support them in their implementation process. Producers 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 producer business.

Notes:
Performance Area 4: No discrimination

Discrimination is an unfair or prejudicial act or practice used against a worker or group of workers based on their characteristics.

Discrimination 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)

In some cultures, discrimination may be very subtle or embedded into cultural values. However, the bottom line is that discrimination is unfair and denies people opportunities just based on prejudices.

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

To avoid discrimination in the workplace, the producer (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 against vulnerable groups like disabled workers, pregnant women, young workers, or migrant workers
- Pay attention to potential discrimination between workers in its workforce
- Discourage discriminatory behaviours, particularly when workers are hired, promoted, fired, or assigned benefits
- Follow up on the improvements

To end discrimination in the workplace, the producer strives for:

- Internal assessments: Regular internal assessment can help the producer to early identify most common types of discrimination (e.g. race) as well as the most common activities and processes through which discrimination can occur in the company (e.g. hiring process)
- Root cause analysis: Learn and accept the root causes of discriminatory behaviours is the only way to be able to design solutions that can truly end the problem.

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.

4.2. The auditee ensures workers are not disciplined, dismissed or discriminated against because of their complaints against infringements of their rights

This means that the producer (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 measures, so workers are not harassed or disciplined on grounds of discrimination**

This means that the producer (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:

- Disciplinary actions in the workplace based on the law, and reasons shall be kept in a written procedure available to any workers or relevant stakeholders
- Workers and their representatives are consulted on disciplinary actions and how they should be enforced
- A record-keeping system that maintains overviews of disciplinary actions that have been taken
- 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

**Documents related to this performance area**

- Documented evidence of disciplinary procedures
- Documented evidence of disciplinary cases and the actions taken
- Documented evidence of workers’ performance assessments and procedures
- Documented evidence of grievances filed/ investigated (see Template 8: Grievance Mechanism Tracker)

Producers sourcing directly from farms will need to cascade these criteria to the farms and support them in their implementation process. Producers 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 producer business.

Notes:
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, 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 and Template 5: Fair Remuneration Quick Scan

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

The producer 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 2.0 audit

The producer will dedicate special attention on the way payment is done to:

- **Part-time workers:** On a pro-rata basis
- **Piece-rate workers:** The number of pieces produced in eight hours should amount to no less than the minimum daily wage as defined by law
- **Workers in the probationary period:** Paid according to the law
- **Workers hired through agencies:** The producer is aware of and keeps records on how, when, and how much the agency pays these workers

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

This means that the producer (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 producer 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.
- **Fully in legal tender:** Regular working hours are to be paid in the local and legal currency.

The producer 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 producer is aware of and keeps records on how, when, and how much the agency pays these workers.

The producer 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.

**5.3 The level of wages reflects the skills and education of workers**

This means that the producer (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 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 producer 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

**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 producer may use Template 5: Fair Remuneration Quick Scan 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
In kind benefits and bonuses
- Subsidised or free transportation
- Subsidised or free-living space
- Subsidised or free canteen services
- Opportunities for education or training
- Premium paid for overtime work

Remuneration does not include the cost of:
- Uniforms
- Personal protective equipment
- 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

This means that the producer (auditee) take 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 in that region.

Mandatory social benefits usually are:
- Old age pension
- Survivor’s benefit
- Family benefits and parental 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.

**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 producer (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 producer’s production site is going to be closed down for repairs or reconstruction, the producer 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

**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 and documented evidence of payments
- Completed Fair Remuneration Quick Scan ([amfori BSCI Template 5: Fair Remuneration Quick Scan](#))
- Worker contracts or agreements, including those with recruitment agencies
- 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
- Documented evidence of legal deductions for goods or services
• Lists of wage ranges and calculations including for piece rate workers

Producers sourcing directly from farms will need to cascade these criteria to the farms and support them in their implementation process. Producers 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 producer business.

Notes:
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

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

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 producer (auditee) ensures that working hours do not exceed:

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

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 producer (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.
- **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 Sundays 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 producer (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.
- **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
  - 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 producer (auditee) understand 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 calendar days and should follow national law or custom.
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 producer’s industry
- Records of hours worked by all workers
- Documented overtime procedure including agreements with workers
- Documented records of accidents

Producers sourcing directly from farms need to cascade these criteria to the farms and support them in their implementation process. Producers 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.

Notes:
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 producer 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.

IMPORTANT: If the main auditee holds a valid GlobalGAP Certificate, the auditor will not monitor this performance area.

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

This means that the producer (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 regularly carries out risk assessments for safe, healthy and hygienic working conditions

This means that the producer (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 producer 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
  - 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 producer (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 producer (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 producer 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 producer 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 producer (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 producer (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 producer 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 producer 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 producer (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 producer (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 producer 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 producer (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

The producer 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 producer (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 producer (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

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

This means that the producer (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:
  o The date of the last servicing
  o 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 producer (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:
  o Not blocked or locked during working time (including overtime and night shifts)
  o Easily accessible
  o Clearly marked
  o 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:
  o The number of workers
  o The size and occupancy of the building
  o 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 producer (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

The producer 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 producer (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 producer 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 producer (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 producer 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 producer 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 producer (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 producer (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 producer 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 producer 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 producer (auditee) takes the necessary measures to ensure that workers can eat, cook and store food in all safety and human dignity.

The producer 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 producer should make its own assessment in consultation with workers and their representatives to define and agree on the safe and clean conditions.

The producer 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.

The producer 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 producer (auditee) takes the necessary measures to ensure that workers can maintain their hygiene habits and be safe from any contamination risk.

The producer 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
- 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 producer 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.

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 producer (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

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 producer (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 producer:

- 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 producer (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 producer 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 producer follows that law.

If not, the producer comes up with the relevant standards because of the OHS risk assessment. The producer 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 producer 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 producer 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 producer
  - 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
  - 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

Producers sourcing directly from farms need to cascade these criteria to the farms and support them in their implementation process. Producers 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.

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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.

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

This means that the producer (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 producer 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.)

The producer 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 producer 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 producer (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 producer (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 procedures 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

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 producer (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.
• Personal data files for all workers (including seasonal workers)
• Age-verification procedure
• Training on responsible recruitment
• Procedure to avoid exploitation of children
• Child labour remediation procedure
• Worker contracts or agreements, including those with recruitment agencies

Producers sourcing directly from farms need to cascade these criteria to the farms and support them in their implementation process. Producers 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.

Notes:
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 producer 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 producer (auditee) takes the necessary measures to ensure that young workers do not put their health, safety, morals and development at risk.

Risk assessment: The producer 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 producer uses such a legal definition as a reference to avoid young workers working at night.

Without a national law definition, the producer 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 producer (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 producer 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 producer (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 producer (auditee) takes the necessary measures to ensure that young workers can use the grievance mechanism and receive timely feedback.

To that aim, the producer 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 producer 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 producer (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 producer 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 producer (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 producer understands that young workers are one of the most vulnerable groups of workers.

The producer makes extra efforts to monitor young workers' working conditions.
**Work cycle**: The producer 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 producer collects and keeps specific records on young workers. For this end, amfori BSCI provides Template 7: Young Workers Data that includes the minimum information needed for the records. It is especially useful if the producer does not have its own format.

**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

Producers sourcing directly from farms need to cascade these criteria to the farms and support them in their implementation process. Producers 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.

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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:

- Lack of social security
- Use of seasonal contracts for permanent positions
- Hiring and firing practices used to prevent workers from consolidating their rights within the company

Temporary workers: The definition of permanent and temporary jobs (seasonal being one type of temporary job) is usually given by law. If there is no legal definition, the producer defines temporary jobs as jobs with pre-determined end dates or as jobs which end as soon as a project is completed.

Probationary period: National legislation often allows the first few months of a new employment relationship to be a probationary period. 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.

Good practices: When the producer 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 producer 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 producer 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

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

This means that the producer (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 producer 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 producer 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 producer regularly receives employment documents from the agency.

The producer 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 producer (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 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.
- **Relevant:** It concerns workers’ rights, obligations, responsibilities, and employment conditions. It includes information on:
  - Working hours and overtime premium payment
  - Trainings and other benefits
  - Remuneration and terms of payment
  - Access to the 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 producer (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).

In both cases, the producer 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 subcontracted suppliers
- Overview of apprenticeships granted
- Overview of seasonal workers

Producers sourcing directly from farms need to cascade these criteria to the farms and support them in their implementation process. Producers 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.

Notes:
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.

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 producer (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
- Without facing any potential or actual risk of being subject to forced labour

Workers can:

- 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 producer 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
**Prison labour:** This refers to a form of occupation for convicts

Prison labour is not a human rights violation if it meets certain conditions:

- Prisoners offer their labour voluntarily, without being pressured or threatened with punishment
- Prisoners perform their work under conditions as close to a free labour relationship as possible, to the extent that prisoners’ conditions allow (e.g. wage level, social security, OHS)

**Prison labour in China:** amfori BSCI recommends that amfori BSCI participants do not engage with business partners that use prison labour in China because:

- Prisoners’ rights are not covered under Chinese labour law (they are covered under the prison’s rules and criminal law)
- Prisoners’ labour rights, including overtime rates, are not properly protected
- Prisoners’ remuneration is decided by the prison’s management
- Prison rules do not allow amfori BSCI audits

**Sumangali in South India:** Sumangali happens when businesses recruit young unmarried women from rural villages to work for several years with the following characteristics:

- **Brokers:** the recruitment of young unmarried women from rural villages is most commonly done by brokers
- **Lump-sum:** the employer retains totally or partially the young women’s regular wage under the promise that a lump-sum payment will be done at the end of the contract period
- **Control:** young women don’t have freedom of movement and it is made sure that they sleep in hostels provided by the broker or the employer

Sumangali represents an additional risk of bonded labour because these young women:

- Are taken away from their regions with only a limited chance of returning freely
- Usually belong to the lowest caste in India, having little access to education
- Have their wages reduced to below the minimum wage
- Lack guarantees to receive the lump sum (e.g. in pro-rata) and face illegal deduction of wages
- Suffer additional risks of harassment as they usually stay in confined housing

The producer must pay particular attention to avoid this situation by ensuring that young women:

- are covered by the special protection for young workers
- receive the remuneration that was both agreed upon and communicated, without illegal deductions
- have working hours that are appropriate for their apprenticeship situation
- have freedom of movement
11.2 The auditee acts rigorously and diligently when engaging and recruiting migrant workers both directly and indirectly

This means that the producer (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 producer 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 producer 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 producer 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.

Recruitment agencies shall be considered by the producer 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 producer (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 producer:

- 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 producer 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 producer 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:

- Beds for each worker
- Lockers for storing personal belongings
- Accommodations and 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 producer (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

Producers sourcing directly from farms need to cascade these criteria to the farms and support them in their implementation process. Producers 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.

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**Performance Area 12: Protection of the environment**

Business enterprises 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 producer, 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

amfori BSCI producers 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 producer (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 business enterprise
- 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 producer (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 producer 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 producer (auditee) takes the necessary measures to have up-to-date environmental permits and licences. The producer 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 producer 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 producer (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 producer 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 producer (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 assessment
• Map identification of water springs, rivers, and lakes in the area of the auditee’s activities
• Calculation of the financial and personnel resources needed to comply with the minimum social and environmental requirements
• Valid certificates and environmental licenses

Producers sourcing directly from farms need to cascade these criteria to the farms and support them in their implementation process. Producers 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.

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Performance Area 13: Ethical behaviour

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

Producers 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 producer’s site(s) and the producer’s 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 producer (auditee) takes the necessary measures to ensure ethical business behaviour is fully embedded in all areas of its activity. To that aim, the producer:

- 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
- 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 producer shares information about its activities, according to applicable regulations and industry benchmark practices.

The producer makes sure information about its business is:

- **Accurate:** The information presented by the producer to the amfori BSCI participant and/or auditor is exact.
- **Structured:** The information on different facilities and the way that the producer organises its production sites is clear, organised, and available.

**Activity and performance:**

- The producer’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 prevent:

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

This means that the producer (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 producer 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 producer (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**

- Anti-corruption policy
- Corruption risk assessment
- Procedures for investigating and discouraging unethical behaviour
- Communications and trainings to promote and reward integrity

Producers sourcing directly from farms need to cascade these criteria to the farms and support them in their implementation process. Producers 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.

Notes:
CHAPTER 4: UNDERSTANDING THE AMFORI BSCI AUDIT REPORT

An opportunity to learn: The amfori BSCI audit report is the written summary of all information collected during the audit.

It contains data evidence as well as the evaluation of all performance areas.

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

Audit report: All information gathered in the amfori BSCI audit is reported in the amfori BSCI audit report.

This includes:

- Data evidence
- Interview evidence
- Documented evidence
- Performance evaluation of the main auditee
- Performance evaluation of the sampled farms (if relevant)
- Findings report
- Confidential comments (not visible to producer)

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

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

The producer 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 producer’s legal representative
- The workers’ representative (when applicable)

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

**Online report:** The audit report is fully available to the producer in the amfori BSCI platform 10 days after the audit has been conducted. To access this information, the producer needs to log in by using its password. In case of a forgotten password, the producer contacts the amfori BSCI Administrator through the amfori BSCI platform.

**PDF report:** The producer can require its client (or the auditor) to provide a summary report in PDF.

**IMPORTANT:** The rating of the audit is calculated automatically and states the improvements that the producer 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.

### Improving social performance:

amfori BSCI supports producers to improve their social performance through remediation and follow-up.

- **How can you take action?**
  Check these documents:
  - amfori BSCI System Manual Part II, Chapter 15: The Remediation Plan
  - amfori BSCI System Manual Part II, Chapter 16: Follow-up and Continuous Improvement

- **What tools are available?**
  Use this template:
  - amfori BSCI Template 9: Remediation Plan

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