



# GUIDANCE FOR USERS:

## Complying with GoodWeave International Generic Standard

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The official language of the International Generic Standard and its supporting systems is English. In the case of inconsistency between versions, reference shall default to the English version.

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## PURPOSE AND AUDIENCE

This document provides guidance to GoodWeave licensed and applicant exporters and their subcontracted units, including home-based units, on how to comply with the [GoodWeave International Generic Standard](#). For compliance purposes, the GoodWeave International Generic Standard (the Standard) is the official document against which suppliers are audited. This document supplements the GoodWeave Standard and should be used in conjunction with it. You may download the Standard from the GoodWeave International website, [here](#).

This document provides a summary of the Standard Certification requirements and highlights the intent behind the requirements and practical understanding of how exporters and subcontractors can comply.

When appropriate, specific guidance will be provided for the countries where GoodWeave operates, currently India and Nepal. In the case of questions or clarifications, please contact [standards@goodweave.org](mailto:standards@goodweave.org).

## WHO IS RESPONSIBLE FOR COMPLIANCE WITH THE STANDARD?

GoodWeave license holders – including those working toward obtaining a license – and their subcontractors are responsible for compliance with the Standard. Producers at all levels in the supply chain must be aware of and comply with the Standard. Where home-based work is carried out, the contractor who assigned work to the home-based worker or unit is considered the employer and is responsible for ensuring compliance with the requirements of the Standard.

GoodWeave recognizes the different levels of the supply chain where work takes place and has specified requirements for the exporter or GoodWeave license holder, the subcontractor, and home-based workers.

The factory exporter / license holder has a licensing agreement with GoodWeave. They have a direct relationship with the importer and is the recipient of purchase orders from the importer. They must have records of where production takes place and all subcontracted units.

Sub-contractors are entities providing the exporter with specialized inputs integral to, utilized in, or for the production of the final product through one or more links in the supply chain. Subcontractors include subcontracted factories and smaller production units such as Dedicated Centers (DCs). In some cases, subcontractors employ home-based workers to complete contracted orders from the exporter.

Home-based workers have a contract or agreement to work either with the exporter or with a subcontractor, directly or through intermediaries. Employers of home-based worker production are responsible for the criteria in this section and ensuring the home-based workers understand their responsibility in compliance.

## HOW DO I USE THIS DOCUMENT?

The GoodWeave Standard is comprised of three Certification Principles: No child labor, No forced or bonded labor, and verifiable and documented conditions of work (transparency). The Certification Principles are numbered A1 through A3.

Each Principle is supported by Certification Requirements. These are indicators of compliance with the Principle.

For each Standard requirement, you will find an explanation and guidance of what is expected of the exporter/licensee, the subcontractor and the home-based workers to meet the requirement (section titled “What are Exporters and Subcontractors expected to do?”). Where there is specific guidance for a producer group, this is clearly indicated. Also included is a summary comprising of all procedures and systems that need to be established and in place for employers to be compliant.

In [Annex A](#), you will find a Compliance Checklist that outlines each Principle’s associated criteria and is designed to help confirm your compliance with the GoodWeave Standard in your supply chain.

NOTE: The GoodWeave Standard also includes Progress Principles, which is a set of criteria to measure progress against a broader set of related labor rights and environmental impacts. These criteria are verified during initial and annual audits, but their fulfillment is not a requirement for certification. GoodWeave is in the process of developing guidance for the Progress Principles and it will be incorporated into this document at a later date.

## COMPLIANCE WITH THE GOODWEAVE STANDARD

GoodWeave requires that, in order for a product to be certified as being in compliance with the Standard, producers must comply with national legislation and regional or sector-specific regulations relevant to the certification principles set out in the Standard. Where national legislation or sector regulations sets higher requirements or ensure more favorable conditions for workers than those set out in the Standard, the higher requirements prevail, in so far that they are compatible with the international law on the subject. Where needed, GoodWeave will work with producers to support those seeking to meet the highest requirements possible.

GoodWeave follows certain internationally recognized conventions and standards, in particular those of International Labour Organization (ILO). The following ILO conventions guide the Standard Certification Principles:

- [ILO Convention 138](#), Minimum Age Convention
- [ILO Convention 182](#), Worst Forms of Child Labor Convention
- [ILO Convention 29](#), Forced Labor Convention
- [ILO Convention 105](#), Abolition of Forced Labor Convention
- [ILO Convention 95](#), Protection of Wages Convention
- [ILO Convention 190](#), Violence and Harassment Convention

## PRINCIPLE A1: NO CHILD LABOR IS ALLOWED

The certification requirements under this principle aim to ensure that no child labor takes place. Child labor is defined as any work or economic activity, which is harmful to the health or development of a child; or would prejudice their attendance at school, their participation in vocational or training programs approved by the competent authority, or their capacity to benefit from the instruction received.

## A.1.1

### CHILDREN BELOW THE AGE OF 14 ARE NOT EMPLOYED OR ENGAGED IN LABOR.

Where the national legal limit or end of compulsory school age is above 14, the higher age limit will be followed.

In the countries where GoodWeave currently operates, the national minimum age for employment is aligned with international standards.

In India, the minimum age for work is 14 as established by section 3(1) of the Child and Adolescent Labor (Prohibition and Regulation) Act.

In Nepal, the minimum age for work is 14 as established by Section 3 of the Child Labor (Prohibition and Regulation) Act.

GoodWeave distinguishes between child labor and child work. Not all work undertaken by children is illegal, unacceptable or harmful particularly in the context of the family unit. Children may appropriately be introduced to the world of work when it does not interfere with their schooling and overall development, when they are properly supervised, and when they work in acceptable conditions, as described below, with provisions for rest and recreation.

*What are exporters and subcontractors expected to do?*

Do not employ children under 14 years of age in your facilities or supply chains, including in home-based work.

Where work is carried out in homes, home-based workers must understand the limitations on hours and type of work children and young workers can be involved in.

It is your responsibility as the licensee or subcontractor engaging homeworkers to explain that children may help their parents in the home only under exceptional circumstances (see below).

Children ages 12 and 13 (or 14 if the national law sets 15 as the minimum age for work) are permitted to help their parents in the home only if the work:

- Does not jeopardize their attendance at school - they should only work after school or during holidays and be supervised by a parent so they are appropriately guided in their tasks;
- Is not hazardous to the child's general health and well-being;
- Does not jeopardize their social, moral, or physical development; and,
- Is non-economic activity.

### ***CHILD LABOR POLICY***

You must have a written child labor policy that is in-line with national legislation, and it includes at least the following:

- The workplace follows national legislation regarding child labor, including for home-based work.
- No child under age 14 is allowed to work.
- Young workers, ages of 14 to 18, are prohibited from performing hazardous work (as determined by national law), night work, and overtime.<sup>1</sup>

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<sup>1</sup> Contact the GoodWeave country office where you operate for details on country specific hazardous work.

- All workers shall be registered, with their ages and the types of work they perform recorded.
- If child labor is found in any worksite, there is a commitment to remediate the child and work with GoodWeave International on the child's behalf.

*You can use and adapt the Child Labor Policy template provided by GoodWeave.*

The policy must be in languages understood by all workers. All managers and workers should be trained on or have had the policy explained to them.

#### *Procedures and System Summary*

- ✓ Ensure you do not employ children under 14 years of age.
- ✓ Establish a system to train management and workers on the child labor policy.
- ✓ Establish a system to ensure home-based workers understand what is acceptable work for children and young workers, and what work is prohibited.

#### *Document summary*

- ✓ Written policy on child labor, young workers and commitment to remediate.

## **A.1.2:**

**NOTICES ARE PROVIDED DECLARING THAT PRODUCERS DO NOT ALLOW CHILD LABOR**

The child labor policy must be prominently displayed in the workplace, and in languages understood by all employees.

#### *What are exporters and subcontractors expected to do?*

Exporters and subcontractors are required to post their policy prohibiting the use of child labor in a location of high importance in the workplace that is visible to both visitors and workers. The notice must be translated into all relevant languages so that all workers understand the policy. If required by law, employers must also display relevant provisions of national legislation prohibiting child labor.

You must make ensure that home-based workers in your supply chain understand and follow the policy by explaining the contents to them and confirming that they have understood.

Home-based workers must confirm, to their employers in writing, their commitment that they will not use child labor in production.

This written commitment confirms that they have seen and understood their employer's policy prohibiting child labor, and that they will abide by it. The exporter or subcontractor may provide the home-based worker with a prepared written commitment to sign, a copy of which must be kept both by the home-based worker and by the employer.

*You can use and adapt the Written Commitment to Not Use Child Labor template provided by GoodWeave.*

*Procedures and Systems summary*

- ✓ Display the child labor policy prominently in the workplace.

*Document summary*

- ✓ Child labor policies translated in relevant languages.
- ✓ Written commitment to Not Use Child Labor for home-based workers.

## A.1.3:

### THE AGE OF WORKERS IS VERIFIED TO ENSURE NO CHILDREN ARE EMPLOYED OR ALLOWED TO WORK ILLEGALLY

Workers' age is verified at the time of hiring and age records are documented and maintained. Examples of proof of age include government-approved identity cards (i.e. birth certificates, Aadhar card/ PAN cards, or ration cards).

*What are Exporters and Subcontractors expected to do?*

Employers must maintain verifiable age records for all workers at all production sites.

Employers verify the age of all workers at the time of hiring, whether they hire the workers directly or through a labor broker. This should be done by requesting a birth registration certificate. Employers are responsible for informing labor brokers that age verification documents are required for all workers. In the absence of a birth certificate, the employer should seek a certificate of age from an appropriate, authorized medical authority. The employer is responsible for the charges payable to the medical authority.

Copies of documents verifying the age of all the workers must be kept at the production sites as well as maintained by the employer.

The ages of all children living at home-based production sites are recorded and verifiable.

This means that contracted home-based workers must have records of all the children living with them and their ages. Copies of these documents, verifying the age of each child, preferably a birth registration certificate, must also be kept at the home production site as well as by the employer or contractor.

*You can use and adapt the Record of Children Living on Premises of Home Production Sites template provided by GoodWeave.*

*Procedures and Systems summary*

- ✓ Establish a system to verify workers' age during recruitment.

*Document summary*

- ✓ Records for all workers – including proof of age – kept by employer and at production unit.
- ✓ Copies of worker identification, with proof of age for all workers kept by employer and at production unit.
- ✓ Records – including age proof – for every child living at home-based production units – kept by employer and at household unit.

## A.1.4:

### PROCESSES ARE IN PLACE FOR REMEDIATION IN CASE CHILD LABOR IS FOUND<sup>2</sup>

A remediation plan has been developed and underpins remediation of child labor cases.

#### ***What are Exporters and Subcontractors expected to do?***

Employers must have a remediation plan in place in case child labor is found.

A remediation plan must include the steps, which will be followed by the employer to remediate a child labor case, if identified in its supply chain.. The actions taken in each case should be designed to ensure the best interest of the child. A remediation plan will vary depending on the situation, but will generally include:

- Informing GoodWeave that child labor is suspected or confirmed in a facility or home-based production site;
- Working with GoodWeave and/or a local community organization on remediation; and,
- Extending support and guidance to the family and child with school enrollment.

If child labor is identified, producers will work with GoodWeave and/or a local community organization on remediation.

If children are found working, GoodWeave inspectors first verify whether the situation is harmful to the child or his/her ability to benefit from education. If the work is deemed physically or mentally demanding, or otherwise interferes with the child's education and/or ability to benefit from it, a remediation plan is immediately put in place with the support of both GoodWeave and/or local organizations specializing in child remediation, and the exporter.

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<sup>2</sup> Please find further details on remediation in the GoodWeave Forced, Bonded, and Child Labor Remediation Policy <https://goodweave.org/policies-and-procedures/>



Remediation takes a rights-based approach (survival and development rights, protection rights, and participation rights) and adheres to the best interests of the child without discrimination.

Appropriate measures are taken to remove children from work, return them to their respective families where possible and encourage them to go to school.

Children are removed from the workplace (ensuring the safety and welfare of the child is protected in the process). The inspector and the employer works with the families to identify additional educational opportunities for the children and to reduce the hours of work. All efforts are carried out for the rehabilitation of children, including medical, psychological, social, educational and economic assistance, and reintegration in society.

*You can use and adapt the Child Remediation Plan included in the Child Policy template provided by GoodWeave.*

*Procedures and Systems summary*

- ✓ Develop a plan to remediate child labor in your supply chain.
- ✓ Establish a procedure to work with GoodWeave on remediation. When the remediation is at the home-based level, include subcontractors and home-based worker in the procedure.

*Document summary*

- ✓ (Best practice) Written remediation plan.

**A.1.5:**

**RECORDS ARE KEPT OF YOUNG WORKERS AND THE WORK THEY PERFORM**

Records documenting young workers' age and tasks must be maintained at every production site.

*What are Exporters and Subcontractors expected to do?*

In order to ensure the protection of young workers, employers must maintain a register with the name and ages of all young workers under 18 and the nature of work that they perform, where it is legally permissible.

The register must contain:

- The name and date of birth of each young worker;
- The nature of the work or a job description, and whether the work is potentially hazardous (see A.1.6); and,
- The days, hours and periods of work and intervals of rest to which he/she is entitled.

The employer must keep copies of age verification records on site.

Employers must follow all local and national legal requirements regarding the employment and documentation of young workers.

Depending on the national law, there may be additional requirements for employing and documenting the work of young workers. Employers must comply with all laws relating to the employment of young workers. For example, for the countries where GoodWeave currently operates:

- The Government of India requires that young workers obtain a certificate of fitness to demonstrate that they meet the physical standards of work. This typically involves the parent/guardian or the factory applying for an authorized certifying surgeon to examine the young worker before granting a certificate of fitness.
- The Government of Nepal requires the employer to obtain, when possible, written approval from the father, mother, or guardian of the young worker, and from a government labor official.

Home-based workers must keep a record of all young workers living at home-based production sites, including their ages and any production work they perform. Documents verifying the age of each young worker, preferably a birth registration certificate, must also be maintained at the production site. The employer or contractor must also keep copies of this record and the age verification documents.

Record keeping on young workers can be combined with A.1.3 requiring age records of all children under age 14 living at the home-based production site.

*You can use and adapt the Record of Production for Young Workers in Home Production Sites template provided by GoodWeave.*

#### *Procedures and Systems summary*

- ✓ Check and abide by follow local and national law on young workers.

#### *Document summary*

- ✓ Register with young workers' name age and task records – kept by employer and on site.
- ✓ Register with home-based young workers' name, age and task records – kept by employer and at household unit.

## **A.1.6:**

### **HAZARDOUS WORK IS PROHIBITED FOR YOUNG WORKERS**

Young workers are prohibited from performing hazardous work (at a minimum from the tasks defined as hazardous by national law) night work, and overtime.

According to Article 3(d) of ILO Convention 182, work is considered hazardous when, “by its nature or the circumstances in which it is carried out, it is likely to harm the health, safety, or morals of the young worker.”

### *What are Exporters and Subcontractors expected to do?*

For the countries where GoodWeave currently operates, national legislation sets out the following requirements for employing young workers:

	India	Nepal
Weekly hours	Maximum 36 hours	Maximum 36 hours
Daily hours	Five hours; one hour of compulsory break after 3 hours of consecutive work	Max 6 hours 30 minute break after every three hours of consecutive work
Night work	Prohibited between 7pm and 8 am	Prohibited between 6pm and 6pm
Work Week	One rest day per week	One rest day per week
Prohibited Hazardous Tasks	Government of India, Schedule to the Child and Adolescent Labor (Prohibition and Regulation), Revised 2017	Government of Nepal, Schedule 1 of the Child Labor (Prohibition and Regulation) Act, 2000

In order to ensure that young workers are not engaged in hazardous work, employers should keep a list of tasks that young workers carry out and any potential hazards should be identified. The register of young workers described above (A.1.5) shall include any hazardous or potentially hazardous tasks that the young workers perform.

You, as the employer, are required to perform a risk assessment to identify hazardous tasks and you must mitigate the risks to young workers or ensure that young workers do not perform these tasks. You must also create awareness on health and safety issues for young workers.

Steps to conduct a risk assessment include:

1. List all tasks that are performed in your facility or supply chain
2. Evaluate whether these task may cause harm
3. Decide who may be harmed and how (is it only the person doing the task or is there a risk that someone nearby may also be harmed?)
4. Record the hazardous tasks

*You can use and adapt the Hazardous Work Risk Assessment template provided by GoodWeave.*

ILO Convention 182 Recommendation 190 provides useful guidance regarding hazardous work that can be considered by producers when performing risk assessments.

Consideration should be given to:

- Work which exposes children to physical, psychological or sexual abuse;
- Work underground, under water, at dangerous heights or in confined spaces;
- Work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads;

- Work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health; and,
- Work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer.

The prohibitions described in the requirement A.1.6 should not be confused with minimum age requirements. Producers are to comply with minimum age requirements as described in requirement A.1.1 regardless of whether the work performed is harmful or not.

**Employers are responsible for ensuring that home-based workers understand that young workers are prohibited from performing hazardous work, night work, and overtime.**

That means that you, the employer, must explain to home-based workers what work is considered and prohibited for young workers to perform. You must also inform them that young workers are not permitted to work at night or overtime hours.

It is important that young workers themselves understand what work they are allowed to do, what are the types of hazardous work they are not allowed to perform and when they are restricted from working. Therefore, as the employer, you or the adults in the household/facility must explain to young workers what constitutes hazardous work that they are not permitted to engage in. When asked, young workers should be able to provide examples of the kind of work they are not permitted to perform.

*Procedures and Systems summary*

- ✓ Check and abide by local and national law on young workers.
- ✓ Establish a process to identify hazardous tasks.
- ✓ Display young workers' allowable working hours clearly.
- ✓ Establish a process to raise awareness on health and safety with young workers.
- ✓ Ensure young workers understand they can refuse hazardous work.
- ✓ Establish a system to inform workers of what tasks young workers are allowed to perform and when.
- ✓ Ensure young workers employed in the household/ facility understand what tasks they are allowed to perform and when.

*Document summary*

- ✓ Register with young workers' name, age, and task records required to keep on site and/or at the home production unit.

## A.1.7.

### EDUCATION/EMPLOYMENT PLANS ARE IN PLACE

Records are maintained to ensure the employment of young workers does not interfere with their schooling or exceed the limit allowed by law.

### *What are Exporters and Subcontractors expected to do?*

Employers are required to track the number of hours a young worker spends in transport, at school, and at work, and ensure that it does not exceed the limit allowed by law.

Note that for the India and Nepal, the countries where GoodWeave currently operates, the minimum age for work does not overlap with the compulsory education age. Therefore, young workers are not required to attend school at an age when they are also permitted to work.

The children and young workers of home-based workers must attend school if required by law. They are not allowed to work in the home during school hours. Employers must be able to provide documentation verifying that no child or young worker is working in the home-based production site if they are required to attend school.

#### *Procedures and Systems summary*

- ✓ Establish a plan to track young workers' time spent at work and school.
- ✓ Ensure young workers' schooling, commute and work do not exceed the limit allowed by law.
- ✓ Ensure that young workers and children in home production units do not work during school hours.

#### *Document summary*

- ✓ Records of young workers' school, work and commute hours.
- ✓ Records showing that children and young workers do not work during school hours.

## PRINCIPLE A2:

### NO FORCED OR BONDED LABOR IS ALLOWED

Forced labor refers to all work or service, which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily. Forced labor can involve adults, children, and young workers. Principle A2 sets that no one shall be forced or otherwise compelled to work and that all practices must conform to the ILO Conventions on forced labor listed above and national law at a minimum.

#### A.2.1.

##### WORKERS ARE NOT FORCED OR OTHERWISE COMPELLED TO WORK

Workers must be free to leave their employment if they decide. They must not be forced to work by the employer.

*What are Exporters and Subcontractors expected to do?*

As an employer, you are not permitted to engage in any practices that prevent workers from leaving employment, thereby forcing or compelling workers to continue working. That means that you may not use any physical or psychological means to prevent workers from leaving employment.

Some examples of physical or psychological coercion that is prohibited includes:

- Physical violence or abuse;
- Locking workers in the facility so that they cannot leave, even after their shift has ended;
- Threatening to report undocumented workers to the authorities; and,
- Making threats against family members.

In addition, employers are prohibited from withholding any part of any worker's salary, payments, or benefits to force such worker to continue working.

Workers are free to leave employment after a reasonable and agreed notice period without penalty and to work for another employer.

Employers must allow workers to freely resign and leave employment after appropriate notice has been given. Requirements for giving notice should be agreed upon prior to employment and included in the employment agreement. Notice periods should be reasonable and determined by national laws and industry standards. For example,

- In India, a reasonable and agreed notice period for workers is one month.
- In Nepal, a notice period should be:
  - At least before one day, in case of employment for a maximum period of four weeks;

- At least seven days, in case of employment for a period of four weeks to one year;
- At least 30 days, in case of employment for a period of more than one year.

Employers are also prohibited from taking actions, or threatening to take actions, that make reemployment difficult. Workers should not be prevented or excluded from working within legal limits for another employer in any way. For home-based workers, this means that they are free to work for other subcontractors in different supply chains.

Employers must not withhold any part of a salary, payments, or benefits to force workers to continue working for them.

Employers are prohibited from withholding salaries, wages, payments, or benefits to prevent workers from leaving employment or to force them to continuing working. Employers must settle the payment of wages and benefits with employees in a timely manner that follows national law, unless specifically stated in the employment agreement. Employers may not hold benefits from workers, such as social security, if they leave employment.

Workers are not required to lodge deposits or surrender original identity papers in return for work.

Employers cannot hold workers' original documents, such as identity papers, citizenship cards, land deeds, and birth certificates as a means to control workers. This practice leaves workers in a position of vulnerability and restricts their freedom to leave employment. For example, it is not allowed for an employer to hold a worker's documents as collateral, and refuse to return it to the worker so they cannot leave employment. For documentation purpose, the employer should keep a photocopy of workers' documents. Where lockers are used for safe-keeping, workers should keep or have unrestricted access to the key.

#### *Procedures and Systems summary*

- ✓ Ensure that no worker is pressured to stay in their job.
- ✓ Verify that wages and benefits are not withheld to keep workers in their jobs.
- ✓ Keep photocopies of workers' identification, not the original documents.
- ✓ Communicate that no penalty is imposed on workers for leaving their job.
- ✓ Establish a reasonable, legal resignation period and ensure it is agreed by the workers before commencement of employment.
- ✓ Allow all workers to seek a new job with a different employer.

## A.2.2.

### WORKERS DO NOT ENDURE HARSH, INHUMANE, OR INAPPROPRIATE TREATMENT

Workers must not be subjected to any unacceptable behaviors and practices, or threats there of that can result in physical, psychological, sexual or economic harm, including sexual or gender-based violence and harassment.

### *What are Exporters and Subcontractors expected to do?*

Employers must ensure that all unacceptable behaviors and practices are strictly prohibited on all work premises, including home-based production sites.

Verbal and physical abuse, violence, sexual or other harassment, or other forms of intimidation are prohibited on all work premises, including housing provided by employer, and home-based production sites.

Verbal and physical, sexual, and psychological abuse and harassment is also a strong indicator of forced labor. These practices can be used to force workers to undertake tasks that were not a part of their initial agreement or to prevent them from leaving employment.

In order to ensure that these prohibited practices do not take place in your supply chain including housing provided by the employer and in home-based units, it is strongly recommended that licensed exporters and subcontractors have clear and transparent policies prohibiting physical abuse, violence, sexual or other harassment in the workplace. The policy should include measures to ensure that all management, subcontractors and workers are aware of the policy and its enforcement.

Awareness raising on policy contents can include signs with pictograms posted in highly visible areas and other informative materials for home-based units.

A mechanism is put in place to deal with grievances, including a point of contact to whom workers can submit complaints in anonymity.

Employers are required to establish an effective, confidential mechanism with a point of contact that any worker, acting individually or with other workers, can use to submit a grievance or complaint regarding an issue or problem in the workplace. In addition to providing workers with a mechanism or procedure to report harsh, inhumane, and inappropriate treatment, workers must also be able to access this mechanism to report any other issues relating to the GoodWeave Standard.

An effective grievance mechanism:

- Is accessible to every worker, including availability in the worker's native language;
- Is safe to use;
- Ensures complainant's identity remains confidential;
- Incorporates procedures for processing and resolving grievances in a fair, timely and efficient manner and complainant is updated on about the ongoing resolution;
- Ensures that workers submitting grievances are not subject to retaliation of any kind;
- Includes an appeals process for workers who disagree with how a grievance is resolved;
- Includes documentation of all disputes; and,
- The grievance mechanism is gender sensitive, and any grievance committee is gender balanced.

Examples of grievance mechanisms include internal committees, human resource officers, complaint or suggestion boxes, hotlines, open door policies of management, third party organizations, and trade unions.



It is important that designated points of contacts have excellent understanding of the mechanism's process and are able to support workers when they lodge a grievance. Workers must be made aware of the mechanism's existence and functionality. The mechanism should be closely monitored to ensure it serves its purposed.

For additional details, please refer to GoodWeave's Grievance Mechanism Guidance in Annex B.

*Procedures and Systems summary*

- ✓ Explicitly prohibit all unacceptable behaviors and practices in your supply chain and inform every worker.
- ✓ Establish a grievance mechanism that includes a point of contact, and explain to workers how the mechanism works and who the point of contact is.

*Document summary*

- ✓ (Best practice) Develop a policy that prohibits unacceptable behaviors and practices and a training on the policy.

### A.2.3

#### PRODUCERS DO NOT RESTRICT THE MOVEMENT OF WORKERS

Producers are prohibited from restricting the movement of workers during or outside of work. Workers must be permitted to move freely around the workplace to take breaks, use the bathroom, and eat meals. Facility doors may not be locked or blocked, adhering to legal requirements. Workers must have unobstructed access to exits in all facilities. Workers are free to leave work premises at any time after standard working hours. Security guards should not be used to prevent workers from leaving the facility after standard working hours.

*What are Exporters and Subcontractors expected to do?*

Working hours are clearly specified.

Employers must ensure that workers know the length of a standard workday. The specific start and end times of the workday may vary, as long as these times are understood and agreed upon between the employer and workers, within legal limits. Working hours should be displayed and visible and included in the employment contract.

A time recording system is in place, where the beginning and the end of the workday is documented in a reliable manner for each individual worker.

Both regular and overtime hours must be recorded on a daily basis. This should be done on the same document in a format that is easy for the worker to understand and confirm their working hours. Workers in a facility should be able to log their start time and end time each day.

*You can use and adapt the Time Recording System template provided by GoodWeave.*

Workers are free to leave work premises at any time after a standard work day.

Employers must allow workers to leave the work premises at any time after a standard work day. A standard work day is 8 hours, however this may vary depending on the industry. Additional working hours are considered overtime. Workers should not be retaliated against or penalized for refusing to work overtime hours.

Employers do not require workers to live at the worksite. If workers choose to live at the worksite they must be allowed to leave the premises if they want.

Employers have a method to monitor the number of hours worked or pieces completed by home-based workers.

*You can use and adapt the Wage and Time Tracking template for home-based workers provided by GoodWeave.*

#### *Procedures and Systems summary*

- ✓ Provide unrestricted access to bathroom facilities, drinking water and other basic facilities, including housing provided by the employer.
- ✓ Allow workers to move around and freely exit the factory and to choose their accommodation.
- ✓ Display working hours clearly.
- ✓ Ensure workers understand working hours.
- ✓ Establish a mechanism to daily track workers' working hours and to monitor the number of pieces or hours worked by home-based workers.

#### *Document summary*

- ✓ Working hour records including beginning and end of work day for each worker.
- ✓ Working hours or piece records for home- workers.

## **A.2.4**

### **EMPLOYMENT AGREEMENTS OR CONTRACTS ARE PROVIDED IN A WRITTEN FORM AND UNDERSTOOD BY ALL WORKERS**

Every worker is entitled to receive a written copy of the employment contract with terms and conditions that are understandable.

#### *What are Exporters and Subcontractors expected to do?*

Employers have a written agreement in place with the workers on terms and conditions of work.

Employers, both licensed exporters as well as contractors, are required to have a written employment agreement in place with all workers. At a minimum, the employment agreement must include:

- A description of the type and nature of work;
- Working hours;
- Pay rate, regardless of whether the worker is paid by piece rate, quota, hourly, or month wage;
- If a loan or advance is given by the employer to the worker, the amount and terms of repayment must also be included in written agreement; and,
- A reasonable notice period for leaving employment must also be included in the agreement.

Employers are strongly advised to also include rest days, holidays provided, sick leave, and any other social benefits, such as pension and other social securities required by national legislation. For home-based workers, agreements should also contain objective reasoning for the acceptance/rejection of finished goods and maximum delays allowable for payments.

*You can use and adapt the Written Agreement/Contract template provided by GoodWeave.*

Employment agreements are in a format and language that workers understand.

Employers must provide employment agreements to workers in a language they understand prior to signing the agreement. The format of the agreement should be simple and clearly understandable without any codes or jargons or abbreviations, so it is easy to comprehend the terms and conditions of employment.

Workers understand the terms and conditions of the employment agreement.

Agreements must be made explicitly and directly between the employer and each individual worker, including if the work is done as a team or a family. This practice ensures every worker understands the terms and conditions of the work agreement and is treated equally.

During GoodWeave audits, employment agreements and other supporting documentation will be compared to statements by workers during worker interviews to verify whether workers and employers have a common understanding of the terms and conditions of the work agreement.

Agreements include the signatures of home-based workers and their employers.

Both employers and home-based workers must sign the work agreement. This is intended to ensure that the home-based workers has understood and agreed to the content of the contract. A thumb or finger print is also accepted if the worker is unable to sign their name. The signature of a witness, in such a situation, who explained the terms and conditions of the agreement to the homeworker, is also required.

Documentation of the terms of agreement are kept by employers and home-based workers.

Employers must provide home-based workers with a copy of signed work agreements, as well as retain the original or copy of the signed agreement. The workers will be required to show the signed agreement to the GoodWeave auditor during audits/inspections.

Remember, it is the employer's responsibility to make sure that the home-based worker has the signed agreement on site.

You can use the *Work Agreement for Home-Based Production* template provided by GoodWeave.

#### *Procedures and Systems summary*

- ✓ Create an employment contract template that includes relevant terms and conditions.
- ✓ Establish a mechanism to explain the contract to workers.

#### *Document summary*

- ✓ Written and signed employment contract copies (kept by employer and home based worker).
- ✓ Copies of translated contracts in workers' relevant languages.

## A.2.5

### WORKERS ARE NOT BOUND TO THE JOB THROUGH THEIR DEBT

Advances or loans in themselves do not constitute bonded labor, but it is the inability of workers to pay off their debts that leads to debt bondage. The debt incurred through advances or loans must not be used to bond or force workers into employment through terms of repayment that prevent the worker from leaving a job after a reasonable period, as agreed with the worker. Seasonal workers must not be bonded to return in the next season to the employer because of advances taken or debt they may have incurred from their employer. Children or other family members can also not be forced to work in order to repay the debt.

#### *What are Exporters and Subcontractors expected to do?*

Employers provide clear individual pay records to all workers that specify wages paid, hours worked, advances or loans and any deductions.

Pay records must be clear to workers and in a language that they understand. Pay records or slips must show clearly how much is earned by an individual worker, the hours worked or the pieces made and the per piece rate being paid. Deduction must also be specified.

Employers must not make deductions from salaries unless they are permitted by national laws, fixed by a collective bargaining agreement, and the employee has given written consent. If deductions are made from salaries for services provided by the company, the amounts must be in line with the actual costs incurred. Salary deductions must not be used for disciplinary purposes toward workers, for example, as a compensation for damaging goods or equipment or for starting the work shift late.

In addition to deductions for advances, there are other legally allowed deductions which vary by country. For example, these may include social security, provident fund contribution, unemployment insurance, government medical insurance, union fees as permitted in writing by workers, tax liabilities (e.g. statutory income taxes deductions), voluntary

deductions such as personal savings accounts/funds or voluntary, health insurance contribution, other liability to third party such as bank loan instalment for which employee has consented when employer has been guarantor for the loan

Examples of deductions not allowed by law include: production losses, commissions paid to labor contractors, and additional deductions not outlined on the employment contract.

Workers are not recruited using loans to their families that pressure workers to remain in employment to pay off family loans.

The debt incurred through advances or loans must not be used to bond or force workers into employment through terms of repayment which prevent the worker from leaving work after a reasonable period as agreed to with the worker.

Producers do not provide loans with interest rates at a level that are difficult for workers to repay and binds them to the job.

GoodWeave recommends that employers ensure the amount and the terms of repayment of advances and loans are such that they can be paid off within less than 3 months to minimize the risk of a worker being forced into a continuous cycle of debt. For seasonal work, the amount of a loan should not be greater than the worker can repay in the working season, at a reasonable rate of interest.

If agreed in advance with the worker, deductions from wages against an advance or loan are permissible, provided these deductions do not constitute a majority of the wages paid (it is recommended no more than 25% of monthly earnings) and are allowed by law.<sup>3</sup>

Wages are not withheld as a penalty or to force workers to work as a payment against debt to the employer.

Wages shall not be withheld nor workers forced to work as a payment against a debt to the employer. All earnings must be paid in full (after deductions, if any) on a regular basis as per the agreed terms and conditions of work. Workers must be allowed to pay back debt through means other than working for the creditor, such as working for a different employer.

Payment methods are acceptable to the workers.

Payments must be made on terms that the worker agrees to. Payments may be made in cash, by direct deposit in the worker's bank account.

In-kind payments are only permissible when they constitute partial payment for work performed and are allowed by law. Such payments must be correctly valued and appropriate for the use of the worker and his/her family. For example, in-kind payment could include provision of housing, meals, or transportation. In the textile industry it is not customary for such in-kind benefits to be deducted from wages, and thus are generally not included in the calculation of total wages earned.

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<sup>3</sup> In Nepal, the law allows a maximum of 33% monthly deduction or mutual agreed terms between the employer and the worker.

However, it is permissible for an employer to include in-kind benefits/payments to workers in the calculation of advances or loans only if:

- It is agreed to in advance with the worker and documented;
- It only constitutes partial payment for the work performed, (e.g.it does not eliminate the repayment of a workers' debt from his/her labor);
- It is a benefit and of value to the worker or his/her family's personal use;
- It meets minimum standards for decency, such as privacy and safety in the case of accommodation or nutritional value for meals, as determined by the worker;
- Its value does not exceed the cost to the employer, thereby ensuring employers do not profit from providing in-kind benefits; and,
- Its value does not exceed the replacement cost to the worker if s/he had to purchase it, thereby ensuring the value used is "fair and reasonable" to workers.

Equipment and materials required for work, such as tools or protective clothing, are not considered in-kind benefits. Employers are obligated to provide these items.

*You can use the Production and Payment Record template provided by GoodWeave.*

*Procedures and Systems summary*

- ✓ Ensure deductions made to salaries are allowed by law and do not include debt repayment.
- ✓ Ensure young workers are not pressured into employment through loans provided to their family.
- ✓ Ensure loans are provided to any worker at a legal, reasonable interest rate.
- ✓ Establish a process to ensure that payments are made on time and through acceptable methods.
- ✓ Verify what in-kind payments are allowed by law and acceptable by workers, including home-based workers.

*Document summary*

- ✓ Payroll records for all workers, including home-based workers.
- ✓ Pay slips records that include relevant details for all workers, including home-based workers.

### A.2.6

#### RESPONSIBLE USE OF LABOR BROKERS

GoodWeave allows the use of labor brokers where it is legally permissible, as long as employers follow responsible recruitment practices. They should carefully screen labor brokers to ensure that they engage in and adhere to ethical and legal recruitment. However, it is advisable that employers directly recruit workers whenever possible to avoid forced labor risks in the recruitment process.

*What are Exporters and Subcontractors expected to do?*

Even if an exporter or subcontractor hires workers through a labor broker, the exporter or subcontractor must pay workers' wages directly. Wages shall not be paid by the labor broker.

Employment contracts must be directly between the employer (the exporter or subcontractor) and the workers.

Employment contracts may not be between the labor broker and workers

Workers are free from paying any fees or other types of payment to labor brokers during or as a condition of their recruitment.

Workers are not required to pay any fees or costs associated with their recruitment or job placement. Recruitment fees and costs can include, but are not limited to, transportation to the worksite, medical costs, training, tools and uniforms.

Employers cover all costs associated with recruitment.

Employers must reimburse any recruitment fees or costs borne by the worker. For example, if your company actively recruits workers from other regions within your country or from other countries, the exporter or subcontractor must pay any recruitment, agency, visa and travel fees incurred in both the country of origin and destination.

*Procedures and Systems summary*

- ✓ Verify that all workers are paid by their employer, not a labor broker.
- ✓ Ensure that employment contracts are between the employer and workers, not the broker and workers.
- ✓ Establish a process to verify that workers do not pay any recruitment fees to brokers.
- ✓ Develop a process to reimburse workers of any recruitment fee they paid.

*Document summary*

- ✓ (Best practice) Record of fee paid/reimbursement.
- ✓ (Best practice) List of labor brokers.

## PRINCIPLE A3: CONDITIONS OF WORK ARE DOCUMENTED AND VERIFIABLE

To ensure conditions of work are verifiable, producers must administer business practices that are transparent and adhere to all relevant local and national laws and regulations at all levels of the supply chain.

In addition to the certification requirements, exporters must meet all GoodWeave requirements for licensing, which include:

- All company registration and tax documentation (as applicable) are complete.
- All associated GoodWeave license fees are paid.

### A.3.1

#### PRODUCERS DISCLOSE A FULLY TRACEABLE SUPPLY CHAIN FOR ALL PRODUCTION PROCESSES

A complete list of production sites, including all suppliers, subcontractors, intermediaries, and home-based workers are provided to GoodWeave.

*What are Exporters and Subcontractors expected to do?*

The GoodWeave Standard applies to all work premises where different processes are involved in manufacturing of products covered under GoodWeave's compliance system. Therefore, exporters are required to submit to GoodWeave a list of all processes and production sites covered in the scope of their production, including all subcontractors, intermediaries, and home-based workers.

Subcontractors must also provide a list to GoodWeave identifying all subcontractors, suppliers, intermediaries, and home-based workers used in production processes.

Supply Chain lists should include the following information about each producer:

- The full name of all authorized production units and processing facilities;
- The site addresses;
- The parent company (company which has majority ownership or control) of the business at the site;
- The type of products made;
- The number of workers at each site; and,
- Detailed information about home-based workers, include worker's name, address, family members, number of children in the household, and intermediary if applicable.

The license holder can, but is not obliged to, publish this list. If published, the licensee must ensure business confidentiality and protect the data of suppliers and workers.



The exporter must immediately record and notify GoodWeave of any changes in the supply chain, whether adding new suppliers or closing out relationships with existing suppliers. If no changes have been made to the supply chain, a current supplier list must be sent to GoodWeave every 6 months.

The licensed exporter must provide GoodWeave with detailed identifying information about home-based workers in its supply chain. The information includes the village name, number of family members, children per household, and the intermediary, if applicable. If the licensed exporter is unable to provide all required information, the home-based worker, subcontractor or intermediary, is responsible for supplying this information to GoodWeave.

*Procedures and Systems summary*

- ✓ Establish a system to keep an updated list of production sites.
- ✓ Ensure GoodWeave is immediately informed of any changes in supply chain.

*Document summary*

- ✓ Records of production sites for entire supply chain, including home production units.
- ✓ (Best practice) Evidence of published list.

### A.3.2

**ALL PRODUCTION SITES ARE REGISTERED**

All production sites must be registered with GoodWeave, including individual home-based workers, dedicated centers, and subcontractors used for specific elements of the whole process. Only production sites registered with GoodWeave can be used for certified production.

In practice, supply chain information will routinely be checked during the inspection process by cross-checking information with subcontractors, workers, and members of the community to confirm all production sites are registered with GoodWeave.

*Procedures and Systems summary*

- ✓ Establish a process to register all production sites with GoodWeave.

### A.3.3

**ACCESS IS PROVIDED TO RELEVANT DOCUMENTATION AND PERSONNEL DURING VERIFICATION VISITS**

Producers at all levels of the supply chain must allow GoodWeave inspector's access to all relevant and necessary documents and personnel in order to verify compliance with the principles, requirements, and criteria in this Standard.

Each producer must

- Provide immediate and unhindered entry for audits and inspections of all activities within the facility premises;
- Provide requested information including any applicable worker employment data, wage records, attendance records, warehouse or shipping data, or other documents indicating workplace standards and production capacity, and working environment related to health and safety;
- Fully cooperate with approved GoodWeave personnel (no verbal or physical threats, abuse, or other interference with the work of inspectors);
- Provide access to all workers for confidential interviews; and,
- Allow photos and video to be taken of the facility by GoodWeave inspectors and its other approved personnel to document any non-compliances.

*Procedures and Systems summary*

- ✓ Ensure that access to documents and personnel is provided to GoodWeave auditors/inspectors.

### A.3.4

#### ACCESS IS PROVIDED TO FACILITIES FOR UNANNOUNCED INSPECTIONS BY GOODWEAVE

Producers at all levels of the supply chain, including home-based workers, allow unrestricted access to production sites and to all relevant and necessary documents and personnel for unannounced audits/ inspections by GoodWeave approved personnel.

For unannounced inspections, no prior notice is sent and producers must therefore be prepared to provide GoodWeave authorized personnel with access to all facilities, production sites, workers, documents, and information necessary for conducting unannounced audits/inspections at any time. The license holder and their subcontractors are advised to brief their organization and suppliers, including home-based workers, in advance on unannounced audit/inspection eventualities and procedures.

Producers must not impede the inspection process, access to production sites, or access to workers for confidential interviews. They must cooperate with GoodWeave approved auditors/inspectors and do not verbally or physically threaten, abuse, or otherwise intervene in the work of the inspectors.

*Procedures and Systems summary*

- ✓ Ensure that access to facilities is provided to GoodWeave inspectors.

### A.3.5

## ACCESS IS PROVIDED TO WORKERS FOR CONFIDENTIAL INTERVIEWS DURING VERIFICATION VISITS

GoodWeave inspectors must be able to interview workers in all factories, subcontracted facilities, distribution centers, and home-based worker households without the presence of management to ensure confidentiality.

Producers must not impede access to workers for confidential interviews. Management must ensure that GoodWeave can conduct worker interviews out of sight and earshot, preferably in a private location if possible.

Employers do not retaliate against workers for providing information to GoodWeave about working conditions.

Any punishment, including issuing of financial penalties, requirement to work additional hours or take on new work activities, or verbal or physical abuse, is strictly prohibited in retaliation for providing information to GoodWeave about working conditions. A grievance mechanism, as required by Criterion A.2.2, must be available to workers to make anonymous complaints if they face retaliation for sharing information to GoodWeave about their working conditions.

### *Procedures and Systems summary*

- ✓ Ensure that access to workers is provided to GoodWeave's inspectors.
- ✓ Inform workers that there is no retaliation for participating in interviews.



## ANNEX A: GOODWEAVE INTERNATIONAL STANDARD COMPLIANCE CHECKLIST

*The following checklist will help you, as a GoodWeave licensed exporter, and your subcontracted units, understand the requirements for compliance with the GoodWeave Standard. Each statement corresponds to criteria from one of the GoodWeave Standard's Certification Principles and its supportive Certification Requirements. You may find it useful to check off the statements that you comply with, or write N/A if not applicable to your situation.*

PRINCIPLE A1: NO CHILD LABOR IS ALLOWED		✓
A.1.1	Children are not employed in your facility or your supply chain, including at the home-based unit	
	You have informed home-based workers of the limitations on hours and type of work children and young workers are allowed to perform.	
	You have explained to your home-based workers that children can only help their families with non- economic home-based work under acceptable and specific circumstances as prescribed under law.	
	You have a written child labor policy that includes young workers and that is in compliance with national legislation or the GoodWeave Standard – the most rigorous criteria will prevail.	
	You have informed or trained management, employees, and workers on the child labor policy so they are aware of and understand its content and meaning.	
A.1.2	The child labor policy (and any other requirement like the national child law, if required by law) is displayed prominently in the workplace.	
	The child labor policy is translated into languages that are understandable by workers.	
	You have a written commitment from home-based workers that they will not engage children in any labor production.	
A.1.3.	You maintain appropriate and authentic documents and records for all workers at your production site/s to verify legal age of all workers.	
	You have copies or records of ID documents that verify age of all workers at all production sites, including home based workers.	
	You and the home-based workers in your supply chain have copies or records of ID documents that verify the age of all children and young workers living at home production sites.	
A.1.4	You have a remediation plan in place if, child labor is found in your facility or supply chain.	



	You work with, or are willing to work with, GoodWeave and/or local community organizations specializing in remediation if child labor is found.	
	You work with the subcontractor, the home-based workers, community organizations, and GoodWeave on remediation in cases where a child is found performing unacceptable work at any locations, including home-based worksites.	
A.1.5	If young workers are employed at your facility, you have an up-to-date register for young workers with their names and age along with list of the tasks they carry out, to ensure they are not engaged in hazardous work.	
	You have a record of the work performed by young workers in home-based units.	
	You have confirmed that all the legal requirements prescribed by local and national laws and regulations regarding record keeping and documentation of young workers are being followed in your facility or supply chain.	
A.1.6.	You have ensured that hazardous work, night work, or overtime is not performed by young workers.	
	You have performed a risk assessment to identify hazardous tasks/ work associated with production and mitigate potential hazards for young workers.	
	You have created awareness, posted signs, or informed young workers on health and safety issues.	
	You have displayed permissible working hours for young workers.	
	You have informed young workers that they can refuse hazardous work without fear of retribution.	
	You have informed home-based workers that hazardous work, night work, and overtime for young workers is not allowed.	
	Young workers engaged in home-based work can demonstrate an understanding of types of hazardous work, and can explain or provide examples of the kind of work they perform to ensure no hazardous work is occurring.	
A.1.7	You have established an education/employment plan for young workers who are subject to compulsory education laws.	
	You can ensure that combined hours of daily transport, school and work time for young workers do not exceed the national or international limit.	
	You are able to show that any child or young worker living in the home-based worker's home, and who is also subject to compulsory education laws, does not work during school hours.	



PRINCIPLE A2: NO FORCE OR BONDED LABOR IS ALLOWED		✓
A.2.1	You do not engage in practices that prevent or pressure workers from leaving employment, thereby forcing or compelling them to continue working for you.	
	Your workers are free to leave employment in your supply chain after a reasonable and agreed notice period, without penalty.	
	Workers in your units, including home-based workers, are free to work for another employer.	
	You do not require workers, including home-based workers, to deposit or surrender original identity papers and cards in return for work.	
	You ensure that no part of home-based worker's salary payments or benefits is withheld in order to force them to continue working for you.	
A.2.2	You have ensured that all unacceptable behavior, including physical, verbal and sexual abuse or harassment, or any other forms of intimidation, is strictly prohibited in all the work premises, including factory provided housing for the workers, and in home-based units.	
	You have informed home-based workers that they should not endure physical, verbal, sexual abuse or harassment, or other forms of intimidation at their work site.	
	You have established a standard and appropriate mechanism in your supply chain, including for home-based workers, to handle grievances involving physical, verbal, or sexual abuse or harassment anonymously.	
	You have provided all workers in your supply chain with the contact information of the point person for reporting any of their grievances /complaints.	
A.2.3	You do not restrict the movement of your workers.	
	You have ensured working hours in your facilities are displayed and clearly specified to workers.	
	You have established a verifiable time record system where start time and closing time of workday is registered for each individual worker.	
	You have a mechanism to monitor the number of hours worked or pieces completed by home-based workers.	
	You allow workers to freely leave work premises at any time after a standard workday.	
A.2.4	You have a written employment agreement or contract in an understandable language, in place with all workers, including home-based workers, outlining the terms and conditions of employment, which includes the job description, working hours, and pay rate (piece rate, quota and hourly wage for home-based workers).	

	You have ensured that workers, including home-based workers, understand the format and language of the written employment agreement or contract.	
	You have ensured that workers, including home-based workers, understand the terms and conditions of work outlined in the written employment agreement or contract, written in the local language or language of their understanding.	
	Both you and the home-based workers have signed documentation of the terms of the employment agreement or contract.	
A.2.5	You provide pay records to workers, including home-based workers, which specify wages paid for work completed and any deductions.	
	You ensure that pay records comply with national law and are understandable and accessible to workers, including home-based workers.	
	You verify that workers are not recruited using loans to their families that pressure them to remain in employment.	
	If you provide loans to workers, including home-based workers, you make sure the interest rates are reasonable, so that workers are able to repay them and that the debt does not bind them to the existing job.	
	If advances are provided, you ensure there is appropriate documentation regarding the advance amount, and any deductions from payments meet the legal requirements.	
	You ensure that no part of workers', including home-based workers, salary or benefits are withheld against a debt they owe you, as a penalty or to force them to continue work in your supply chain.	
	Your method of payment disbursements align with the national law and acceptable to workers, including home-based workers.	
A.2.6	All wages (including to home-based workers) are paid by you, and not by a labor broker, if you choose to engage with one.	
	Employment contracts are made directly between you, and the worker (including home-based workers), and not the labor broker, if you use one.	
	Workers do not pay any fees or any other types of payments to the labor broker as a condition of their recruitment.	
	You cover all costs associated with recruitment, if you use a recruiter.	



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PRINCIPLE A3: BUSINESS PROCESSES ARE DOCUMENTED AND VERIFIABLE		✓
A.3.1	You have disclosed your <u>entire supply chain</u> to the lowest level possible to GoodWeave, including suppliers, subcontractors, intermediaries and home-based workers.	
	You have provided a list of your suppliers to GoodWeave in the last 6 months, or inform them as soon as there are any changes in your supply chain, whichever occurs sooner.	
	As information changes, you inform GoodWeave about addition or removal of suppliers in your supply chain.	
	If you employ home-based workers, you have provided detailed information to GoodWeave identifying the home-based worker, such as village name, number of family members, children per household, contact details (including phone numbers) and the intermediary, if applicable.	
A.3.2	All production sites in your supply chain are registered with GoodWeave, including individual home-based worker units, dedicated centers and subcontractors.	
A.3.3	You ensure that GoodWeave approved personnel are allowed to access to all relevant and necessary documents and personnel at all levels of the supply chain, including home-based workers, during verification visits.	
A.3.4	You ensure that GoodWeave approved personal are allowed access to all production sites (including home-based work sites), relevant and necessary documents, and personnel during unannounced inspections.	
A.3.5	You ensure that GoodWeave approved personnel are able to conduct confidential interviews with workers, including the home based workers during verification visits.	
	You ensure that there is no retaliation against any workers, including home-based workers, for providing information to GoodWeave about their working conditions.	



## ANNEX B: GRIEVANCE MECHANISM GUIDANCE

*This document is intended for producers and offers guidance on how to comply with GoodWeave Standard's requirements on grievance mechanisms. It provides information on:*

- *What a grievance mechanism is*
- *GoodWeave Standard's requirements on grievance mechanisms*
- *The criteria of an effective grievance mechanism*
- *How to promote and monitor a grievance mechanism*
- *The grievance handling process*

### DEFINITIONS AND REQUIREMENTS

In the employment context, a *grievance* can be defined as a justified concern or complaint that workers may have in the workplace, regarding violation of rights or treatment that is below acceptable standards. A *grievance mechanism* is a clear and transparent procedure for lodging, assessing and addressing these grievances. For example, a home-based worker who works for 8 hours a day but is compensated for less should be able to lodge a grievance related to unfair payment. However, not all complaints are eligible to be resolved through a grievance mechanism: workers who want to negotiate a raise on a salary that meets legal standard should do so through collective bargaining, if applicable.

Under the GoodWeave Standard, grievance mechanisms fall under Principle A.2, *No forced and bonded labor is allowed*; Requirement A.2.2, *Workers do not endure harsh, inhumane, or inappropriate treatment*. Grievance mechanisms are mentioned again in the Standard under Progress Principle B.1, *No Discrimination is practiced*.

GoodWeave licensed exporters and subcontractors are required to establish an effective, confidential mechanism with a point of contact that any worker, including home-based workers, acting individually or with other workers, can use to submit a grievance regarding problems in the workplace, including but not limited to harsh and inhumane treatment. Exporters are responsible for ensuring that the subcontractors are aware of and complying with these requirements.

During an inspection, GoodWeave staff may check that a functioning mechanism is in place, that workers know about it and verify who the point of contact is. Records of grievance processes shall be inspected and verified at the workplace.

Businesses have the duty to respect workers' rights in their supply chains. When these rights are violated, workers are entitled to what is defined as "access to remedy": a mechanism through which workers can safely express complaints, these are received by the employer and a solution can be sought.

This enables producers to better understand workers' needs and to identify gaps and trends that may be systemic, resulting in improved business practices.

## ESTABLISHING AN EFFECTIVE GRIEVANCE MECHANISM

**Criteria.** A grievance procedure is effective if all workers, regardless of their roles or seniority, know about it, trust it and are able to use it. Producers need to verify that the grievance mechanism:

<i>... is accessible</i>	<ul style="list-style-type: none"> <li>- Are workers aware of its existence?</li> <li>- Do they understand how it operates? For example, if the mechanism is technology-based (e.g. an app), ensure every worker can access and use that technology.</li> <li>- Are there barriers for access? For example, workers' language and literacy level, or location of the mechanism.</li> </ul>
<i>... enables trust</i>	<ul style="list-style-type: none"> <li>- Can workers report complaints anonymously?</li> <li>- Can women report sexual harassment confidentially and safely?</li> <li>- Are complainants' data kept confidential?</li> <li>- Are retaliations against complainants prohibited?</li> </ul>
<i>...is transparent</i>	<ul style="list-style-type: none"> <li>- Do workers have awareness how grievances are handled?</li> <li>- Does the mechanism incorporate procedures for processing and resolving grievances in a timely and efficient manner?</li> <li>- Are complainants kept informed?</li> <li>- Are all disputes documented?</li> </ul>
<i>... is fair</i>	<ul style="list-style-type: none"> <li>- Are grievances handled in a non-discriminatory and gender-sensitive way?</li> <li>- Is the grievance committee gender-balanced?</li> <li>- Are people tasked with handling grievances un-biased?</li> <li>- Does the mechanism include an appeal process for workers who disagree with proposed solutions?</li> </ul>

**Types of grievance mechanisms.** Below are some examples of common grievance mechanisms:

<i>Channel</i>	<i>Details</i>	<i>Level</i>
Factory grievance committee/ Labor relation committee	Number of members, rules and official name of the committee depend on the size of the factory unit. It should consist of equal number of workers and employers' representatives and includes female representatives for handling complaints	Factory workers
Top management	Direct access to supervisors or senior managers, with the option to contact a second person if the grievance is related to the primary point of contact. Works when an "open door" policy is established and workers know they can speak up	Factory/production site workers

Human resource office	Direct access to designated personnel	Factory/production site workers
Complaint/suggestion box	Provided at convenient places that are not closely monitored (e.g. not under CCTV surveillance), with enclosed instructions manual. Checked frequently as per company policy.	Factory/production sites workers
Local Complaint Committee	Government body, usually established in unorganized and informal sectors. Independent from employers. Local administrator is directly involved in the redress process	Informal sector including home based workers
Hotline numbers	These can be internal hotlines, linked to a company's HR department or committee; or external hotlines, linked to Unions, NGOs, the police, a brand or another third party. In some cases, hotlines focus on specific types of complaints (e.g. one number for sexual harassment, another for child exploitation complaints)	Factory/production sites & home-based workers
Worker Union	Through Union representatives	Factory/production sites & home-based workers
Civil Society Organization	Through CSO representatives	Factory/production sites & home-based workers

A grievance mechanism does not need to be complex, but it must be tailored to the situation in which it is required. It is important to always take into account workers' needs and feedback in these considerations.

**Internal vs External grievance mechanisms.** If the grievance mechanism established is effective, the majority of grievances will be solved internally. However, in certain cases, workers may not trust the mechanism and refer to a third party channel (e.g. Unions or NGOs), or issues may need to be escalated externally. Producers should map out existing external grievance mechanisms and inform workers of their existence. However, if issues need to be repeatedly processed through an external channel it is a sign that the internal mechanism needs to be revised and improved.

**Legal implications.** In some cases a grievance may constitute a legal violation and must be escalated to proper legal authorities, either by internal or external mechanisms.

**Point of contact.** Exporters and subcontractors should nominate one or more point of contacts for each grievance mechanism. A *point of contact* is a designated person or department serving as the focal point for information on and coordination of the grievance mechanism. They must be available and open to receiving complaints, speak the workers' relevant languages and be easy to contact, including by phone, as this offers immediate and direct access, especially for home-based workers.



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Point of contacts should have excellent understanding of the mechanism's features and the grievance process. Since they will enter in direct contact with complainants, they must receive skill training on establishing a dialogue with the complainant that is non-discriminatory and gender-sensitive. It is strongly recommended to have female point of contacts available for grievances related to sexual harassment.

All employees must be aware of how to confidentially pass a grievance on to a point of contact. Anyone handling the grievance system must receive skill training on filing and monitoring records with particular attention to safeguarding personal information.

## PROMOTING GRIEVANCE MECHANISMS

Exporters and subcontractors must make workers aware of the existence of grievance mechanisms and train them on how to correctly use it. Some examples are:

- Training for workers that include examples to demonstrate how a complaint can be raised and how it would be resolved;
- Notice Boards with grievance mechanism details displayed;
- Handouts printed and provided to workers;
- Meetings with workers;
- Individual communications with relevant details (via email, SMS, WhatsApp, Viber, etc.);
- On-boarding materials provided to new workers

Moreover, producers should:

- Send frequent reminders on the existence of the mechanism and how it operates;
- Provide orientation on grievance mechanism to every new worker as part of their induction program;
- Solicit feedback from workers and consider it for system updates;
- Communicate any change or update promptly to all workers.

Verbal communications should be accompanied by a handout. For example, workers, including home-based workers, may be provided with a card or SMS with the hotline number and point of contact's name.

When promoting the mechanism with workers, reiterate that using it will not result in any retaliation or penalty, no matter the grievance lodged.

## HANDLING GRIEVANCES

Exporters and subcontractors must establish a standard operating procedure to handle grievances. At a minimum, the procedure should include:

Acknowledgement	Establish a quick and realistic timeframe and a way to acknowledge grievances.
Process setup	Establish a procedure to address the grievance. This may include having the point of contact assess the it and pass it on to a relevant person or group of people who will set a timeframe for resolution and investigate the case.
Information gathering/ further discussions	Engage with the complainant to gather more information on the case as needed, ensuring confidentiality at all times. Workers should be allowed to be accompanied by another worker or a trade union representative when discussing the case.
Escalation	Assess the issue, the legal implications if any, what needs to be done and who needs to be involved to ensure appropriate handling and resolution. In some cases, the involvement of senior leadership, a third party or a legal authority may be necessary.
Remediation options	Consider solutions to the grievance and set a timeframe to get back to the complainant. Criteria may include feasibility, effectiveness, cost and satisfaction of complainant.
Closure	If the solution is accepted, an implementation plan is put in place. The solution is publicly shared while protecting the complainant's privacy.
Appeal	Offer an appeal process in case the complainant rejects the proposed solution. Appeal processes may include seeking the intervention of a different grievance resolution committee, or of a legitimate third-party mechanism.
Filing	Maintain records for the entire process.
Communication	Keep the complainant informed of the progress throughout the process.

Grievance-handling processes should be aimed at continuous improvement. Remediation plans should include preventative measures to avoid issue recurrence.

## MONITORING GRIEVANCE MECHANISMS

A grievance mechanism's performance should be monitored and reviewed periodically to ensure it serves its purpose. Performance indicators may include:

<i>Cases reported</i>	How many workers have reported cases? How many cases were reported through external channels vs internally?
<i>Cases solved</i>	How many cases have been solved? How many cases were appealed?
<i>Duration</i>	What was the average length of the grievance process?
<i>Nature of grievances</i>	Are certain issues recurrent? What type of issues are frequently reported by vulnerable categories, e.g. migrants, female workers, young workers, home-based workers?
<i>Feedback from workers</i>	Ease of use, satisfaction with handling process and point of contact's response, etc. Feedback can be obtained through anonymous or confidential surveys/interviews
<i>Feedback from point of contacts</i>	What are some challenges they encounter? How should the process change to fix these?



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“No grievance” does not necessarily mean “no problem”. It could be a sign that workers may not feel comfortable or safe using the mechanism (as in the example of sexual harassment and absence of a female point of contact), may not be able to use or do not believe that their concerns will be heard. It is the exporter and subcontractors’ responsibility to ensure that workers are frequently reminded of the availability and importance of these channels as part of broader training on their rights in the workplace.



## ANNEX C: RESPONSIBLE USE OF LABOR BROKERS

*This document is intended for producers and offers guidance on how to comply with GoodWeave Standard's requirements on responsible use of labor brokers. It provides information on:*

- *GoodWeave Standard's requirements on using labor brokers*
- *Risks of unethical recruitment*
- *Screening labor brokers*
- *The "employer-pays" principle*
- *Recruitment fee monitoring and restitution*

### DEFINITIONS AND REQUIREMENTS

The GoodWeave Standard defines a *labor broker* as a person or entity who provides workers to a production site, but is not responsible for the manufacturing processes. Other similar terms are *recruitment agent*, *labor supplier*, *employment agent*, *labor contractor* or *labor agent* – these all broadly refer to the same main function (recruitment) although their roles may differ depending on countries and contexts. The present guidance applies to any individual or entity that provides a recruitment service to an employer.

GoodWeave allows the use of labor brokers where it is legally permissible, as long as employers adhere to responsible recruitment practices. Under the GoodWeave Standard, "Responsible use of labor brokers" falls under Principle A2, *No forced and bonded labor is allowed*, Requirement A.2.6., and applies to both exporters and sub-contractors. This requirement specifies that, even if recruitment is outsourced to a third party, wage payments and contract stipulation must be directly between the employer and the worker, including home-based workers, and that all costs associated with the recruitment process must be covered by the employer. Exporters are responsible for ensuring that subcontractors are aware of and comply with these requirements.

During an inspection, GoodWeave staff will confirm whether labor brokers are engaged by the employer, and the terms of engagement if they are used; obtain evidence that the employer pays workers' wages (and that wages are not paid by the labor broker); obtain evidence that employment contracts are between the employer and the workers; and collect information on recruitment fee payment and, if applicable, restitution.

### WHY IS RESPONSIBLE RECRUITMENT IMPORTANT?

Use of unscrupulous labor brokers may lead to worker exploitation and, in extreme cases, forced labor. Brokers may take advantage of job seekers' immediate need of a job or lack of knowledge of their rights and national and international legislation on employment. This is



particularly easy with migrant workers, who leave their place of origin to work elsewhere (within their country or abroad) and may not be familiar with local laws, cannot rely on a family network and may not be able to speak the local language or dialect. Examples of unethical recruitment include:

- Deceiving workers by promising jobs under terms and conditions that are not truthful;
- Hiring workers without providing a legal contract;
- Charging fees or providing advances or making deductions from salaries that bind workers to their jobs through debt;
- Demanding workers to surrender their identification documents in exchange for work;
- Using intimidation, threats or other forms of harassment against workers;
- Restricting workers' freedom of movement;
- Prohibiting workers from expressing grievances and seek remedy.

Note that the above violations are all prohibited by international standards – and by GoodWeave.

Labor recruitment systems are often opaque and lack accountability. It is the employer's responsibility to ensure that the labor brokers they use act responsibly. This is advantageous because:

- Workers' morale is boosted by fair and smooth recruitment processes, resulting in increased loyalty and productivity, and lower turnover;
- It protects the business from fines, prosecution and reputation damage linked to complicity from worker exploitative recruitment practices

## ENSURING RESPONSIBLE USE OF LABOR BROKERS

Exporters and subcontractors should:

1. Establish a system to screen labor brokers
  2. Maintain a direct employment relationship with workers
  3. Define the responsibility for recruitment fees
- 1. *Screening Labor Brokers.*** To select the right recruiter at the outset, producers' human resources or relevant staff should conduct a pre-selection review of labor recruiters, and re-assess any recruiter already hired, based on specific criteria. A sample list is below. It is best practice to keep an updated list of labor brokers with evidence of their screening results.





Compliance with legal standards	<ul style="list-style-type: none"> <li>✓ Registration/license and documentation needed in the country of operations is in place</li> <li>✓ There are no pending legal sanctions</li> <li>✓ Information (contact, address, etc.) have been duly verified</li> </ul>
Compliance with the GoodWeave Standard	<ul style="list-style-type: none"> <li>✓ The agency has a commitment               <ul style="list-style-type: none"> <li>- That prohibits unethical practices and exploitation</li> <li>- That it will not charge any recruitment fees from workers</li> <li>- Toward fair, non-discriminating hiring</li> <li>- Against employment of underage workers</li> </ul> </li> </ul>
Transparent and ethical processes	<ul style="list-style-type: none"> <li>✓ There is a system to inform workers that they should not bear any fee related to their employment and to handle any related complaints. <i>Red Flag: if the broker's service below competitive rates, they may be increasing profit through charging fees from workers.</i></li> <li>✓ The broker provides workers with written records for any expenses they incur, for the purpose of reimbursement, and the expenses are reasonable</li> <li>✓ There are transparent and clear processes in place to handle:               <ul style="list-style-type: none"> <li>- Applicant selection, including age verification</li> <li>- Documents processing</li> <li>- Contract signing, if the broker is facilitating the contract between the employer and the worker</li> <li>- Pre-employment briefing and orientation on job's terms and conditions</li> <li>- Workers' complaints</li> </ul> </li> <li>✓ There is evidence that at no point of the process described above workers are subjected to unfair or inhumane treatment.</li> <li>✓ If sub-agents are used, there is a system in place to monitor them. <i>Red Flag: long labor supply chains, with many intermediaries, present higher risk of misconduct.</i></li> </ul>

**2. Maintaining a direct employment relationship.**

Contracts must be stipulated directly between the employer and the workers, even if they are recruited by third party. This prevents the risk of brokers not providing a contract or replacing contracts with new agreements with different terms and conditions.

Wages and benefits must be paid directly by the employer to the workers. Workers must not receive their wages and benefits from labor brokers. This prevents the risk of potential illegal deductions and wage deferral or withholding from the broker.

It is best practice to include these provisions in the service agreement stipulated with the labor broker.



### 3. *Assuming responsibility for recruitment fees.*

The term *recruitment fee* refers to any fees or costs incurred in the recruitment process in order for workers to secure employment or placement, regardless of the manner, timing or location of their imposition or collection.

Workers who need to obtain loans or advances to pay these fees become vulnerable to *debt bondage*, which is the practice of requiring someone to work to pay off a debt, when the value of his or her work greatly exceeds the value of the original loan and the nature and length of the work they provide is not limited and defined.

GoodWeave requires a “fee-free” recruitment approach. This means that the labor broker – or any third party – cannot charge workers with any recruitment fee or ask workers to pay a deposit or bond, or equivalent, to secure work.

Directly linked with the fee-free approach is the “employer pays principle”: the employer should bear the full costs of recruitment and placement for his workers. These costs cover a broad range of expenses related to workers’ hiring, training, traveling, etc. Employers should put a system in place to cover these costs directly through the labor broker and, if workers have incurred any, identify and repay them. However, there are some exceptions where it is reasonable to expect that the worker to cover certain costs. See lists below.

#### **Costs to be borne by the employer, where applicable**

<i>Medical costs</i>	<ul style="list-style-type: none"> <li>- Medical examinations</li> <li>- Tests</li> <li>- Vaccinations</li> </ul>
<i>Insurance costs</i>	<ul style="list-style-type: none"> <li>- Mandatory government insurance</li> <li>- Health, safety and accidental</li> <li>- Enrollment in welfare funds</li> </ul>
<i>Skill testing</i>	<ul style="list-style-type: none"> <li>- Language proficiency tests</li> <li>- Skills/ qualification/ certification test</li> </ul>
<i>Training</i>	<ul style="list-style-type: none"> <li>- Mandatory Training (job skills, language, etc.)</li> <li>- Pre-departure and post-arrival training</li> <li>- On-site training</li> </ul>
<i>Equipment</i>	<ul style="list-style-type: none"> <li>- Tools</li> <li>- Uniforms</li> <li>- Safety gear</li> </ul>
<i>Travel and lodging</i>	<ul style="list-style-type: none"> <li>- Travel costs from region/country of origin to place of work and return upon termination of employment</li> </ul>
<i>Admin costs</i>	<ul style="list-style-type: none"> <li>- Reservation/Application fee to enter the pool of candidates</li> <li>- Service fees for successfully awarded job</li> <li>- Employment contract</li> <li>- Passport or other ID documents, if mandatory to be able to take up the job</li> <li>- Visa and permit for workers travelling abroad for work</li> </ul>



***Costs to be borne by the worker, if applicable:***

<i>Job qualifications</i>	- Costs to meet job requirements - Certificates or other documentation (for skilled workers)
<i>Initial interview</i>	- Transport - Lodging <i>Note: employer should make every effort to minimize these costs</i>
<i>Documents and travel costs</i>	- Passport, Visas - Transport costs <i>When initiated by the worker before a job is offered</i>
<i>Replacement of lost documents</i>	- Passport, IDs and other documents needed to legally work Only when worker is at fault
<i>Accommodation during employment; Transport to/from work provided by the employer</i>	Only if optional and charged a fair market value and meet health and safety standards
<i>Travel back to city/region/country of origin</i>	Only when worker does not abide by notice rules and if these costs have previously explained to the worker

Employers who make use of job ads should always specify that workers will not have to pay any recruitment fee, and ask brokers to do the same. When workers commence their employment, the company's no-fee policy should be included as part of their orientation.

***Monitoring fee payment.*** When workers commence employment, employers should engage with them to better understand labor broker's behavior. Workers may be scared to lose their job if they admit to having paid fees. Having a grievance mechanism in place (see GoodWeave's Guidance on Grievance Mechanisms) that provides workers with a safe means for reporting violations directly to the employer, can help in collecting information.

If there is a suspicion, or evidence, that workers may have been charged fees by the broker, the employer should:

- Try to quantify the payment and determine an itemized breakdown of fees, deposits or deductions, workers have been subjected to, from the first contact with the broker until date;
- Understand if the amount charge exceeds national limits, and if it puts the worker in debt bondage;
- Investigate who collected the money, when and where;
- Document evidence, including worker testimony. This can be tricky if the fee was paid in cash or the broker has tampered records;



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- Work, to any extent possible, with the worker and the labor broker to determine the responsibility for reimbursement within an agreed timeframe, keeping in mind that any legal cost of recruitment should be paid by the employer;
- Depending on the labor broker's wrongdoing and willingness to collaborate and improve, decide whether to cease the business relationship.

Employers must reimburse workers for any recruitment fees they paid. It is best to do so with a one-off payment that is documented, with copies kept by both parties.