

Respect for Laws at Work

Ethical Charter Principle Title	Ethical Charter Principle Text	#	Management Systems Descriptors
Legal Compliance	<i>Employers shall adhere to the law and regulations as established by the applicable jurisdiction.</i>	1	Legal requirements are maintained, tracked and met through a formal, documented process.
		2	Policies, procedures and practices are assessed internally on a regular basis, to assure legal requirements are met.
Occupational Safety & Health	<i>Workers shall be provided a safe, hygienic and sanitary environment at both work-related sites, and at any housing mandated or provided by the employer. Employers shall adopt reasonable measures to identify hazards and control occupational risk of injury and illness. Examples of such safeguards may include, but are not limited to, the following: industrial hygiene and sanitation programs; injury and illness prevention; emergency preparedness and response; chemical safety; equipment and machine safety; ergonomics; ventilation and lighting.</i>	3	There is a health and safety management system and policy in place that guides and directs all priorities, goals, efforts and practices contributing to a work environment that assures occupational safety and health at every contracted site.
		4	Employees charged with ensuring safety management are experienced, confident and well trained.
		5	Hazards and risks throughout the worksite are regularly and effectively identified, assessed and controlled.
		6	Site review by supervisors ensures that areas used for chemical and pesticide storage, application, cleaning and loaded is maintained in a manner that assures the safety for applicators and all employees.
		7	A process of site-level review of maintenance reports ensures equipment and machinery is maintained and operated in a manner that assures safety for operators and all employees.
		8	Regular inspection and maintenance of vehicles used for worker transportation assures the safety of all employees.
		9	Worksite injuries and illnesses are avoided and prevented by all means possible. If they occur, they are effectively responded to, documented and reported.
		10	All employees receive training that is relevant, thorough and timely enough to ensure occupational risks of injury and illness are avoided and controlled.
		11	All employees have access to first aid and know what to do, who to contact and where to go in case of emergencies.
		12	Daily worksite safety checks (by Employer) at every contracted worksite confirm all buildings and work areas accessed by employees are constructed, maintained and periodically inspected in a manner that assures the safety and wellness of all employees.
		13	Employee housing meets all legal codes and requirements.
		14	Employee housing is managed in a manner that ensures security, sanitation, privacy, decency and safety of all occupants.
Wages & Benefits	<i>Workers shall be paid for all work performed. Employers must comply with all applicable legal requirements regarding legal eligibility to work, benefits and wages (including wages for overtime premiums and/or minimum compensation for any payment arrangement based on productivity). Employers must provide leave and benefits as required by law. Payments will be made in accordance with any applicable contract terms and pay calculation shall be transparent to workers.</i>	15	Accurate time keeping and payroll systems are in place and ensure the correct wage is paid in a timely and transparent manner.
		16	Wage rates, whether hourly or piece rate, meet or exceed legal requirements and align with terms designated in the employment contract.
		17	Each employee receives a documented wage statement that is detailed, accurate, easily understood and verifiable.
		18	Employment benefits and leave allowances meet or exceed legal requirements.
Working Hours	<i>Employers manage working hours in accordance with applicable laws, recognizing that agricultural labor needs vary by season, crop and task, and workers are sometimes needed for shorter or longer time periods than a standard workweek. Employers provide rest periods if needed to support a safe and</i>	19	An effective time keeping system that accurately tracks regular and overtime working hours, breaks, and leave time for all employees (including those paid by piece rate) is in place.
		20	Expectations about working hours and overtime are communicated at the time of hiring; working hour practices are aligned with legal requirements and terms agreed to within the employment contract.

	periods if needed to support a safe and healthy workplace. Employers inform workers about their expectations regarding hours of work and gain their agreement at time of hiring.	21	The process of assessment of workplace injuries and illnesses considers the impact of working hours; and if needed, schedules are adjusted to benefit the health and safety of the employee.
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Respect for Professional Conduct

Communication and Worker Protections	<i>Direct communication between management and their employees is the most effective way of resolving workplace issues and concerns. All workers should have both the right and responsibility to voice questions, report in good faith any improper or wrongful activity, or discuss opportunities and/or grievances. To do so, there should be a fair, transparent and accessible channel of communication to provide input to management and to resolve workplace issues. Employers should encourage timely disclosure of concerns and shall prohibit retaliation against anyone who, in good faith, reports concerns.</i>	22	Methods for communicating workplace conduct and expectations to employees are clear, easily understood and accessible for all employees.
		23	Communication loops are established, and employees are able and encouraged to provide insights, raise concerns and engage with management.
		24	A process/mechanism is in place for receiving, investigating and resolving concerns, disputes and/or grievances, and employees are encouraged to use it.
		25	There is a non-retaliation policy in place that guides and directs all priorities, goals, efforts and practices contributing to a work environment that assures psychological and physical safety.
		26	Employees do not experience any form of retaliation when they communicate suggestions, concerns or report violations of psychological or physical safety.
		27	When periodically assessing the effectiveness of the non-retaliation policy and the grievance mechanism, there is an internal assessment of how proactively employees communicate suggestions and concerns to supervisors, management and/or through other available channels.

Reclutamiento ético	<i>Employers shall recruit workers ethically. Abusive, deceptive, fraudulent or corrupt practices are unacceptable at any stage of the recruitment and selection process. No worker should pay for a job; employers shall bear the costs of recruitment and placement. If third-party labor contractors are utilized, appropriate due diligence is performed to ensure their commitment to uphold the Ethical Charter.</i>	28	Terms of employment are clearly and consistently communicated to prospective employees, in a language they understand; and upon hiring these same terms are documented in a written employment agreement.
		29	The Employer Pays Principle has been adopted and integrated in the recruitment and hiring process; a detailed, forward-facing policy is in place, employees are not charged recruitment fees in accordance with this policy, and employer-paid costs vs. employee-paid costs are clearly documented.
		30	There is ongoing effort and documented practices that ensure prospective employees experience a recruitment process that is transparent, dignified, and physically and psychologically safe.
		31	When hiring through external employment agencies and/or recruiters, there is a formal procedure for screening the legal status, ethical conduct, and a contractual agreement requiring transparency about the recruitment practices and compliance with the law and the Principles of the Ethical Charter.
		32	When hiring through a Farm Labor Contractor (FLC) or external employment agencies, there is a formal procedure for assessing the performance of the labor contractor to ensure they are meeting their contractual obligation related legal compliance and the Principles of the Ethical Charter.
		33	When hiring through a Farm Labor Contractor (FLC) or external employment agencies, there is a process for assuring non-compliance issues related to legal compliance and/or the Principles of the Ethical Charter are acted upon.

Management Systems and Continuous Improvement	<i>Employers commit to integrating sound management systems (such as policies, processes, education and training, documentation, communication and feedback channels) that sustain and demonstrate compliance with applicable labor, employment, occupational health and safety laws governing the employer. Employers should look to these systems to continuously improve performance against compliance objectives.</i>	34	Employees with relevant experience and training, and sufficient authority, are responsible for the oversight and implementation of each management system associated with each and every Principle and all local/national legal requirements.
		35	There are clear and complete documented policies and procedures in place that align with the requirements of each of these Principles and all local/national legal requirements.
		36	Training and information distribution are key components of every management system, and a process is in place to assess the quality, timeliness and effectiveness of all efforts related to informing and training employees.
		37	Internal assessments of management systems, policies, procedures and practices related to each of these Principles periodically occur; when opportunities for improvement arise, they are resolved within a timely manner.

Respect for Human Rights

		38	There is a policy in place defining commitments to a work environment where employment is freely chosen and never performed under threat, coercion, force or menace of penalty
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Employment is Freely Chosen	<i>Employers must not tolerate modern day slavery – such as forced or compulsory labor, debt bondage, involuntary prison labor or the trafficking of persons. Employers commit to a work environment where employment is freely chosen and not performed under threat, coercion, force or menace of penalty.</i>	39	There are no circumstances where an employee is forced to perform work against his/her/their will.
		40	All overtime is voluntary in nature, and there is a method in place to inform employees and receive their consent prior to the scheduled overtime work.
		41	If mandatory transportation is provided to and from the worksite, there is transportation provided to workers at the end of each regular shift, regardless of whether or not overtime work is also being offered.
		42	Employees are not in-debt to the employer; if loans have been extended to employees, the terms and deductions are transparent and in accordance with the law and expectations of this Principle.
		43	All employees are provided a workplace where freedom of movement, freedom from intimidating surveillance, free access to legal identity and working documents, and freedom to terminate employment, is protected and respected.
Freedom of Association	<i>Employers follow applicable law regarding freedom of association and collective bargaining and workers' equal right to refrain from such activity.</i>	44	The entire workforce is informed on their legal rights to freedom of association, opinion, peaceful assembly, and ability to freely express them.
Humane Treatment and Non-Harassment	<i>Every worker deserves to be treated with dignity and respect and should not be subject to physical, sexual, psychological, or verbal harassment or abuse, coercion, or the threat of such conduct. Employers address the need to prevent sexual harassment with education, communication and disciplinary procedures that demonstrate that such behavior will not be tolerated.</i>	45	There is a policy in place outlining commitments to creating a work environment that is psychologically and physically for all employees, and outlining expectations for human treatment and non-harassment across the organization.
		46	Managers and supervisors are well-versed in appropriate workplace conduct, understand what constitutes as harassment and abuse, and understand the consequences of violating the physical and psychological safety of another employee.
		47	Regular trainings are conducted for the entire workforce that support the ability of all employees to recognize prohibited forms of conduct, do their part to support a healthy and safe work environment that ensures physical and psychological safety for all employees, and know how to use the reporting system.
		48	All employees are aware of the reporting and disciplinary systems that are in place to assure physical and psychological safety for all employees.
		49	There are effective protocols and qualified staff in place to investigate and resolve an employee's report of having felt physically or psychologically unsafe at the workplace, in a fair and confidential manner.
Non-Discrimination	<i>Equal employment opportunities are respected, including respect for all individuals. Workers deserve a workplace free from unlawful discrimination in any form, where employment decisions are based only on the requirements of the job.</i>	50	There is a policy in place outlining commitments to creating a work environment that is free from discrimination and offers equal employment opportunities for all individuals.
		51	All staff members that are responsible for recruitment, hiring and supervising employees are trained in how to avoid discriminatory practices, and are confident that the procedure and approach they take is non-discriminatory.
		52	Throughout the hiring process and employment, all medical tests prohibited by law and pregnancy tests are not administered; employees are not asked about their pregnancy status.
		53	All employees of the same type and quality of work have access to equal opportunities.
Protection of Children and Young Workers	<i>Respecting and supporting children's well-being requires employers to actively safeguard children's interests, preventing harm at the workplace. Young people who can legally work also desire and deserve economic opportunities, but need age-appropriate work and appropriate supervision. Employers commit to prevent children and/or young workers from performing work that is mentally, psychologically, physically or socially dangerous or harmful, or that hinders compulsory education. Employers do not hire anyone below the legal age of employment or younger than 15 where no minimum employment age exists.</i>	54	During hiring there is a process in place to verify the age of the prospective employee, and ensures that all employees meet the legal minimum age requirement. If there is no legal minimum age requirement, this process ensures individuals below the age of 15 are not hired.
		55	Legally employed youth below the age of 18 are exempt from hazardous work, and working hours do not conflict with compulsory education.
		56	If an underage employee is identified, or a child gains access to a worksite or work area where they are prohibited, the protection and safety of the child is tended to while the legal guardian, parent or government official is contacted.