

## Guidance on Screening and Selection of Labor Brokers



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Funding is provided by the United States Department of Labor under cooperative agreement number IL-31476. This material does not necessarily reflect the views or policies of the United States Department of Labor, nor does mention of trade names, commercial products, or organizations imply endorsement by the United States Government. 100% of the total costs of the project is financed with federal funds, for a total of \$2,200,000 dollars.

# Guidance on Screening and Selection of Labor Brokers

## Introduction

This tool is one of 17 tools comprising the Socially Sustainable Sourcing Toolkit (S3T), which was developed as part of Verité’s Cooperation on Fair, Free, Equitable Employment (COFFEE) Project through generous funding from the US Department of Labor’s Bureau of International Labor Affairs (USDOL-ILAB). The S3T was developed in alignment with USDOL’s *Comply Chain* model, with at least one tool created for each of the eight steps of *Comply Chain* (see graphic below). Many of the tools are derived from tools created for the *Responsible Sourcing Tool*, developed by Verité with funding from the U.S. Department of State’s Office to Monitor and Combat Trafficking in Persons (J/TIP). The tools can be used *à la carte*, but it is important that companies have systems and tools in place for each step of *Comply Chain*.

### STEPS OF COMPLY CHAIN AND CORRESPONDING TOOLS

#### S3T Socially Sustainable Sourcing Toolkit



U.S. Department of Labor Comply Chain Model

- STEP 1. Engage Stakeholders and Partners**  
Guidance on Stakeholder Engagement
- STEP 2. Assess Risk and Impacts**  
Risk Evaluation for Action in the Coffee Trade (RE-ACT) Dashboard  
Root Cause Analysis of Labor Violations in the Coffee Sector  
Self-Assessment Questionnaire for Coffee Traders  
Self-Assessment Questionnaire for Coffee Producers  
Self-Assessment Questionnaire for Labor Brokers  
Guidance on Screening and Selection of Labor Brokers
- STEP 3. Develop a Code of Conduct**  
Sample Code of Conduct Provisions  
Sample Social Responsibility Agreements  
Primer on Recruitment-Related Risks in the Latin American Coffee Sector
- STEP 4. Communicate & Train Across Supply Chain**  
Guidance on Communicating Objectives and Standards Across the Supply Chain
- STEP 5. Monitor Compliance**  
Guidelines on Monitoring of Coffee Farms  
Guidance on Monitoring of Labor Brokers  
Worker Interview Guide Focused on Recruitment and Hiring
- STEP 6. Remediate Violations**  
Management Systems Framework for Preventing and Remediating Labor Risks
- STEP 7. Independent Review**  
Framework for Independent Verification of Ethical Sourcing
- STEP 8. Report on Performance**  
Guide on Public Reporting for Private Sector Stakeholders

## Introduction to the Tool

The purpose of this tool is to help coffee companies with operations in Brazil to think more systematically about how to screen and select labor brokers\* in order to reduce the risk of labor violations.

### Background

The use of third-party labor brokers is a legitimate practice for coffee producers who lack the capacity to directly recruit, select, and hire workers. However, the benefits of outsourcing these functions can be outstripped by the labor risks linked to unscrupulous labor brokers. Therefore, to the extent possible, coffee producers interested in reducing labor risks should directly recruit, hire, and supervise workers, or consider other alternatives, such as recruiting workers through public employment services. In the case in which that is not possible – such as producers who rely on a large number of temporary and/or migrant workers – Verité provides the following guidance on screening and selecting labor brokers in order to reduce the risk of labor violations tied to labor brokers.

Verité desk and field research found that labor brokers are often used to recruit workers, especially temporary migrant workers, in Brazil's coffee sector. There are many different types of labor brokers, from formal subcontracting agencies, to crew leaders, to labor recruiters and their local sub-agents. These labor brokers sometimes simply recruit workers, and in other cases transport them to their employers and/or are responsible for the supervision and payment of workers. There are a number of terms that are used to refer to labor brokers in Brazil. The term *empreiteiros* generally refers to labor contractors. The term *turmeiros* is used to describe crew leaders who are involved in the recruitment of workers. The term *gatos* (literally “cats”) is a derogatory term for brokers or middlemen who are perceived to engage in deceptive or exploitative practices.

Verité research has found that labor brokers generally visit coffee estates before the harvest season begins – in March or April – in order to negotiate the size of the group to be recruited and the conditions under which they will be working. Because of shortages of local workers in many coffee-producing regions, farms increasingly use labor brokers to hire migrant workers. Their dependence on brokers to find them jobs on a coffee farm makes migrant workers vulnerable to exploitation.

Media exposés and NGO reports on slave labor in the agricultural sector have identified exploitative recruitment as one of the main root causes of forced labor, often focusing

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\* Please note that for the purposes of this survey, the term “labor broker” will be used to refer broadly to any third-party — whether an individual or agency, formal or informal — involved in the recruitment, hiring, and/or supervision of workers, including but not limited to village-level agents, labor recruiters, labor contractors, labor brokers, employment agencies, outsourcing agencies, and crew leaders not directly employed by farms. Names used to refer to in Brazil include *turmeiros*, *gatos*, and *empreiteiros* among others.

on the role of so-called *gatos*. A 2016 report based on research carried out by Repórter Brasil for Catholic Relief Services found that *gatos* tended to recruit workers from poor communities far from their places of work, luring them with false promises of good pay, lodging, and food.<sup>1</sup> Many were transported by bus over 1,000 kilometers to the farms where they were allegedly exploited, with some travelling more than 2,000 kilometers to unfamiliar and remote parts of Brazil.<sup>2</sup> In some cases, after transporting them to the farms, *gatos* managed crews of workers of varying sizes on coffee estates.<sup>3</sup> *Gatos* are sometimes responsible for supervising and paying workers as well.<sup>4</sup>

Labor brokers sometimes charge workers recruitment fees or provide an advance payment to workers as a way to entice them to “sign on”—a practice which effectively creates indebtedness before workers even arrive on the farms where they plan to work.<sup>5</sup> There were reports that *gatos* lent workers money for transportation, food, and other items consumed during their journey to their place of work, and an advance to support their families in their absence.<sup>6</sup>

A significant percentage of the workers interviewed by Verité reported that a labor broker informed them about a job on a coffee farm and/or helped them to get a job. Verité field research found that recruitment by labor brokers was correlated with lower rates of formal employment and lower wages. While a relatively low percentage of workers reported paying recruitment fees, those who did pay fees paid much larger amounts, on average, than workers interviewed by Verité who had worked on coffee farms in other Latin American countries. In addition, a larger percentage of workers reported that they had to pay for transportation to the coffee farm on which they worked.

Many workers interviewed reported that they were not only recruited, but also supervised, by a labor broker. Verité has found that the risk of labor violations increases when labor brokers act as workers’ supervisors, especially when they are responsible for their payment. This is because of the multiple dependencies of the workers on brokers, who are often unregistered, untrained, and unmonitored by the farm owners who outsource workforce management and payment to them. A much larger percentage of workers who were supervised by labor brokers than those who were supervised by farm management reported that they could not leave their jobs whenever they wanted.

When coffee producers deem that it is absolutely necessary to use labor brokers, they should establish ethical recruitment policies, as well as effective screening and selection criteria and processes. Verité recommends that coffee producers establish policies requiring that labor brokers who recruit, hire, and supervise workers on their behalf comply with international standards, local labor law, and their codes of conduct, as well as those of their buyers. Verité recommends defining a set of performance requirements that complement the company’s *Code of Conduct* (social responsibility expectations), *legal requirements* (licensing requirements, applicable laws and regulations, government procurement requirements, etc.) and *technical requirements* (ability to source suitable workers within a defined timeframe and budget). This will help labor brokers to better understand coffee producers’ concrete expectations.

Companies can mitigate legal and reputational risks related to recruitment and hiring practices by putting in place well-designed protocols on screening and selecting labor brokers and ensuring that they are adequately implemented in practice. By adequately screening labor brokers before hiring them, coffee producers can obtain enough information to ensure that labor brokers have the capacity and will to comply with international standards, Brazilian labor law, and private code of conduct requirements. Labor broker screening processes should ensure that they have put in place policies and procedures on ethical recruitment.

Because evaluating potential recruiters' practices is both challenging and vitally important, companies may consider prioritizing recruiters or recruitment agencies that participate in fair recruitment certification programs. Participation in certification programs allows recruiters to demonstrate their commitment to ethical practices and increased transparency and oversight. Examples of recruitment certification programs include: International Organization for Migration's International Recruitment Integrity System (IRIS);<sup>7</sup> On the Level; Clearview Assurance;<sup>8</sup> and the Responsible Business Association's Responsible Recruitment Program.<sup>9</sup>

## Labor Broker Evaluation Criteria

Each company will have its own specific criteria in this area. To determine criteria, a company should undertake a careful review of the following documents and guidance:

- Company Code of Conduct or other high-level policy;
- Client company Code of Conduct or other high-level policy;
- Knowledge specific to recruitment and labor risks in the coffee sector;
- Fair recruitment standards and certification schemes such as:<sup>†</sup>
  - The International Labor Organization's (ILO) *General principles and operational guidelines for fair recruitment*:  
[https://www.ilo.org/global/topics/fair-recruitment/WCMS\\_568731/lang--es/index.htm](https://www.ilo.org/global/topics/fair-recruitment/WCMS_568731/lang--es/index.htm)
  - The International Organization for Migration's (IOM) *IRIS Recruitment Standard*: <https://iris.iom.int/>
  - Clearview's *Assurance Standards*:  
<https://www.clearviewassurance.com/>.

It is important to note that many of these standards are more applicable to formal recruitment agencies rather than informal labor brokers who are much more common in the Brazilian coffee sector (as well as the Latin American agricultural sector generally). Therefore, we have included different criteria for informal labor brokers who are most common in the Brazilian coffee sector, who are often unregistered and have limited resources and knowledge on labor standards. International standards on ethical recruitment recommend that companies use formal, registered recruitment agencies rather than individual labor brokers who operate informally. However, Verité

<sup>†</sup> These standards have also been consulted in creation of these tools.

recognizes that it is often not possible to find formal agencies that recruit workers in the Brazilian coffee sector, and therefore provides criteria that can apply to the evaluation of informal labor brokers, contained in the sample labor broker screening questions below.

## Carrying out Labor Broker Interviews

In addition to a document review (such as reviewing labor broker registration documents, criminal records, and other sources of information), coffee companies and auditors carrying out assessments on their behalf, should carry out interviews with labor brokers as part of the screening and evaluation process. When interviewing prospective labor recruiters, companies should ask them to describe how they are able to meet specific selection criteria, such as whether policies and processes are documented. The company should also evaluate the degree to which the potential recruiters are open to engagement around issues of fair recruitment. In the table below, Verité offers some examples of questions that could be asked in this regard. The table also contains some examples of questions that can be asked of prospective labor brokers during screening and evaluation interviews.

In regions in which recruitment is largely informal, coffee companies should seek out other options, such as direct recruitment or public employment services. However, in some cases - such as remote small coffee farms that need a large number of temporary migrant workers during the labor intensive harvest season and lack a presence in sending communities of migrant workers – it may be difficult to find alternatives in the short term. This necessitates careful screening and monitoring of labor brokers.

In any case in which a third party works as an intermediary between coffee producers and workers, these intermediaries, including informal labor brokers, must comply with all labor standards. Even if informal labor brokers lack formal written policies, they may be asked to verbally explain the terms and conditions under which they recruit and hire workers and the protections that they put in place to ensure that their rights are not violated. This can include prohibition of recruitment fees and document retention, as well as measures to ensure that the terms of employment are accurately communicated to workers. It is the responsibility of coffee producers to ensure that informal labor brokers adhere to these commitments in practice.

General Questions	
<b>Q. 1.1</b>	<p>Are you licensed or registered with the appropriate government entity as a labor broker?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
<b>Q.1.2</b>	<p>How are you paid for your work? (Select all that apply)</p> <p><input type="checkbox"/> Flat fee per worker placed</p> <p><input type="checkbox"/> Flat fee per harvest season</p> <p><input type="checkbox"/> Flat fee per worker managed/supervised</p> <p><input type="checkbox"/> Annual Salary</p> <p><input type="checkbox"/> Percentage of crew production</p> <p><input type="checkbox"/> Percentage of farm's season harvest</p>

Recruitment Costs and Transportation	
<b>Q. 2.1</b>	<p>Do workers pay you or other labor brokers any recruitment, job placement, visa processing, or transport fees?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No (Please continue to Q. 2.3)</p>
<b>Q.2.2</b>	<p>How are the fees paid? (Select all that apply)</p> <p><input type="checkbox"/> Workers pay upfront</p> <p><input type="checkbox"/> Fees are deducted from workers' pay overtime</p> <p><input type="checkbox"/> Workers pay at the end of their employment</p> <p><input type="checkbox"/> Other (please describe): _____</p>
<b>Q. 2.3</b>	<p>Do workers have to take out loans to pay the fees?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No (Please continue to Q. 2.2)</p> <p><input type="checkbox"/> I do not know.</p>
<b>Q. 2.4</b>	<p>Do the loans you offer have any interest?</p> <p><input type="checkbox"/> Yes. What percentage? _____</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> I do not know.</p>

### Recruitment Costs and Transportation

<p><b>Q. 2.4</b></p>	<p>Do you charge workers any of the following?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Paperwork</li> <li><input type="checkbox"/> Service fees</li> <li><input type="checkbox"/> Convenience fees</li> <li><input type="checkbox"/> Tax expenses</li> <li><input type="checkbox"/> Evaluation Fees</li> <li><input type="checkbox"/> Other fees (please describe): _____</li> </ul>
<p><b>Q. 2.5</b></p>	<p>Who covers the costs of transporting workers from their communities to their place of employment? (Select all that apply)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The worker</li> <li><input type="checkbox"/> You</li> <li><input type="checkbox"/> The employer</li> </ul>
<p><b>Q.2.5</b></p>	<p>Do you allow the families (spouses/children) of workers you have recruited to travel with the workers?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Yes</li> <li><input type="checkbox"/> Yes, if family pays for their transportation costs</li> <li><input type="checkbox"/> No (please continue to Q. 2.5)</li> </ul>
<p><b>Q.2.6</b></p>	<p>Who do you allow to accompany the worker to the worksite? (Select all that apply)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Spouse</li> <li><input type="checkbox"/> Children under minimum age of work</li> <li><input type="checkbox"/> Children over the minimum age of work</li> </ul>

### Contracts

<p><b>Q. 3.1</b></p>	<p>How do you contract with workers?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> We provide a written contract</li> <li><input type="checkbox"/> A verbal agreement (if selected, please skip to question 3.2)</li> <li><input type="checkbox"/> Workers are not provided with a contract (if selected, please skip to question 3.2)</li> <li><input type="checkbox"/> Other (please describe): _____</li> </ul>
<p><b>Q. 3.1.1</b></p>	<p>Are the written contracts given to workers in a language they understand?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Yes</li> <li><input type="checkbox"/> No</li> <li><input type="checkbox"/> I do not know.</li> </ul>



<b>Contracts</b>	
<b>Q. 3.1.2</b>	<p>When do workers sign their written contracts? (Select all that apply)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The workers sign them before they leave their communities.</li> <li><input type="checkbox"/> The workers sign them when they arrive at the worksite.</li> <li><input type="checkbox"/> The workers do not sign their written contracts.</li> <li><input type="checkbox"/> I do not know.</li> </ul>
<b>Q. 3.1.3</b>	<p>Do workers get a countersigned copy of their contracts?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Yes</li> <li><input type="checkbox"/> No</li> <li><input type="checkbox"/> I do not know.</li> </ul>
<b>Q. 3.1.4</b>	<p>Which of the following do the written contracts include?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> A description of workers' rights and responsibilities</li> <li><input type="checkbox"/> The conditions of employment, including the start and end date of the employment contract</li> <li><input type="checkbox"/> The type of work and tasks the worker is expected to carry out</li> <li><input type="checkbox"/> The full name of the employer</li> <li><input type="checkbox"/> The location of the workplace</li> <li><input type="checkbox"/> Wages and benefits, including the rate and frequency of payment</li> <li><input type="checkbox"/> Working hours and overtime premiums</li> <li><input type="checkbox"/> Any occupational health risks to which workers may be exposed</li> <li><input type="checkbox"/> A description of worker accommodation and associated costs, if applicable</li> </ul>
<b>Q. 3.2</b>	<p>What are the requirements for workers for terminating their employment?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> None. They can quit anytime, for any reason, without penalty.</li> <li><input type="checkbox"/> They cannot terminate a contract before it ends.</li> <li><input type="checkbox"/> They must give reasonable notice before they can terminate</li> <li><input type="checkbox"/> They can terminate anytime but are penalized. Please describe the penalty: _____</li> <li><input type="checkbox"/> Other (please describe): _____</li> </ul>
<b>Q 3.3</b>	<p>Once the worker terminates a contract, who covers the costs of transporting them back to their communities of origin?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Worker</li> <li><input type="checkbox"/> You</li> <li><input type="checkbox"/> The employer</li> </ul>

<b>Discipline</b>	
<b>Q. 4.1</b>	<p>Do you discipline workers for any of the following? (Select all that apply)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Being late/leaving work early without permission</li> <li><input type="checkbox"/> Missing a day of work</li> <li><input type="checkbox"/> Failing to meet a production quota</li> <li><input type="checkbox"/> Failing to work overtime</li> <li><input type="checkbox"/> Failing to pay debts on time</li> <li><input type="checkbox"/> Bringing children to work</li> <li><input type="checkbox"/> Bringing others to work with them</li> <li><input type="checkbox"/> Losing tools/PPE/materials given to them</li> <li><input type="checkbox"/> Being insubordinate (talking back, complaining, not obeying rules or orders)</li> <li><input type="checkbox"/> Harassing other workers</li> <li><input type="checkbox"/> Switching work assignment</li> <li><input type="checkbox"/> Other (please describe): _____</li> </ul>
<b>Q. 4.2</b>	<p>Which of the following measures do you use to discipline workers?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Pay cuts</li> <li><input type="checkbox"/> Fines</li> <li><input type="checkbox"/> Dismissal</li> <li><input type="checkbox"/> Switching work assignment</li> <li><input type="checkbox"/> Blacklisting</li> <li><input type="checkbox"/> A progressive series of verbal and written warnings</li> <li><input type="checkbox"/> Threats to fire workers</li> <li><input type="checkbox"/> Threaten to fire family members</li> <li><input type="checkbox"/> Change or reduce their working hours</li> <li><input type="checkbox"/> Making them work longer than others</li> <li><input type="checkbox"/> Other (please describe): _____</li> </ul>

<b>Grievance Mechanisms and Resolution</b>	
<b>Q. 5.1</b>	<p>How can workers file complaints or report any workplace issues that they are having? (Select all that apply)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Talking directly to me (If selected, please continue to Q. 5.2)</li> <li><input type="checkbox"/> A suggestion box</li> <li><input type="checkbox"/> The farm has its own system</li> <li><input type="checkbox"/> There is no system for workers to report grievances (If selected, please continue to Q. 5.2)</li> <li><input type="checkbox"/> Other (please describe): _____</li> </ul>

<b>Grievance Mechanisms and Resolution</b>	
<b>Q. 5.1.1</b>	Is the grievance/complaint mechanism confidential? <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Q. 5.1.2</b>	What are the features of your grievance or complaint mechanism? (Select all that apply) <input type="checkbox"/> Available to the workers in their native language <input type="checkbox"/> Available to them at all hours <input type="checkbox"/> Free to use for the workers <input type="checkbox"/> Easy to access for the workers <input type="checkbox"/> Able to receive comments in more than one way (aka more than just a mailbox, or hotline, a farm employee, etc.) <input type="checkbox"/> Managed by a third party <input type="checkbox"/> Appealable after the original complaint is deemed closed <input type="checkbox"/> Other (please describe): _____
<b>Q. 5.2</b>	Are workers who file a grievance or complaint protected against retaliation? <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Q. 5.3</b>	Do you share information with workers on how you or the farm are addressing their grievances? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Depends on the complaint/problem.

<b>Training</b>	
<b>Q. 6.1</b>	Do you provide workers with any type of training? <input type="checkbox"/> Yes <input type="checkbox"/> No (if selected, please skip to next section “Children and Families”)

## Training

<p><b>Q. 6.1.1</b></p>	<p>What topics are covered by trainings? (Select all that apply)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> How to do their job better</li> <li><input type="checkbox"/> Health and safety</li> <li><input type="checkbox"/> Worker responsibilities</li> <li><input type="checkbox"/> Child labor and juvenile work</li> <li><input type="checkbox"/> Worker’s labor rights</li> <li><input type="checkbox"/> The terms and conditions of their contracts</li> <li><input type="checkbox"/> Sexual harassment</li> <li><input type="checkbox"/> Complaint and grievance mechanisms</li> <li><input type="checkbox"/> Living conditions</li> <li><input type="checkbox"/> Other (please describe): _____</li> </ul>
<p><b>Q. 6.2</b></p>	<p>What topics are covered in their health and safety trainings? (Select all that apply)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> First Aid</li> <li><input type="checkbox"/> Agrochemical/pesticide handling and application</li> <li><input type="checkbox"/> Areas of the worksite that are dangerous</li> <li><input type="checkbox"/> How to properly use work equipment and tools</li> <li><input type="checkbox"/> How to properly use PPE</li> <li><input type="checkbox"/> When to use PPE</li> <li><input type="checkbox"/> Emergency procedures and responsible persons</li> <li><input type="checkbox"/> Heat stroke/heat exhaustion</li> <li><input type="checkbox"/> Dehydration</li> <li><input type="checkbox"/> Other (please describe): _____</li> </ul>

## Children and Families

<p><b>Q. 7.1</b></p>	<p>How do you make sure you are in compliance with national child labor laws? (Select all that apply)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> I rely on parents to monitor their children.</li> <li><input type="checkbox"/> I inform all parents that child labor is not permitted.</li> <li><input type="checkbox"/> I talk to workers on a regular basis to confirm they are of legal working age.</li> <li><input type="checkbox"/> I require workers to submit official government ID, with date of birth, for employment.</li> <li><input type="checkbox"/> I know the people in my community and hire only adults.</li> <li><input type="checkbox"/> I monitor all work areas to ensure that no children are working.</li> <li><input type="checkbox"/> Other (please describe): _____</li> </ul>
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### Children and Families

**Q. 7.2**

How do you ensure that juvenile laborers (adolescents between the minimum age for work and 18 years of age) are working in legally permissible activities (including requirements related to hours of work, hazardous work, and school attendance)?

(Select all that apply)

- I conduct a thorough review of relevant laws and standards.
- I speak with workers on a regular basis.
- I train workers on the types of work that are and are not permitted for juvenile laborers.
- I post notices regarding permissible and non-permissible work.
- I refuse to hire anyone under the age of 18.
- I provide incentives to legally permitted workers under 18 to stay in school.
- I provide free transport to public schools.
- I conduct regular inspections of work areas.
- We do not have any procedures.

### Health and Safety

**Q. 8.1**

Do you provide any of the following equipment to workers?

(Select all that apply)

- Shears/cutting implements
- Respirator protection (dust masks, organic vapor respirators).
- Hearing protection (Earplugs/earmuffs)
- Eye and face protection (Glasses/mesh face shields)
- Hand protection (Leather gloves or such)
- Head protection (Hard hats for machinery operators on coffee farms and all workers in coffee processing plants and warehouses)
- Protective clothing (Cut-resistant aprons or chainsaw chaps)
- Safety footwear (Steel-toed boots, or grip work boots)

**Q 8.3**

Do workers have to pay for any of this equipment?

(Select all that apply)

- They must pay for all the equipment provided to them.
- They must pay for some of the equipment.
- They have to pay if they damage their equipment.
- They have to pay if they lose their equipment.
- All equipment is provided free of charge and workers are not charged if they damage or lose their equipment.

### Health and Safety

<b>Q. 8.4</b>	<p>Do workers have access to: (Select all that apply)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Potable water</li> <li><input type="checkbox"/> Toilet facilities</li> <li><input type="checkbox"/> Shaded rest areas</li> <li><input type="checkbox"/> Regularly scheduled breaks</li> </ul>
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### Working Hours

<b>Q. 9.1</b>	<p>How are working hours determined? (Select all that apply)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Workers are allowed to work as long as they please.</li> <li><input type="checkbox"/> Workers have to complete production targets or quotas .</li> <li><input type="checkbox"/> Workers may not work in excess of legal limits on regular working hours.</li> <li><input type="checkbox"/> Workers may not work in excess of legal limits on overtime hours.</li> <li><input type="checkbox"/> Other (please describe): _____</li> </ul>
<b>Q. 9.2</b>	<p>How do workers get overtime work?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Workers are assigned overtime work.</li> <li><input type="checkbox"/> Workers can request overtime.</li> <li><input type="checkbox"/> We do not provide overtime.</li> <li><input type="checkbox"/> Other (please describe): _____</li> </ul>
<b>Q. 9.3</b>	<p>Are workers who are paid by production, piece rates, or tasks paid overtime premiums when they work over the standard workday hours?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Yes</li> <li><input type="checkbox"/> No</li> <li><input type="checkbox"/> I do not know.</li> </ul>
<b>Q. 9.4</b>	<p>Is Overtime ever used as a form of disciplinary measure for any worker?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Yes. If “Yes,” please describe: _____</li> <li><input type="checkbox"/> No</li> </ul>
<b>Q. 9.5</b>	<p>Is Overtime ever mandated for any worker?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Yes</li> <li><input type="checkbox"/> No</li> </ul>

<b>Worker Supervision and Payment</b>	
<b>Q. 10.1</b>	Who supervises the workers on the worksite? <ul style="list-style-type: none"> <li><input type="checkbox"/> A direct employee of the farm</li> <li><input type="checkbox"/> Me</li> <li><input type="checkbox"/> It depends on the situation</li> </ul>
<b>Q. 10.2</b>	Who pays the workers? <ul style="list-style-type: none"> <li><input type="checkbox"/> I pay workers directly.</li> <li><input type="checkbox"/> The farm pays workers directly.</li> <li><input type="checkbox"/> Another labor brokers or outside crew leader pays workers.</li> <li><input type="checkbox"/> Other (please describe): _____</li> </ul>
<b>Q. 10.2</b>	How often are the workers paid? <ul style="list-style-type: none"> <li><input type="checkbox"/> Daily</li> <li><input type="checkbox"/> Each week</li> <li><input type="checkbox"/> Every 2 weeks</li> <li><input type="checkbox"/> Every month</li> <li><input type="checkbox"/> At the end of their contract</li> <li><input type="checkbox"/> At the end of the harvest season</li> </ul>
<b>Q. 10.3</b>	How are workers' wages calculated? <ul style="list-style-type: none"> <li><input type="checkbox"/> Set wage (Hourly/weekly/bi-weekly/monthly)</li> <li><input type="checkbox"/> Per task (set amount for clearing a field, etc.)</li> <li><input type="checkbox"/> By production (by amount of coffee harvested, etc.)</li> <li><input type="checkbox"/> By contract (once they finish their 2-month contract, etc.)</li> <li><input type="checkbox"/> By harvest season</li> <li><input type="checkbox"/> Other. How: _____</li> </ul>
<b>Q. 10.4</b>	Are workers provided with any written records of their pay and deductions (paystubs, receipts, etc.)? <ul style="list-style-type: none"> <li><input type="checkbox"/> Yes</li> <li><input type="checkbox"/> No (if selected, please continue to question 9.6)</li> </ul>
<b>Q. 10.5</b>	What information is included in these payment records? (Select all that apply) <ul style="list-style-type: none"> <li><input type="checkbox"/> Amount produced</li> <li><input type="checkbox"/> Number of tasks completed</li> <li><input type="checkbox"/> Rate of pay (per hour/day/production/task)</li> <li><input type="checkbox"/> Detailed calculations of piece rate pay based on production/tasks completed</li> <li><input type="checkbox"/> Deductions made from payment</li> <li><input type="checkbox"/> Calculation of overtime payment</li> </ul>

<b>Worker Supervision and Payment</b>	
<b>Q.10.6</b>	Do you guarantee that all workers are paid at least the legal minimum wage for their work, including workers on piece rate? <ul style="list-style-type: none"> <li><input type="checkbox"/> Yes</li> <li><input type="checkbox"/> No</li> </ul>

<b>Living Conditions</b>	
<b>Q. 11.1</b>	Are any of the workers you recruit, hire, and/or supervise provided with accommodation? <ul style="list-style-type: none"> <li><input type="checkbox"/> Yes</li> <li><input type="checkbox"/> No (if selected, please continue to the next section “International Recruitment”)</li> </ul>
<b>Q. 11.1.1</b>	Are families, including children, allowed to stay in the provided accommodation? <ul style="list-style-type: none"> <li><input type="checkbox"/> Yes</li> <li><input type="checkbox"/> No</li> </ul>
<b>Q. 11.1.2</b>	Who provides the workers with the accommodations? <ul style="list-style-type: none"> <li><input type="checkbox"/> You</li> <li><input type="checkbox"/> The employer</li> <li><input type="checkbox"/> Other (please describe): _____</li> </ul>
<b>Q. 11.2</b>	If you provide the accommodation, who pays for it? (Select all that apply) <ul style="list-style-type: none"> <li><input type="checkbox"/> The worker</li> <li><input type="checkbox"/> You</li> <li><input type="checkbox"/> The employer</li> <li><input type="checkbox"/> Other (please describe): _____</li> </ul>



<b>Living Conditions</b>	
<b>Q. 11.3</b>	<p>Does the accommodation have the following? (Select all that apply)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Toilets</li> <li><input type="checkbox"/> Hot water</li> <li><input type="checkbox"/> Showers</li> <li><input type="checkbox"/> Clean drinking water</li> <li><input type="checkbox"/> Lockers or individual compartments to store valuables</li> <li><input type="checkbox"/> Emergency exits</li> <li><input type="checkbox"/> Security guards</li> <li><input type="checkbox"/> Somewhere to store food safely</li> <li><input type="checkbox"/> Somewhere to cook food safely</li> <li><input type="checkbox"/> Cleaning supplies</li> <li><input type="checkbox"/> Electricity</li> <li><input type="checkbox"/> Cots or beds for each individual</li> <li><input type="checkbox"/> The ability to lock the facility from outside</li> <li><input type="checkbox"/> Other (please describe): _____</li> </ul>
<b>Q. 11.4</b>	<p>Does the farm/worksite have a store?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Yes</li> <li><input type="checkbox"/> No (if selected, please continue to next section “International Recruitment”)</li> </ul>
<b>Q. 11.4.1</b>	<p>Do workers have access to other stores besides the farm/worksite store?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Yes</li> <li><input type="checkbox"/> No</li> </ul>
<b>Q. 11.4.2</b>	<p>How does the farm/worksite store charge workers for the goods they purchase?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Cash only</li> <li><input type="checkbox"/> Workers can purchase goods on credit</li> <li><input type="checkbox"/> Deductions from wages</li> <li><input type="checkbox"/> Other (please describe): _____</li> </ul>
<b>Q. 11.4.3</b>	<p>If workers can purchase goods on credit, do they: (Select all that apply)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Incur any interest?</li> <li><input type="checkbox"/> Have to pay their debts before leaving the farm?</li> <li><input type="checkbox"/> Have their debts deducted from their pay?</li> </ul>
<b>Q. 11.4.4</b>	<p>Are the prices at the farm/worksite store the same as the local market price?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Yes</li> <li><input type="checkbox"/> No</li> </ul>

<b>International Recruitment</b>	
<b>Q. 12.1</b>	Do you or your associates recruit and/or hire foreign workers? <ul style="list-style-type: none"> <li><input type="checkbox"/> Yes</li> <li><input type="checkbox"/> No (please continue to the next section)</li> </ul>
<b>Q. 12.2</b>	How do you hire foreign migrants? <ul style="list-style-type: none"> <li><input type="checkbox"/> Directly in their home countries</li> <li><input type="checkbox"/> Using a formal, legally registered, labor broker in the worker’s home country</li> <li><input type="checkbox"/> Using an informal labor broker in the worker’s home country</li> <li><input type="checkbox"/> Through a formal agency in the receiving country</li> <li><input type="checkbox"/> Through informal labor brokers in the receiving country</li> <li><input type="checkbox"/> Through official government programs.</li> <li><input type="checkbox"/> Other. Please specify: _____</li> </ul>
<b>Q. 12.2.1</b>	If you hire foreign migrant workers directly, are you or your local agent legally registered as a labor broker in the sending country? <ul style="list-style-type: none"> <li><input type="checkbox"/> Yes</li> <li><input type="checkbox"/> No</li> <li><input type="checkbox"/> N/A</li> </ul>
<b>Q. 12.2.2</b>	If you hire foreign migrant workers indirectly through an agent in the sending country, do you have a contract with that agent? <ul style="list-style-type: none"> <li><input type="checkbox"/> Yes</li> <li><input type="checkbox"/> No</li> </ul>
<b>Q. 12.3</b>	Do you, or your associates facilitate the processing of any of the following for foreign migrant workers? (Select all that apply) <ul style="list-style-type: none"> <li><input type="checkbox"/> Visas</li> <li><input type="checkbox"/> Passports</li> <li><input type="checkbox"/> Transportation</li> <li><input type="checkbox"/> Housing</li> <li><input type="checkbox"/> Other. What? _____</li> </ul>
<b>Q. 12.4</b>	Do foreign migrant workers pay any fees to get their jobs? <ul style="list-style-type: none"> <li><input type="checkbox"/> Yes</li> <li><input type="checkbox"/> No</li> <li><input type="checkbox"/> I do not know.</li> </ul>

<b>International Recruitment</b>	
<b>Q. 12.4.1</b>	<p>What do the fees cover?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Visas</li> <li><input type="checkbox"/> Passports</li> <li><input type="checkbox"/> Transportation</li> <li><input type="checkbox"/> Trainings</li> <li><input type="checkbox"/> Social Security in receiving country</li> <li><input type="checkbox"/> Housing</li> <li><input type="checkbox"/> Evaluation, selection, and/or placement</li> <li><input type="checkbox"/> Other (please describe): _____</li> </ul>
<b>Q. 12.5</b>	<p>How do you contract with foreign migrant workers?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> With a written contract</li> <li><input type="checkbox"/> With a verbal agreement (if selected, please continue to the “Next Steps” section)</li> <li><input type="checkbox"/> There is no contract (if selected, please continue to the “Next Steps” section)</li> <li><input type="checkbox"/> Other (please describe): _____</li> </ul>
<b>Q. 12.5.1</b>	<p>Are the written contracts given to workers in a language they understand?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Yes</li> <li><input type="checkbox"/> No</li> <li><input type="checkbox"/> I do not know.</li> </ul>
<b>Q. 12.5.2</b>	<p>When do workers sign their written contracts? (Select all that apply)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The workers sign them before they leave their home countries.</li> <li><input type="checkbox"/> The workers sign them when they arrive at the worksite.</li> <li><input type="checkbox"/> The workers do not sign their written contracts.</li> <li><input type="checkbox"/> I do not know.</li> <li><input type="checkbox"/> Other (please describe): _____</li> </ul>
<b>Q. 12.5.3</b>	<p>Do workers get a countersigned copy of their contracts?</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Yes</li> <li><input type="checkbox"/> No</li> <li><input type="checkbox"/> I do not know.</li> </ul>

## International Recruitment

**Q. 12.5.4**

Which of the following do the written contracts include?

(Select all that apply)

- A description of workers' rights and responsibilities
- The conditions of employment, including the start and end date of the employment contract
- The type of work and tasks the worker is expected to carry out
- The full name of the employer
- The location of the workplace
- Wages and benefits, including the rate and frequency of payment
- Working hours and overtime premiums
- Any occupational health risks to which workers may be exposed
- A description of worker accommodation and associated costs, if applicable
- Other (please describe): \_\_\_\_\_

## Evaluating Results and Making a Final Decision

After labor recruiter candidates have been screened, the responses must be analyzed. Verité recommends the use of a transparent methodology for evaluating labor recruiters against screening criteria. Such a methodology should define how candidates will be evaluated, by whom, and the process by which a final decision will be made and a contract issued.

One approach is to use a rating system that assigns each criterion a weight and performance score as shown below. This allows the company to score each recruiter candidate's performance on each criterion, while also giving appropriate emphasis to the areas of compliance that are most important to the company and/or the company's customers.

The results of such a rating process allows for the performance of all candidates to be cross-analyzed and compared with ease, which will then allow companies to rank and compare candidates.

Example Labor Broker Rating System			
Criteria	Weight (%)	Score (%)	Performance Rating
Compliance with legal operating requirements			
Compliance with broad social responsibility standards and labor rights as specified in ILO Declaration in Fundamental Principles and Rights at Work			
Compliance with company standards and legal requirements on employment contracts			
Compliance with company standards and legal requirements on grievance mechanisms			
<b>Total</b>	100%		
<b>Note: Companies should develop their own weighting based on their own policy priorities, as well as those of their clients.</b>			

Once prospective labor brokers have been selected and hired, companies can use the information collected through the questions above as a baseline to measure their progress.

## Next Steps

After using this tool to select and hire labor brokers, you can use the *Guidance on Monitoring of Labor Brokers*, as well as the *Worker Interview Guide Focused on Recruitment and Hiring*, to ensure that they are complying with legal and code of conduct requirements in practice.

<sup>1</sup> Catholic Relief Services and Reporter Brasil. *Exploring Isolated Cases of Modern Slavery: Farmworker Protections and Labor Conditions in Brazil's Coffee Sector*. 2016. pp. 11. <https://reporterbrasil.org.br/wp-content/uploads/2017/05/Farmworker-Protections-and-Labor-Conditions-in-Brazil%E2%80%99s-Coffee-Sector.pdf>

<sup>2</sup> Catholic Relief Services and Reporter Brasil. *Exploring Isolated Cases of Modern Slavery: Farmworker Protections and Labor Conditions in Brazil's Coffee Sector*. 2016. pp. 11. <https://reporterbrasil.org.br/wp-content/uploads/2017/05/Farmworker-Protections-and-Labor-Conditions-in-Brazil%E2%80%99s-Coffee-Sector.pdf>

<sup>3</sup> Novaes, Roberta Brandão. "Forasteiros: trajetórias, experiências de trabalho e práticas de deslocamento dos trabalhadores do café no Alto Paranaíba. 2009. <https://tede.ufrrj.br/jspui/bitstream/tede/662/1/2009%20-%20Roberta%20Brandao%20Novaes.pdf>

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<sup>4</sup> Silva, Samantha; Melo, Régis. “Informalidade é maior problema nas lavouras de café em MG, diz MTE”. *G1 Sul de Minas*. May 13, 2016. <http://g1.globo.com/mg/sul-de-minas/noticia/2016/05/informalidade-ainda-e-maior-problema-nas-lavouras-de-caffe-em-mg-diz-mpt.html>

<sup>5</sup> Santos, Ana Michelle Ferreira Tadeu. “Cana Doce, Trabalho Amargo: O Trabalho Escravo Na Expansão Territorial Do Agronegócio Sucroenergético no Estado de Goiás” Master’s thesis, 2015. <https://repositorio.bc.ufg.br/tede/handle/tede/4995>; Silva, Maria Aparecida de Moraes and Beatriz Medeiros de Melo, “As distintas faces da intermediação entre capital e trabalho rural no Brasil” *Eutopia*, 9. 2016. <http://revistas.flacsoandes.edu.ec/eutopia/article/download/2158/1500>.

<sup>6</sup> Costa, Patrícia Trindade Maranhão. *Fighting Forced Labor: The Example of Brazil*. 2009. International Labor Organization. [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_111297.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_111297.pdf)

<sup>7</sup> International Recruitment Integrity System. “IRIS Standard.” <https://iris.iom.int/iris-standard>

<sup>8</sup> Clearview Assurance. <https://www.clearviewassurance.com/>

<sup>9</sup> The Responsible Recruitment Program. <http://www.responsiblebusiness.org/media/docs/RRP.pdf>