

COFFEE Project

Self-Assessment Questionnaire for Labor Brokers



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Self-Assessment Questionnaire for 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

Self-Assessment Questionnaires (SAQs) are a set of self-administered questions that allow the user of the SAQ to identify potential risks or gaps in their standards, systems, and practices. The purpose of an SAQ is to give the user a space to reflect and introspectively assess themselves and their performance across a range of topics.

This SAQs is geared towards helping labor brokers identify potential labor risks¹ in their operations and to provide them with concrete steps that they can take to address identified risks. The SAQ is an internal tool, **which does not require the sharing of your answers with anyone**, so it is best for users of the SAQ to **answer the questions as fully, honestly, and accurately** as possible so that the recommendations generated most closely meet the user’s needs.

Other mechanisms, certifications, or programs often include SAQ processes similar to this one. The major differences between this one and those, is that this one is a) it is exclusively for the use of the respondent, no information is sent to anyone else and b) it is, most likely, user initiated as opposed to client initiated, which means there is a desire to understand opportunities for improvement.

The interpretation guide for the SAQ, which include suggestions and recommendations based on your answers, can be found in Annex 1. For the purposes of this SAQ, we will be referring to all third parties engaged wholly or in part in the recruitment, selection, hiring, and/or transportation of workers as “labor brokers.”

Glossary of Terms for the Tool

Term	Definition
Debt Bondage	“Being forced to work to repay a debt and not being able to leave, or being forced to work and not being able to leave because of a debt.” ² (2017 ILO Report-Global Estimate of Modern Slavery)
Document Retention	An indicator of forced labor, this includes the retention of workers’ identity documents, such as a passport, work document, driver’s license, birth certificate, or others.

¹ For further information on potential labor risks, particularly in the areas of recruitment and hiring, readers may also want to consult *Tool 6- Guidance on identifying risks related to recruitment and hiring*

² International Labour Organization (ILO). *Global Estimate of Modern Slavery 2017*

https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms_575479.pdf

Term	Definition
Forced Labor	“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.” ³ (ILO Convention No. 29)
Human Trafficking	“The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.” ⁴ (The Palermo Protocol)
Labor Broker	For the purposes of this Toolkit, a “labor broker” is any person who identifies, recruits, transports, processes paperwork for, places, or receives a worker anywhere between their source community and the worksite. The defining characteristic of a labor broker is not the nature of their relationship to an enterprise (e.g. formal employee vs. subcontractor) but rather their role in facilitating the acquisition and management of labor by said enterprise. It is the above functions that define a labor broker, regardless of other common functions they might play before, during, or after the brokering of labor, such as housing or managing workers.
Migrant Worker	The term “migrant” or “migrant worker” refers to a person who has relocated to take employment away from their source community without plans to remain at the new site of residence permanently. A “seasonal migrant worker” is one who relocates from their source community and one or multiple worksites following a preset and cyclical annual schedule. Unless a worker is specified to be an “internal migrant,” the term refers to workers who cross international borders between their source and destination locations. “Shuttle migrants” travel between their home communities and their worksites daily, across international borders.
Immigrant Worker	A worker whose source community is across international borders from their place of work, irrespective of length of stay in the destination. Also see Migrant Worker.

³ International Labour Organization (ILO), *Forced Labour Convention, C29*, 28 June 1930, C29, <https://www.refworld.org/docid/3ddb621f2a.html> [accessed 20 December 2018]

⁴ UN General Assembly, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime*, 15 November 2000, <https://www.refworld.org/docid/4720706c0.html> [accessed 20 December 2018]

Term	Definition
Recruitment Fees	“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.” ⁵ (Draft definition discussed on November 14-16, 2018 by the ILO’s Tripartite Meeting of Experts on Defining Recruitment Fees and Related Costs)

⁵ Draft definition discussed on November 14-16, 2018 by the ILO’s Tripartite Meeting of Experts on Defining Recruitment Fees and Related Costs. https://www.ilo.org/global/topics/labour-migration/events-training/WCMS_632651/lang--en/index.htm

Self-Assessment Questionnaire for Labor Brokers

General Questions

Q. 1.1	<p>Do you have a signed contract with the company (farm, mill, etc.) that you recruit workers for?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
Q. 1.2	<p>Does your contract contain any of the following clauses or topics? (Select all that apply)</p> <p><input type="checkbox"/> Compliance with local Labor Law</p> <p><input type="checkbox"/> Forced Labor & Human Trafficking</p> <p><input type="checkbox"/> Child Labor</p> <p><input type="checkbox"/> Discrimination & Equality</p> <p><input type="checkbox"/> Freedom of Association & Collective Bargaining</p> <p><input type="checkbox"/> Health & Safety</p> <p><input type="checkbox"/> Living Conditions</p> <p><input type="checkbox"/> Grievance Mechanisms</p> <p><input type="checkbox"/> Staff Training and Awareness</p> <p><input type="checkbox"/> Others: _____</p>
Q.1.3	<p>What roles do you fulfil for your employer (i.e. farm, cooperative, organization, company)? (Select all that apply)</p> <p><input type="checkbox"/> Advertising/informing workers about job opportunities</p> <p><input type="checkbox"/> Recruiting workers</p> <p><input type="checkbox"/> Transporting workers to and from their communities of origin</p> <p><input type="checkbox"/> Hiring workers</p> <p><input type="checkbox"/> Providing housing for workers</p> <p><input type="checkbox"/> Providing meals for workers at their housing or worksite</p> <p><input type="checkbox"/> Supervising workers</p> <p><input type="checkbox"/> Paying workers</p> <p><input type="checkbox"/> Other (please describe): _____</p>
Q. 1.4	<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>

General Questions

Q.1.5	<p>How are you paid for your work? (Select all that apply)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Flat fee per worker placed <input type="checkbox"/> Flat fee per harvest season <input type="checkbox"/> Flat fee per worker managed/supervised <input type="checkbox"/> Annual Salary <input type="checkbox"/> Percentage of crew production <input type="checkbox"/> Percentage of farm's season harvest
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Recruitment Costs and Transportation

Q. 2.1	<p>Does the farm pay all your expenses related to your activities, like interviewing, recruiting, evaluating, selecting, placing, and transporting workers?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Yes <input type="checkbox"/> No
Q. 2.2	<p>Do workers pay you or other labor brokers any recruitment, job placement, visa processing, or transport fees?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Yes <input type="checkbox"/> No (Please continue to Q. 2.3)
Q.2.2.1	<p>How are the fees paid? (Select all that apply)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Workers pay upfront <input type="checkbox"/> Fees are deducted from workers' pay overtime <input type="checkbox"/> Workers pay at the end of their employment <input type="checkbox"/> Other (please describe): _____
Q. 2.2.2	<p>Do workers have to take out loans to pay the fees?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Yes <input type="checkbox"/> No (Please continue to Q. 2.2) <input type="checkbox"/> I do not know.
Q. 2.2.3	<p>Do the loans you offer have any interest?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Yes. What percentage? _____ <input type="checkbox"/> No <input type="checkbox"/> I do not know.

Recruitment Costs and Transportation	
Q. 2.3	<p>Do you charge workers any of the following?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Paperwork <input type="checkbox"/> Service fees <input type="checkbox"/> Convenience fees <input type="checkbox"/> Tax expenses <input type="checkbox"/> Evaluation Fees <input type="checkbox"/> Other fees (please describe): _____
Q. 2.4	<p>Who covers the costs of transporting workers from their communities to their place of employment?</p> <p>(Select all that apply)</p> <ul style="list-style-type: none"> <input type="checkbox"/> The worker <input type="checkbox"/> You <input type="checkbox"/> The employer
Q.2.4.1	<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"> <input type="checkbox"/> Yes <input type="checkbox"/> Yes, if family pays for their transportation costs <input type="checkbox"/> No (please continue to Q. 2.5)
Q.2.4.2	<p>Who do you allow to accompany the worker to the worksite?</p> <p>(Select all that apply)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Spouse <input type="checkbox"/> Children under minimum age of work <input type="checkbox"/> Children over the minimum age of work

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

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

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

Grievance Mechanisms and Resolution	
Q. 5.1	<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"> <input type="checkbox"/> Talking directly to me (If selected, please continue to Q. 5.2) <input type="checkbox"/> A suggestion box <input type="checkbox"/> The farm has its own system <input type="checkbox"/> There is no system for workers to report grievances (If selected, please continue to Q. 5.2) <input type="checkbox"/> Other (please describe): _____

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

Training	
Q. 6.1	Do you provide workers with any type of training? <ul style="list-style-type: none"> <input type="checkbox"/> Yes <input type="checkbox"/> No (if selected, please skip to next section “Children and Families”)
Q. 6.1.1	What topics are covered by trainings? (Select all that apply) <ul style="list-style-type: none"> <input type="checkbox"/> How to do their job better <input type="checkbox"/> Health and safety <input type="checkbox"/> Worker responsibilities <input type="checkbox"/> Child labor and juvenile work <input type="checkbox"/> Worker’s labor rights <input type="checkbox"/> The terms and conditions of their contracts <input type="checkbox"/> Sexual harassment <input type="checkbox"/> Complaint and grievance mechanisms <input type="checkbox"/> Living conditions <input type="checkbox"/> Other (please describe): _____
Q. 6.2	What topics are covered in their health and safety trainings? (Select all that apply) <ul style="list-style-type: none"> <input type="checkbox"/> First Aid <input type="checkbox"/> Agrochemical/pesticide handling and application <input type="checkbox"/> Areas of the worksite that are dangerous <input type="checkbox"/> How to properly use work equipment and tools <input type="checkbox"/> How to properly use PPE <input type="checkbox"/> When to use PPE <input type="checkbox"/> Emergency procedures and responsible persons <input type="checkbox"/> Heat stroke/heat exhaustion <input type="checkbox"/> Dehydration <input type="checkbox"/> Other (please describe): _____

Children and Families	
Q. 7.1	<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"> <input type="checkbox"/> I rely on parents to monitor their children. <input type="checkbox"/> I inform all parents that child labor is not permitted. <input type="checkbox"/> I talk to workers on a regular basis to confirm they are of legal working age. <input type="checkbox"/> I require workers to submit official government ID, with date of birth, for employment. <input type="checkbox"/> I know the people in my community and hire only adults. <input type="checkbox"/> I monitor all work areas to ensure that no children are working. <input type="checkbox"/> Other (please describe): _____
Q. 7.2	<p>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)</p> <ul style="list-style-type: none"> <input type="checkbox"/> I conduct a thorough review of relevant laws and standards. <input type="checkbox"/> I speak with workers on a regular basis. <input type="checkbox"/> I train workers on the types of work that are and are not permitted for juvenile laborers. <input type="checkbox"/> I post notices regarding permissible and non-permissible work. <input type="checkbox"/> I refuse to hire anyone under the age of 18. <input type="checkbox"/> I provide incentives to legally permitted workers under 18 to stay in school. <input type="checkbox"/> I provide free transport to public schools. <input type="checkbox"/> I conduct regular inspections of work areas. <input type="checkbox"/> We do not have any procedures.

Health and Safety	
Q. 8.1	<p>Do you provide any of the following equipment to workers? (Select all that apply)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Shears/cutting implements <input type="checkbox"/> Respirator protection (dust masks, organic vapor respirators). <input type="checkbox"/> Hearing protection (Earplugs/earmuffs) <input type="checkbox"/> Eye and face protection (Glasses/mesh face shields) <input type="checkbox"/> Hand protection (Leather gloves or such) <input type="checkbox"/> Head protection (Hard hats for machinery operators on coffee farms and all workers in coffee processing plants and warehouses) <input type="checkbox"/> Protective clothing (Cut-resistant aprons or chainsaw chaps) <input type="checkbox"/> Safety footwear (Steel-toed boots, or grip work boots)

Health and Safety	
Q 8.3	<p>Do workers have to pay for any of this equipment? (Select all that apply)</p> <ul style="list-style-type: none"> <input type="checkbox"/> They must pay for all the equipment provided to them. <input type="checkbox"/> They must pay for some of the equipment. <input type="checkbox"/> They have to pay if they damage their equipment. <input type="checkbox"/> They have to pay if they lose their equipment. <input type="checkbox"/> All equipment is provided free of charge and workers are not charged if they damage or lose their equipment.
Q. 8.4	<p>Do workers have access to: (Select all that apply)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Potable water <input type="checkbox"/> Toilet facilities <input type="checkbox"/> Shaded rest areas <input type="checkbox"/> Regularly scheduled breaks

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

Working Hours	
Q. 9.5	Is Overtime ever mandated for any worker? <ul style="list-style-type: none"> <input type="checkbox"/> Yes <input type="checkbox"/> No

Worker Supervision and Payment	
Q. 10.1	Who supervises the workers on the worksite? <ul style="list-style-type: none"> <input type="checkbox"/> A direct employee of the farm <input type="checkbox"/> Me <input type="checkbox"/> It depends on the situation
Q. 10.2	Who pays the workers? <ul style="list-style-type: none"> <input type="checkbox"/> I pay workers directly. <input type="checkbox"/> The farm pays workers directly. <input type="checkbox"/> Another labor brokers or outside crew leader pays workers. <input type="checkbox"/> Other (please describe): _____
Q. 10.2	How often are the workers paid? <ul style="list-style-type: none"> <input type="checkbox"/> Daily <input type="checkbox"/> Each week <input type="checkbox"/> Every 2 weeks <input type="checkbox"/> Every month <input type="checkbox"/> At the end of their contract <input type="checkbox"/> At the end of the harvest season
Q. 10.3	How are workers' wages calculated? <ul style="list-style-type: none"> <input type="checkbox"/> Set wage (Hourly/weekly/bi-weekly/monthly) <input type="checkbox"/> Per task (set amount for clearing a field, etc.) <input type="checkbox"/> By production (by amount of coffee harvested, etc.) <input type="checkbox"/> By contract (once they finish their 2-month contract, etc.) <input type="checkbox"/> By harvest season <input type="checkbox"/> Other. How: _____
Q. 10.4	Are workers provided with any written records of their pay and deductions (paystubs, receipts, etc.)? <ul style="list-style-type: none"> <input type="checkbox"/> Yes <input type="checkbox"/> No (if selected, please continue to question 9.6)

Worker Supervision and Payment	
Q. 10.5	What information is included in these payment records? (Select all that apply) <ul style="list-style-type: none"> <input type="checkbox"/> Amount produced <input type="checkbox"/> Number of tasks completed <input type="checkbox"/> Rate of pay (per hour/day/production/task) <input type="checkbox"/> Detailed calculations of piece rate pay based on production/tasks completed <input type="checkbox"/> Deductions made from payment <input type="checkbox"/> Calculation of overtime payment
Q.10.6	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"> <input type="checkbox"/> Yes <input type="checkbox"/> No

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

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

International Recruitment	
Q. 12.1	Do you or your associates recruit and/or hire foreign workers? <input type="checkbox"/> Yes <input type="checkbox"/> No (please continue to the “Next Steps” section)
Q. 12.2	How do you hire foreign migrants? <input type="checkbox"/> Directly in their home countries <input type="checkbox"/> Using a formal, legally registered, labor broker in the worker’s home country <input type="checkbox"/> Using an informal labor broker in the worker’s home country <input type="checkbox"/> Through a formal agency in the receiving country <input type="checkbox"/> Through informal labor brokers in the receiving country <input type="checkbox"/> Through official government programs. <input type="checkbox"/> Other. Please specify: _____
Q. 12.2.1	If you hire foreign migrant workers directly, are you or your local agent legally registered as a labor broker in the sending country? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Q. 12.2.2	If you hire foreign migrant workers indirectly through an agent in the sending country, do you have a contract with that agent? <input type="checkbox"/> Yes <input type="checkbox"/> No
Q. 12.3	Do you, or your associates facilitate the processing of any of the following for foreign migrant workers? (Select all that apply) <input type="checkbox"/> Visas <input type="checkbox"/> Passports <input type="checkbox"/> Transportation <input type="checkbox"/> Housing <input type="checkbox"/> Other. What? _____
Q. 12.4	Do foreign migrant workers pay any fees to get their jobs? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> I do not know.

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

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): _____

Next Steps

Please continue to Annex 1, which includes the interpretation guide, which includes recommendations for specific actions based on your responses, including the tools within the S3T Toolkit that may be of help to you.

References

International Labor Standards

For this tool and other tools developed by the COFFEE Project, efforts have been made to align with both international and voluntary standards. The International Labor Organization (ILO) is the UN agency that sets internationally recognized labor standards. Because companies must ensure their standards are in compliance with international labor standards, Verité has included a brief description on some of the key international standards on forced labor and human trafficking, child labor, discrimination and equality, freedom of association, wages and hours, health and safety, and recruitment and hiring within the agricultural sector and for migrant workers.

Forced Labor and Human Trafficking

ILO Convention No. 29 on Forced Labor

Obligates countries to suppress the use of forced or compulsory labor “in all its forms” with exceptions for military service, civic or emergency duties, and as the result of a court conviction (so long as the labor is supervised by a public authority and not hired out to private individuals or companies). Forced or compulsory labor is defined as work or service exacted from any person under the menace of penalty and for which the person has not volunteered.

ILO Convention No.105 on Abolition of Forced Labor

Forbids forced labor used “as a means of political coercion” or as punishment for “holding or expressing political views” or for participating in strikes

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, 2000

One of three protocols to the Convention against Transnational Organized Crime, known as the Palermo Protocols. is a global, legally binding instrument that defines trafficking in persons and is intended to enable international cooperation for investigating and prosecuting trafficking in persons and to protect and assist trafficking victims. It defines human trafficking as:

the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, or practices similar to slavery, servitude or the removal of organs.

Child Labor

ILO Convention No. 138 on Minimum Age

Sets the minimum age for work at 15 years of age (although countries with insufficiently developed economies and educational facilities can qualify for “exception” status with a minimum working age of 14). The convention permits light work (defined as work that is not likely to be harmful and does not interfere with schooling) for 13- to 15-year-olds.

ILO Convention No. 182 Worst Forms of Child Labor

Obligates countries to take effective steps towards eliminating the worst forms of child labor (slavery, debt bondage, work in the sex or drug trades, or any other physically or morally harmful work).

Equality and Non-Discrimination

ILO Convention No. 100 on Equal Remuneration

Establishes the principle of equal remuneration for men and women for work of equal value.

ILO Convention No. 111 on Discrimination

Forbids any distinction, exclusion, or preference made on the basis of race, color, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation.

Freedom of Association and Collective Bargaining

ILO Convention No. 87 on Freedom of Association and Protection of the Right to Organize

Establishes the right of workers and employers to join organizations of their own choosing without prior authorization; and the right of organizations to draw up their own rules and constitutions, elect their own representatives, and organize their own affairs without outside intervention. It calls for protection of workers' organizations from governmental interference and from being dissolved or suspended by administrative authority; and calls for the right to affiliate with international organizations of workers.

ILO Convention No. 98 on the Right to Organize and Collective Bargaining

Grants workers the right to adequate protection against anti-union acts such as dismissals and against business interference; and encourages countries to take measures to promote collective bargaining.

Standards Related to Occupational Safety and Health

ILO Convention No. 155 on Occupational Safety and Health Convention

Requires that governments proactively determine hazardous occupations and activities, establish procedures for reporting occupational accidents and diseases, and annually publish statistics. It establishes workers' right to remove themselves from situations in which they reasonably judge themselves to be in "imminent and serious danger" without reprisal.

ILO Chemical Convention (No. 170)

Requires that employers properly label chemicals and make chemical data sheets available to workers; assess and monitor worker exposure to hazardous chemicals; ensure that worker exposure to chemicals does not present health risks; provide workers with training on chemical-related risks; and make arrangements for emergencies, including the provision of first aid.

Standards Related to Labor Recruitment

ILO Private Employment Agencies Convention (No. 181)

Defines a private employment agency as “any natural or legal person, independent of the public authorities, which provides one or more of the following labor market services:

- a. services for matching offers of and applications for employment, without the private employment agency becoming a party to the employment relationships which may arise therefrom;
- b. services consisting of employing workers with a view to making them available to a third party, who may be a natural or legal person (referred to below as a "user enterprise") which assigns their tasks and supervises the execution of these tasks;
- c. other services relating to jobseeking, determined by the competent authority after consulting the most representative employers and workers organizations, such as the provision of information, that do not set out to match specific offers of and applications for employment.”

While recognizing the value of employment agencies to the global economy, the 1997 Convention on private employment agencies emphasizes the need to protect workers from possible abuses at their hands. The Convention prohibits the charging of recruitment fees to workers. It also prohibits employment agencies from engaging any form of discrimination against workers.

ILO General principles and operational guidelines for fair recruitment

Provide non-binding standards with which various actors should strive to comply, while the guidelines provide practical guidance on specific steps that different types of actors can take to promote equitable recruitment. The principles specifically call on the private sector to strive to respect human rights when recruiting workers, prevent recruitment fees from being charged to workers, and promote the adoption of recruitment standards.

Standards Related to Worker Housing

ILO Workers’ Housing Recommendation (No 115.)

Establishes that it is generally not desirable for employers to provide workers with housing unless necessary, such as when workers are employed in areas far from their homes. In cases in which employers provide worker housing, they are required to protect workers’ fundamental rights, especially to freedom of association, and to provide workers with decent housing at a reasonable cost proportionate to their incomes. Employers are prohibited from providing workers with housing as a form of payment for their work.

Standards Related to the Agricultural Sector

ILO Convention No. 184 on Safety and Health in Agriculture

Obligates employers to provide for the safety and health of temporary, seasonal, and permanent workers (including ensuring that activities and equipment comply with health and safety standards and providing appropriate training and instruction) and requires a national policy on safety and health in agriculture, which includes inspections of agricultural workplaces. The convention gives workers the right to be instructed in health and safety matters and to remove themselves from workplace activities in which they believe there is an imminent and serious risk to health and safety without retaliation. If an employer is required to provide housing to workers, the convention notes that laws governing that housing should meet the minimum accommodation standards. The Safety and Health in Agriculture Code of Practice offers advice on how to implement this convention.

ILO Convention No. 129 on Labour Inspection (Agriculture)

Requires a system of labor inspection in agricultural undertakings where employees or apprentices work; nations who ratify the convention may also decide to inspect agricultural undertakings where tenants, sharecroppers, members of co-operatives, and/or family members of the operator of the agricultural undertaking work.

ILO Plantations Convention (No. 110) and Protocol (P110)

Covers provisions for the recruitment, employment, benefits and compensation, and housing conditions of employees on a plantation, defined as “any agricultural undertaking regularly employing hired workers which is situated in the tropical or subtropical regions and which is mainly concerned with the cultivation or production for commercial purposes of coffee, tea, sugarcane, rubber, bananas, cocoa, coconuts, groundnuts, cotton, tobacco, fibers (sisal, jute and hemp), citrus, palm oil, cinchona or pineapple.” Requires a licensed recruiter or employer to cover the costs of transporting the worker to the workplace and of repatriation. Limits the timeframe of employment on a plantation (one to three years depending on the nature of the journey to reach the workplace and whether or not the worker is accompanied by family members). Specifies that wages should be governed by national laws, adhere to minimum wage law, and only include deductions proscribed by national law. Requires at least 25 hours of consecutive rest in every seven-day period. Guarantees employers and employees the right to associate and provides for anti-union discrimination.

ILO Right of Association (Agriculture) Convention (No. 11)

Establishes that “the same rights of association and combination” apply to workers in agriculture just as they apply to industrial workers. Nations that ratify the convention must ensure that those rights are secured for agricultural workers and work to remove any provisions that restrict their access to those rights.

ILO Minimum Wage Fixing Machinery (Agriculture) Convention (No. 99)

Establishes that ratifying nations will create a system for determining appropriate minimum wages for agricultural workers. The specific minimum amount and method

for determining it is up to each ratifying nation and should be determined through a consultative process involving representatives of employers and workers (if such entities exist). If national laws allow, partial payment of minimum wages may be made “in the form of allowances in kind,” as long as this form is “customary or desirable.” Nations that ratify the convention are also required to ensure that the minimum wage rate is being appropriately implemented by providing supervision, education on the wage rate, inspections, and sanctions when necessary.

ILO Tenants and Share-croppers Recommendation (No. 132)

Applies to agricultural workers who are not remunerated by a fixed wage, i.e. tenants or those who are remunerated with shares of produce. Seeks to assure that tenants, share-croppers, and other similar categories of workers have access to land, stability, and security. Outlines best practices concerning mutually agreed upon contracts, amount of rent (adjustable to actual harvest yields), minimum share of produce to which sharecroppers are entitled, provision of adequate housing when customary or necessary, and the authorization for tenants and sharecroppers to use land to produce food for themselves and their families.

Standards Related to Migrant Workers

ILO Migration for Employment Convention (No. 97) and Migration for Employment Recommendation (No. 86)

Regulate the conditions under which labor migration should be carried out. They include a number of guidelines on the protection of migrant workers and establish the duty of governments to support and provide free employment services to migrant workers. They also encourage agreements between countries sending and receiving migrant workers to ensure their protection. Importantly, the Convention establishes that undocumented immigrant workers have the same labor rights as documented migrant workers and citizens. The Convention and Recommendation also include guidelines on the placement, hiring, and conditions of work of migrant workers.

ILO Migrant Workers (Supplementary Provisions) Convention (No. 143)

Defines a migrant worker as, “a person who migrates or who has migrated from one country to another with a view to being employed otherwise than on his own account and includes any person regularly admitted as a migrant worker.” Establishes that the “basic human rights of all migrant workers” should be respected by ratifying nations. Requires ratifying nations to “systematically seek to determine whether there are illegally employed migrant workers on its territory” and whether migrants are subjected to employment conditions that contravene national laws or regulations, or other agreements whether international, multilateral, or bilateral. It also outlines that migrants working legally should not be “regarded as in an illegal or irregular situation” and should be treated without prejudice. Requires ratifying nations to establish a “national policy designed to promote and guarantee...equality of opportunity and treatment” regarding employment and occupation, social security, trade union participation, freedoms and cultural rights for migrant workers and their families.

ILO Multilateral Framework on Labour Migration: Non-binding principles and guidelines for a rights-based approach to labor migration (2006).

Includes non-binding, rights-based principles and guidance on labor migration. It seeks to promote and protect migrant workers' rights, improve regulation of labor migration, and highlight the link between labor migration and development. It includes guidance on promoting employment policies based on social dialogue that promote decent work and protect migrant workers. The framework specifically calls for ethical recruitment practices including the establishment and adherence of recruitment licensing programs, the regulation of recruitment fees, and the provision of remedies for all workers whose rights are violated during the recruitment process.

Annex I

Interpretation Guide

General Questions		
Question No.	Answers with Potential Risks	Interpretation Guide and Best Practices/Recommendations
Q. 1.1	<p>Do you have a signed contract with the company (farm, mill, etc.) that you recruit workers for?</p> <p><input type="checkbox"/> No</p>	<p><i>Detailed employment contracts are an essential piece to establish both responsibilities and expectations between parties, or employer and employee. Contracts provide the employee a detailed account of what is expected of them and what they can expect from an employer. Contracts are also good and easy way for an employee to be able to protect themselves whenever an employer is not keeping up their side of the agreement.</i></p> <p>A contract that included the topics/clauses discussed in Q 1.2 will help both the employer- to ensure their code of conducts are being respected and implemented- and the employee -to establish clear expectations and responsibilities as well as protections and benefits.</p> <p>For more information the reader may want to refer to the contract section of <i>Tool 4- Sample code of conduct provisions.</i></p>
Q. 1.2	<p>Does your contract contain any of the following clauses or topics?</p> <p>All the options presented, except, potentially, the write-in ones for “other” are considered topics to be included in best practice contracts.</p>	

General Questions		
Question No.	Answers with Potential Risks	Interpretation Guide and Best Practices/Recommendations
Q.1.3	<p>What roles do you fulfil for your employer (i.e. farm, cooperative, organization, company)? (Select all that apply)</p> <p>While there are no specific answers that denote higher risk, it is important to recognize that the more intermediaries between you and the farm, the harder it may be to ascertain compliance and respect to policies.</p>	<p>If any of these functions are undertaken by intermediaries that you procure externally, it is important to make sure that you have clear contracts with all of them, and that you implement robust monitoring and evaluation mechanisms to ensure these other third parties are fulfilling the responsibilities you are obligated to by your contract, including, potentially, complying with your client’s code of conduct among others. In many cases, you, as the employer or procurer of third-party services will be liable for violations and/or abuses that your employees commit under your name.</p> <p>For more detailed information the reader may want to refer to <i>Tool 10- Management systems framework for preventing and remediating labor risks.</i></p>
Q. 1.4	<p>Are you licensed or registered with the appropriate government entity as a labor broker?</p> <p><input type="checkbox"/> No</p>	<p>In many countries there are no official or simple ways to register as a licensed labor broker, nevertheless, where there are such licensing requirements, it is recommended you do so, as they add a layer of trust for your employers, and it demonstrates a commitment from your part to be in compliance and do things properly.</p>

General Questions		
Question No.	Answers with Potential Risks	Interpretation Guide and Best Practices/Recommendations
Q.1.5	<p>How are you paid for your work? (Select all that apply)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Percentage of crew production <input type="checkbox"/> Percentage of farm's season harvest 	<p>Payment by production of the crew, or the percentage of the season harvest can be, potentially, very lucrative options, however they also incentivize workers to work longer than legally allowed, which is extra problematic when workers are not paid overtime fees. This creates a potentially slippery slope into issues of forced labor, and other labor abuses that are most likely against your client's code of conduct. Furthermore, payment by the percentage of the farms harvest over the season can also lead to legal violations since many countries require that payment occur weekly, biweekly, or monthly at the most, and most harvest seasons are longer than a month, so it may also be illegal.</p>

Recruitment Costs and Transportation		
Question No.	Answers with Potential Risks	Interpretation Guide and Best Practices/Recommendations
Q. 2.1	<p>Does the farm pay all your expenses related to your activities, like interviewing, recruiting, evaluating, selecting, placing, and transporting workers?</p> <ul style="list-style-type: none"> <input type="checkbox"/> No 	<p>Best practices dictate that all recruitment expenses should be covered by the organization, company, or farm hiring an intermediary. Not only is this an important part of making sure the labor intermediary is being properly compensated, but it also limits the possibility or need for deduction of workers wages or charging of recruitment fees to workers.</p> <p>Best practice codes of conduct dictate that employers should cover all expenses related</p>
Q. 2.2	<p>Do workers pay you or other labor brokers any recruitment, job placement, visa processing, or transport fees?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Yes 	

<p>Q.2.2.1</p>	<p>How are the fees paid? (Select all that apply)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Workers pay upfront <input type="checkbox"/> Fees are deducted from workers' pay overtime <input type="checkbox"/> Workers pay at the end of their employment <input type="checkbox"/> Other (please describe):_ 	<p>to the interviewing, evaluating, selecting, recruitment, and placement of workers, including transportation costs from communities of origin, and between the worker housing and the place of employment.</p>
<p>Q. 2.2.2</p>	<p>Do workers have to take out loans to pay the fees?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Yes <input type="checkbox"/> I do not know. 	<p>For more information the reader may want to refer to <i>Tool 4- Sample code of conduct provisions</i>.</p>
<p>Q. 2.2.3</p>	<p>Do the loans you offer have any interest?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Yes. What percentage? <input type="checkbox"/> No <input type="checkbox"/> I do not know. 	<p>If a labor intermediary finds themselves providing loans to workers, it is highly important that these loans are not inflated and, at most match, but not exceed, the rates available from local banks. A failure to do so, could be inflation of debt, which could be considered an indicator of forced labor. Ideally, though, workers would not need to take out loans from intermediaries, in part because the employer should pay for all recruitment related needs, but also, because it also puts the labor broker in at least a potentially uncomfortable position, and at worst, in violation of international labor standards, and possibly also, out of money, should loans not be repaid.</p>
<p>Q. 2.3</p>	<p>Do you charge workers any of the following?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Paperwork <input type="checkbox"/> Service fees <input type="checkbox"/> Convenience fees <input type="checkbox"/> Tax expenses <input type="checkbox"/> Evaluation Fees <input type="checkbox"/> Other fees (please describe): 	<p>All of these are considered "risk" behaviors because all of these could be considered "recruitment fees". As mentioned before, best practice dictates that all expenses related to the placement of a worker, should be covered by the employer, not the worker.</p>

<p>Q. 2.4</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"> <input type="checkbox"/> The worker <input type="checkbox"/> You 	<p>As stated above, the cost of transportation of workers from their communities to the place of employment, should be covered by the employer. Even if the worker is not the one covering those costs, if they fall upon the labor intermediary, this could lead to potential losses, if those costs are not controlled, which could lead to the debt of the intermediary, or the eventual charging of the costs to the worker.</p>
<p>Q.2.4.1</p>	<p>Do you allow the families (spouses/children) of workers you have recruited to travel with the workers? <input type="checkbox"/> Yes <input type="checkbox"/> Yes, if family pays for their transportation costs</p>	<p>While there is no inherent risk in allowing families to travel with workers to their new work site, it does present a potential for other risks further down the line. For example, if a spouse travels with their partner, and only one is employed by the company, you may find that one of the partners may help the other one, especially if they are paid by production, to boost their earnings. The risk there is that if one of the spouses is not officially recognized as an employee, you may run afoul of minimum wage laws, or other laws, such as discrimination laws, local labor laws, or, for example, social security, or tax laws. This could also be the case of children over the minimum age of work, but who are also not recognized as official workers.</p>
<p>Q.2.4.2</p>	<p>Who do you allow to accompany the worker to the worksite? (Select all that apply)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Spouse <input type="checkbox"/> Children under minimum age of work <input type="checkbox"/> Children over the minimum age of work 	<p>The risk of having children under the minimum age of employment at the worksite is much more serious, as this could lead to child labor, or even the “worst forms of child labor” which are, in most countries codified in labor laws and highly forbidden, and sometimes seriously enforced with judicial action taken.</p>

Contracts		
Question No.	Answers with Potential Risks	Interpretation Guide and Best Practices/Recommendations
Q. 3.1	<p>How do you contract with workers?</p> <ul style="list-style-type: none"> <input type="checkbox"/> A verbal agreement <input type="checkbox"/> Workers are not provided with a contract <input type="checkbox"/> Other (depending on the answer) 	<p>Whether workers are hired directly or through labor brokers, it is essential that they be provided with thorough, accurate information about the nature and conditions of work during the recruitment and hiring process.</p>
Q. 3.1.1	<p>Are the written contracts given to workers in a language they understand?</p> <ul style="list-style-type: none"> <input type="checkbox"/> No <input type="checkbox"/> I do not know. 	<p>Written employment contracts shall be provided to workers in a language they understand (including indigenous languages that may be spoken in certain Latin American countries). Workers who are not able to understand the contents of their written contracts shall be provided with detailed verbal descriptions of the contents of their contracts in languages they can understand.</p> <p>For more detailed information the reader may want to refer to <i>Tool 10- Management systems framework for preventing and remediating labor risks</i>.</p>
Q. 3.1.2	<p>When do workers sign their written contracts? (Select all that apply)</p> <ul style="list-style-type: none"> <input type="checkbox"/> The workers sign them when they arrive at the worksite. <input type="checkbox"/> The workers do not sign their written contracts. <input type="checkbox"/> I do not know. 	<p>In general, contracts should be signed by the workers when they accept the position, and they should receive a countersigned copy of their contract. This practice is important because it gives the workers a document that gives clear expectations and responsibilities for the job that they are accepting. Furthermore, having a signed and countersigned contract may protect workers from the practice of contract substitution or use of supplemental agreements by the employer to replace an original contract or any of its provisions with a new contract or terms that are less favorable, which is strictly prohibited by international law, and best practice code of conducts.</p>
Q. 3.1.3	<p>Do workers get a countersigned copy of their contracts?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> I do not know. 	

Contracts		
<p>Q. 3.1.4</p>	<p>Which of the following do the written contracts include?</p> <p>All of the answers available are considered not only best, but necessary requirements for a contract.</p>	<p>Workers' contracts should include accurate information about the nature and conditions of work during the recruitment and hiring process. Thus, all the topics listed in the question should be included in a labor contract in order to be in line with best-practice codes of conduct.</p>
<p>Q. 3.2</p>	<p>What are the requirements for workers for terminating their employment?</p> <ul style="list-style-type: none"> <input type="checkbox"/> They cannot terminate a contract before it ends. <input type="checkbox"/> They can terminate anytime but are penalized. Please describe the penalty: <input type="checkbox"/> Other (potentially, depending on the practice): 	<p>Best practice codes of conduct state that workers have the right to voluntarily terminate their employment contract without penalty at any time upon giving reasonable notice. Workers have the right to resign and leave their places of work at any time. Furthermore, employers shall be required to cover all transportation costs back to workers' communities of origin regardless of the reason for termination of the employment relationship.</p>
<p>Q 3.3</p>	<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"> <input type="checkbox"/> Worker <input type="checkbox"/> You 	

Discipline		
Question No.	Answers with Potential Risks	Interpretation Guide and Best Practices/Recommendations
Q. 4.1	<p>Do you discipline workers for any of the following? (Select all that apply)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Being late/leaving work early without permission <input type="checkbox"/> Missing a day of work <input type="checkbox"/> Failing to meet a production quota <input type="checkbox"/> Failing to work overtime <input type="checkbox"/> Failing to pay debts on time <input type="checkbox"/> Bringing children to work <input type="checkbox"/> Bringing others to work with them <input type="checkbox"/> Losing tools/PPE/materials given to them <input type="checkbox"/> Being insubordinate (talking back, complaining, not obeying rules or orders) <input type="checkbox"/> Harassing other workers <input type="checkbox"/> Switching work assignment <input type="checkbox"/> Other (please describe): 	<p>Disciplining workers and disciplinary measures are not in and of themselves a risky activity. They are in fact, usually, part of a healthy work environment, but only inasmuch as the expectations and consequences are clear, and that the consequences are legal. Therefore, the employer shall clearly define and communicate its disciplinary measures and procedures to all workers. Additionally, the following shall not be used as disciplinary measures:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Pay cuts <input type="checkbox"/> Fines <input type="checkbox"/> Dismissal <input type="checkbox"/> Switching work assignment <input type="checkbox"/> Blacklisting <input type="checkbox"/> Threats to fire workers <input type="checkbox"/> Threaten to fire family members <input type="checkbox"/> Change or reduce their working hours <input type="checkbox"/> Making them work longer than others
Q. 4.2	<p>Which of the following measures do you use to discipline workers?</p> <p>All answers but “A progressive series of verbal and written warnings” are considered answers with potential risk.</p>	

Grievance Mechanisms and Resolution		
Question No.	Answers with Potential Risks	Interpretation Guide and Best Practices/Recommendations
Q. 5.1	<p>How can workers file complaints or report any workplace issues that they are having?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Talking directly to me <input type="checkbox"/> The farm has its own system <input type="checkbox"/> There is no system for workers to report grievances <input type="checkbox"/> Other (depending on answer) 	<p>Best practices deem that workers shall have access to a confidential and effective grievance mechanism to ensure that any they can file a complaint without being subjected to any type of retaliation. Additionally, grievance mechanisms shall be available in workers' native languages, including indigenous languages.</p> <p>As such, grievance mechanisms that depend on them talking directly to someone can discourage workers, as they may not feel comfortable having their name attached to a grievance, or the person who they report it to may be involved. As such, it is recommended that there be multiple avenues by which a worker may file a grievance, as well as a method for workers to follow up and know that grievances are being looked into.</p> <p>The following are the characteristics of an effective and responsive grievance mechanism:</p>
Q. 5.1.1	<p>Is the grievance/complaint mechanism confidential?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Yes 	
Q. 5.1.2	<p>What are the features of your grievance or complaint mechanism?</p> <p>All of the options given are considered best practices and should be included in the design of a grievance mechanism.</p>	
Q. 5.2	<p>Are workers who file a grievance or complaint protected against retaliation?</p> <ul style="list-style-type: none"> <input type="checkbox"/> No 	

Grievance Mechanisms and Resolution		
<p>Q. 5.3</p>	<p>Do you share information with workers on how you or the farm are addressing their grievances?</p> <ul style="list-style-type: none"> <input type="checkbox"/> No <input type="checkbox"/> Depends on the complaint/problem. 	<ul style="list-style-type: none"> <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"/> Confidential <input type="checkbox"/> Protects workers from retaliation <input type="checkbox"/> Updates the workforce on the status of grievance resolutions

Training		
Question No.	Answers with Potential Risks	Interpretation Guide and Best Practices/Recommendations
<p>Q. 6.1</p>	<p>Do you provide workers with any type of training?</p> <ul style="list-style-type: none"> <input type="checkbox"/> No 	<p>Training of workers can be both a great tool and resource as well as an important responsibility for employers. Training workers can help them understand their responsibilities and expectations better, improve productivity and reduce risks. Best practices state that Workers shall be made aware of their rights and responsibilities at the time of hiring, as well as the terms and conditions of their</p>
<p>Q. 6.1.1</p>	<p>What topics are covered by trainings?</p> <p>All of the training topics provided are considered topics that a best practice program would provide.</p>	

Training		
<p>Q. 6.2</p>	<p>What topics are covered in their health and safety trainings?</p> <p>All of the training topics provided are considered topics that a best practice program would provide</p>	<p>employment contract, the provisions of the code of conduct, and all applicable laws and regulations.</p> <p>Workers must receive trainings on company rules and procedures upon arrival at the worksite, as well as on complaint and grievance mechanisms, living arrangements (if provided or provided by the company), and working conditions, including occupational hazards and necessary preventive measures to guarantee worker safety.</p>

Children and Families		
Question No.	Answers with Potential Risks	Interpretation Guide and Best Practices/Recommendations
Q. 7.1	<p>How do you make sure you are in compliance with national child labor laws?</p> <ul style="list-style-type: none"> <input type="checkbox"/> I rely on parents to monitor their children. <input type="checkbox"/> I inform all parents that child labor is not permitted. <input type="checkbox"/> I talk to workers on a regular basis to confirm they are of legal working age. <input type="checkbox"/> I know the people in my community and hire only adults. <input type="checkbox"/> I monitor all work areas to ensure that no children are working. <input type="checkbox"/> Other (depending on the answer) <p>The answers above, by themselves, present a risk, as they depend solely on the perception and judgement of people, rather than documentation and standardized rules. However, when paired with document reviews and standards, they can be helpful in detecting potential cases of child labor.</p>	<p>Best practice standards prohibit all forms of child labor. Child labor refers to work by any person under the age of 15, under the legal age for completion of compulsory education, or under the legal minimum age for employment according to national law, whichever is higher (excluding light work on family farms that does not harm development, negatively impact school attendance, and that is within limited hours)</p> <p>While there are certainly ways for minors and children to circumvent good procedures for detecting child labor, it is unusual for his to happen. As such, the practice of requiring official ID's and documentation to confirm the identity and age of the people that are being hired, is the first and most efficient way, however, if paired with some of the options on the right can be quite effective, and useful way to make sure no unwanted or unwitting Child labor is taking place without your knowledge.</p>

Children and Families		
Q. 7.2	<p>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)</p> <ul style="list-style-type: none"> <input type="checkbox"/> I speak with workers on a regular basis. <input type="checkbox"/> I train workers on the types of work that are and are not permitted for juvenile laborers. <input type="checkbox"/> I post notices regarding permissible and non-permissible work. <input type="checkbox"/> I refuse to hire anyone under the age of 18. <input type="checkbox"/> I provide incentives to legally permitted workers under 18 to stay in school. <input type="checkbox"/> I provide free transport to public schools. <input type="checkbox"/> I conduct regular inspections of work areas. <input type="checkbox"/> We do not have any procedures. 	<p>Juvenile laborers between the minimum age for child labor and 18 shall only engage in legally permissible work that complies with restrictions on hours of work, school attendance, and activities that do not present a danger to their health, safety, or morals. In all cases, juvenile laborers shall be prohibited from working overtime or at night and must be registered, paid directly, and paid at least the minimum wage. In a similar fashion to the best practices listed above for child labor, there is no single best practice for to prevent illegal and dangerous juvenile work, but rather a combination of approaches will likely yield the most effective results. However, same as with child labor, it is important to always start at the very least with documentation review of the worker’s official documents, as they are the least subjective way to determine whether the worker is an adult or a juvenile or child laborer. Beyond that, it will be important to implement a variety of strategies that both encourage juveniles to continue their education and avoid work they are not legally allowed to do, and actively work to detect potential noncompliance with those workers who could inadvertently switch from permissible forms of work to those that are not.</p>

Health and Safety		
Question No.	Answers with Potential Risks	Interpretation Guide and Best Practices/Recommendations
Q. 8.1	<p>Do you provide any of the following equipment to workers?</p> <p>None of the answers present in and of themselves a particular labor risk.</p>	<p>Depending on the type of work the worker is engaged in one or multiple of these pieces of equipment. Best practices dictate that workers should be trained on the usage of the equipment necessary for the work they</p>

Health and Safety		
Q 8.3	Do workers have to pay for any of this equipment? (Select all that apply) <ul style="list-style-type: none"> <input type="checkbox"/> They must pay for all the equipment provided to them. <input type="checkbox"/> They must pay for some of the equipment. <input type="checkbox"/> They have to pay if they damage their equipment. <input type="checkbox"/> They have to pay if they lose their equipment. 	will be doing, including the safety equipment, and shall receive both the training and the equipment free of charge. Additionally, Workers shall not be fined or unfairly punished for failing to utilize PPE or for damaging or losing PPE.
Q. 8.4	Do workers have access to: All of the answers are considered best practices and workers should be provided with all three to foster a safe and healthy work environment	

Working Hours		
Question No.	Answers with Potential Risks	Interpretation Guide and Best Practices/Recommendations
Q. 9.1	How are working hours determined? <ul style="list-style-type: none"> <input type="checkbox"/> Workers are allowed to work as long as they please. <input type="checkbox"/> Workers have to complete production targets or quotas <input type="checkbox"/> Other (depending on the answer). 	The total number of hours worked per week, including overtime, shall not exceed limits set by applicable laws, and in no case shall they surpass 60 hours per week, including overtime. All overtime work shall be voluntary, and workers who elect to work overtime shall be paid legally mandated overtime rates.
Q. 9.2	How do workers get overtime work? <ul style="list-style-type: none"> <input type="checkbox"/> Workers are assigned overtime work. <input type="checkbox"/> Workers can request overtime. <input type="checkbox"/> Other (depending on the answer) 	Overtime shall always be voluntary. No one shall be forced to work overtime under the threat of any penalty (such as denying the opportunity to work overtime in the future, dismissal, or reporting to the authorities). No person shall be forced to work overtime as a disciplinary measure or for not meeting production quotas.

Working Hours		
Q. 9.3	<p>Are workers who are paid by production, piece rates, or tasks paid overtime premiums when they work over the standard workday hours?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> I do not know.</p>	All overtime hours shall be paid at the legally established premium rates, regardless of whether workers are paid by piece, task, hour, or month.
Q. 9.4	<p>Is Overtime ever used as a form of disciplinary measure for any worker?</p> <p><input type="checkbox"/> Yes. If “Yes,” please describe:</p>	Overtime shall always be voluntary. No one shall be forced to work overtime under the threat of any penalty No person shall be forced to work overtime as a disciplinary measure or for not meeting production quotas.
Q. 9.5	<p>Is Overtime ever mandated for any worker?</p> <p><input type="checkbox"/> Yes</p>	

Worker Supervision and Payment		
Question No.	Answers with Potential Risks	Interpretation Guide and Best Practices/Recommendations
Q. 10.1	<p>Who supervises the workers on the worksite?</p> <p><input type="checkbox"/> A direct employee of the farm</p> <p><input type="checkbox"/> Me</p> <p><input type="checkbox"/> It depends on the situation</p>	While none of the answers inherently convey a potential labor risk for workers, it is important to note that depending on the conditions of the employment, payment structure, and vulnerability of the worker, the supervisory role could be one that inflicts labor risk or abuse for a worker. For example, in cases where the labor broker is the one who procures housing for, pays for the work, accounts for the production of the worker, and supervises as well, the worker may find themselves vulnerable, for example when the labor broker makes <i>uninformed</i> discounts on worker’s salary for services provided (e.g. food and/or meals).
Q. 10.2	<p>Who pays the workers?</p> <p><input type="checkbox"/> I pay workers directly.</p> <p><input type="checkbox"/> The farm pays workers directly.</p> <p><input type="checkbox"/> Another labor brokers or outside crew leader pays workers.</p> <p><input type="checkbox"/> Other (depending on the answer)</p>	
Q. 10.2	<p>How often are the workers paid?</p> <p><input type="checkbox"/> Every 2 weeks</p> <p><input type="checkbox"/> Every month</p> <p><input type="checkbox"/> At the end of their contract</p> <p><input type="checkbox"/> At the end of the harvest season</p>	All payments to workers shall be made directly to workers in regular intervals (as established by law) and never less often than bimonthly.

Worker Supervision and Payment		
Q. 10.3	<p>How are workers' wages calculated?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Per task (set amount for clearing a field, etc.) <input type="checkbox"/> By production (by amount of coffee harvested, etc.) <input type="checkbox"/> By contract (once they finish their 2-month contract, etc.) <input type="checkbox"/> By harvest season <input type="checkbox"/> Other. (Depending on answer) 	<p>As we established above, Workers who are paid by piece or task shall not be paid less than the legally established minimum wage for their work during regular working hours, regardless of production.</p> <p>Furthermore, as established before, payment shall be made in regular intervals, and never less often than twice per month. As such, calculation of payment by harvest season or by length of contract can lead to non-compliance, or, if advances are given on an estimate, a potential issue at the end of the season if there was an over-payment through advances.</p>
Q. 10.4	<p>Are workers provided with any written records of their pay and deductions (paystubs, receipts, etc.)?</p> <ul style="list-style-type: none"> <input type="checkbox"/> No (if selected, please continue to question 9.6) 	<p>Workers shall be provided with pay slips that itemize earnings, hours worked, and deductions. When necessary, verbal explanations of earnings and deductions shall be provided in a language workers can understand.</p>
Q. 10.5	<p>What information is included in these payment records? (Select all that apply)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Amount produced <input type="checkbox"/> Number of tasks completed <input type="checkbox"/> Rate of pay (per hour/day/production/task) <input type="checkbox"/> Detailed calculations of piece rate pay based on production/tasks completed <input type="checkbox"/> Deductions made from payment <input type="checkbox"/> Calculation of overtime payment 	<p>The provision of payment records can be immensely beneficial to both workers and labor intermediaries as they provide evidence of compliance with contracts and responsibilities and also provide potential protection from complaints or grievances should they arise as both parties can refer to a common document to clarify and misunderstandings or mistakes.</p>

Worker Supervision and Payment		
Q.10.6	<p>Do you guarantee that all workers are paid at least the legal minimum wage for their work, including workers on piece rate?</p> <p><input type="checkbox"/> No</p>	<p>As we established above, Workers who are paid by piece or task shall not be paid less than the legally established minimum wage for their work during regular working hours, regardless of production.</p>

Living Conditions		
Question No.	Answers with Potential Risks	Interpretation Guide and Best Practices/Recommendations
Q. 11.1	<p>Are any of the workers you recruit, hire, and/or supervise provided with accommodation?</p> <p><input type="checkbox"/> Yes</p>	<p>As with many of the cases above, the fact that accommodations are provided to workers (and their families) doesn't imply necessarily some form of labor risk, however it does increase the potential of it if it is not done properly (regardless of whether it is you, or the employer who provides it). For example, in the case of workers who stay with their families in the housing provided, this may increase the possibility of child labor, or, when combined with piece rate pay, the possibility that worker's partners contribute to their production without being accounted as a worker in their own right.</p>
Q. 11.1.1	<p>Are families, including children, allowed to stay in the provided accommodation?</p> <p><input type="checkbox"/> Yes</p>	
Q. 11.1.2	<p>Who provides the workers with the accommodations?</p> <p><input type="checkbox"/> You</p> <p><input type="checkbox"/> The employer</p> <p><input type="checkbox"/> Other (depends on the response)</p>	
Q. 11.2	<p>If you provide the accommodation, who pays for it?</p> <p>None of the answers denote risk by themselves.</p>	<p>Who pays for the housing may be determined by local laws. In some countries workers who live further than a determined distance from their workplace must be given lodging as part of their employment. As such,</p>

Living Conditions		
Q. 11.3	<p>Does the accommodation have the following?</p> <p>All of the provided answers are considered best practices and should be, ideally, provided in the housing provided to workers.</p>	<p>workers shall not be charged for housing in violation of local laws or in excess of local equivalent rentals.</p> <p>Furthermore, Employer-provided or arranged worker accommodation, and food storage, preparation, and dining areas, shall be clean, safe, hygienic, and in compliance with applicable country and international standards. It shall have freely accessible potable water, hygienic washing and toilet facilities, adequate light, heat and ventilation, and food storage and preparation facilities.</p> <p>Worker housing shall also have adequate emergency exits, alarms, and fire suppression equipment and provide workers with adequate personal space and privacy, as well as individual lockable compartments for storing personal items and valuables.</p>
Q. 11.4	<p>Does the farm/worksites have a store?</p> <p><input type="checkbox"/> Yes</p>	<p>Farm or worksite stores are, as with many other topics on this document, do not inherently present risks, but open the possibility to risk quickly if not managed properly. This can be especially true when workers do not have the possibility of accessing other shops or means of procuring goods, be it because of isolation, or imposed restrictions by the farm owners or others.</p> <p>The reason farm stores can lead to labor risk issues is that, especially when there are no alternatives, prices can easily be inflated, or overinflated beyond a</p>
Q. 11.4.1	<p>Do workers have access to other stores besides the farm/worksites store?</p> <p><input type="checkbox"/> No</p>	
Q. 11.4.2	<p>How does the farm/worksites store charge workers for the goods they purchase?</p> <p><input type="checkbox"/> Workers can purchase goods on credit</p> <p><input type="checkbox"/> Deductions from wages</p> <p><input type="checkbox"/> Other (please describe):</p>	

Living Conditions		
Q. 11.4.3	If workers can purchase goods on credit, do they: (Select all that apply) <ul style="list-style-type: none"> <input type="checkbox"/> Incur any interest? <input type="checkbox"/> Have to pay their debts before leaving the farm? <input type="checkbox"/> Have their debts deducted from their pay? 	reasonable amount. Furthermore, if workers are also able to procure goods on credit, or against their future earnings, workers may not be able to discern if they've overspent, which could lead to debts they cannot repay, especially if linked to inflated prices and high interest rates.
Q. 11.4.4	Are the prices at the farm/worksite store the same as the local market price? <ul style="list-style-type: none"> <input type="checkbox"/> No 	As such, farm stores shall ensure that goods are provided at fair and reasonable prices and that workers are provided with written receipts that detail the cost of each item. If workers purchase goods on credit, they shall be provided with written records of the amount owed, and the cost of goods purchased shall not be deducted directly from workers' salary or wages.

International Recruitment		
Question No.	Answers with Potential Risks	Interpretation Guide and Best Practices/Recommendations
Q. 12.1	Do you or your associates recruit and/or hire foreign workers? <ul style="list-style-type: none"> <input type="checkbox"/> Yes 	The recruitment and hiring of foreign migrant workers may be an important and useful tool for employers to meet labor demands or other needs. However, it is important to recognize that foreign migrant workers are much more vulnerable than non- migrant workers as they are further away from their homes and social structures.
Q. 12.2	How do you hire foreign migrants? <ul style="list-style-type: none"> <input type="checkbox"/> Directly in their home countries <input type="checkbox"/> Using an informal labor broker in the worker's home country <input type="checkbox"/> Through a formal agency in the receiving country <input type="checkbox"/> Through informal labor brokers in the receiving country <input type="checkbox"/> Other. (Depending on the answer given) 	As such, it is important that foreign workers be hired by ethical operators that abide by national laws, international standards, and the company's standards, which is why it is recommended that workers be recruited by formal registered labor brokers, where possible, or through formal international hiring programs established by the countries, rather than informally.

International Recruitment		
Q. 12.2.1	If you hire foreign migrant workers directly, are you or your local agent legally registered as a labor broker in the sending country? <input type="checkbox"/> No <input type="checkbox"/> N/A	As explained above, in many countries there are no official or simple ways to register as a licensed labor broker, nevertheless, where there are such licensing requirements, it is recommended you do so (or work with registered labor brokers in those countries), as they add a layer of trust for your employers, and it demonstrates a commitment from your part to be in compliance and do things properly.
Q. 12.2.2	If you hire foreign migrant workers indirectly through an agent in the sending country, do you have a contract with that agent? <input type="checkbox"/> No	Similar to workers, and for yourself, a <i>detailed employment contract is an essential piece to establish both responsibilities and expectations between parties, or employer and employee.</i> Contracts provide protection to both the person who is being hired and the hirer, since the contract outlines and defines clear expectations and responsibilities for all parties.
Q. 12.3	Do you, or your associates facilitate the processing of any of the following for foreign migrant workers? (Select all that apply) <input type="checkbox"/> Visas <input type="checkbox"/> Passports <input type="checkbox"/> Transportation <input type="checkbox"/> Housing <input type="checkbox"/> Other. What?	While none of these activities are, by themselves, risky for you or the workers, it is important that they are done properly. In the case of some of these processes, it may involve the procurement of official documents, that, if not returned to the owners properly, could be considered document retention, an indicator of forced labor.
Q. 12.4	Do foreign migrant workers pay any fees to get their jobs? <input type="checkbox"/> Yes <input type="checkbox"/> I do not know.	Furthermore, the charging of fees for some of these processes, may, depending on the countries involved, and the client, be considered recruitment fees that should be

International Recruitment		
Q. 12.4.1	What do the fees cover? <ul style="list-style-type: none"> <input type="checkbox"/> Visas <input type="checkbox"/> Passports <input type="checkbox"/> Transportation <input type="checkbox"/> Trainings <input type="checkbox"/> Social Security in receiving country <input type="checkbox"/> Housing <input type="checkbox"/> Evaluation, selection, and/or placement <input type="checkbox"/> Other (please describe): 	charged not to the worker, but the employer. As such, proper management of these processes, including the disclosure of potential legal requirements, and the prompt return of official documents and ids is highly important to maintain compliance with international standards and laws of the countries involved.
Q. 12.5	How do you contract with foreign migrant workers? <ul style="list-style-type: none"> <input type="checkbox"/> With a verbal agreement <input type="checkbox"/> There is no contract <input type="checkbox"/> Other (depending on answer given) 	Foreign migrant workers, like all other workers, should be provided with thorough, accurate information about the nature and conditions of work during the recruitment and hiring process.
Q. 12.5.1	Are the written contracts given to workers in a language they understand? <ul style="list-style-type: none"> <input type="checkbox"/> No <input type="checkbox"/> I do not know. 	Written employment contracts shall be provided to workers in a language they understand (including indigenous languages that may be spoken in certain Latin American countries). Workers who are not able to understand the contents of their written contracts shall be provided with detailed verbal descriptions of the contents of their contracts in languages they can understand.
Q. 12.5.2	When do workers sign their written contracts? (Select all that apply) <ul style="list-style-type: none"> <input type="checkbox"/> The workers sign them when they arrive at the worksite. <input type="checkbox"/> The workers do not sign their written contracts. <input type="checkbox"/> I do not know. <input type="checkbox"/> Other (depending on the answer given): 	Additionally, just like with non-international workers, contracts should be signed by the workers when they accept the position, and they should receive a countersigned copy of their contract. This practice is important because it gives the workers a document that gives clear expectations and responsibilities for the job that they are accepting. Furthermore, having a signed and countersigned contract may protect workers from the practice of contract substitution or use of
Q. 12.5.3	Do workers get a countersigned copy of their contracts? <ul style="list-style-type: none"> <input type="checkbox"/> No <input type="checkbox"/> I do not know. 	charged not to the worker, but the employer. As such, proper management of these processes, including the disclosure of potential legal requirements, and the prompt return of official documents and ids is highly important to maintain compliance with international standards and laws of the countries involved.

International Recruitment		
<p>Q. 12.5.4</p>	<p>Which of the following do the written contracts include?</p> <p>All of the answers available are considered not only best, but necessary requirements for a contract.</p>	<p>supplemental agreements by the employer to replace an original contract or any of its provisions with a new contract or terms that are less favorable, which is strictly prohibited by international law, and best practice code of conducts.</p> <p>Workers' contracts should include accurate information about the nature and conditions of work during the recruitment and hiring process. Thus, all the topics listed in the question should be included in a labor contract in order to be in line with best-practice codes of conduct.</p>