

Fact-sheet – What is forced labor and how to avoid it



What is the objective?

The main objective is to understand how is forced labor defined and how can it be prevented in the supply chain.

Definition: The ILO defines forced labor in the convention C029* as work or service exacted from a person under threat or penalty, which includes penal sanctions and the loss of rights and privileges, where the person has not offered himself/herself voluntarily.



* https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C029



How to achieve the objective?

- 1 **Ensure responsible recruitment, especially if working with work agencies** – ensure that workers are informed before signing a contract, or leaving their hometown, of the terms of employment including the name of the employer, the working hours, the salary, the leave policies, the description of the job and so forth ;
 - Ensure that the information is given to workers in a language they understand.

- 2 **Ensure policies and practices are in place to prevent workers' original documents from being withheld** - the factory may make copies of passports, ID cards, and documents used to verify a worker's age, but a factory cannot keep the document ;
 - If a migrant worker, or any worker, claims that he/she does not have a safe place to store his/her documents, provide him/her with a locker that he/she can have access to at all times.

- 3 **Ensure no recruitment fees are paid** – the factory or work agency should **not** charge workers any fees to secure employment. This includes a fee for a medical check, passport or visa preparation, transportation from their hometown or home country or any other fees related to employment ;
 - If workers are living in a dormitory provided by the factory, depending on the country's laws, the factory may be able to charge workers for their water and electricity consumption.
 - To avoid non-compliance, ensure all deductions from workers' salaries are legal and clearly labeled on the workers' pay slip.
 - Ask workers when they join the factory if they paid a fee to anyone to get this job. If they have, the factory needs to assemble a remediation plan to repay the worker. Contact the buyer or customer if support is needed.

- 4 **Ensure freedom of movement** – there should be no restrictions on workers' ability to leave the premises.
 - No doors should be locked from the outside (not allowing workers to leave) ;
 - Workers should be aware of their right to leave the factory at any time ;
 - Workers should not need to ask authorization to leave their workstation (whatever the reason) but can be asked to inform their managers.



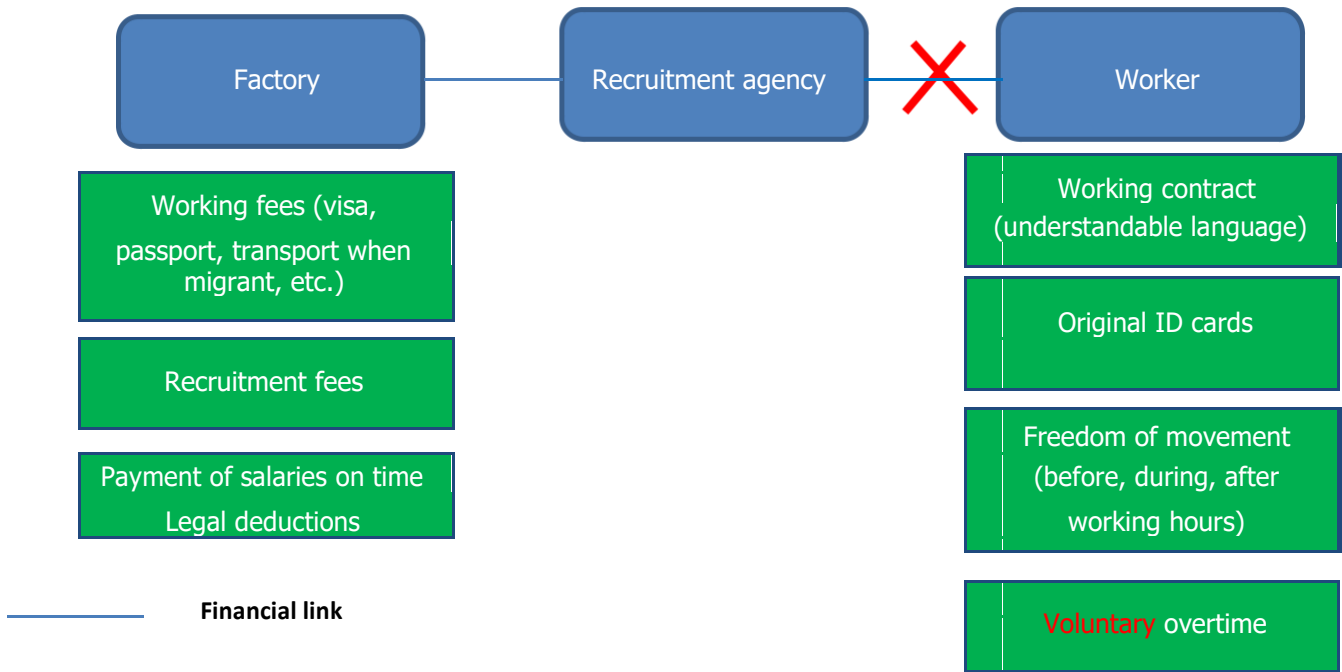
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5 Ensure overtime is always voluntary

- Workers should be guaranteed the ability to refuse overtime ;
- Workers/mid-management should be aware and trained on the voluntary nature of overtime.

6 Ensure salaries are paid on time

- When holidays occur at the end of a payment period, salaries should be paid before the holidays.



Common non-compliances

- Illegal or unlabeled deductions from wages ;
- Workers have paid recruitment fees ;
- Workers’ documents are kept by the factory.