



HANDBOOK FOR FACTORIES

**ICS SOCIAL
REQUIREMENTS 2024**



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ICS Presentation

ICS Structure

ICS is a retailer-led multi-sector initiative conducting social and environmental audits in the textile, clothing, bazar, leisure, furniture, fixtures, equipment, appliances, food, electronic, car maintenance and renewable energies sectors with the aim of:

- ✚ **Strengthening its members supply chains' compliance with Corporate Sustainability Due Diligences requirements** such as, and not limited to: the United Nations (UN) Guiding Principles on Business and Human Rights regarding the UN 'Protect, Respect and Remedy' Framework, the Organization for Economic Cooperation and Development (OECD) Guidelines for Multinational Enterprises on Responsible Business Conduct, the International Labor Organization (ILO) Conventions, local laws regarding Labour rights as well as any future regulation they may be subjected to and related to Duty of Vigilance regarding suppliers and subcontractors, and
- ✚ **Contributing to the transition towards sustainable, fair and inclusive world supply chains** by providing its members and their suppliers with the due diligence standards, processes, methodologies and tools to identify, prevent and correct the risks of Human Rights violations in their supply chain.

In this regard, ICS members join efforts by rolling out a shared audit framework in their supplying production factories and by exchanging information on their common factories within the ICS database. On this internal ICS database, ICS members share the results and all documents related to the audits (Audit questionnaire, Factory Profile, Corrective Action Plan, etc.) only with the members working with the audited factories. ICS enables its member companies to collaborate with common tools, to mutualize audits, contributing to the reduction of the 'audit fatigue' and share knowledge and best practices. ICS is not a sourcing platform as member retailers and brands can only access information on the factories they are already linked to.

The list of ICS member retailers and brands is available on ICS website www.ics-asso.org

The objective of the present Handbook is to accompany the factory in its social compliance's knowledge and awareness. It represents an opportunity for the factory to initiate or demonstrate its compliance to trading partners, so as to secure the conditions of its workers, their well-being at work, their fair productivity, as well as the attractiveness of the company in international trade and its long-term resilience in the face of growing standards and world economic challenges related to sustainable development requirements. This Handbook can be sent to the factory either by the audit company mandated to perform an ICS social audit or by the ICS member prior to the audit. The present Handbook is a preparatory tool for the factory.



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The audit rating and ratings per chapters are not communicated on the audit closing meeting's day. The factory will receive the Audit results (overall notation and detailed notation by chapter with the list of compliances and non-compliances) within 10 days following the audit closure. Then the factory will be able to start its Corrective Action Plan on the ICS database, following recommended actions and target dates.

They will be first checked and validated by the ICS member requesting the audit. The factory will receive an email notification to access its Audit Summary of Content, including the Audit rating and detailed ratings per chapter within a maximum of 10 days following the audit closure. The factory will then be able to engage into remediation measures to improve and secure its future compliance and Corporate Social Responsibility competitiveness thanks to ICS Online Corrective Action Plan monitoring.

On the audit closing meeting's day, the Factory will receive, comment and sign the provisional Findings report, providing the list of findings (good practices and non-compliances), the auditor(s)' comments and ICS related recommended actions.

Enquiries and Recommendations relating to the ICS's scheme

Requests on interpretations, clarifications and recommendations should be addressed to the ICS team via the ICS contact@ics-asso.org email address, for ultimate share with the ICS members.

ICS Contact : ICS Office – 14, rue Bassano Paris FRANCE
Initiative for Compliance and Sustainability / Fédération des Entreprises du Commerce et de la Distribution
contact@ics-asso.org
www.ics-asso.org



Handbook for Factories

ICS Social Requirements

10 steps to know that I am ready for the audit

- ✓ **I've properly filled in the ICS database Factory profile**, paying attention to provide the full list of the languages spoken in the factory by workers, as well as the workers dormitory's location, even it is not under the direct factory property. In the event that the auditors don't have time to assess the dormitories on the audit day due to wrong declaration, I'm aware my audit result will be impacted.
- ✓ **I have decided whether I wanted to let my Factory ID (summary) be public** on Sustainability map to show my transparency (recommended).
- ✓ **I've gathered all the listed documents in Annex 1**, knowing that if I'm not able to provide the documents by 2pm on the first day of the audit, or the second day if the audit is longer than one day, I will be rated as non-compliant. I am aware that each time I won't be able to prove a compliancy, the related items will be rated as non-compliant.
- ✓ **I've received the window date period of the audit and made sure that:** at least one manager will always be onsite to welcome the auditors, provide the documents and answer the questions; that in the case my premises are in a shared building, I've let other factory know the auditors will ask to review risks common to all building; I've informed the ICS member if my production will be too low for the audit on this period; I've made sure an isolated room will be available for the confidential interviews of employees and I'm aware I won't attend them.
- ✓ **I have the handbook and feel familiar and comfortable with the unfolding of the audit day.** I know the workers representatives will be asked to attend the opening and closing meeting and that my workers will be interviewed by the auditors.
- ✓ **I am therefore ready to give a human and professional welcome to the auditors** and to understand the audit as a great opportunity to initiate or strengthen my compliance and sustainability levels. It will make my factory stronger and more resilient in the new world trade CSR requirements and will help my workers, including me, to be and feel safe at work.
- ✓ **I am aware I cannot know the auditors contacts neither before, during or after the audit**, and that any pressure exerted on the auditors will cast a doubt on my transparency and compliancy and can be severely evaluated by the ICS member.
- ✓ **I am aware the auditors do not know the ICS rating methodology and that I will not get the audit result by the end of the audit day.** I will receive the audit results within 10 days, once the ICS client has validated the process, through the ICS database. I will also receive a notification guiding me to start putting in place the Corrective Action Plan 15 days before the first target date of the plan. On the audit closing day, I'll however receive the provisional Findings report.
- ✓ **Openness and transparency are thus the key elements to succeed and take the best out of the audit.** Hiding information to the auditors will be considered as a severe case of lack of transparency towards the ICS client and we'll lead to a severe evaluation. I am aware that lack of transparency expose my company to lose business and to miss an opportunity to be resilient and fit for the CSR world trade economy.
- ✓ **In case of complaints, I know I'll be able to reach out to my client**, the ICS member, to be informed of the procedures, also mentioned in this Handbook.



ICS common methodology

Due diligence is the way forward advanced transparency and responsibility across global supply chains. A combined approach of social and environmental audits as well as close cooperation with factories (hereinafter also referred to as 'facilities') on corrective action plans can contribute to enhanced sustainable supply chain management.

The cornerstone of the ICS system is the ICS audit report questionnaire used in more than 70 countries. ICS actions are based on a common methodology applied by all ICS members and securing a complete control of the audit process by brands.

- ICS audits are mandated and managed by member retailers and brands. Audit launch is a member prerogative, which ensures a total control of the use of ICS. The aim is to ensure the impartiality of the audit process.
- ICS audits are performed only by third party audit companies authorized by ICS.
- ICS members share common monitoring rules when critical non-compliances are identified in the factories.
- ICS social audits are semi announced or unannounced.
- **The ICS audit is neither a certificate nor a label.** The ICS audit's objective is to assess the social compliance of a factory and report observed non compliances and best practices at a given date.

An audit is neither a certificate nor a label.

Our partners on the ground

Audit quality is monitored by ICS through statistical indicators, on-site shadow audits, comparative report analysis and ICS members' collaborative feedback and review.

The list of audit companies that are authorized to audit against the ICS standards are available on our external website: <https://ics-asso.org/audit-companies/>

Transparency and openness are the unconditional prerequisite to strengthen factories' compliance.

Lack of information, document falsification, access denied (including pre-audit Factory Profile declaration omissions), pressure and allegation exerted on ICS habilitated auditors are severely assessed and can lead to the termination of the business relationship.



ICS Code of Conduct

Every ICS member requests its suppliers to comply with the ICS Code of Conduct that can be complemented by the member's own detailed Code of Conduct. By signing this Code, suppliers undertake to conform and commit to it as well as having it respected by their own subcontractors and partners: shared responsibility is a key concept.

- The ICS Code of Conduct is available in Arabic, Bengali, Bosnian, Croatian, Montenegrin, Serbian, Chinese, English, French, German, Hindi, Italian, Polish, Portuguese (Brazilian), Russian, Spanish, and Turkish.
- The ICS Code of Conduct directly refers to international conventions on fundamental human rights, fundamental international labour standards, applicable international labour standards, OECD guidelines for Multinational enterprises and applicable national and/or local legislation. The complete list of reference documents is available in Annex.
- The Code of Conduct covers the 9 chapters of the ICS social audit questionnaire:
 - Chap. 0 - Management system, transparency and traceability
 - Chap. 1 - Minimum age, child labour and young workers
 - Chap. 2 - Forced labour
 - Chap. 3 - Discrimination
 - Chap. 4 - Disciplinary practices, harassment or abuse
 - Chap. 5 - Freedom of association and grievance mechanism
 - Chap. 6 - Working hours and overtime
 - Chap. 7 - Remuneration and benefits
 - Chap. 8 - Health and safety

Information sharing process

Data sharing and confidentiality

ICS members linked to the same factory share the audit results and documents through the ICS database. ICS audit findings are confidential and not accessible to ICS members not linked to the audited factory. ICS members must reference their suppliers and the associated factories under the ICS database in order to be able to access the audits information and results. ICS members share a common methodology and tools that cannot be used for sourcing but only to monitor the social compliance of factories.

ICS audit documents shared with the supplier or factory



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The ICS audit report cannot be shared with the supplier or factory in order to protect data confidentiality that workers might have shared with the auditors. The factory will receive the following documents, with all the relevant findings and remediation measures to engage with for improving and securing its future compliance:

- The **Factory Profile** is sent online to the factory either by the ICS member or the audit company before the audit. The factory must fill in the Factory Profile and send it back to the ICS member or audit company before the audit. The Factory Profile will be validated during the audit opening meeting by the factory management.
 - The **ICS Database Dashboard** for Factories and Suppliers requires the factories and suppliers to update their data on the factory's organization through the ICS database. The Factory Profile is a part of the ICS Audit Process and is the first document to be shared between the ICS Members, the factory and the supplier and the audit firm to understand the organization of the factory and to organize later the audit in accordance with.

Filling the Factory Profile through the ICS database is the first requirement for the future audited factory. ICS members may refuse to start business relationships with factories that have not properly filled their Factory Profile, notably the section related to the factory's subcontractors, production processes and languages diversity spoken in the factory.

- The Factory Profile is linked to the **UN/WTO International Trade Center Sustainability Map Transparency & Traceability** project supported by the European Commission. Filling the Factory Profiles opens the opportunity for the factory to freely chose to publicly publish a limited amount of data summarized in a "Factory ID" on the Sustainability Map to demonstrate its commitments to its clients and stakeholders.

Once your Factory Profile is completed, the validated data are summarized in your Factory ID on ICS database. The Factory ID contains limited data that you can chose to, or not to, disclose on the public Sustainability map to demonstrate your contribution to Transparency and enhance your visibility to your clients and potential clients.

- The factory bears the responsibility of informing the audit company and the member via the Factory Profile before the audit of **all languages spoken by workers on-site** (if they do not speak the local official language).
- If the factory has a dormitory, its location must be indicated in the factory profile prior to the audit. All dormitories located within or without the factory's premises are included in the audit scope, regardless of their location, if the factory management and/or workers confirm that the dormitory is provided by the factory.



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- The **Findings Report** is signed in local language during the audit closing meeting by the factory management. The **Findings Report** reports the non-compliances identified during the audit.
- The **Summary of Content (SOC)** indicates the rating of each chapter of the audit and the global rating (a letter and a percentage) and is sent to the factory through the ICS database after the audit firm's review and the brand's validation. The SOC provides the factory audited with the detailed non-compliances, the compliances, and the best practices in a complete PDF report.

ICS audit

ICS audit planification

- The auditor's name should not be communicated to the factory or supplier before the audit takes place.
- Direct contact details (email, telephone) of the auditor should not be shared with factory or supplier before, during and after the audit.
 - Any attempt to obtain the auditors' names before the audit or their contact details during the audit, will shed a light on the audit impartiality and factory's transparency.

Any attempt to reach out to the auditors during or after the audit in order to exert pressure, threats or corruption proposal can result in the business relationship termination.

- If the production rate is too low in the factory on a certain day included in the audit window period, the factory is responsible for informing the audit company and ICS member requesting the audit about it.
- The audit window period is defined by the member and should be a minimum of 2 weeks (the factory management can declare unavailable dates, including national and local public and bank holidays, but the window period must be a minimum of 2 full weeks when adding up the available dates for the factory).

ICS audit scope

The overall purpose of the ICS on-site audit is to evaluate the factory's compliance level with the ICS Code of Conduct, local regulations, and International Standards listed in Annex 5 as well as to identify the necessary corrective actions and opportunities for continuous improvement. The ICS audit also reports the best practices observed by the auditors in the factory.

Physical areas covered under the scope of the ICS audit should include:

- Production areas, and
- Storage areas, and
- Living and eating areas of workers if applicable, and
- All associated buildings near the site of production.
- Any administrative/office buildings



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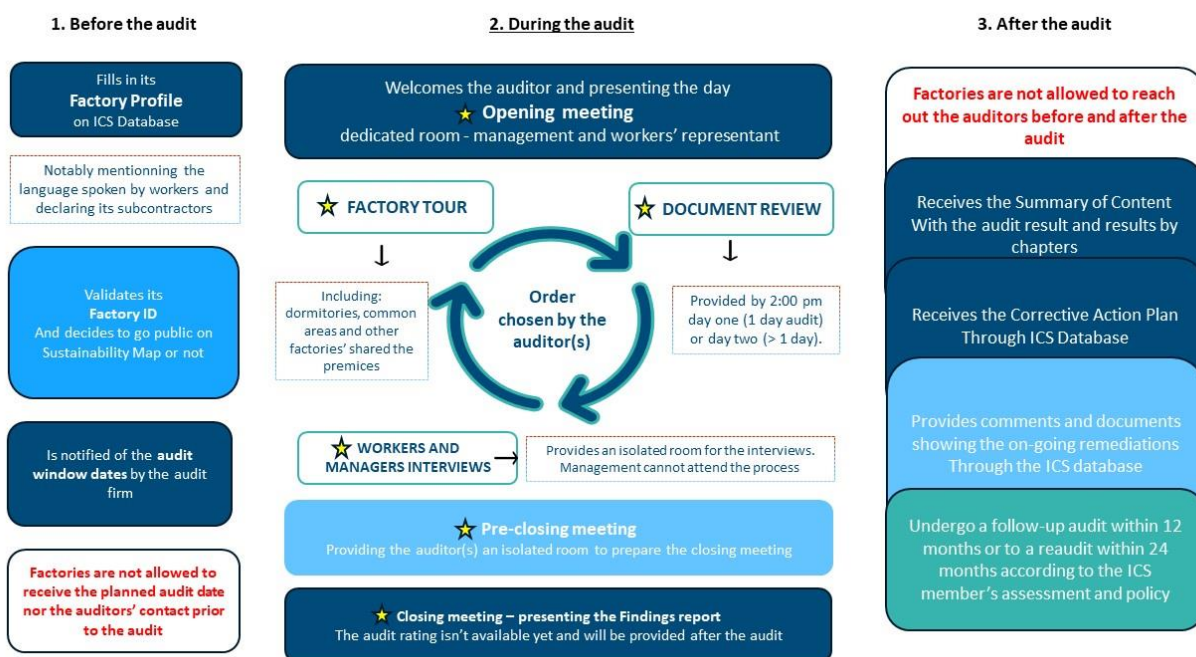
- All dormitories located within or without the factory's premises are included in the audit scope, regardless of their location, if the factory management and/or workers confirm that the dormitory is provided by the factory.

Audited factories must inform prior to the ICS audit the management and owners of the factories in the same buildings (if different than the audited factory's management) about the ICS requirement for auditors to visit the whole building and common areas (for e.g. stairs of the building) and if required, also to visit the other factories present in the building as risks can originate from shared premises.

Refusing access to all required part of the premises or failing to obtain other factories agreement to enter their premises in case of shared building will be regarded as an access denied by the ICS member and can result to the failing of the audit.

ICS audit process

The ICS audit process consists of the below six steps: ★



The auditors are the persons in charge of the audit process. The actual audit may or may not follow this order. However, all steps described below will be completed during the audit. If further steps or documents are needed to support a complete understanding of the factory situation, the auditor may request additional information from the factory. The Audit Duration table provides the number of days required for an audit based on the size of the factory (please refer to the section on 'Methodology').

Identification of non-compliances:

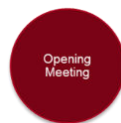
- Most of the ICS questions are evaluated against local legal requirements.
- Several questions are evaluated against ICS requirements.
- However, where local law is more stringent than standards set forth by questions based on the ICS requirements, the factory's practices are evaluated against local law.

In the case of a non-compliance that can easily and quickly be solved (e.g. an object on an emergency path), auditors must report the non-compliance in the report (and in the Findings report for example, auditors can indicate that the non-compliance has been immediately closed).

- If the auditors are unable to confirm the full compliance, the observation will be reported as non-compliance.

Preparing the requested document listed in Annex 1 ahead of the audit will help preventing the factory to be rated non-compliant if unable to prove compliancy.

Opening Meeting



- **Attendees:** auditors, factory management and workers' organization representatives.
- **Purpose:** to introduce the auditors, to recall the reason for the audit and ICS members Duty of Vigilance obligations and the opportunities open by the audit, to discuss and appreciate the importance of protecting workers' rights, to review the audit scope and ask questions, to explain the audit procedures to be performed, to identify the parties to be involved as well as to estimate the audit duration. The factory representatives should grant auditors picture-taking permission. The pictures will be enclosed in the audit report documents and shared with ICS client members only. Pictures taken will be treated as confidential data. Photos will be taken during the walkthrough to capture non-compliances and the general layout of the factory (outside view of factory's gate, buildings and name), its work floors, canteen, warehouses and dormitory, without showing people's faces.
- **Notification from the factory:** The factory should inform the auditors if any other visit or audit (social audit, inspection etc.) is performed in parallel of the current audit.

Documentation Review



- **Purpose:** auditors will review factory's documents and records such as wage records, timecards, employment contracts and security training reports to confirm compliance, identify non-compliances and report best practices if any.
- **List of documents to be prepared by the factory for the date of the audit:** please refer to [Annex 1](#) of the present Handbook. The factory is required to be able to provide the auditors with the listed documents for at least the last 12 months. This list is not exhaustive, and the auditor may request access to other documents if deemed necessary.

Facilities are requested to provide the documentation before 2:00 PM the first day of the audit (for an audit to be done within 1 man/day) or before 2:00 PM the second day of the audit (in case of an audit organized in more than 1 day).

Workers and Management Interviews



- **Attendees:** auditors conduct interviews with management personnel, e.g. Human Resources Manager, EHS Manager and workers. Interviews with workers are to be conducted in private, without the presence of management staff, to assess working conditions including remuneration, working hours, type of contract, wage deductions and social benefits. Interviews will be conducted individually and in groups and should include different worker categories (e.g. permanent, temporary, full-time, part-time, young workers, migrant workers, etc.). Interviews and audit in general should not disturb/increase the working hours of workers on-site. For additional information on interviews sampling, please refer to the section on [Methodology](#) of the present Handbook.

The presence or intrusion of a manager during an interview will be considered as an attempt at intimidation and may compromise the factory's compliance with transparency expectations. Trying to know what a worker said during an interview is a severe infringement to labour rights. The factory won't access the interviews' reports.

Factory Tour



- **Attendees:** auditors and factory's representatives who accompany the auditors.
- **Purpose:** to evaluate health and safety conditions and observe other practices, the auditors conduct a walkthrough of any areas where workers may be present including, but not limited to production floors, warehouses, chemical storage units, restrooms, clinic, canteen, and dormitories.
- **Audit review and checks:** auditors will review factory's documents (check of tag, register, etc.) but also ask for physical checks, which should be carried out by factory's workers.
- **Photos are taken** during the walkthrough of the outside (factory's gate, buildings and name etc.), of the inside (its work floors, etc.), of the canteen, of the warehouse and the dormitory.

The factory management is responsible of informing the auditor at the start of the audit if an area/building/zone/unit closes sooner than the other or is inaccessible at a certain time.

Pre-closing meeting



- **Attendees:** auditors only.
- **Purpose:** to prepare the closing meeting to be held with factory's management.

Closing meeting



- **Attendees:** auditors, factory management and workers' organization representatives.
- **Purpose:** to present and comment audit findings and results, to answer questions and provide clarifications, to reach an agreement on the facts observed or to provide an opportunity for factory's management to collect the factory's observations or further explanations to auditors and to ensure that factory's management understands the legal or Code basis for non-compliances.
- **Outcome:** the factory's management should commit to act and solve non-compliances. The Findings report will contain a clear description of all non-compliances identified during the audit. It will include the observations from the factory on how to resolve the non-conformities.



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- **The Findings report** should be issued on-site, signed, and agreed by the factory's management representative, the workers' organization representative and the lead auditor. A copy of the findings report will be kept by the factory and another one will be sent to the ICS member. The non-conformities in the findings report should be written in English and in local language. This document serves to acknowledge the auditor's visit, that the audit took place, to summarize the non-conformities found during the audit and to prove that the factories recognize the non-conformities.
- **The rating is not communicated during the closing meeting as it will be first checked and validated by the ICS member requesting the audit. After the audit report receives validation from the ICS member, within a maximum of 10 days, the SOC is automatically generated and accessible on the database. Furthermore, it is automatically transmitted to the e-mail addresses listed in the contact box. If new email addresses need to be added please ask the ICS member who launched the audit to add them. Find your ICS audit summary on the database: <https://ics.art-informatique.com/login.action>.**
- **Notification from the factory:** The factory should indicate to the auditors if any other visit or audit has been performed in parallel of the current audit (if not mentioned during the opening meeting and in case the audit has been conducted during several days).
- **Online CAP:** after the audit is validated by the ICS member and once the ICS member has initialized the Online CAP with the relevant target dates on the ICS database, factories receive a notification 15 days before the 1st CAP target date. They will be asked to engage the remediation measures and upload through the ICS database the comments and documents tending to show that remediation measures have been implemented. The Online CAP is also the opportunity to share difficulties in implementing the corrective actions and seek for the ICS member's advice.

An audit is only one part of the due diligence compliance process. The whole purpose of the audit is to engage, through online dialogue with the ICS member, using the Online CAP, the corrective actions that will make the factory compliant and competitive in the world sustainable trade.

ICS audit content



The ICS audit questionnaire is composed of 9 chapters divided into sub-sections and questions that are described in Annex 3. Below are described the ILO references for the ICS audit questionnaire:



The ILO International Conventions for Decent Work

Decent work is the 8th goal of the sustainable development goal and the long-standing purpose of ILO Conventions signed by many states in the world.

Decent work is defined by the ILO and endorsed by the international community as “productive work for women and men in conditions of freedom, equity, security and human dignity. Decent work involves opportunities for work that: is productive and delivers a fair income; provides security in the workplace and social protection for workers and their families; offers prospects for personal development and encourages social integration; gives people the freedom to express their concerns, to organize and to participate in decisions that affect their lives; and guarantees equal opportunities and equal treatment for all” ([ILO](#)).

Moreover, the decent work implies the respect of International conventions on fundamental human rights:

- [The International Covenant on Civil and Political Rights, 1966](#)
- [The International Covenant on Economic, Social and Cultural Rights, 1966](#)
- [The Convention on the Elimination of All Forms of Discrimination against Women, 1980](#)
- [The Convention on the Rights of the Child, 1990](#)
- [The Convention on the Rights of Persons with Disabilities, 2007](#)

Check the ILO video online about decent work:

<http://www.ilo.org/global/topics/decent-work/lang--en/index.htm>



Chapter 0 - Management system, transparency and traceability

Related Guidelines and International Conventions: [The Universal Declaration of Human Rights, 1948](#)

Key points

- **Management system, transparency and traceability**
- **Migrant workers**
- **Homeworkers**
- **Employment conditions of young workers.**

[/OECD Guidelines for Multinational Enterprises, 2011](#) /[UN Guiding principles on business and human rights, 2011](#).

- Existence and communication of policies set by the factory on child labour, forced labour, discrimination, disciplinary practices, harassment, abuse, freedom of association, work hours and overtime, remuneration and benefits, health and safety and anti-bribery.
- Hiring and termination terms.
- Supply chain and sub-contracting practices.
- Transparency and accessibility of the documents.
- Specific employment categories (e.g. homeworkers, migrant workers).

The ILO defines a **foreign migrant worker** as a person who is working in a state of which he or she is not a national. The term is used interchangeably with labour migrant and refers to people who migrate specifically for the purpose of employment.

*“(a) The term **homework** means work carried out by a person, to be referred to as a homeworker,*

O (i) in his or her home or in other premises of his or her choice, other than the workplace of the employer;

O (ii) for remuneration;

O (iii) which results in a product or service as specified by the employer, irrespective of who provides the equipment, materials or other inputs used, unless this person has the degree of autonomy and of economic independence necessary to be considered an independent worker under national laws, regulations or court decisions

(b) persons with employee status do not become homeworkers within the meaning of this Convention simply by occasionally performing their work as employees at home, rather than at their usual workplaces;

(c) the term employer means a person, natural or legal, who, either directly or through an intermediary, whether or not intermediaries are provided for in national legislation, gives out homework in pursuance of his or her business activity - Article 1 Home Work Convention, 1996 (No. 177).

ILO Conventions:

- Migration for Employment:
 - [Migration for Employment Recommendation, 1939 \(No. 61\)](#);
 - [Migration for Employment Convention, 1939 \(No. 66\)](#);
 - [Migration for Employment Recommendation \(Revised\), 1949 \(No. 86\)](#);
 - [Migration for Employment Convention \(Revised\), 1949 \(No. 97\)](#);
- Protection of Migrant Workers:
 - [Protection of Migrant Workers \(Underdeveloped Countries\) Recommendation, 1955 \(No. 100\)](#);
- Migrant Workers:
 - [Migrant Workers \(Supplementary Provisions\) Convention, 1975 \(No. 143\)](#);
 - [Migrant Workers Recommendation, 1975 \(No. 151\)](#);
- Homework:
 - [Homework Convention, 1996 \(No. 177\)](#)
 - [Homework Recommendation, 1996 \(No. 184\)](#).

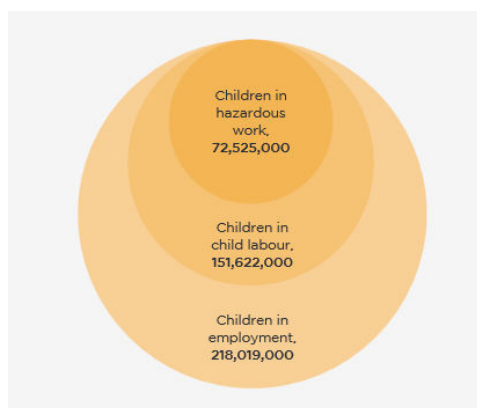
Chapter 1 - Minimum age, child labour and young worker

Key points

- **Child labour legislation and international standards.**
- **Employment conditions of young workers.**

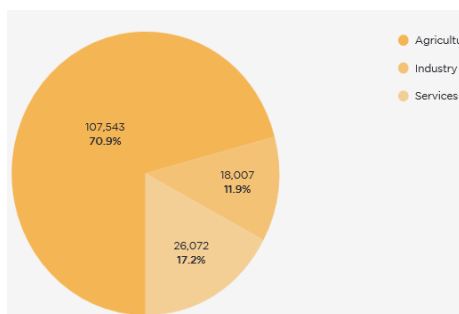
*According to the report **Global estimates of child labour: Results and trends, 2012-2016** published by **Alliance 8.7** there are **151.6 million children aged 5 to 17 in child labour.***

2016 Global Estimates of children in hazardous work, in child labour, and in employment:



© ILO

Sectoral composition of child labour: Percentage distribution of children in child labour by sector employment, 5–17 years age group, 2016(a)



Note: (a) Absolute numbers expressed in thousands.

© ILO

I. Minimum age

Article 7 of Minimum Age Convention, 1973 (No. 138)

1. National laws or regulations may permit the employment or work of **persons 13 to 15 years of age** on light work which is--
(a) not likely to be harmful to their health or development; and
(b) not such as to prejudice **their attendance at school, their participation in vocational orientation or training programs approved** by the competent authority or their capacity to benefit from the instruction received.

2. National laws or regulations may also permit the employment or work of persons who are **at least 15 years** of age but have not yet completed their compulsory schooling on work which meets the requirements set forth in sub-paragraphs (a) and (b) of paragraph 1 of this Article.

II. Child Labour

Child labour is defined by ILO as **work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. It refers to work that is mentally, physically, socially or morally dangerous and harmful to children, and interferes with their schooling.** In its most extreme forms, child labour involves children being enslaved, separated from their families, exposed to serious hazards and illnesses and/or left to fend for themselves on the streets. Not all work done by children is classified as child labour that is to be targeted for elimination. Children’s or adolescents’ participation in work that does not affect their health and personal development or interfere with their schooling is generally regarded as positive. This includes activities such as helping their parents around the home, assisting in a family business or earning pocket money outside school hours and during school holidays. These kinds of activities contribute to children’s development and to the welfare of their families; they provide them with skills and experience and help to prepare them to be productive members of society during their adult life. Whether or not particular forms of work can be called “child labour” depends on the child’s age, the type and hours of work performed the conditions under which it is performed, and national laws of the country. The answer varies from country to country, as well as among sectors within countries.

 ILO Conventions

- **Minimum Age :**
 - [R146 - Minimum Age Recommendation, 1973 \(No. 146\)](#)
 - [C138 - Minimum Age Convention, 1973 \(No. 138\)](#)

- **Child Labour :**
 - [Worst Forms of Child Labour Convention, 1999 \(No. 182\);](#)
 - [Worst Forms of Child Labour Recommendation, 1999 \(No. 190\).](#)

- **Convention on the Rights of the Child:**
 - [The Convention on the rights of the Child, 1990.](#)

III. Young Workers

The minimum age should not be inferior to 15 years old.

If however, the local legal minimum age is set at 14 years of age in accordance with ILO Convention 138 developing country exceptions, this lower age may apply - ICS Code of Conduct

For more information :

- [Understanding Children's Work](#)
- [Definition: What is meant by child labour?](#)
- [Child labour ruins Childhood \(Video\)](#)
- [Rights @work for youth – Decent work for young people](#)
- [Ending child labour by 2025: A review of policies and programs](#)
- [Target 8.7](#)
- [Global estimates of child labour: Results and trends, 2012-2016](#)

Chapter 2 - Forced labour

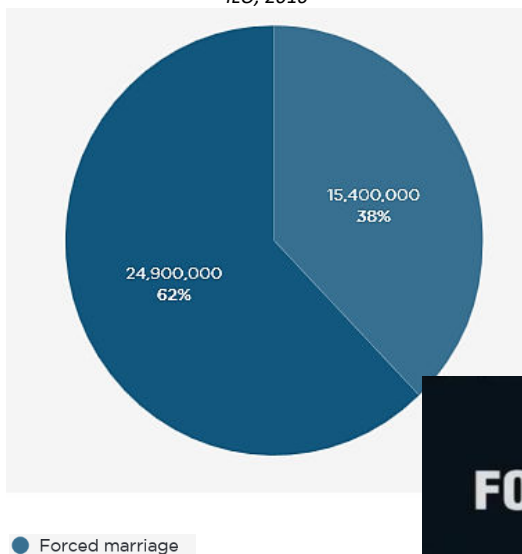
Key points

- **Workers' access to their personal documents and belongings.**
- **Freedom of movement.**
- **Recruitment practices.**

The ILO defines forced labour 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 him/herself voluntarily (ILO 2001a).

According to the report Global estimates of modern slavery published by Alliance 8.7 an estimated 16 million people were in forced labour in the private economy in 2016.

Modern Slavery, Global estimates of modern slavery, ILO, 2016



WHAT IS FORCED LABOUR?

ILO Conventions

- [Forced Labour Convention, 1930 \(No. 29\)](#)
- [Forced Labour \(Indirect Compulsion\) Recommendation 1930 \(No. 35\)](#)
- [Abolition of Forced Labour Convention, 1957 \(No. 105\)](#)
- [Protocol of 2014 to the Forced Labour Convention, 1930](#)
- [Forced Labour \(Supplementary Measures\) Recommendation, 2014 \(No. 203\).](#)

Information on Forced Labour

- [Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and rights at Work 2005](#)
- [Forced Labour and Trafficking in Persons](#)
- [It's time to ratify the ILO's Forced Labour Protocol](#)
- [Global Estimates of Modern Slavery](#)
- [Forced labour by The Consumer Good Forum](#)

Check the ILO video online that gives an illustrative example of forced labour: <http://libguides.ilo.org/forced-labour-en>

Related Topic

- [Modern Slavery](#)



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Chapter 3 – Discrimination

Key points

- **Treatment of workers in terms of hiring, compensation, access to training, promotion, termination and retirement.**
- **Existence of anti-discrimination procedures.**

The purpose of the ILO Convention no. 111, article 1 (1) (a) is the elimination of all discrimination in employment and occupation through the progressive development of equality of opportunity and treatment in law and practice.

“Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent trust, non-self-governing or under any other limitation of sovereignty” - Universal Declaration of Human Rights, Article 2, 1948.

Discrimination refers to “any distinction, exclusion or preference made on the basis of race, colour, 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.” — **ILO Convention No. 111, Article 1 (1) (a).**



ILO Conventions and UN Declaration

- [Universal Declaration of Human Rights, Article 2, 1948.](#)
- [Discrimination \(Employment and Occupation\) Convention, 1958 \(No. 111\)](#)
- [The Convention of the Elimination of All Forms of Discrimination against Women, 1980.](#)

About the ILO Convention No. 111, Article 1 (1) (a)

- **The Convention sets out seven grounds of discrimination: race, color, sex, religion, political opinion, national extraction and social origin, and foresees the inclusion of any other grounds, after consultation with representative employers’ and workers’ organizations and other appropriate bodies.**
- It applies to all sectors of activity and covers all occupations and employment in both the public and private sectors, as well as in the informal economy. It covers not only wage-employment, but also unpaid, contributing family work, and independent and own-account work.
- It protects not only those who are employed or engage in an occupation, but also those who prepare for work, seek work or risk losing their work. The protection covers all stages of the employment cycle.
- Special measures of protection or assistance designed to meet the particular requirements of people recognized to require such measures due to, for example, sex, age, disablement, family responsibilities or social or cultural status, are not deemed to be discrimination.

Chapter 4 - Disciplinary practices, harassment and abuse

Key point

- Disciplinary practices
- Harassment
- Abuse

The purpose of the ILO Convention no. 111, article 1 (1) (a) is the elimination of all discrimination in employment and occupation through the progressive development of equality of opportunity and treatment in law and practice.

“All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.”

Universal Declaration of Human Rights, Article 1, 1948.

According to [the Universal Declaration of Human Rights](#) :

- **Article 4 :**
“No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms. “
- **Article 5 :**
“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”
- **Article 9 :**
“No one shall be subjected to arbitrary arrest, detention or exile.”
- Absence of forms of harassment, mental, physical and/or verbal abuse, corporal punishment and disciplinary practices.



About the harassment:

- Actions constituting harassment may be physical, verbal or non-verbal that creates an intimidating, hostile or humiliating. — **ILO Convention No. 111, Article 1 (1) (a).**
- [Discrimination \(Employment and Occupation\) Convention, 1958 \(No. 111\)](#)
- [Violence and Harassment Convention, 2019 \(No. 190\)](#)

Chapter 5 - Freedom of association and grievance mechanisms

Key points

- Freedom of Association
- Collective Bargaining

“1. Everyone has the right to freedom of peaceful assembly and association.

2. No one may be compelled to belong to an association.”

-Universal Declaration of Human Rights, Article 20, 1948.

“Everyone has the right to form and to join trade unions for the protection of his interests.” - Universal Declaration of Human Rights, Article 23, 1948.



Unfair labour practices are mainly the employers’ acts of “discrimination” against trade union officers, members and workers due to their participation in a trade union and acts of “manipulation and interference” against the trade union organization and operation. These acts can weaken or even damage the capacity of trade unions and cause fear to genuine trade union representatives (ILO).

For more information: [Unfair labour practices against trade union and workers](#)

I. Freedom of Association

According to the [Freedom of Association and Protection of the Right to Organize Convention, 1948 \(No. 87\)](#) freedom of association is the right to organize and form employers' and workers' organizations. The principle of freedom of association is included in the preamble of the ILO Constitution and is at the core of the ILO's values.

II. Collective bargaining

[The Collective Bargaining Convention, 1981 \(No. 154\)](#) defines it as “all negotiations which take place between an employer, a group of employers or one or more employers’ organizations, on the one hand, and one or more workers' organizations, on the other”. Collective bargaining involves determining working conditions and terms of employment, as well as regulating relations between employers and workers.

- Collective bargaining and unions.
- Modalities of workers representatives’ meetings with factory management.
- Existence and communication of factory’s grievance mechanisms.

ILO conventions

- **Freedom of Association:** [Freedom of Association and Protection of the Right to Organize Convention, 1948 \(No. 87\)](#)
- **Right to Organize and Collective Bargaining:** [Right to Organize and Collective Bargaining Convention, 1949 \(No. 98\)](#)
- **Workers’ Representatives:** [Workers' Representatives Convention, 1971 \(No. 135\)](#)
- **Collective Bargaining Convention:** [Collective Bargaining Convention, 1981 \(No. 154\)](#) .
- [Private Employment Agencies Convention, 1997 \(No. 181; articles: 4,11,12\)](#)
- **International Convention about Freedom of association and grievance mechanisms:** [The Universal Declaration of Human Rights, Article 20, 1948.](#)

Chapter 6 - Working hours and overtime

Key points

- Working hours
- Overtime working hours
- Rest break and days off

“The working hours of persons employed in any public or private industrial undertaking or in any branch thereof, other than an undertaking in which only members of the same family are employed, shall not exceed eight in the day and forty-eight in the week” – Hours of Work (Industry) Convention, Article 2, 1919 (No. 1).

For more information:

- [ILO Q&As on business and working time](#)
- [Working time](#)
- [Working time in the twenty-first century](#)

- [The ILO Hours of Work \(Industry\) Convention , 1919 \(No. 1\)](#) introduced a maximum standard working time of 48 hours per week and eight hours per day as an international norm. In several exceptional cases, working time is allowed to exceed these limits, as long as daily working time remains not higher than ten hours, and weekly working time not higher than 56 hours ([ILO Q&As on business and working time](#)).

- Regular working hours (per week, month and year).
- Overtime working hours (per week, month and year).
- Rest breaks and days off.

Overtime refers to all hours worked in excess of the normal hours, unless they are taken into account in fixing numeration in accordance with custom [\[Reduction of Hours and Work Recommendation, 1962 \(No. 116\)\]](#).



ILO conventions

- **Hours of Work:**
 - [Hours of Work \(Industry\) Convention, 1919 \(No. 1\)](#);
 - [Hours of Work \(Commerce and Offices\) Convention, 1930 \(No. 30\)](#);
- **Weekly Rest :** [Weekly Rest \(Industry\) Convention, 1921 \(No. 14\)](#);
- **Reduction of Hours Recommendation:** [Reduction of Hours of Work Recommendation, 1962 \(No. 116\)](#);
- **Night Work:** [Night Work Convention, 1990 \(No. 171\)](#);
- **Part Time :**
 - [Part-Time Work Convention, 1994 \(No. 175\)](#);
 - [Part-Time Work Recommendation, 1994 \(No. 182\)](#).

Chapter 7 - Remuneration and benefits

Key points

- **Equal Remuneration**
- **Social Insurance and Benefits**
- **Wage deductions**

“(a) The term remuneration includes the ordinary, basic or minimum wage or salary and any additional emoluments whatsoever payable directly or indirectly, whether in cash or in kind, by the employer to the worker and arising out of the worker's employment;

(b) The term equal remuneration for men and women workers for work of equal value refers to rates of remuneration established without discrimination based on sex.” –Equal Remuneration Convention, Article 1, 1951(No.100).

For more information:
[Equal pay an introductory guide](#)

Article 23 of the Universal Declaration of Human Rights:

- (1) Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment.
- (2) Everyone, without any discrimination, has the right to equal pay for equal work.
- (3) Everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

- Wage payment and payment methods for all workers' categories.
- Payroll records modalities.
- Overtime payment for all workers' categories.
- Social insurance and benefits.
- Wage deductions.



ILO conventions

- **Protection Wages:**
 - [Protection of Wages Recommendation, 1949 \(No. 85\);](#)
- **Equal Remuneration:**
 - [Equal Remuneration Recommendation, 1951 \(No. 90\);](#)
 - [Equal Remuneration Convention, 1951 \(No. 100\);](#)
- **Protection of Wages:**
 - [Protection of Wages Convention, 1949 \(No. 95\);](#)
- **Employment Injury Benefits:**
 - [Employment Injury Benefits Convention, 1964 \[Schedule I amended in 1980\] \(No. 121\);](#)
 - [Employment Injury Benefits Recommendation, 1964 \(No. 121\);](#)
- **Minimum Wage:**
 - [Minimum Wage Fixing Convention, 1970 \(No. 131\);](#)
 - [Minimum Wage Fixing Recommendation, 1970 \(No. 135\).](#)

Chapter 8 - Health and safety (factory's production sites and dormitories)

Key points

- **Health and Safety**
- **Chemical**
- **Fire equipment**
- **Sanitation**



“The term **chemical** refers to chemical elements and compounds, and their mixtures, whether natural or synthetic such as those obtained through production processes. Hazardous chemicals are classified according to the type and degree of their intrinsic health and physical hazards. The hazardous properties of mixtures composed of two or more chemicals are determined by assessments based on the intrinsic hazards of their component chemicals.” - *Chemicals Convention, 1990*

Every hour 38 workers die from water-related diseases.

©
WASH4Work

- Documentation on building safety and fire safety.
- Health and safety risk assessment management.
- Trainings on health and safety for all workers.
- Trainings for emergency response personnel.
- Modalities of fire drills.
- Existence and communication of accident and emergency plans and procedures.
- Emergency exit paths visibility and accessibility.
- Emergency exit doors and windows visibility and accessibility.
- Fire equipment visibility and accessibility (fire extinguishers, smoke detectors, fire hydrants etc.).
- Electrical equipment (electrical panels, wires and outlets).
- Production machinery safety.
- Hazardous, Flammable and Combustible Materials.
- Personal protective equipment (PPE).
- Sanitation (washing areas, toilet areas and potable water).
- Medical care and first aid kit.
- Trainings of workers on medical care administration.



ILO conventions

- **Protection of Workers' Health:** [Protection of Workers' Health Recommendation, 1953 \(No. 97\)](#);
- **Working Environment:** [Working Environment \(Air Pollution, Noise and Vibration\) Convention, 1977 \(No. 148\)](#);
- **Occupational Safety and Health:**
 - [Occupational Safety and Health Convention, 1981 \(No. 155\)](#);
 - [Occupational Safety and Health Recommendation, 1981 \(No. 164\)](#);
- **Occupational Health Services Convention:**
 - [Occupational Health Services Convention, 1985 \(No. 161\)](#);
 - [Occupational Health Services Recommendation, 1985 \(No. 171\)](#);



For more information:

About Health and Safety:


- [Safety and health at the wood workshop;](#)
- [ILO Topics: Occupational Safety & Health;](#)
- [Warehouse health and safety hazards;](#)
-

About Water and Sanitation:

- [The Factory Worker: World Water Day 2016;](#)
- [WASH4Work.](#)
- [ILO Toolkits: A 'How To' on Water and Sanitation in the Workplace](#)

- **Chemicals :** [Chemicals Convention, 1990 \(No. 170\)](#) ;
- **Protocol of 2002 to the Occupational Safety and Health:** [Protocol of 2002 to the Occupational Safety and Health Convention, 1981](#) ;
- **Prevention of Major Industrial Accidents:** [Prevention of Major Industrial Accidents Convention, 1993 \(No. 174\)](#) ;
- **Promotional Framework for Occupational Safety:**
 - [Promotional Framework for Occupational Safety and Health Convention, 2006 \(No. 187\)](#) ;
 - [Promotional Framework for Occupational Safety and Health Recommendation, 2006 \(No. 197\)](#) .

- **A fire alarm system should be:**
 - Available on every floor
 - Clearly designated and visible
 - Not obstructed
 - Compliant with the law
- The fire bell should be different from the lunch / break bell and audible in every area.
- The fire alarm system should be centralized. Notification light should be visible in areas where noise levels are above ambient.
- The factory should ensure that its fire alarms are inspected, tested, and maintained according to local law.





Methodology

ICS audit types

After having conducted an audit for the first time in a factory (referred to as “the Initial audit”) ICS members decide when to initialize a follow-up or a re-audit within the timeframes set by ICS and described below. **The ICS audit is neither a certificate nor a label.** The ICS audit’s objective is to assess the social compliance of a factory and report observed non compliances and best practices at a given date, opening the opportunity for the factory to engage into a Corrective Action Plan empowering its resilience in the world sustainable trade.

There are 3 types of ICS audit:

- Initial audit: it is an audit carried out for the first time in the factory. The duration of the initial audit is defined according to the size of the factory, following ICS size criteria.
- Follow-up audit: it is an audit carried out to monitor the effective closing of non-compliances underlined in a previous assessment (initial, follow-up or re-audit). It should be initialized no later than 12 months (additional 4 weeks may be allowed for the audit arrangement) after the completion of the previous ICS initial audit or re-audit. The duration of the follow-up audit is 1 man-day, regardless of the size of the assessed factory.
- Re-audit: it is a complete ICS audit following the same methodology, rules and scope as an initial audit. The terminology “re-audit” aims at underlying the fact that the factory has already been audited against ICS standards in the past. Even if an audit takes place more than 2 years after the initial audit, it is a re-audit (and not an initial).

The ICS process allows ICS members to initialize a follow-up audit or a re-audit on the basis of an initial audit regardless of the ICS member who requested the previous audit. ICS members may choose a different audit firm for the follow-up audit than from the initial audit (only audit firms authorized by ICS can perform ICS audits).

All ICS audits should always include the triangulation pillars: observation, documents review and interviews according to the defined sampling methodology.

ICS audit announcement types

ICS process allows either **semi-announced audits** within a window of a minimum of two working weeks or **fully unannounced** audits. In line with their due diligence process, ICS members select the audit announce type and the audit firm authorized to perform ICS audits.

- **In the case of semi-announced audits**: the factory will be informed by one of the ICS-authorized audit firm that an ICS audit will be performed in the factory on behalf of an ICS member. The audit firm will indicate to the factory an audit window period of a minimum of two weeks (the window period is defined by the ICS member). The factory will not know the exact planned date prior to the audit. The factory will fill in the ICS Factory Profile before the audit and send it back to the audit firm.



It is an unconditional requirement for the factory to ensure that at least one factory's representant is available onsite during the audit window period, in order to be present on the audit day.

- **In the case of unannounced audits:** the factory will not be informed about the ICS audit.
- It is the responsibility of the audit company to know about bank holidays in the country and not to go into the factory during a holiday.
- **If the production rate is too low in the factory on a certain day included in the audit window period, the factory is responsible for informing the audit company and ICS member requesting the audit about it.**
- **ICS Process during audit scheduling:** The factory bears the responsibility of informing the audit company and the member via the Factory Profile before the audit of all languages spoken by workers on-site (if they do not speak the local official language) so that the audit body will organize the audit with on-site interpreters.
- If the auditor only has access to 25% or less of the workforce, the option "NO: access denied or non-compliant conditions for interviews" will be selected and the alert will be triggered.

Audit duration

The audit duration for a follow-up audit is always 1 man-day and the audit duration for initial audits and re-audits is set between 1 and 4 man-days according to the following sliding scale:

Number of factory workers and staff	Number of auditor man-days
up to 150	1
151 - 500	2
501-1200	3
1201 plus	4

Worker interview sampling size

Depending on the number of workers and staff at the factory audited (as stated in the Factory Profile), 8 to 32 workers representing the main functions and levels should be interviewed. Out of the workers interviewed, approx. 2/3 should be interviewed in focus groups of 3 to 4 workers for approximately 30 minutes and 1/3 of workers should be interviewed individually for approximately 15 minutes. The confidentiality of the information obtained during these interviews will be ensured by the auditors and the ICS members. **Workers' data protection is the main reason why ICS audit reports are not fully shared with the factories.**

Number of factory workers and staff	Number of interviews
up to 150	8
151 - 500	13
501-1200	20
1201-3200	32
3201 plus	From this scale onwards, a minimum of 32 employees will be required, and ICS members can choose to increase this number after discussing it with the audit firm.



Documentation sampling size

The above sliding scale is also applicable when determining the sample size of documents to be checked: a set of documents should be analyzed for each selected worker out of 3 selected months that will be determined by the auditors from different periods such as the current/previous month, peak and low production periods.

ICS audit rating

ICS double rating system

The ICS social audit is built on a double rating system composed of a percentage (0-100%) and a letter (A, B, C, D, E), for example: the global audit rating can be 90% B, 60% C etc. The percentage indicates the degree of compliance of the factory and the letter indicates the degree of criticality related to defined major non-compliances.

The ICS rating system is grounded on a thresholds table coupled with the findings of critical non-compliances which require immediate attention and action. For instance, if an Alert Notification is raised, the factory rating can be 85% E: the factory is mostly socially compliant but one major issue has been identified and has raised an alert notification (i.e. an emergency exit locked). The ICS audit system is designed to report the global level of the factory and at the same time clearly raise major non-compliances.

Each chapter of the audit is further subdivided as follows:

- **Unrated Informative questions** on applicable local laws and factory-specific information;
- **Rated compliance questions:** several questions are critical and therefore carry a higher weight in the overall result;
- **Critical questions triggering an Alert Notification** (please refer to below sub-section on Alert Notifications);
- **Best Practices** are identified by the auditors when the factory's practices go beyond legal compliance. Best practices are reported in the audit questionnaire but do not influence the factory's overall rating.

All rated questions in the audit questionnaire are formulated using the same logic: 'Yes' indicates full compliance and 'No' reports non-compliance. The rating for each question is automatically calculated in the ICS social audit system.

Example of a summary of audit findings by chapter

90% B

> **Letter and % rating by chapter**

	AN	Chapter	Letter and % rating
Q		0 Management System, Transparency and Traceability	A 100%
Q		1 Minimum age, Child labour and Young workers	A 100%
Q		2 Forced labour	A 100%
Q		3 Discrimination	A 100%
Q		4 Disciplinary Practices, Harassment and Abuse	A 100%
Q		5 Freedom of association and Grievance Mechanisms	A 100%
Q		6 Working hours and Overtime	E 33%
Q		7 Remuneration and Benefits	A 100%
Q		8 Health and Safety	B 77%

Nota bene: The left-hand column reports the Alert Notifications (AN) triggered in each chapter. ‘YES’ indicates the presence of an Alert Notification.

Alert Notifications

Alert Notifications are triggered by ICS database when defined critical non-compliances requiring the immediate attention of ICS members are identified because they:

- Threaten workers’ safety, or
- Cause or might cause the loss of life or limb due to a risk of fire and non-existent or limited means of evacuation and firefighting, or
- Can influence the audit results due to fraud, or
- Involve a lack of transparency about the production processes or the use of homeworkers to produce ICS member’s goods, or
- Include cases of child labour, abuse and harassment, wage withholding, illegal and excessive disciplinary measures, not providing legal minimum wage and no payment for overtime work.

Access denied to the factory

The factory must allow auditors into the factory buildings to perform the ICS social audit. Were the factory to refuse to let the auditors into the premises, or part of the premises, the following procedure will apply:

- The team of auditors will offer to explain the purpose of the visit and the procedure of the audit to the factory’s representative or the point of contact.



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- the management of the factory is then advised to contact its vendor/client to verify the validity and importance of the ICS social audit.
- The team of Auditors will take notes of all details of the situation to report to the ICS member.
- If the above fails and the factory refuses to let the auditors inside the premises, an Access denied notification is immediately sent by the auditors to the ICS member. The audit is therefore classified as being an “Access Denied”.
- Any restriction in accessing any of the three pillars of the triangulation during the audit will be reported in the audit questionnaire (i.e. restriction to one or more of the following pillars: confidential interviews with workers, documents review, access to one or more sections of the site/farm).
 - YES, all triangulation pillars available
 - NO: access denied to a section of the factory
 - NO: access denied or non-compliant conditions for interviews
 - NO: access denied to records and documents (partly or fully)
 - NO: access denied to a section of the factory AND to interviews
 - NO: access denied to a section of the factory AND to records and documents
 - NO: access denied to interviews AND to records and documents
 - NO: access denied to all three pillars of the triangulation (section of the factory AND records AND interviews)

Complaints raised by the factory

In case of complaints or appeals regarding the audit or the audit company, factories should contact the ICS member requesting the audit and if needed the ICS team at contact@ics-asso.org by detailing the issue. Were the factory to witness an unusual and unprofessional behavior from the auditors, it can ask the ICS Member to fill in the ICS Auditors’ behavior checklist to start a detailed investigation.



Annex 1: Documentation review

Type	Document
OPERATION LICENSE	Business License
	Insurance policy/certificates (building)
	Building fire safety certificate
	Tax registration number
	Building structure safety certificate / legal real estate certificate
	Building approval plan / Building construction certificate
	Building layout plan
FACTORY RULES	Workers handbook
	Recruitment guidelines / policy / advertisement
	Contractors' agreement / agreement with recruitment agencies
	Written document outlining the employment terms
	Factory rules including disciplinary policy
	Accommodation rules (if applicable)
	Promotion system / record
	Complaint procedures and systems
	Organization chart
	Policies in the areas of child labour, forced labour, discrimination, disciplinary practices, harassment, abuse, freedom of association, work hours and overtime, remuneration and benefits, health and safety and anti-bribery
	Employment policy including maternity leave policy
HEALTH & SAFETY	Fire inspection report
	Fire drill program & records and fire evacuation plan & procedure
	First aider certificate
	Register and annual inspection certificate of boilers
	Register and annual inspection certificate of pressure vessels
	Machines' maintenance / repair plans and records
	Special equipment operator permit / certificate (including electrician)
	Accident and injury register & records/recurrence avoiding measures
	Firefighting equipment list and inspection record
	Training record (include occupational health and safety)
	Fire officer certificate
	Register and annual inspection certificate of elevators, forklifts, other special appliances



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	Test report of power generator
	Noise and temperature monitoring
	Regular potable water tests and certificates
	Special equipment registration / annual examination record
	Electrical installation inspection records
	Environment permit, pollution consents, legal environment related registers.
	Legal hygiene certificate of kitchen/canteen and staff health certificate
	Qualified certificate of doctor or nurse (depending of factory size and if legally required)
	List of operators authorized to handle the chemicals
	List of chemicals + MSDS (including hazardous material list if available)
	Regular pest killing records
	Occupational health check (if legally required)
WORKERS DOCUMENTS	Workers' list including different classifications e.g. apprentices, independent contractors, temporary workers
	Personnel files
	Copy of ID cards
	Juvenile workers list and programs applicable
	Labour contracts (all staff) including security staff including temporary workers (exhaustive list including all workers with any relationship with the factory)
	Legal official minimum wage document
	Disciplinary records
	Leave request notifications
	Resignation records
	Piece rate production records
	Timecards or attendance records (1 year)
	Comprehensive working hours system approval / extension of overtime hours application with approval
	Payment of social insurance, name list of social insurance, social insurance registration certificate/insured approval
	Wage list with workers signatures as verification
	Pay slips (1 year payroll journal) given to the workers and payment register
	Workers committee records
	Collective Bargaining Agreements (CBA)
	Meeting minutes of Unions / workers' representatives
Labour union / Evidence of election of workers' representatives	
Working licenses for immigrants & migrants & recruitment agency staff	
OTHER WORKFORCE	Subcontractors' list



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	Monitoring records on sub-contractors' social responsibilities performance
	Homeworkers' name list / monitoring records on homeworkers performance
MANAGEMENT SYSTEM	Social accountability policy / Management system / periodic internal audit records



Annex 2: Glossary

Apprenticeship / traineeship program	Refers to hiring and employment terms of apprentices, namely, if the apprenticeship scheme is legal, working hours, contracts, type of work, teacher supervision, etc. Apprentices / trainees can be above 18 years of age.
Best practice	A best practice is an issue which the auditor feels is over and above the sectorial standards and applicable law against which the site was audited. The report should also highlight any best practice observed. Best practice refers to areas where the site is exceeding requirements by providing additional benefits or managing issues in a particularly effective way.
Child	According to ILO Convention 182, the term shall apply to all persons under the age of 18. Young workers are still children but may be authorized to work from 15 to 18, according to local law.
Childcare factory	Any room in factory designated for non-working children.
Child Labour	Child labour consists of work by children that is economically exploitative or likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral, or social development. ILO defines “child labour” as work that “deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development”, and which refers to: a) Children aged 5-11 years (or 12 where consistent with ILO and national laws) in all forms of economic activity b) Children aged 12-14 years (or 13-15 where consistent with ILO and national laws) in all forms of economic activity except permissible “light” work c) Children aged 15-17 years in hazardous work. The specific types of employment or work constituting hazardous work are determined by national laws or regulations or by the competent authority. Hazardous work also includes children aged 15-17 working long hours, defined as more than 43 hours per week. d) Children aged 5-14 years performing household chores for at least 21 hours per week.
Classification	Status of the worker as per legal definition. Examples of classification are salaried, hourly, overtime exempt, trainee, apprentice, temporary, part-time, and intern.
Collective bargaining	Collective bargaining refers to a voluntary process or activity through which workers and employees discuss and negotiate their relations, in particular terms and conditions of work and the regulation of relations between employers, workers and their organizations. Participants in collective bargaining include employers themselves or their organizations, and trade unions or, in their absence, representatives freely designated by the workers.
Confidential Grievance Process	Grievance cannot be directly associated with the person bringing the grievance as the method of communication does not permit identification of the person, e.g., third party hotline, drop box without surveillance, trusted person who is responsible for



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	maintaining secrecy. The response to anonymous grievances should be posted at locations that can be seen by all workers.
Contractor	<p>Within the ICS framework, contractors are workers who are not directly employed by the factory but whose current working location is the audited factory in order to complete a service or a job. Contractors thus differs from subcontractors as the latter produces in its own premises, while the contractors works directly in the audited factory's premises, although not being directly employed by it.</p> <p>Examples of contractors are contracted electricians, maintenance, canteen, cleaning and security personnel, who can be contracted as individuals or through a company.</p> <p>Contractors may include temporary agency employment where a worker is employed by the temporary work agency, and then hired out to perform his/her work at (and under the supervision of) the factory. There is considered to be no direct employment relationship between the temporary agency worker and the factory, although there are legal obligations of the factory towards the temporary agency worker, especially with respect to health and safety. The relevant labour contract is of limited or unspecified duration with no guarantee of continuation.</p>
Deductions	Values subtracted from the wage, the difference between the gross amount of worker earnings and the net amount they actually receive.
Discrimination in employment	Treating people differently or less favorably because of characteristics that are not related to their merit or the inherent requirements of the job.
Dormitories	Dormitories for any worker/manager used daily or occasionally should be assessed.
Equal pay for equal work	The principle of equal pay for work of equal value means that rates and types of remuneration should be based not on any discrimination base –see list above- but on an objective evaluation of the work performed. Disparities in remuneration that reflect differences in years of education and work experience are acceptable.
Emergency exit	Exit door or window identified as emergency exit in evacuation plan.
Emergency exit pathway	A continuous and unobstructed way of travel from any point in a building or structure to a public way (i.e. assembly point).
Emergency exit stairs	Stairs used for evacuation from building, according to the evacuation plot plan.
Emergency exit window	Windows identified as emergency exit in evacuation plan.
Employment terms	The conditions that an employer and worker agree upon for a job. Terms of employment include wage, benefits, working hours, job responsibilities, and probation periods.
Factory Profile	Questionnaire completed by the factory prior to the audit with data needed by the audit company to prepare for the audit. Factory profile includes data such as workforce profile, factory size, production processes, raw materials suppliers etc.



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Falsification	Process of making, adapting, or imitating documents with the intent to deceive in order to appear in compliance with local laws, international standards or client’s Code of Conduct. E.g. Falsified business license.
Foreign migrant	Workers who have entered the employment country from another country and do not hold a passport for the country of employment.
Freedom of association	Freedom of association implies respect for the right of employers and workers to freely and voluntarily establish and join organizations of their own choice, free from outside interference or monitoring.
Grievance	A statement of a complaint over something believed to be wrong or unfair.
Grievance Process	Formalized way to accept, assess and resolve complaints.
Homeworker	A homeworker is a person who for a fixed rate of remuneration (can be by piece) carries out work at his or her home for the factory and the factory is not the final consumer of the product or service provided.
Language understood by concerned workers	Local language or reported language(s) spoken by workers.
Language understood by majority of workers	Local language or reported language(s) spoken by more than 50% of workers.
Light work	ILO Minimum Age Convention No. 138 defines “light work” as work that is: a) not likely to be harmful to their health or development; and b) not such as to prejudice their attendance at school, their participation in vocational orientation or training programs approved by the competent authority or their capacity to benefit from the instruction received
Living Wage	<p>The Global Living Wage Coalition has agreed to a succinct definition of living wage that incorporates the main ideas found in over 60 living wage descriptions and definitions from human rights declarations; national constitutions; NGO, multinational, and corporate codes of conduct; International Labour Organization (ILO) documents; and statements of major historical figures (Anker 2011).</p> <p>A living wage is: the remuneration received for a standard workweek by a worker in a particular place sufficient to afford a decent standard of living for the worker and her or his family. Elements of a decent standard of living include food, water, housing, education, health care, transportation, clothing, and other essential needs including provision for unexpected events. Source: Global Living Wage Coalition, https://www.globallivingwage.org/about/what-is-a-living-wage/</p> <p>The 2024 ILO agreement further stated that “the concept of a living wage is: 1) the wage level that is necessary to afford a decent standard of living for workers and their families, taking into account the country circumstances and calculated for the work</p>



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	<p>performed during the normal hours of work 2) calculated in accordance with the ILO's principles of estimating the living wage 3) to be achieved through the wage-setting process in line with ILO principles on wage setting.</p> <p>See: https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_918717/lang--en/index.htm</p>
Manipulation	Modification of data in the documentation using unfair means to serve one's purpose. E.g. Manipulation of time records to hide excessive working hours.
Migrant workers	Include both internal and foreign workers who have moved from their original home (in country or foreign) to a new home at the workplace.
Non-working children	Persons under the age of 18 that are present at the factory but not employed by the factory to perform work.
Overtime waiver	Document or authorization issued by local authorities or granted by any official body/framework e.g. collective agreement allowing the factory to work in excess of legal limit of working hours within a set period of time (e.g. per month or per year) as long as the hours worked are equal to or below the average allowable work hours for the entire period of the waiver (e.g. 6 months, 1 year etc.).
Permanent Obstruction	Access is obstructed by immovable machinery, items stuck to ground, etc.
Policy	A set of documented principles of action or rules and standards in writing that the factory and/or its workers must abide by.
Possibility to recover	The worker should have free access to these documents and does not have to go through a second party to access documents. The worker always has personal access to documents (e.g., a lock box that the worker has the key to and can access 24/7).
Prison employment	Prisoners used as part of the work force. Under prison labour arrangements, prisoners may be brought to the factory, or the production may occur in the prison facilities.
Procedure	A documented series of actions conducted in a certain order or manner.
Quota	A fixed amount of work (e.g., pieces of goods) that a worker or several workers are required to manufacture, produce, assemble, and/or work on during a specific time frame.
Retention tank	Industrial storage tanks are containers used for storage of gas, oil, water, waste, and chemical products, employed for industrial uses. They can be underground, horizontal, and vertical, and be made from concrete, stone, fiberglass, steel or plastic. Tanks covered by this exigence are built tanks where human intervention is required to ensure cleaning and maintenance.
Risk Assessment	A risk assessment is a systematic process of evaluating each process and job role and each location to identify the potential hazards, who could be harmed and under what circumstances and to define requirements to address these. This has to be done for each role, each job position, each machine and each category of



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	worker etc. and is a proactive measure before hazards occur. The methodology used for vulnerable workers is the same but their special needs are to be considered.
Skilled worker	A skilled worker has special abilities, experience or/and training to do a particular job. It can include semi-skilled and highly skilled workers.
Subcontractor	2.11
Supplier	An entity who supplies goods to the factory. Components producers will be considered as suppliers of the factory. For example, company(ies) appointed by a factory to provide such kind of components have to be identified as suppliers (non-exhaustive list): yarn, cartons, tags, labels, fabric, zipper, buttons, lining, polybags, lining...
Temporary Obstruction	Access is obstructed by movable items, storage boxes, etc.
Time records	Time records should have at least the time when the workers arrived at the factory, left the factory and took breaks during the day etc. Local legislation is to be considered if it is stricter and requires more details in the time records.
Triangulation	Triangulation techniques are observation, documentation review, interviews.
Unskilled worker	Unskilled workers are people who have no particular work skills
Workers	Workers include both employees and employers, then a person working for a business enterprise independently of their function. Workers covered by the scope of the audit are all workers holding a job on the factory's site whatever their employment contract (permanent worker, temporary, contractors, apprentices...). Employers are workers who, working on their own account or with one or a few partners, in a self-employment job have engaged one or more persons to work for them in their business as employee(s) or workers more generally as described above.
Workers' organization	Any organization of workers for the purpose of furthering and defending the interests of workers with regard to working conditions and terms of employment.
Working children	A working child is under the age of 18 AND: <ul style="list-style-type: none"> • out of school and working either full-time or part time at home or elsewhere OR • still in school but working part-time at a homebased enterprise or a small workshop (either with income or without income as an apprentice) OR • still in school and helping a homemaker parent regularly, contributing significantly to the homeworkers' income
Young workers	<u>Workers below 18 years old</u> with a minimum age that should not be inferior to 15 years old. However, if the local legal minimum age is set at 14 years of age in accordance with ILO Convention 138 developing country exceptions, this lower age may apply.



Annex 3: ICS Social Audit Questions

ICS questions do not all have the same rating and the rating is automatically calculated by the ICS system.

Warning: be aware that auditors being requested to assess, through triangulation, any issue related to human and labor rights, and to report it to ICS members, the below question list shall not be considered as a limited scope.

CHAPTER 0: MANAGEMENT SYSTEM, TRANSPARENCY AND TRACEABILITY
Has the factory undergone inspections by local authorities on labour and health & safety related issues in the past 12 months?
Please comment the average time of employment of current workers in the factory and the turnover rate.
Please indicate the percentage of workers in each of the following categories (including homeworkers, workers via recruitment agency, piece rate workers, contractors, others etc.). <ul style="list-style-type: none"> - Permanent workers - Temporary workers - Piece rate workers - Homemaker - Contractors not recruited via recruitment agency - Workers via recruitment agency
Have all the reviewed documents been found free from any manipulation or falsification?
Does the information in the Factory Profile match the information reviewed during the audit?
Have requested documents been provided for review?
Have requested documents been found valid?
Has the factory set up a mechanism to remain up to date with applicable and related social compliance legal requirements?
Is a person of the management designated to coordinate social compliance in the factory?
Has the factory documented its objectives, targets and action plan to address the main social impacts?
Has the factory established policies in the areas of child labour, forced labour, discrimination, disciplinary practices, harassment, abuse, freedom of association, work hours and overtime, remuneration and benefits, health and safety ?
Does the factory have a documented system to annually review and modify factory's policies?
Are legally required labour-related notices clearly posted throughout the farm/site in language(s) understood by concerned workers?
Does the factory train workers and contractors on the factory's policies and legal requirements in the areas of labour and health and safety?
Does the factory have management personnel to implement the factory's policies and legal requirements in the areas of labour and health and safety?
Does the factory have documented policies and procedures defining how to manage bribery or business ethics related cases and risks?



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Does the factory conduct regular trainings in relation to anti-bribery and business ethics?
Has the factory implemented a mechanism to remain up to date with applicable chemicals and industrial processes legal restrictions?
Are workers aware of their employment terms?
Does the factory provide workers with a written document that outlines the employment terms in accordance with local law?
Is the written document that outlines the employment terms in a language understood by each respective worker?
Does the factory use workers via recruitment agencies?
If workers are recruited through a recruitment agency, is the agency licensed?
Are workers classified (e.g. apprentices, independent contractors, temporary workers) in accordance with local law?
Are worker probation periods in accordance with local law?
Does the factory maintain documentation that indicates workers' eligibility to work in accordance with local law?
Is termination of employment executed in accordance with local law?
Does the factory maintain termination records?
Does the factory use back-up and/or processes subcontractors?
Do the statements provided by the factory in the "products and the production processes" and "raw materials and components suppliers" section of the Factory profile seem to be accurate and reflect the reality observed during the factory visit?
Does the factory prescribe social performance standards and related expected level to be reached to its suppliers (e.g. suppliers of services, contractors, raw material suppliers) and assess their concrete implementation?
Does the factory use contractors?
Are applicable standards (e.g. legal, ICS Code of Conduct) communicated to factory's contractors?
Does the factory maintain accurate time records (e.g. timecards) for contractors?
Are contractors working regular and overtime working hours (daily, weekly, monthly, yearly, other) in accordance with local law and in accordance with existing waivers?
Are contractors working regular and overtime hours in compliance with ILO standards?
Do contractors receive days off and rest breaks according to the local law and the ILO convention? Please indicate the maximum number of consecutive days worked in the factory
Does the factory maintain contractors' payroll records in accordance with local law?



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Is the time, frequency and payment method for contractors in accordance with local law?
Is overtime paid, for contractors, at the legal premium rate in accordance with local law?
Do contractors receive benefits, leave and social insurance coverage in accordance with local law?
Does the factory use homeworkers?
Is client informed of homeworker use?
Is the factory in possession of legally required permits related to the employment of homeworkers?
Does the factory maintain legally required records for homeworkers?
Does the factory monitor homeworker use?
Does the factory use migrant workers?
Are labour contracts of migrant workers in accordance with local law?

1. MINIMUM AGE, CHILD LABOUR AND YOUNG WORKERS
What is the minimum legal work age?
What are the legal requirements on working conditions (e.g. type of work, tasks, working hours) for young workers (under the age of 18)?
What is the factory's minimum hiring age?
Are there any young workers in the factory?
Does the factory currently employ only workers above the age of 15 or the legal working age?
Did the factory always employ workers above the age of 15 or the legal working age at the time of hiring?
Is the factory free from non-working children (under the age of 15 or legal working age)?
If any, are they located in the childcare room?
Does the factory request legal documentation to verify worker's age at the time of hire?
Does the factory keep copies of legal documentation to verify worker's age?
Are identified apprenticeship / traineeship programs in accordance with local law?
Are working conditions (e.g., type of work, tasks, working hours) for young workers (under the age of 18) in accordance with local law?



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Are legally required medical tests before and during employment conducted for young workers (under the age of 18)?
Does the factory maintain records (e.g., permits, licenses, parental consent forms, and other documents) related to the employment of apprentices, trainees and young workers (under the age of 18) in accordance with local law?

2. FORCED LABOUR
Is there objective evidence that factory does not retain any document (e.g. passport, work permit, birth certification, official ID card, driver's license) without written agreement and without the possibility to recover them?
Does the factory avoid withholding wages during the employment relationship?
Are workers free of any cost associated with worker recruitment and placement?
Are workers guaranteed freedom of movement during working hours?
Are workers guaranteed freedom of movement after working hours?
Are workers free from daily production quota requirements prior to leaving the factory?
Is overtime voluntary?
Are workers informed about and understand overtime obligations prior to employment and prior to working the overtime shift?
Are workers free to resign from their current employment in accordance with local law?
Are prisoners' workers working within the factory premises?
Is the factory free from any prisoner employment?
Are the prisoners employed in conditions respecting ILO conventions C29 and C105 on forced labour?
Is the client informed of prisoner employment use?
Is the factory free from any forced use of stores or services operated by the employer?
If the factory provides stores or services, are workers free from any excessive costs of stores, services, food, transport and accommodation operated by the employer?
Is the factory free from any other form of forced labour that would not be addressed by the other questions of the audit?
Is the factory free from any form of forced or bonded labour (including one or more of the above listed forms) for any holder/management/workers' family members?



3. DISCRIMINATION
What are the legal requirements on women's employment during pregnancy, maternity leave and return from maternity leave?
Are workers free from discrimination in terms of hiring, compensation, access to training, promotion, termination, or retirement?
Does the factory maintain procedures to prohibit and prevent discriminatory practices?
Are workers hired and maintained in employment regardless of pregnancy status?
Does the factory follow provisions on women's employment terms during pregnancy, maternity leave and return from maternity leave in accordance with local law?
Do workers have equal opportunities to work overtime in accordance with local law?

4. DISCIPLINARY PRACTICES, HARASSMENT AND ABUSE
What are the disciplinary measures and penalties imposed in the factory?
Are workers free from any form of harassment, mental, physical and/or verbal abuse, and corporal punishment?
Are disciplinary measures implemented by the factory legal and non-excessive?
Does the disciplinary procedure comply with local law?
Does management staff receive training on implementing disciplinary procedures?
Does the factory keep records of implemented disciplinary actions?
Are factory's security practices non abusive?

5. FREEDOM OF ASSOCIATION AND GRIEVANCE MECHANISMS
What are the legal provisions on workers' rights to form / join independent labour unions and/or workers' associations?
Any specific legal requirements allowing the factory not to form trade unions / workers' organizations due to type and/or size of the factory?
Are workers members of a trade union?
Is a union representative located at the factory?
What is the date of the latest trade union elections?



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Are workers members of a workers' organization?
Is a representative from a workers' organization located at the factory?
What is the date of latest elections of workers' organization ?
Has the factory had any public labour disputes (e.g. strike, demonstration) in the last 2 years?
Are workers subject to a collective bargaining agreement?
Are workers free to associate and collectively bargain?
Are workers free to form/join independent trade unions?
Where the ability to associate and collectively bargain is legally restricted, do workers have access to alternative means?
Are workers representatives' elections required by local law ?
Are worker representatives elected without interference by the factory and as required by law?
Are there regular meetings between worker representatives and management as required by law?
Are the meetings' minutes recorded and communicated to the workers?
Are workers free from discrimination on the basis of trade union affiliation or non-affiliation in terms of hiring, compensation, access to training, promotion, termination, or retirement?
Does the factory have a procedure by which workers can freely and confidentially raise grievances to management?
Does the factory record and track reported grievances?
Does the factory communicate the grievance review progress to workers and individuals responsible for reviewing reported grievances?

6. WORKING HOURS AND OVERTIME
What are the legal requirements for days off?
What are the maximum number of consecutive days worked permitted by applicable local law (# number)?
What are the legal requirements for rest breaks?
What are the legal requirements allowing to exceed the maximum number of working hours (e.g. during peak season) (# hours)?
What are the legal requirements for overtime waiver?
What are the regular working hours permitted under applicable local law (day, week, month, other) (# hours)?



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What are the number of overtime hours (OT) permitted under applicable local law (day, week, month, other) (# hours)?
What are the regular working hours per week at the factory (# hours)?
What are the highest number of overtime hours per week worked at the factory (# hours)?
What are the working hours permitted under local law per week for regular hours/overtime hours/automated sum of regular and overtime hours?
What are the maximum number of hours allowed in the ILO Conventions on working time for regular/overtime/automated sum of regular and overtime hours ?
What is the maximum total number of hours worked over three consecutive weeks (# hours)?
What is the average number of hours worked over three consecutive weeks (# hours)?
What is the maximum total number of <u>regular</u> hours worked per <u>day</u> / Maximum total number of <u>overtime</u> hours worked per <u>day</u> ?
What is the maximum total number of <u>regular</u> hours worked per <u>month</u> / Maximum total number of <u>overtime</u> hours worked per <u>month</u> ?
What is the maximum total number of <u>regular</u> hours worked per <u>year</u> / Maximum total number of <u>overtime</u> hours worked per <u>year</u> ?
What are the number and duration of breaks during workday (# number / duration)?
Are workers working regular working hours (daily, weekly, monthly, yearly, other) in accordance with local law?
Are workers working regular hours in compliance with ILO standards?
Does the factory maintain time records (e.g. timecards)?
Are time records accurate?
Are overtime hours tracked separately?
Are workers working overtime hours (daily, weekly, monthly, yearly, other) in accordance with local law?
Are workers working overtime in compliance with ILO standards?
Does the factory have an overtime waiver?
Is factory's overtime waiver legal?
Does the factory maintain the overtime hours within the limits of the overtime waiver (if any)?
Do workers receive rest breaks during the day in accordance with local law?
Do workers receive days off according to the local law?
Do workers receive at least 1 day off (24 consecutive hours) within 7 days period according to the ILO convention?
Please indicate the maximum number of consecutive days worked in the factory



7. REMUNERATION AND BENEFITS
What is the minimum legal wage for regular working hours (day, week, month, other) applicable to the factory?
What is the minimum legal overtime wage (day, week, month, other)?
What types of benefits and insurance do workers receive in accordance with local law?
What are the legal requirements for remuneration of public holidays?
What are the legal requirements for remuneration of annual leave?
How does the factory calculate time-based wages (by hour, day, week, month etc.)?
How does the factory calculate piece rate based wages?
What is the method of recording production output?
How are homeworkers paid (if applicable)?
What is the lowest monthly gross wage paid by the factory?
What is the lowest monthly net wage paid by the factory?
What is the highest monthly gross wage paid by the factory?
What is the highest monthly net wage paid by the factory?
What is the monthly gross living wage?
What is the monthly net living wage?
What is the methodology used to calculate the living wage?
What is the wage gap in terms of value and percentage between the current lowest monthly gross remuneration paid to workers by the factory and the estimated gross living wage?
What is the wage gap in terms of value and percentage between the current lowest monthly net remuneration paid to workers by the factory and the estimated net living wage?
Is the legal minimum wage guaranteed to workers in accordance with local law?
Does the factory maintain payroll records?



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Are payroll records maintained in accordance with local law?
Is the payment method in accordance with local law?
Is the time and frequency of payment in accordance with local law?
If the time and frequency of payment is not compliant, are workers paid within the next deadline for payment?
Are apprentices / trainees paid wages in accordance with local law?
Are new workers during probation period paid wages in accordance with local law?
Does the factory provide workers with an understandable wage slip that, at minimum, include regular and overtime hours worked, regular and overtime pay, and deductions in accordance with local law?
Are workers paid for "down time" in accordance with local law?
Does the factory use piece rate workers?
Does the factory maintain production records if piece rate workers are present?
Is overtime paid?
Is overtime paid at a legal premium rate?
Is overtime paid for piece rate workers and for identified classification of workers?
Is overtime paid for piece rate workers and for identified classification of workers at a legal premium rate?
Do workers receive benefits and allowances in accordance with local law?
Are workers covered by the legal social insurances?
Do workers benefit from the payments done by the factory for the legal social insurances (either through public or private system)?
Are leaves and public holidays paid in accordance with local law?
Is parental leave paid in accordance with local law?
Do workers receive additional remuneration (e.g., bonuses, incentives) in accordance with local law?
Are deductions in compliance with local law?



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8. HEALTH AND SAFETY
Which local regulations were referenced during the assessment of the following health and safety categories: - Health and safety documentation (licenses, permits, certifications, reports of inspections) - Building structure - Factory management and trainings - Accident and emergency plans and procedures - Fire safety (emergency paths and exits, fire equipment) - Electrical equipment
Which documents did the factory provide as proof of compliance with health and safety regulations (licenses, permits, certifications, reports of inspection)?
What are the general conditions of the factory?
What are the general conditions in the factory regarding the floors, the noise, the temperature and the air pollution levels observed at the factory?
Has the factory participated in a fire safety program in the past 12 months?
Has the factory undergone health and safety inspections by local authorities in the past 12 months?
What is the type of building? Is the assessed factory in a shared building? If so, what other activities are present per floor of the building and which floor does the assessed factory occupy?
Is there a food preparation and/or canteen factory on the factory premises?
Which hazardous, flammable or combustible materials are reported or observed to be used and/or stored at the assessed factory?
Is the factory legally/by CBA required to provide transportation or compensation for transportation to workers?
Is there satisfactory evidence that the location of the social facilities or housing was chosen to ensure users are not exposed to natural hazards or affected by the operational impacts of the worksite (for example noise, vibrations, emissions, dust)?
Is there any dormitory, housing or accommodation present in the factory?
Does the factory have non-expired documentation of compliance with building safety requirements issued by local authority in accordance with local law?
Does the factory have non-expired fire safety documentation issued by the local fire authority in accordance with local law?
Does the factory operate in a building matching the authorized purpose?
Are there residential accommodations located within factory buildings where hazardous materials are stored or hazardous work is conducted?
Based on observation, is the factory free from any visible crack on the walls, on any building or premises?
Does the number of floors in the existing building match with the original number of floors on the building plan or certificate?
Does the factory have documentation of safety inspections for the building and the machineries issued by any third-party (government and/or private third-party) in accordance with local law?



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Does the factory have documentation of safety inspections for the mobile equipment issued by any third-party (government and/or private third-party) according to local law?
Does the factory conduct a risk assessment at least once per year to identify health and safety risks that include fire safety?
Does the factory record and track preventive or corrective action in response to risk assessments?
Does the factory have a Health and Safety Committee that addresses safety of machinery/equipment; personal protective equipment (PPE); hazardous, flammable and combustible materials; and fire safety?
Is the health and safety committee comprised of management and worker representatives?
Does the Health and Safety Committee meet periodically?
Are Health and Safety Committee meetings documented?
Does the factory conduct internal inspections/ audits for health and safety?
Does the factory provide occupational health check-ups according to local law?
Does the factory conduct health and safety training for new workers?
Does the factory conduct health and safety training for existing workers?
Are health and safety trainings documented?
Does health and safety training include, at minimum: general workplace safety, fire safety, evacuation procedures, handling and maintenance of machinery and equipment, handling of hazardous, flammable and combustible materials (where applicable), use of PPE and accident prevention?
Does the factory have a trained fire team in accordance with local law?
Are emergency response personnel trained, at minimum, on: notification of workers in event of fire or emergency, reporting fire or emergency to local authority, use of fire extinguishers, evacuation procedures, and first aid?
Does the factory conduct fire drills on a regular basis (if not defined by law, at least once per year) for all floors and shifts?
Are fire drills documented with, at minimum: date, announced/ unannounced, number of participants, and time it took to evacuate?
Does the factory document occurrence and cause of workplace accidents and diseases?
Does the factory report workplace accidents and diseases to local authorities?
Does the factory post emergency contact information on every floor?
Is there an evacuation plot plan posted on every floor of the factory?
Is the evacuation plot plan in a language understood by workers?
Can fire department vehicles and fire fighters access the factory?



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Are there at least two emergency exits on every floor of the factory?
If there are less than two emergency exits on every floor, does the number of emergency exits comply with local requirements?
Are emergency exits located on each side of the working area?
If the factory is located above the ground floor or occupies multiple floors, are there at least two sets of stairs to use as emergency exit paths?
Is the factory compliant with applicable local law regarding stairs to use as emergency exit paths?
Are emergency exit paths designated with visible path markings?
Are emergency exit paths accessible and unobstructed?
If the emergency exit paths are inaccessible and/or obstructed, is the blockage temporary?
Are emergency exits designated with visible signs?
Are emergency exits unobstructed and unlocked?
Do emergency exit doors comply with local requirements?
When the emergency exit doors do not comply with legal requirements, has the factory implemented measures to ensure workers' security and ability to exit the production site in case of emergency?
Are emergency exit windows in compliance with local law?
Do emergency exit stairs have handrails or guards and are in compliance with local law?
Is emergency lighting and all emergency equipment connected to a secondary power source?
Do emergency paths lead towards emergency exits and therefore away from the building?
Is the assembly point or public way unobstructed and located away from the factory?
If required by local law, does the factory have an official document/certificate stipulating if the site requires a fire alarm and if yes, which type of fire alarm (e.g. manual or automated)?
Is there a fire alarm present at the factory?
If there is a manual fire alarm present at the factory, is it designated or clearly visible?
If there is a manual fire alarm, is it unobstructed?
If there is no fire alarm, has the factory implemented other types of alerts according to local law?
If there is a fire alarm, is it audible and different from lunch/ break bell?
If the factory is located in a shared building, do other factories in the building have fire alarms?



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If there are alarms present in the shared building, are these alarms interconnected?
Does the factory have notification lighting in areas where noise levels are above ambient?
Has the factory put fire detection measures in place where hazardous waste is stored?
Are there fire extinguishers on every floor of the factory?
Are fire extinguishers present along emergency exit path?
Are fire extinguishers designated, clearly visible and accessible?
Do fire extinguishers comply with legal requirements?
Are fire extinguishers inspected by factory personnel according to local law?
Are fire extinguishers inspected by specialized companies on a regular basis (if not defined by law, at least once per year)?
Are there smoke or fire detectors in the factory according to local law?
Are fire extinguishers adapted to products used and stored installed within reasonable distance?
If there are smoke detectors or fire detectors present at the factory, does the factory conduct their inspections every month and legally required inspections?
Are there fully functional fire hydrants or sprinklers or hose pipes in the factory according to local law?
If there is a fire hydrant, a sprinkler system, hose pipes or any other equipment in place at the factory, is it inspected, tested and maintained every three months and according to legally required inspections (confirming they are in good working order)?
Can factory management point to a water source, be it private or municipal, that supplies water for fire hydrant, hose pipe or sprinkler system?
Are electrical panels, wires and outlets protected?
Are electrical panels labelled?
Are electrical panels, wires and outlets inspected regularly by certified staff (if not defined by law, at least once per year)?
In case of the presence of a generator in the factory or its vicinity, is it in a confined area away from working areas in accordance with local law?
Are production and process equipment as well as machinery safe to use?
Do all production and process machinery have an emergency switch off button and easily accessible?
Are materials labeled as hazardous, flammable or combustible stored away from sources of ignition?
Are materials labeled as hazardous, flammable or combustible stored in a separated dedicated storage closed off area(s) away from production area?
Does the factory maintain a Material Safety Data Sheet (MSDS) in a language understood by workers, available and accessible to all workers close to the areas where chemicals are used and stored?



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Are workers working with materials labeled hazardous, flammable or combustible familiar with the Material Safety Data Sheet (MSDS) at the factory?
Are all the chemical containers labelled with the name in local language and the corresponding hazard symbol (for hazardous chemicals)?
Does the factory maintain a reliable and complete chemical inventory with the following basic information: area of use, chemical name, CAS Numbers of the chemical components, chemical supplier, MSDS availability and quantities stored?
Does the factory maintain an inventory of the waste types and quantities generated on-site?
Does the factory separate hazardous wastes from non-hazardous waste streams?
According to the local regulation for waste (including sludge) handling, storage, treatment, or disposal, is a waste management procedure in place for waste collection and temporary storage?
Does the factory make sure that the workers who handle wastes are aware and are trained to the requirements on waste management (segregation, storage, labelling and disposal)?
In case chemicals are stored in retention tanks, are all chemicals at reach for workers without needing to enter the retention tanks?
In case of hazardous, flammable or combustible materials use, is the eye wash station accessible and unobstructed?
Is there an eye wash station located within 6 meters of the chemical storage area and connected to a water source?
Has any legally prohibited chemicals been found in the factory?
Is any legally prohibited production process currently in use in the factory?
Where necessary, do workers have access to personal protective equipment (PPE) free of charge?
Is use of personal protective equipment (PPE) required and enforced by factory management?
Do workers need to enter tanks for maintenance-related tasks?
Are workers duly trained to enter tanks?
Are all necessary PPEs for entering tanks freely provided and duly maintained?
Is there a written procedure for entering tanks?
Do workers have access to gender-specific, clean and private toilet facilities?
Are all washing and toilet areas equipped with soap?
Do toilet facilities have washing installations with running water?
Do workers have a free access to potable water?
If the factory provides a food preparation, eating area or canteen for workers, is the area clean?
Is there a valid first aid kit present in every working area?



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Does the factory provide a care room for workers?
Does the factory have a signed agreement with an emergency unit in the vicinity of the factory in case of a serious accident?
Does the factory have sufficient trained workers to administer medical care?
If legally required, does the factory provide a childcare room for workers?
Is the workplace and working conditions ergonomic according to local law?
Does the factory provide or mandate transport for workers to and from the employment site and if yes, based on workers' interviews, how is transportation perceived by workers?
Are the vehicle(s) used for the transport to and from the factory safe and suitable, in good sanitary condition, not overcrowded and compliant with applicable local legal requirements?
Does the factory ensure transport and traffic safety across the workplace?

DORMITORIES, HOUSING OR ACCOMMODATION
Which local regulations were referenced during the assessment of dormitories?
Is the dormitory owned or managed by the factory management?
Is the dormitory attached to the factory or inside the factory premises?
How many workers are reported to occupy the dormitory?
How many workers occupy each room/ sleeping area of the dormitory?
What is the average number of sqm ² per person in the dormitory rooms (sqm ² of the room/number of occupied beds in the room)?
Does every worker have his/her own assigned bed in the dormitory?
What are the general conditions of the dormitory?
Are rooms/ sleeping areas separated by gender?
Do workers have access to gender-specific clean and private toilet facilities at the dormitory?
Do workers have access to gender-specific private shower facilities at the dormitory?
Do workers have access to potable water at the dormitory?
Are workers free to enter and leave the dormitories at any time?
Does the factory conduct fire drills on a regular basis (if not defined by law, at least once per year) for all floors of the dormitory?



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Are fire drills documented with, at minimum: date, announced/ unannounced, number of participants, and time it took to evacuate? Date format required: DD/MM/YYYY
Is the dormitory located outside the production building / warehouse?
Is the dormitory not located next to hazardous material storage or production building where hazardous work is performed?
Is there an evacuation plot plan posted on every floor of the dormitory?
Are there at least two emergency exits on every floor of the factory?
If there are less than two emergency exits on every floor, does the number of emergency exits comply with local requirements?
Are emergency exits located on each side of the dormitory?
Are emergency exit paths accessible and unobstructed?
If the emergency exit paths are inaccessible and/or obstructed, is the blockage temporary?
Are emergency exits designated with visible signs?
Are emergency exits unobstructed and unlocked?
Do emergency exit doors comply with local requirements?
When the emergency exit doors do not comply with legal requirements, has the factory implemented measures to ensure workers' security and ability to exit the dormitory in case of emergency?
Are emergency exit windows in compliance with local law?
Do emergency exit stairs have handrails or guards?
Are emergency exit paths, exits and stairs lit?
Do emergency paths lead towards emergency exits and therefore away from the building?
Is the assembly point or public way unobstructed and located away from the factory?
Is there a fire alarm present at the dormitory?
If there is a manual fire alarm present at the dormitory, is it designated or clearly visible near exits, unobstructed and audible?
Are there fire extinguishers on every floor of the dormitory?
Are fire extinguishers present along emergency exit path?
Are fire extinguishers accessible?

Are fire extinguishers inspected by factory personnel according to local law?
Are fire extinguishers inspected by specialized companies on a regular basis (if not defined by law, at least once per year)?
Is there a first aid kit available at the dormitory?

Annex 4: Compliance and Sustainability: binding and non-binding reference texts (non-exhaustive)

Compliance and Sustainability
binding and non-binding reference texts (non-exhaustive)

You'll find below the international and national major documents regarding business and human, workers and environment rights.

The Responsible business conduct framework

1968	Club of Rome, The Limits to Growth (World Watch Institute n.d.)
1976, 2016, 2018, 2022	OECD Guidelines for Multinational Enterprises ("MNE Guidelines") OECD-FAO Guidance for Responsible Agricultural Supply Chain OECD Due Diligence Guidance for Responsible Business Conduct OECD Background note on Regulatory Developments concerning Due Diligence for Responsible Conduct (The role of Sustainability initiatives in mandatory due diligence)
1977	ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy ("MNE Declaration")
1992, 1997	Rio Earth Summit, Kyoto Protocol
1998, 2019	ILO Declaration on Fundamental Principles and Rights at Work Labour Standards in Global Supply Chain, how to meet them to become more competitive and sustainable (training)
2000, 2015	UN Global Compact, Guide To Corporate Sustainability
2004	UN "Who Cares Wins" Report (ESG)
2011	UN Guiding Principles on Business and Human Rights
2015	UN Sustainable Development Goals (SDGs)
2015	UN Climate Change Conference (COP21), Paris Agreement (GW<1,5°C)
2020	The Study on due diligence, European Commission, Directorate-General for Justice and Consumers, Smit, L., Bright, C., et al., Study on due diligence requirements through the supply chain: final report, Publications Office, 2020,
2023	UN Understanding Voluntary Sustainability Standards, a strengths, weaknesses, opportunities, and threat analysis

ILO Fundamental Conventions

1930, 2014	Forced Labour Convention (No. 29) and its protocol
1948	Freedom of Association and Protection of the Right to Organise Convention (No. 87)
1949	Right to Organise and Collective Bargaining Convention (No. 98)
1951	Equal Remuneration Convention (No. 100)
1957	Abolition of Forced Labour Convention (No. 105)
1958	Discrimination (Employment and Occupation) Convention (No. 111)
1973	Minimum Age Convention (No. 138)
1981	Occupational Safety and Health Convention (No. 155)
1999	Worst Forms of Child Labour Convention (No. 182)
2006	Promotional Framework for Occupational Safety and Health Convention (No. 187)

European Union Green Deal and Corporate Sustainability Responsibility Framework:

2006	Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC Regulations on specific statistical domains
2009	Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals
	Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products
2011	Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims , and replacing Council Framework Decision 2002/629/JHA
2013	Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings , amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC
2014	Directive 2014/95/EU amending Directive 2013/34/EU as regards disclosure of non-financial and diversity information by certain large undertakings and groups
2016	Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure
2017	Regulation (EU) 2017/821 of the European Parliament and of the Council of 17 May 2017 laying down supply chain due diligence obligations for Union importers of tin, tantalum and tungsten, their ores, and gold originating from conflict-affected and highrisk areas
	Directive (EU) 2017/828 amending Directive 2007/36/EC as regards the encouragement of long-term shareholder engagement

2019	Regulation (EU) 2019/2088 of the European Parliament and of the Council of 27 November 2019 on sustainability-related disclosures in the financial services sector
	The European Green Deal
2020	Council Conclusions on Human Rights and Decent Work in Global Supply Chains , 1 December 2020 (13512/20)
	Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment , and amending Regulation (EU)2019/2088
2021	Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC)
	EU Action Plan Towards Zero Pollution for Air, Water and Soil
	European Parliament resolution of 10 March 2021 with recommendations to the Commission on corporate due diligence and corporate accountability (2020/2129(INL)), P9_TA(2021)0073
	Regulation (EU) 2021/821 of the European Parliament and of the Council of 20 May 2021 setting up a Union regime for the control of exports, brokering, technical assistance, transit and transfer of dual-use items
2022	Decision (EU) 2022/591 of the European Parliament and of the Council of 6 April 2022 on a General Union Environment Action Programme to 2030
	Directive (EU) 2022/2464 of the European Parliament and of the Council of 14 December 2022 amending Regulation (EU) No 537/2014, Directive 2004/109/EC, Directive 2006/43/EC and Directive 2013/34/EU, as regards corporate sustainability reporting (Text with EEA relevance)
2023	Regulation (EU) 2023/1115 of the European Parliament and of the Council of 31 May 2023 on the making available on the Union market and the export from the Union of certain commodities and products associated with deforestation and forest degradation and repealing Regulation (EU) No 995/2010
	Regulation (EU) 2023/1542 of the European Parliament and of the Council of 12 July 2023 concerning batteries and waste batteries , amending Directive 2008/98/EC and Regulation (EU) 2019/1020 and repealing Directive 2006/66/EC
	Regulation (EU) 2023/956 of the European Parliament and of the Council of 10 May 2023 establishing a carbon border adjustment mechanism (Text with EEA relevance)
	DIRECTIVE (EU) 2023/1791 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 13 September 2023 on energy efficiency and amending Regulation (EU) 2023/955
	Provisional agreement on Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on Corporate Sustainability Due Diligence and amending Directive (EU) 2019/1937
2024	Provisional agreement on new rules that ban products made with forced labour from the EU market.

RIGHTS AND PROHIBITIONS INCLUDED IN INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

The right to life	Article 6(1) of the International Covenant on Civil and Political Rights. This includes, but is not restricted to, private or public security guards protecting the company's resources, facilities or
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	personnel causing death of a person due to a lack of instruction or control by the company;
The prohibition of torture, cruel, inhuman or degrading treatment	Article 7 of the International Covenant on Civil and Political Rights. This includes, but is not restricted to, private or public security guards protecting the company's resources, facilities or personnel subjecting a person to torture or cruel, inhuman or degrading treatment due to a lack of instruction or control by the company;
The right to liberty and security	Article 9(1) of the International Covenant on Civil and Political Rights
The prohibition of arbitrary or unlawful interference with a person's privacy, family, home or correspondence and unlawful attacks on their honour or reputation	Article 17 of the International Covenant on Civil and Political Rights
The prohibition of interference with the freedom of thought, conscience and religion	Article 18 of the International Covenant on Civil and Political Rights
The right to enjoy just and favourable conditions of work, including a fair wage and an adequate living wage for employed workers and an adequate living income for self-employed workers and smallholders, which they earn in return from their work and production, a decent living, safe and healthy working conditions and reasonable limitation of working hours	Article 7 and 11 of the International Covenant on Economic, Social and Cultural Rights
The prohibition to restrict workers' access to adequate housing, if the workforce is housed in accommodation provided by the company, and to restrict workers' access to adequate food, clothing, and water and sanitation in the workplace	Article 11 of the International Covenant on Economic, Social and Cultural Rights
The right of the child to the highest attainable standard of health	Article 24 of the Convention on the Rights of the Child
The right to education	Article 28 of the Convention on the Rights of the Child
The right to an adequate standard of living	Article 27 of the Convention on the Rights of the Child
The right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development	Article 32 of the Convention on the Rights of the Child
The right of the child to be protected from all forms of sexual exploitation and sexual abuse and to be protected from being abducted, sold or moved illegally to a different place in or	Articles 34 and 35 of the Convention of the Rights of the Child

outside their country for the purpose of exploitation	
The prohibition of the employment of a child under the age at which compulsory schooling is completed and, in any case, is not less than 15 years, except where the law of the place of employment	Article 2(4) of the International Labour Organization Minimum Age Convention, 1973 (No. 138), interpreted in line with Articles 4 to 8 of the International Labour Organization Minimum Age Convention, 1973
The prohibition of the worst forms of child labour (persons below the age of 18 years)	Article 3 of the International Labour Organization Worst Forms of Child Labour Convention, 1999 (No. 182)
The prohibition of forced or compulsory labour, which means all work or service that is exacted from any person under the menace of any penalty and for which the said person has not offered himself or herself voluntarily, for example as a result of debt bondage or trafficking in human beings	Article 2(1) of the International Labour Organization Forced Labour Convention, 1930 (No. 29)
The prohibition of all forms of slavery and slave-trade, including practices akin to slavery, serfdom or other forms of domination or oppression in the workplace, such as extreme economic or sexual exploitation and humiliation, or human trafficking,	Article 8 of the International Covenant on Civil and Political Rights
The right to freedom of association, assembly, the rights to organise and collective bargaining	Articles 21 and 22 of the International Covenant on 5893/24 MVG/DS/PB/cb 124 COMPET.2 LIMITE EN Civil and Political Rights, Article 8 of the International Covenant on Economic, Social and Cultural Rights, the International Labour Organization Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the International Labour Organization Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
The prohibition of unequal treatment in employment, unless this is justified by the requirements of the employment	Articles 2 and 3 of the International Labour Organisation Equal Remuneration Convention, 1951 (No. 100), Articles 1 and 2 of the International Labour Organisation Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and Article 7 of the International Covenant on Economic, Social and Cultural Rights
The prohibition of causing any measurable environmental degradation, such as harmful soil change, water or air pollution, harmful emissions, excessive water consumption, degradation of land, or other impact on natural resources, such as deforestation	Article 6(1) of the International Covenant on Civil and Political Rights and Articles 11 and 12 of the International Covenant on Economic, Social and Cultural Rights

PROHIBITIONS AND OBLIGATIONS INCLUDED IN ENVIRONMENTAL INSTRUMENTS



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<p>The obligation to avoid or minimise adverse impacts on biological diversity</p>	<p>Article 10(b) of the 1992 Convention on Biological Diversity and applicable law in the relevant jurisdiction, including the obligations of the Cartagena Protocol on the development, handling, transport, use, transfer and release of living modified organisms and of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity of 12 October 2014</p>
<p>The prohibition to import, export, re-export or introduce from the sea any specimen included in the Appendices I to III of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) of 3 March 1973 without a permit, interpreted in line with Articles III, IV and V of the Convention</p>	
<p>The prohibition of the manufacture, import and export of mercury-added products listed in Annex A Part I of the Minamata Convention on Mercury of 10 October 2013 (Minamata Convention), interpreted in line with Article 4(1) of the Convention</p>	
<p>The prohibition of the use of mercury or mercury compounds in the manufacturing processes listed in Annex B Part I of the Minamata Convention after the phase-out date specified in the Convention for the individual processes, interpreted in line with Article 5(2) of the Convention</p>	
<p>The prohibition of the unlawful treatment of mercury waste</p>	<p>Article 11(3) of the Minamata Convention and Article 13 of Regulation (EU) 2017/852 of the European Parliament and of the Council</p>
<p>The prohibition of the production and use of chemicals listed in Annex A of the Stockholm Convention of 22 May 2001 on Persistent Organic Pollutants (POPs Convention)</p>	<p>Article 3(1)(a), point (i) of the Convention and Regulation (EU) 2019/1021 of the European Parliament and of the Council</p>
<p>The prohibition of the unlawful handling, collection, storage and disposal of waste</p>	<p>Article 6(1)(d), points (i) and (ii) of the POPs Convention and Article 7 of Regulation (EU) 2019/1021</p>
<p>The prohibition of importing or exporting a chemical listed in Annex III of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (UNEP/FAO) of 10 September 1998</p>	<p>in line with Articles 10(1), 11(1)(b) and 11(2) of the Convention and indication by the importing or exporting Party to the Convention in line with the Prior Informed Consent (PIC) Procedure</p>
<p>The obligation to avoid or minimise adverse impacts on the properties delineated</p>	<p>Article 2 of the Convention Concerning the</p>



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as natural heritage	Protection of the World Cultural and Natural Heritage of 16 November 1972 (the World Heritage Convention), interpreted in line with Article 5(d) of the World Heritage Convention and applicable law in the relevant jurisdiction
The obligation to avoid or minimise adverse impacts on wetlands	Article 1 of the Convention on Wetlands of International Importance especially as Waterfowl Habitat of 2 February 1971 (Ramsar Convention), interpreted in line with Article 4(1) of the Ramsar Convention and applicable law in the relevant jurisdiction;
The obligation to prevent the pollution from ships	The International Convention for the Prevention of Pollution from Ships of 2 November 1973, as amended by the Protocol of 1978 (MARPOL 73/78).
The obligation to prevent, reduce and control pollution of the marine environment by dumping	Article 210 of the United Nations Convention on the Law of the Sea of 10 December 1982 (UNCLOS) and applicable law in the relevant jurisdiction.

Examples of national legislations

2017	French Duty of Vigilance Law
2019	Australian Modern Slavery Act
2021	German Supply Chain Law
2022	Norwegian Transparency Law