

# PRINCIPLE 2:

## Human rights and responsible labour policies, and practices.

All workers should be treated with dignity and respect. Responsible business practices help ensure the rights and general well-being of workers. This Principle aims to ensure that certified organisations provide safe working environments and do not engage in forced labour, irresponsible recruitment practices or discriminatory behaviour.

### 2.1

Absence of slave and forced labour, child labour, and coercive disciplinary or control methods.

#### 2.1.1

Levels I, II  
and III

**CORE** - Certified organisations shall not use slave or trafficked labour, forced labour, indentured servants, and their equivalents.

**Guidance:** This applies also to all workers supplied by third parties and subcontracted labour, including migrant and seasonal workers. No recruitment fees shall apply to workers.

#### 2.1.2

Levels I  
and II

**CORE** - No worker shall be required to lodge their identity documents with their employer or any third party. Worker's wages, benefits or other property shall, likewise, not be retained.

#### 2.1.3

Levels I, II  
and III

Accompanying family members (e.g., children and spouses) shall not be required to work on the premises of the certified organisation. Organisations shall ensure that children and youngsters living on the site's premises attend school or receive schooling at home.

#### 2.1.4

Levels I, II  
and III

**CORE** - Child and youngster labour, except in contexts permitted within national law and the ILO, shall not be used in certified organisations.

**Guidance:** Refer to ILO Convention 138 definition including light work and special protection for young workers. In family agriculture, children and youngsters can be allowed to work provided that it is not abusive or dangerous, and does not interfere with their health, education and school attendance. Where young workers and children are present on a farm, producers shall be able to demonstrate knowledge of their work-related issues. Farmers shall ensure that children and youngsters working on the site attend school or receive schooling at home.

**2.1.5**  
Levels I, II  
and III

**CORE** - Coercive disciplinary or control methods shall not be permitted. This includes corporal or mental coercion, confinement, threats of violence or other forms of physical, sexual, psychological, or verbal abuse/harassment.

## 2.2

### Weekly working hours and overtime

**2.2.1**  
Levels I  
and III

**CORE** - The workweek shall be set according to local and national laws, shall be consistent with local industry standards, and shall, at maximum, not routinely exceed 48 hours per week (excluding overtime). Where agreement with Worker Unions exists related to weekly working hours and overtime, these will be respected.

**2.2.2**  
Levels I  
and III

**CORE** - Overtime shall be limited as specified in local and national law and shall not routinely exceed 12 hours per week.

**2.2.3**  
Levels I  
and III

**CORE** - Overtime in excess of 12 hours shall only be permitted during exceptional, limited periods, when there are constraints or risk of economic loss and when conditions regarding overtime in excess of 12 hours have been previously agreed upon between workers and management. Where agreement with Worker Unions exists related to excess overtime, these will be respected.

**Guidance:** The work time limits are flexible in that it is recognised that there may exist certain unavoidable periods during the year, during which employees will be expected to work substantially longer hours for a restricted period of time. The extraordinary time pressure of harvest season is an example of such a situation. The indicator set down in 2.2.5 shall be respected during such periods.

### 2.2.4

Levels I  
and III

**CORE** - Overtime shall be compensated as required by law or according to collective agreement or agreement with the Labour Union or, in the lack of those, at a premium rate.

**Guidance:** Legal dispositions which allow the exchange of overtime hours for extra days off shall be taken into consideration.

### 2.2.5

Levels I  
and III

**CORE** - All overtime work shall be voluntary.

### 2.2.6

Levels I  
and III

In all cases, workers are entitled to at least one day off after 6 consecutive days of work. Where agreement with Worker Unions exists related to days off/rest, these will be respected.

### 2.2.7

Levels I, II  
and III

**CORE** - Certified organisations shall have a system in place to monitor working hours and overtime.

## 2.3

### Personnel Management Programme

### 2.3.1

Levels I  
and III

Certified organisations shall develop, implement, and maintain a human resources management programme for its employees consistent with and proportional to the needs of the organisation.

**Guidance:** This indicator is not applicable to smallholders.

**2.3.2**  
Levels I  
and III

The certified organisation shall assign a staff member to implement and manage the human resources management programme.

**Guidance:** This indicator is not applicable to smallholders.

## 2.4

### Equal opportunities and treatment for workers

**2.4.1**  
Levels I, II  
and III

**CORE** - All workers and applicants shall have equal employment opportunities, equal opportunities at work, including promotion and access to training, equal remuneration for work of equal value, equal benefits and equal treatment on the job. No discrimination shall be tolerated including: any distinction, exclusion or preference made on the basis of race, colour, age, gender, sexual orientation, religion, political opinion, nationality or social origin.

**Guidance:** Any distinction, exclusion or preference in respect of a particular job based on the inherent requirements thereof shall be justified and shall not be deemed to be discrimination. (Ref: ILO Convention 111, Articles 1 and 2). There shall be no differences in the working conditions of any workers due to employment status (e.g., permanent, temporary or subcontracted workers). However, “equal opportunities” and/or “equal treatment” shall not necessarily prevent certain workers from receiving rewards based on merit or performance, such as pay bonuses or other enhancements that are above and beyond the basic compensation due to all workers in the operation.

## 2.5

### Workers' working and living conditions

#### 2.5.1

Levels I, II  
and III

**CORE** - All workers, regardless of age, gender, or other personal characteristic, shall enjoy appropriate, legally compliant working conditions, including a safe and healthy workplace, access to safe drinking water, basic sanitary facilities and protective equipment.

#### 2.5.2

Levels I, II  
and III

**CORE** - All workers living on site shall have appropriate, fairly priced: safe food, good and sufficient water and housing.

**Guidance:** "Appropriate" includes at least the following: shelter from the elements; exclusion of pests; easy access to facilities for maintaining hygiene; easy access to water, facilities for food preparation and eating; clean sleeping and sitting quarters (including some form of bed), and open space where workers are able to move around freely during non-working hours.

## 2.6

### Clear and comprehensive labour contracts and legal rights

#### 2.6.1

Levels I, II  
and III

**CORE** - All workers shall have an employment contract or an equivalent document that is understandable by the worker and signed by the employer and employee or the employees' labour representatives. Contracts shall have at least the following information: pay rate/salary, working hours, deductions, overtime conditions, vacation time, conditions for sick and parental leave, grounds for dismissal, and period of notice for work termination. Should the cultural context, in a relevant and unquestionably manner, not consider a written contract this should be taken into consideration and is applicable only to smallholders.

**2.6.2**  
Levels I, II  
and III

**CORE** - There shall be a signed labour agreement between the certified organisation and the subcontracted companies, that include clauses requiring compliance with the labour and legal rights of the employees. In those countries where there are no requirements for formal labour agreements between workers and employers, alternative documented evidence of a labour relationship must be present.

**Guidance:** This is not applicable to smallholders.

**2.6.3**  
Levels I, II  
and III

**CORE** - Certified organisations shall communicate legal rights, contracts and agreements details to their employees in simple language and style so that workers can easily understand and comply with them.

**Guidance:** This indicator is not applicable to smallholders.

**2.6.4**  
Levels I, II  
and III

Certified organisations shall maintain personnel records for each employee for at least 5 years, or longer if required by local law.

**Guidance:** Personnel records will include for each employee their contract, their current status and history, job title, salary, training, hours worked, vacation time and sick or parental leave accrued.

This indicator is not applicable to smallholders.

## 2.7

### Qualification, working experience and training of workers

### 2.7.1

Levels I  
and III

Worker job descriptions, including necessary skills, legal requirements, and salary range shall be set in written form.

**Guidance:** All workers shall have the necessary qualifications, experience and meet legal requirements to perform their job (e.g., an electrician may be required to have legally mandatory training or academic background).

This indicator is not applicable to smallholders.

### 2.7.2

Levels I, II  
and III

**CORE** - An ongoing programme of job-related training, including regular refresher training, shall be provided to all workers to ensure that they are competent to conduct their work efficiently, effectively and safely. Additionally, certified organisations shall provide all employees with training regarding (a) sustainability; (b) GMOs, where applicable; (c) good agricultural practices, where applicable and (d) their specific tasks, roles and responsibilities, related to these matters.

**Guidance:** Not applicable to independently certified smallholders. In the case of smallholders that are part of the supply chain of industrial processors seeking certification, training should be provided by the processors, as applicable.

### 2.7.3

Levels I, II  
and III

Certified organisations shall maintain records of all training for a minimum of 5 years, or longer if specified by local regulations.

**Guidance:** These records shall include the following information: date, time, attendees, trainer, and content material used during the training. During the initial years of ProTerra certification, records are to be considered proportional to the time the facility holds its certification up to the fifth year of certification.

Not applicable to independently certified smallholders. In the case of smallholders that are part of the supply chain of industrial processors seeking certification, training records should be provided by the processors, as applicable.

## 2.8

### Salaries, payments and benefits

#### 2.8.1 Levels I, II and III

**CORE** - All workers, regardless of age or gender, shall be paid a fair, locally representative wage or salary, which shall meet or exceed the Legal Minimum Wage established for the region and sector agreement. If no Legal Minimum Wage exists, compensation shall at least meet the typical salaries usually paid in that region for the equivalent function or job.

#### 2.8.2 Levels I and III

**CORE** - Piece work shall be paid at a rate that assures workers will be capable of earning at least a Legal Minimum Wage established for the region and/or sector. If no Legal Minimum Wage exists, compensation shall at least meet the typical salaries usually paid in that region for the equivalent function or job.

#### 2.8.3 Levels I and III

**CORE** - Wages or salaries and hours worked shall be regularly and legally paid in the national currency, documented and recorded.

**Guidance:** Payment shall be made at least monthly unless workers or their representatives expressly agree that it can be less frequent.

#### 2.8.4 Levels I, II and III

**CORE** - Employers shall not make deductions from wages for disciplinary purposes.

**Guidance:** Deductions for social security or other legally mandated programmes are acceptable.



### 2.8.5

Levels I, II  
and III

A social security plan shall be established for the workers in regions where such a plan is not required by law or regulation.

**Guidance:** The plan shall clearly inform age and other conditions/requirements for receiving benefits. The impact of such a social security plan on regular workers' pay shall be specified in the plan description.

This indicator is not applicable to smallholders.

## 2.9

### Safety and health of workers

#### 2.9.1

Levels I, II  
and III

**CORE** - Certified organisations shall conduct a risk assessment of their operation and use the results of this assessment to guide the mitigation of the risks and the development of a health and safety programme. Additionally, it should develop and implement procedures and have the resources to deal with accident and emergency situations. Certified organisations and their employees demonstrate an awareness and understanding of health and safety matters.

**Guidance:** The scope and complexity of the programme shall be proportional to the scope and complexity of the organisation.

Not applicable to independently certified smallholders. In the case of smallholders that are part of the supply chain of industrial processors, the implementation of this indicator shall be supported by the processor, where applicable.

For Level II, this is specifically applicable to storage facilities and transporters.

### 2.9.2

Levels I, II  
and III

**CORE** - First aid shall be readily and quickly available if and when accidents or other emergencies occur at the worksite. The presence on site of emergency first aid kits should be considered where legally accepted.

**Guidance:** This indicator is not applicable to smallholders.

For Level II, this is specifically applicable to storage facilities and transporters.

### 2.9.3

Levels I, II  
and III

Certified organisations shall monitor and ensure compliance with its worker safety and health programme and keep records of health and safety performance, including accident statistics for the operation.

**Guidance:** Accident statistics shall include at least: accidents per number of hours worked and accidents per employee.

Not applicable to independently certified smallholders. In the case of smallholders that are part of the supply chain of industrial processors, the implementation of this indicator shall be supported by the processor.

For Level II, this is specifically applicable to storage facilities and transporters.

### 2.9.4

Levels I, II  
and III

**CORE** - Hazardous tasks, including the application or handling of pesticides and chemical products, shall only be conducted by qualified, and properly trained workers, taking into consideration the worker's health condition and particularities. Workers who have been injured or are ill, shall not perform activities that are detrimental to their health and safety and that can affect other workers.

**Guidance:** The organisation shall maintain documentation identifying workers excluded from these activities and require subcontractors to do the same.

In the case of smallholders that are part of the supply chain of industrial processors, the implementation of this indicator shall be supported by the processor.

For Level II, this is specifically applicable to storage facilities and transporters.

**2.9.5**  
Levels I, II  
and III

**CORE** - Certified organisations shall provide, and substitute when needed, all adequate and appropriate personal protective equipment (PPE) and clothing to workers. No fees shall be charged for PPEs.

**Guidance:** Training on the importance and correct usage of PPE is to be considered as part of this indicator.

In the case of smallholders that are part of the supply chain of industrial processors, the implementation of this indicator shall be supported by the processor.

For Level II, this is specifically applicable to storage facilities and transporters.

**2.9.6**  
Levels I, II  
and III

**CORE** - Wearing appropriate personal protective equipment (PPE) and adequate clothing is mandatory during the handling and application of toxic substances or when conducting other hazardous tasks. There is a system of warnings followed by legally permitted sanctions for workers that do not apply safety requirements or do not use the required PPE.

## 2.10

### Training in health and safety

**2.10.1**  
Levels I, II  
and III

**CORE** - Workers shall be trained in the health and safety aspects of their job, particularly those workers handling pesticides and other toxic substances or operating hazardous equipment. These workers shall be trained in how to adequately store, apply, and dispose of pesticides and other toxic substances and how to safely operate hazardous equipment, taking into account the manufacturer's instructions and the legal requirements.

**Guidance:** In addition to conducting all aspects of their work safely, workers shall handle all pesticides used or disposed of in a manner that protects co-workers, others in the vicinity, and the environment. An example of additional measures is the marking of areas where pesticides are stored, handled, or used.

In the case of smallholders that are part of the supply chain of industrial processors, the implementation of this indicator shall be supported by the processor.

For Level II, this is specifically applicable to storage facilities and transporters.

**2.10.2**  
Levels I, II  
and III

Certified organisations shall maintain records of all health and safety training for a minimum of 5 years, or longer if specified by local regulations.

**Guidance:** The following information shall be included in these records: date, time, attendees, trainer, and content material used during training.

Not applicable to independently certified smallholders. In the case of smallholders that are part of the supply chain of industrial processors, the implementation of this indicator shall be supported by the processor.

For Level II, this is specifically applicable to storage facilities and transporters.

### 2.10.3

Levels I, II  
and III

Certified organisations shall ensure that instructors delivering health and safety training, in particular training in the safe handling, storage, and application of pesticides and other toxic materials and in the safe conduction of other hazardous tasks, have the necessary technical knowledge and legal qualifications.

**Guidance:** Not applicable to independently certified smallholders. In the case of smallholders that are part of the supply chain of industrial processors, the implementation of this indicator shall be supported by the processor.

For Level II, this is specifically applicable to storage facilities and transporters.

## 2.11

### Parental leave

#### 2.11.1

Levels I, II  
and III

Certified organisations shall comply at least with national and local regulations regarding maternity and paternity leave.

#### 2.11.2

Levels I  
and III

Workers taking maternity/paternity leave have the right to resume their work under the same conditions existing before taking the leave, without discrimination, deduction of wages or loss of seniority.

**Guidance:** This is not applicable to smallholders.

#### 2.11.3

Levels I, II  
and III

**CORE** - In locations where specific regulations do not cover maternity leave, certified organisations shall establish a reasonable leave period.

**Guidance:** As a reference, consider ILO Convention No. 183 provides for 14 weeks of paid maternity leave.

This indicator is not applicable to smallholders.

## 2.12

### Freedom for workers to organise, join and form associations

#### 2.12.1

Levels I, II  
and III

**CORE** - All workers shall be allowed to form and join trade unions or other collective bargaining organisations of their choice and have the right to collective bargaining.

**Guidance:** Certified organisations must demonstrate that they respect the right of all workers to form and join trade unions or other collective bargaining organisations in accordance with the law.

Not applicable to independently certified smallholders. In the case of smallholders that are part of the supply chain of industrial processors, the implementation of this indicator shall be supported by the processor.

#### 2.12.2

Levels I, II  
and III

**CORE** - Certified organisations shall not impede the functions of collective bargaining organisations or workers' associations and their representatives shall have access to their members at the workplace.

**Guidance:** Not applicable to independently certified smallholders. In the case of smallholders that are part of the supply chain of industrial processors, the implementation of this indicator shall be supported by the processor.

### 2.12.3

Levels I, II  
and III

**CORE** - There shall be no discrimination by management or workers between unrepresented workers and workers represented by labour trade unions or associations, and there shall be no discrimination to workers representatives.

**Guidance:** Not applicable to independently certified smallholders. In the case of smallholders that are part of the supply chain of industrial processors, the implementation of this indicator shall be supported by the processor.

## PRINCIPLE 3:

### Responsible relations with workers and community

Respecting workers and local communities means listening and considering, as applicable, what they have to say. Certified organisations must provide a mechanism for the communication of grievances that protects the grievant and ensures that their complaints are fairly assessed. This Principle also aims at extending such a mechanism to the local community.

## 3.1

### Systems of Communication and Grievance Mechanism

#### 3.1.1

Levels I  
and III

**CORE** - Certified organisations shall deal with complaints and grievances from workers, neighbours, local communities and traditional land users in an appropriate manner. Complaints and grievances are effectively and timely investigated and responded to.

**Guidance:** This system shall function at the worksites and in the communities linked to certified organisations.

This indicator is not applicable to smallholders.