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Stakeholder consultation

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Translation Disclaimer

For any question related to the precise meaning of the information contained in the translation, please refer to the official English version for clarification. Any discrepancies or differences in meaning due to translation are not binding and have no effect for auditing or certification purposes.

More information

For more information about the Rainforest Alliance, visit www.rainforest-alliance.org or contact info@ra.org.

This guidance document is non-binding. This means that this document provides important information to help readers understand, interpret and implement the requirements set out in the documents listed in the section "linked to" above. However, following the guidance in this document is not mandatory.



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1. INTRODUCTION

The Rainforest Alliance works at the intersection of business, agriculture, and forests. We bring diverse allies together to address some of the most pressing social and environmental challenges of today. In June 2020, we have published our new [Certification Program](#) with unique features enabling sustainable farming across the globe.

One of the pillars of our new certification program is the [Risk-Based Assurance](#) approach, which includes a focus on identifying and mitigating sustainability risks rather than simply reacting once issues occur. One of the methods of this approach is the Stakeholder Consultation.

As established in the 2020 [Certification and Auditing Rules](#) (CAR), a stakeholder consultation is a dialogue with stakeholders as a means of verification and obtaining information that would allow a Certification Body (CB) to identify risks and plan for the onsite audit. CBs consult with different actors (e.g., agencies, organizations, groups or individuals) who are part of (or very knowledgeable of) the community within which the CH operates and can act as reliable informants. to examine the risks to workers, local communities or other disadvantaged communities potentially affected by the operations of the CH.

This document is meant to support Certification Bodies in conducting stakeholder consultations as per the requirements in CAR Annex AR4.2. It guides the CB through the different steps of the preparation, execution and reporting phases of the stakeholder consultation.

The aim of the stakeholder consultation

We can distinguish four ways the stakeholder consultation can support the assurance process and the CB. First, this consultation process allows the CBs to identify and signal the risk that a Certificate Holder might receive a Non-Conformity (NC) on requirements related to child labor, forced labor or freedom of association. It supports CBs in obtaining a neutral perspective from an independent third party that has more and/or different information on the risks. The [Rainforest Alliance Child Labor and Forced Labor Sector Risk Maps](#) focus on the risks at the country level, while the CB stakeholder consultation will highlight the risk at the local level.

Secondly, it allows the CB to understand common concerns and risks in each local context, such as geographic region, crop, sector, with the requirements on child labor, forced labor and/or freedom of association. CBs may also find out the prevalent conditions, their effect on the overall socio-economic conditions impacting the farm/group or the area in which they are located (e.g., due to COVID-19, continuous conflicts in the region, civil unrest in neighboring regions, and migration).

Thirdly, it helps the CB to understand the local interpretation of these topics and how they relate to, among others, cultural practices, beliefs, norms, or biases that auditors might need to be familiar with. For example, in some cases local belief may indicate that girls have to be married and they do not need to study. Sending them to work instead is considered justifiable for their situation in those communities. As these beliefs might lead to a risk of child labor, it would be useful for the auditor to be aware of them prior to the audit.

Lastly, it helps CBs to establish and maintain a relationship with the stakeholders, so they can give CBs information on any risks that may arise throughout the year, after the audit team has left. This allows for more continuous eyes and ears on the ground.

CBs shall then use the information obtained from the consultation to improve the overall audit quality and better prepare the audit plan, to adjust the number of interviews, samples and document verification and the execution of the audit.



2. PREPARING THE STAKEHOLDER CONSULTATION

2.1 DETERMINE THE NEED FOR STAKEHOLDER CONSULTATION

Annex AR 4.2 of the 2020 CAR specifies that the stakeholder consultation needs to be performed in the following cases of risk:

1. audits that have high risk of child labor and/or forced labor based on the [Rainforest Alliance child labor and forced labor sector risk maps](#) and/or
2. audits that have high or very high risk of nonconformity for freedom of association as identified by the CB (through the audit risk assessment during audit preparation) and/or
3. the Rainforest Alliance indicates the need.

In order to determine whether a stakeholder consultation is needed, a Certification Body needs to verify the following:

- a. [Data sheet](#) on risk maps for child labor and forced labor. Select the country (column B) and the sector (column C) that you will audit and see what risk level it indicates in column E. If it indicates a 'High Risk' on either child labor or forced labor, a stakeholder consultation is required.

For example, in image 1 below, if the audit takes place at a coffee farm in Brazil, the data sheet shows:

- a. Forced Labor: High Risk
- b. Child Labor: Medium Risk

As a stakeholder consultation is only needed in case of high risk, in the case of this audit, a consultation on forced labor needs to be performed.

Country	Sector	Labour type	Risk level
Brazil	Coffee	Forced labor	High Risk
Brazil	Coffee	Child labor	Medium Risk
Brazil	Cocoa	Forced labor	High Risk
Brazil	Cocoa	Child labor	Medium Risk
Cameroon	Cocoa	Forced labor	Medium Risk

Image 1 Extract from the Data Sheet on Child Labor and Forced Labor Sector Risk Maps

- b. Then fill in the information in the Audit Risk Assessment (which is part of the [Certification Application Form](#)). If the information in the blue box at the bottom (see image 2), shows a risk category of high or very high risk, the stakeholder consultation on Freedom of Association will need to be performed.

Risk factor	Data	Comment
1) History of applicant. New applicant or applicant certified in the last 2 years against the UTZ and/or Rainforest Alliance 2017 program?		Please indicate if applicant is new or existing.
2) If previously certified applicant, how many non-conformities were raised in latest?		
3) If applicant certified in the last 2 years, were there any non-certification?		
4) Are there complaints, open lawsuits or inclusion of relevant databases against the CB? If so, elaborate in Comment section.		
5) Result of RA Country Risk Map for Child Labor		You can check the risk maps here.
6) Result of RA Country Risk Map for Forced Labor		You can check the risk maps here.
7) Deforestation Risk Assessment (Based on risk maps provided by RA)		
8) Encroachment Risk Assessment (Based on risk maps provided by RA)		
9) Average estimated yield of main crop of applicant (Kg/ha)		Data on crop production area of main crop is missing in tab 1. Application Form.
10) Total area (ha) of main certified crop		Data on crop production area of main crop is missing in tab 1. Application Form.
11) Total number of permanent workers		Data on number of permanent workers missing in tab 1. Application Form.
12) Total number of temporary workers		Data on number of temporary workers missing in tab 1. Application Form.
13) Ratio male/female permanent workers		Data on number of workers below 18 missing in tab 1. Application Form.
14) Ratio male/female temporary workers		Data on number of houses provided to workers missing in tab 1. Application Form.
15) Total number of workers below 18 years		Data on number of workers below 18 missing in tab 1. Application Form.
16) Total number of houses provided to workers		Data on number of houses provided to workers missing in tab 1. Application Form.
17) Total number of labor providers used		Number of labor provider in cert. crops is missing in tab 1. Application Form.
18) Total number of migrant workers		Data on number of migrant workers missing in tab 1. Application Form.
19) Number of other certification scheme(s)		
Risk Category	Missing data. See comment column D	

Image 2 Extract from the Audit Risk Assessment



- c. Check internally if Rainforest Alliance reached out to you with the request to perform a stakeholder consultation for this audit.

2.2 DOCUMENTED PROCEDURE

According to the CAR (Annex AR4.2, point 3), CBs need to develop, document, and implement a procedure for conducting stakeholder consultations. The procedures should describe, among others:

- key elements that are covered
- methods of consultation
- period and timing of consultation
- identification of persons responsible for conducting the consultation
- documentation of the process and the results and
- communicating the results to the audit team and other responsible persons within the CB and to the Rainforest Alliance

Part of this guidance document can serve as an inspiration for the content of the procedure.

2.3 SELECTION OF STAKEHOLDERS

The Certification and Auditing Rules (Annex AR4.2, point 9) specify that a minimum of three stakeholders need to participate in the stakeholder consultation. Choosing the appropriate stakeholders is a prerogative of the CB, and it should be based on risk assessment, appropriateness, relevance and context. The CB should ensure diversity among the stakeholders.

For the stakeholder consultation, stakeholders are defined as agencies, organizations, groups or individuals who are part of the community within which the CH operates and can act as reliable sources of information.

A broad but non-exhaustive list of stakeholders that may be approached includes local NGOs, local topic experts, consultants, local authorities, community leaders, staff of local medical centers, police, religious centers, local schools, and local government, representatives of labor unions that cover workers of the CH, as well as community social groups, local journalists, welfare groups, and others.

The Certification and Auditing Rules (Annex AR4.2, point 7) require that local stakeholders are contacted to obtain in-depth understanding of the situation in the region because they are familiar with the local context and the issues that may arise, and they have an interest to work with the local communities. They are often best able to share information that national agencies may not have access to. This will also encourage local organizations to pay attention to Certificate Holder practices related to the Rainforest Alliance 2020 Sustainable Agriculture Standard.

Another approach is to use a combination of formal and informal consultations to gather information. While CBs must record the informal consultation with all the details required in Annex AR 4.2, an informal procedure does not replace the formal consultation requirement. For informal consultations, CBs can approach, for example, neighbors of the Certificate Holder or known persons in the region, and they can include hearsay.



As part of the remediation protocol, CHs have to prepare a list of potential stakeholders to interview, which the CBs can use. However, CBs are advised to widen their scope, by using one or more of the following approaches:

- Conducting Internet searches for persons or agencies that are actively involved in the subjects of interest in the region;
- Contacting national stakeholders for contact details on the agencies working in the region;
- Using the services of the local auditors, or previous experience of other certification schemes.

You can use resources like these to find International Non-Governmental Organizations or other organizations. Please note this list is not exhaustive:

<https://www.ohchr.org/EN/Issues/Slavery/UNVTFCS/Pages/SlaveryList.aspx>

<https://www.modernslaverymap.org>

<https://www.ituc-csi.org/?page=abook>

At a minimum, the stakeholder list should contain:

- name of the individual or name of the organization
- type of stakeholder
- responsible person
- role of contact person
- contact number
- topic/areas of work
- email address
- website (if available)

The [Guidance Template: Stakeholder Consultation](#), which is found in the Certification Application Form, can serve to fill in the information on the selected stakeholders, see also image 3.

A. Prioritized/selected Stakeholders (mandatory only for high/very high risk topics according to RA Risk Maps)			
<small>This tab is required for Farm Certificate Holders in countries/sectors which are of very high risk for Child Labor, Forced Labor and Freedom of Association as per the Rainforest Alliance Risk Maps and/or the by the Audit Risk Assessment conducted by the CB.</small>			
<small>Please indicate the dates and the organizations that were consulted as part of the auditing preparation process of the CH and such results should be incorporated in the audit planning accordingly. To facilitate the stakeholder consultation process, please note that it is possible to speak with the same stakeholder about multiple certificate holders that are located in the same local region, or with 1 stakeholder about multiple topics (e.g. both about child labor and forced labor) if the stakeholder is able to provide useful information on both topics.</small>			
Certificate Holder			
Unique RA ID			
Stakeholder 1 Name:			
Type of Stakeholder:	Topic:	Date:	
Contact Person Name:			
Role:	Email:	Phone	
Stakeholder 2 Name:			
Type of Stakeholder:	Topic:	Date:	

Image 3: Extract from the Guidance Template for listing the selected stakeholders

2.4 IDENTIFICATION OF COMMUNICATION CHANNELS

Communication with stakeholders can be either written or oral, for example through phone calls, via email, in person or through survey and/or continuous feedback on the CB website or email address.

CBs should consider the most appropriate format for the consultation depending on context. This can range from joint meetings to open-ended interviews, questionnaires, surveys, phone calls or a combination of these methods. The communication channel and approach chosen must be appropriate to the context, availability of people, and language or languages spoken.



The CB must assess the risk of conflict of interest of the stakeholders with the CH. Examples of these may include a funding partner, family, or a stakeholder that has a previous or current employment relationship with the CH.

2.5 EFFECTIVE COLLABORATION

Several factors may affect an effective stakeholder consultation such as time, language, interest in participating, and cost. Stakeholders in some regions may be repeatedly contacted by multiple CBs over time making them averse to cooperate. That is why CBs working in the same region are encouraged to have a collaborative approach to conducting stakeholder consultations. For example, sharing contact details of the stakeholders in certain regions, sharing general information obtained through stakeholder consultations among CBs, agreeing with other CBs and the stakeholders when it can be most suitable to contact them and to coordinate among each other.

To support efforts for stakeholders to join the consultation process, the Rainforest Alliance has developed a [Stakeholder Consultation Letter](#). CBs can use this letter, translate it, or modify it, when contacting the stakeholders. This may be required for specific countries, or with stakeholders such as government agencies that may need formal written communication to engage.

Contacting and getting a stakeholder to cooperate might require a considerable time. It is possible that some stakeholders are not interested or delay their response, so it is good practice to start the process at least 3 months before the planned audit date.

When CB personnel are not familiar with a particular region or language, a neutral local person who is not a potential stakeholder may be involved to facilitate the interactions with the selected stakeholders.

2.6 SUPPORTING DOCUMENTS

After the identification of appropriate stakeholders, CBs and stakeholders discuss:

- the reason for contacting them
- the scope of the consultation process, among others whether it is on child labor forced labor and/or freedom of association
- the confidentiality of the information collected
- any known or potential conflict of interest
- how the data collected during the process will be used by the CB in its audit process and that they will record the relevant information collected.

The following are some documents that you can send to the stakeholder prior to the conversation to facilitate the process:

- [Stakeholder Consultation Letter](#)
- [Certification and Auditing Rules \(Annex AR4.2\)](#)
- [Rainforest Alliance 2020 Sustainable Agriculture Standards, Farm Requirements](#)
- [Child labor and forced labor sector risk maps](#)
- Templates to receive the feedback (CB templates), (or [link](#), "Guidance Template Stakeholder Consultation" by RA)
- Confidentiality Agreement (between CB and stakeholder, CB template)
- Declaration of Conflict of Interest (CB template)



3. CONDUCTING THE STAKEHOLDER CONSULTATION

Certification and Auditing Rules Annex AR 4.2 Point 12 defines the minimum process for conducting the consultation.

- a. Profiling of the stakeholder including reason for contacting, potential conflict of interest, topics intended to include.
- b. The conversation includes at least:
 - I. Introduction clarifying the goal of the consultation and how the data is being used
 - II. Confidentiality agreement
 - III. Inquiring/sharing of information regarding the interested topics
 - CBs have to be careful when formulating questions or discussion points and discuss topics, and ensure that they do not imply non-conformity on the part of the CH. The questions are to be open-ended and should aim to obtain broader contextual information. The questions or information gathering should be done in an open manner, as a discussion and not an interrogation, and without judgment. Annex 1 of this document provides examples of questions to ask.
 - During the consultation, the CB shall evaluate the risks on child labor, forced labor and/or freedom of association, verify if there is specific information on a Certificate Holder (CH) regarding grievances, possible violations of rights, or social conflicts that have already been submitted, or any related (pending) legal proceedings the stakeholder is aware of.
 - IV. Recording of relevant information collected
 - Considering what is described in chapter 4.
 - V. Closing the session including agreement on how the stakeholder can continue to provide the CB with updated risks/issues directly linked to the topics discussed with the CB, throughout the year
 - The CB gives stakeholders its contact details and information on how to give updates on risk and issues related to any pertinent topics throughout the year.
- c. Follow-up from the CB with the stakeholder in which the CB defines when it will reach out to the specific stakeholder in the future for seeking updated information.

There can be several methods for holding the consultation, for example:

- Formal or informal meeting
- In person or remote
- Via a verbal conversation or a written survey
- If remote, different tools can be used like a telephone or online call

4. ANALYSING AND REPORTING THE RESULTS

4.1 COMPILING RESULTS

Certification Bodies should record the details of the consultation. At a minimum they should keep:

- names and contact details of individuals and organizations consulted
- copies of all correspondence with stakeholders
- notes/minutes of meetings of all information received orally



- when and how the CB will consult the stakeholder(s) for updated information in the future
- an explanation of how the CB assesses the information from the stakeholder consultation to adjust the audit plans or further verify information with findings obtained in the onsite audits

Compiling the results of the consultations:

- in case of conflicting statements by different stakeholders, CBs may choose to increase the number of stakeholders consulted or increase the audit time while planning so that the issue is probed during the audit.
- if there are multiple CHs in the same area, the consultations may be combined for optimal use of time and effort. However, it is necessary that CBs maintain the quality of the consultation process and leave enough time for the conversation to happen.

A CB can choose to report this either in their own templates or by using the template provided by the Rainforest Alliance ([Guidance template stakeholder consultation](#), see image 4).

B. Summary on the consultations					
Please report what the stakeholders indicated on the topics below and make summarized statements over the situation considering the obtained information. Later, classify the risk for the context of auditee.					
Guidance: If 3 or more stakeholder confirm, it is high; 2-1 will be medium, none, is low.					
N°	Risk Description	Risk Level	Collected details in consultation	Topic Cover	Remarks
Social Aspects					
1	There are identified any NC on 5.1 requirements of Farm Standard.				
2	There are concerns identified for the specific local context of the CH related to the topic.				
3	There are new relevant information obtained regarding the local interpretation of FL/A&A.				
4	There is specific information for CH regarding grievances, violations of rights, or social conflicts that have already been submitted and reported by the Stakeholder.				
5	There are pending legal proceedings.				
6	There was agreements on continuous communication between CB and stakeholder. Please describe when and how.				
7	Based on the obtained information, there are risks of adjustment of the audit plan. Please describe the risks and implemented changes.				

Image 4: Extract from the Certification Application Form – Guidance Template Stakeholder Consultation.

For the 'risk level,' the CB can choose between not applicable, low, medium, or high, based on the CB's judgment regarding the risks identified on that point during the consultation. The column 'collected details in consultation' allows the CB to further elaborate and give a summary of the main findings of the three consultations on that specific point. In the 'topic covered' section, the CB could indicate if the consultation directly addressed multiple topics, or just one. And in the 'remarks', the CB can indicate any additional comments or internal analysis.

4.2 USE OF THE RESULTS

The results are compiled and assessed against the risk map provided by the Rainforest Alliance. In case consultation indicates risk to be high, the CB shall follow the procedures laid out in Auditing Rules to adjust the audit plan. The CB should make the information from the consultation and its assessment part of the audit process and ensure that the results are provided to the audit team, so auditors can verify it during the audit process.

During the audit, auditors must be instructed to cover the topics of risk in the interviews and observation, whether the risk identified in the stakeholder consultation is considered high,



medium, low, or absent. Because the workers and trade unions are internal stakeholders, enough information can be gathered in the process.

4.3 REPORTING THE RESULTS

The CBs must keep all the records of the stakeholder consultation as required by the Rainforest Alliance Assurance requirements. Only upon request from the Rainforest Alliance is it needed for the CBs to submit the results and associated documents of the stakeholder consultation in the Rainforest Alliance Certification Platform.

ANNEX 1: EXAMPLE OF QUESTIONS

As preparation for the dialogue with the stakeholder, you can revise the examples of questions and topics to address presented below. It can help identify any indicators of issues.

FORCED LABOR

As also mentioned in the Glossary Annex S1, forced labor is “All work or service required of any person under the menace threat of any penalty and for which the said person has not offered herself or himself voluntarily. A person is classified as being in forced labor if they are engaged in work that is involuntary (without their free and informed consent of the worker) and is exacted through threats, penalties, or some form of coercion

Involuntariness:

- Controlling the employees through physical or psychological intimidation:
How does the Certificate Holder manage its workforce? Do the workers interact with the community? How often do they come out of the work facility for any of their personal needs?
- Physical or sexual violence
How are the workers treated? How do any issues get reported?
- Misrepresentation of contract terms in the written contract compared to the oral one (false promises)
Are the terms of employment provided in the region generally given orally or also in writing? How are the workers made aware of them?
- Retention of one's documents such as passports, national IDs or education certificates.
What is the practice to ensure that the workers do not leave the workplace?
- Asking for monetary deposits or any other collateral deposit
How do workers secure the job and the duration of work? Are the workers paying commission or deposits?
- Use of prison labor and state-imposed labor like military persons employed for work (refer to ILO convention on Forced Labor Convention (No. 29), 1930)
Does the area have work options for prison labor? Are the prisoners working on farms or factories?
- Undocumented migrant workers
What is the process of registration of workers, especially for seasonal work?
- Physical confinement workers accommodated in the houses/places that have movement restriction), or restricted movements within and outside the premises.
Do the workers come to the market or village or town for shopping independently, are there armed guards watching the movement of people?
- Unpaid overtime, or longer work hours, unreasonable tasks
How many hours are people allowed to work? How are they compensated?



- Are people charged for tools, Personal Protective Equipment (PPEs), or penalized for unintentional errors.
How does the penalty system work? What are potential causes for incurring a penalty?

Debt bondage: The status or condition arising from a pledge by a debtor of his or her personal services or of those of a person under his or her control as security for a debt. Debt bondage occurs if the value of those services as reasonably assessed is not applied towards the liquidation of the debt, or the length and nature of those services are not limited and defined. Debt bondage (also known as bonded labor) can manifest in several different ways. It is a form of forced labor.

- Undocumented advance or loans given to workers
Is the system of giving loans to workers prevalent in the region? How much is given?
- Charging the workers for travel or accommodation without their consent or written in contract
When the workers are brought from different places, who pays for transport and accommodation?
- Interest and compound interest charged
What is the interest charged on the amount borrowed? What are the methods by which workers can pay back loans?
- Family members made to work
What happens when the worker is not able to clear the loan? Are the family members expected to work on the site to pay back?
- Workers are not allowed to leave employment until debt is cleared
What happens if there is still (part of) a loan to be paid when the workers need to leave employment?
- Longer pay periods
What does the schedule for payment of wages look like? Are they paid at least monthly, or are they paid over a longer or shorter period?
- Unreasonable in-kind payment (>30%)
How much do the workers get paid in cash and how much in kind? What is covered under in-kind payments and how are these accounted towards the wage?
- Wages paid to third parties
Do the workers get paid directly or through another third party? How are wages for workers documented?
- Withholding proportion of payments or wages until the term is over
Do the workers get paid the entire amount of their wages after statutory deduction or is there a withholding of the wages to be paid at the end of the term?

CHILD LABOR

Any human being below the age of 18 years is a child. As per the Glossary, child labor refers to work that deprives children of their childhood, their potential, and their dignity, and that is mentally, physically, socially, or morally dangerous and harmful to children. It includes work that interferes with their schooling, depriving them of the opportunity to attend school, obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work.

- Employment of children under the age of 18 for hazardous work
What is the age by which a person can be engaged in work? What type of work is being done by these persons?
- Children dropping out of school to start work
Do the children go to school? At what age do children stop going to school? What do they do after that?
- Practice of children helping parents at the CHs
What do children do during school holidays? Do they accompany parents to do work in the employer's place?
- Labor contractors hiring underaged or undocumented workers



How is age verification done? Who and how are employees monitored under the labor contractors?

FREEDOM OF ASSOCIATION

The right of workers and employers, without distinction, to establish and join organizations of their own choosing without previous authorization.

- Number of active unions or other types of worker organizations
- Union (or other worker organization) subscription fee (consent letters)
- Inactive union or worker organization
- Discrimination towards union representatives or workers who are members
Are the union representatives allowed to work peacefully? How do they manage the union work along with regular work?
- Access to union activities within the premises:
Does the CH provide space, place, time for union or worker organization activities?
How is the company providing support for union or worker organization activities?
- Overall social wellbeing of the workers
- Number of grievances
- Interference from the management in the union or worker organization's activities
- Executives and top management being part of the union or worker organization as office bearers