

UTZ Policy for Tea Certification in India

Version 1.1, October 2020



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| Issue Date: | Binding date: | Expiration date: |
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| Developed by: | Approved by: | |
| Rainforest Alliance | Ruth Rennie Director, Standards and Assurance | |
| Linked to (code and name of documents, if applicable): | | |
| <ul style="list-style-type: none"> • UTZ Code of Conduct for Individual Certification 1.1 • UTZ Certification Protocol 4.3 • Audit Exception Policy for COVID19 • UTZ Tea Module version 1.1 | | |
| Replaces: | | |
| UTZ Policy for Certification in India, June 2020 version 1.0 | | |
| Clause or criterion number | | |
| Control points I.A.3, I.A.7, I.A.9, I.B.44-46, I.B.48, I.C.38, I.C.73, I.C.83 - I.C.89, I.C.100, I.C.104-108 | | |
| Applicable to: | | |
| Tea Certificate Holders in India and Certification Bodies auditing UTZ tea in India | | |
| Regions: | | |
| India, Assam | | |
| Crops: | Type of organizations: | |
| Tea | Individual farms and multi-sites | |

MAIN changes From Version 1.0

The table below summarizes the main changes in this version of the policy from the version 1.0 published on 1 June 2020

| Summary Table | | |
|-------------------------------|-----------|--|
| Pg | Clause | Change |
| Rules of certification | | |
| 2 | 3.3.a | Allows remote audits in Assam in 2020 |
| 3 | 3.2.f | NEW Allows CBs to request permission from RA to convert partial remote audit to a fully remote audit NEW Specifies the CB must indicate any additional remote checks (if feasible) to be carried out to complete the fully remote audit |
| 3 | 3.2.g | NEW: Recommendation to CBs to use an audit facilitator to provide on-site verification support for remote audits where possible |
| 12 | Annex II: | NEW: Definition, role and requirements for audit facilitator |

1. Introduction

The Rainforest Alliance (former UTZ) is an international non-profit organization working at the intersection of business, agriculture, and forests to make responsible business the new normal. We are an alliance of companies, farmers, foresters, communities, and consumers committed to creating a world where people and nature thrive in harmony.

This policy provides the framework for implementation and auditing of the Code of Conduct for Individual and multi-site certification version 1.1, and the Tea Module version 1.1. It is mandatory for Members/Certificate Holders (CHs) based in India and Certification Bodies (CBs) auditing in India to comply with this policy. When a requirement is applicable for CBs, this is specifically indicated. This policy is in principle applicable to the entirety of India, but certain rules will be applicable only to certain regions, in which case this will be indicated as such.

For more information about the Rainforest Alliance (RA), please visit the website: <http://www.rainforest-alliance.org> or contact info@ra.org.

For questions about this policy, please contact CBcert@ra.org.

2. Glossary

| | | | |
|--------|-------------------------|------|-------------------------------|
| CP: | Control Point | INR: | Indian Rupees |
| GIP: | Good Inside Portal | PPE: | Personal Protective Equipment |
| NC(s): | Non-conformity(ies) | PLA: | Plantation Labour Act |
| CB(s): | Certification Body(ies) | RA: | Rainforest Alliance |
| CH: | Certificate Holder(s) | SCA: | Supply Chain Actor |
| HRA: | House Rent Allowance | MR: | Mutual recognition |

3. Certification Protocol

1. This policy is applicable until further notice. It replaces the UTZ Policy for Certification in India, June 2020 version 1.0, since the moment of its release. Failure to comply with one or more elements mentioned in this policy will lead to the issuance of a non-conformity (NC)¹ to the CH.
2. This document is applicable to tea individual and multisite producers (not supply chain actors or Chain of Custody certified members) who want to be certified against the UTZ Code of Conduct Standard in India. Certain rules will be only applicable to producers based in Assam, in which case it will be explicitly mentioned. All other requirements are applicable to the whole of India or India (excluding Assam).
3. **In the case of Assam:**
 - a. All currently UTZ certified tea CHs based in Assam must receive an audit (physical or remote) before the 31st of December 2020, if they wish to continue certification. If a currently certified CH is not audited before 31st of December 2020, its certificate will be cancelled, and the CH will not be able to sell its product as UTZ certified, according to the Certification Protocol, version 4.3.

¹ A non-conformity is the failure to meet a requirement of the standard. It is an opportunity for the management system to improve. It should be viewed as a factual statement that drives improvement. The non-conformity should include precisely what the auditor saw, heard, read, or experienced that contradicted the requirement. The objective evidence is factual and traceable, but it must be stated as concisely as possible.

- b. All audits in 2020 must be conducted against the [UTZ Code of Conduct version 1.1](#), the [Tea Module version 1.1](#), and this policy.
 - c. When conducting physical audits, auditors and certificate holders must take full precautions to comply with public health measures to stop the spread of COVID-19. These include respecting social distancing, handwashing and any other measures mandated by the relevant national or local authorities. Auditors must respect measures put in place by certificate holders to protect staff and workers from the risk of the spread of infection.
 - d. All NCs identified during certification audits must be closed in a period of 60 days or before the 28th of February 2021, whichever occurs first. Verification of closure of NCs must occur, and the certification decision must be taken and reflected in GIP, no later than 28th of February 2021.
 - e. In case an extension of the certificate is needed (any type of extension), the CB must contact UTZ/RA (CBcert@ra.org) on behalf of the CH and request this extension. RA reserves the right to decide on extensions of certificates.
 - f. If a partial remote audit has already been conducted and the CB deems that it will be impossible to conduct the onsite portion before 31 December 2020, the CB must request permission from RA to convert this into a fully remote audit to complete the certification process. CBs must indicate any areas of the audit which were not fully covered by the remote verification already undertaken. If significant areas of compliance were not verified during the partial remote audit, the CB must indicate how additional remote checks will be used to complete the audit process. Where it is not feasible to ensure meaningful additional verification remotely the CB must indicate this in the request.
 - g. Where a remote audit is performed, the CB shall ensure the privacy of interviews. RA/UTZ recommends where possible the use of an audit facilitator who is not necessarily a trained auditor, but a person independent from the Certificate Holder who can provide some level of physical observation during the remote audit process. More information about the audit facilitator can be seen in Annex II.
4. In the case of Certificate Holders in India (excluding producers in Assam) the latest version of the Rainforest Alliance Audit Exception Policy COVID-19 applies.
5. CBs and auditors shall:
- a. Upload in the Good Inside Portal (GIP), using the comments box in the license requests, the number of interviews that took place during the audit and how many of those were with men and how many with women.
 - b. Use the local language for interviews, including the consideration of tribal dialects. If an interpreter is used during the audit, the CB must at least:
 - I. Include the name of the interpreter in the audit plan;
 - II. Guarantee the impartiality of the interpreter;
 - III. Train the interpreter on the audit process and types of questions; and
 - IV. Calculate more interview time.
 - c. Clearly indicate any NC against the relevant requirement, indicating at least:
 - I. Facts: what, who (name of workers shall not be disclosed), when and where.
 - II. Concise evidence, to be uploaded in the Salesforce system.
6. Farms that hold double certification against the UTZ Code of Conduct 2015 and RA Sustainable Agriculture Standard 201) can decide under which standard they want to receive an audit. Those farms do not need to receive two audits against the two current standards. In each case, the rules for the chosen standard applies.
- Producers can then sell the product under the standard that they are certified against, and supply chain actors (SCA) can apply for Mutual Recognition (MR) to sell under either standard. SCA's must register each transaction in the respective traceability system.

4. Integrated Pest Management – I.A.3, I.A.9, I.B.44-46 I.B.48,

1. The CH must have trained persons available for the identification and monitoring of pests.
2. The essential elements of a sound monitoring system include:
 - a. Regular² observations of crop health/pest infestation covering the whole operational area
 - b. Observations are accurately and precisely recorded (indicating location, date, pest, etc.)
 - c. Management specifies the threshold levels of pest infestation and their justification (based on research recommendations and the farm's own experience)
3. CBs must upload a copy/photo of the Integrated Pest Management plan of the CH in the GIP.

5. Wages – I.A.7, I.C.83 - I.C.88

1. CHs must ensure compliance with the payment of at least the minimum cash wage, as it pertains to tea workers in the region.
2. Deductions to cash wages can only be made for:
 - a. Absence from duty
 - b. Recovery of advances and loans
 - c. Deductions by the order of a court: In case that the CB identifies deductions made by the order of a court, the CB must contact RA and inform the type of deduction for RA to ensure that this is in line with the standard.
 - d. Provident fund
 - e. Deductions with the consent of the employed Person
 - f. Deduction for the Welfare Fund
 - g. Trade Union Membership Fees (it should be clear that the unions are freely representing workers and workers are freely joining)
 - h. Prime Minister's National Relief Fund
 - i. Food rations (those can be done at rates that do not exceed the market rates and those deductions must be clearly described in the payslip)

The conditions regarding which deductions will be accepted by Rainforest Alliance and guidance on evidence to be presented/reviewed during the audit to ensure deductions are properly made, can be found in Annex I Deductions: Conditions and evidence.

2. In the case of Assam:

- a. To ensure clarity, UTZ/RA takes the following figures to be the interim wage, as notified by the Assam state government from July 3rd 2018³:
 - I. In Assam (excluding Barak Valley) this is 167 INR cash per day per worker (for both permanent and temporary workers).
 - II. In Barak Valley this is 145 INR cash per day per worker (for both permanent and temporary workers).
- b. In addition to ensuring this wage has been paid in the certified period, CHs in Assam must be up to date with the payment of arrears up to the 31st of December 2019. According to the

² At least once per fortnight (a higher frequency is preferred when the crop is an annual crop or in a period of high pest incidence when the crop is perennial)

³ NO.GLR(RC)178/2014/Pt/321

Assam state government's notification from the 3rd of July 2018, an interim wage increase of 30 INR per day per worker, is to be paid retroactively from 1st of March 2018. Arrears for the period 1st March 2018 to 1st July 2018 must be paid to all workers entitled to receive this payment.

6. Discrimination and respectful treatment – I.C.85, I.C.89

1. CHs must ensure compliance with the requirement of equal pay to men and women for work of equal value as per the CP I.C.85 and I.C.89. This includes, at least:
 - a. Equal payment is given to all male and female workers for the same work or work of a similar nature;
 - b. No discrimination is tolerated in the calculation of payment of wages, working conditions or other forms of benefits on the basis of caste, race, ethnicity, descent, sex, gender identity, pregnancy, sexual orientation, religion and belief, tribe, disability, linguistic identity, HIV status, nationality, marital status, food preference, skin tone, place of residence, place of birth or age;
 - c. Women, transgender people, and other heads of households are provided with the same in-kind benefits for dependents as male heads of households. This applies to rations, healthcare benefits (e.g. gratuity of health care for partners of female workers), and any other in-kind benefits provided to male workers for their dependents;
 - d. Young workers (between 15-17 years old) are paid based on the principle of equal pay for work of equal value, i.e. deductions based on the age of the young worker are prohibited; and
 - e. Maternity leave is granted to female temporary workers when they are entitled to receive it⁴ (i.e. not only to permanent workers).
 - f. Providing equal rations and medical benefits to male and female workers;
 - g. Providing the opportunity for women to the supervisory and managerial positions, equal to men

7. Child labour and young workers – I.C.73

1. Young workers⁵ (between 15-17 years, i.e. since the day of his/her 15th birthday until the day before his/her 18th birthday) shall not be employed to, or permitted to, perform hazardous work as per the applicable law.⁶
2. The employer shall check and maintain young workers' fitness certificates⁷ in their records and check that no young worker is employed who is unfit.

⁴ As per the Plantation Labor Act, 1951 (PLA), to be eligible for maternity benefit, a woman must have been working as an employee in an establishment for a period of at least 80 days in the past 12 months.

⁵ The minimum age of a young worker shall not be less than 15 years (ILO Minimum Age Convention, 1973 (No. 138); Convention concerning Minimum Age for Admission to Employment; Geneva, 58th ILC session).

⁶ The Child Labor (Prohibition And Regulation), Amendment Act, 2016

⁷ As per PLA, 1951.

3. No young worker shall be allowed to work more than 27 hours a week, employed for work between 07:00 pm and 08:00 am, nor shall they be allowed to work overtime.⁸ Young workers must be provided a rest period of 1 hour after 3 hours of work.
4. No young worker shall be allowed to work for the CH on the same day that he/she is working in another location.
5. Young workers must be paid the same wage as adult workers, irrespective of the fact that they only work 27 hours per week. i.e. the same wage than an adult receives for full-time work, not be prorated to the 27 hours. E.g. if the cash salary of an adult that works 48 hours per week is 1.0002 INR, a young worker that works 27 hours shall be paid the same 1.0002 INR.
6. A register must be maintained for young workers, including at least:
 - a. name,
 - b. sex (male/female/other),
 - c. date of the birth,
 - d. hours and periods of work,
 - e. rest/interval duration,
 - f. nature of work provided,
 - g. date and number of fitness certificate

8. Personal Protective Equipment - I.C. 100

1. PPE (Personal Protective Equipment) must be provided to individual operators and preferably not shared within one washing cycle.
2. Use of PPE is also required when applying natural pest control substances with possible dermatological or microbiological risks.
3. All workers (including temporary workers) who handle or come into contact with pesticides or other substances posing potential health risks must be trained on the use of PPEs and the health risks of pesticides, by a competent person.⁹ Records of the training that include the name and signature of those who attend must be kept.
4. PPE that are used should be in conformity with the prescription as presented on the safety sheet of the applied control agent.

9. Access to safe drinking water - I.C.104, I.C. 105, I.C.108

1. Enough and safe drinking water needs to be provided at all working sites in the field as well as in factories. If water is stored in containers, these must be protected against contamination by a functional lid and the water needs to be refreshed at least once a day. Potable water sources are protected, and water distribution mechanisms are maintained to avoid contamination.

⁸ As Per Child Labour Prohibition And Regulation Act, 1986 And The Child Labour (Prohibition And Regulation), Amendment Rules, 2017

⁹ A competent person (trainer) in this case (criterion 4.16) is a person trained on the subject by UTZ/Rainforest Alliance or relevant industry bodies (e.g. CropLife) and research associations. For some elements of the training a qualified medical doctor would be sufficient.

2. To consider drinking water as safe, it must be tested annually and at any time that new water contamination risks have occurred. Sampling for water safety analysis is based on a representative sample of farms, location of water sources, pump types and water purification systems¹⁰ and shall prove that water contamination risks do not negatively affect the drinking water quality for all the workers and their families, if they live on the farm.
3. Water testing can only be done by laboratories authorized by the government to do so.
4. Safe drinking water parameters should be based on national regulation or the World Health Organisation (WHO) parameters. CBs' auditors must, at least verify that:
 - a. water tests are conducted yearly;
 - b. water tests are representative of all water systems available in the farm;
 - c. original test results are available; and
 - d. the values in the results are not above the ones indicated in the national or the WHO parameters.
5. Ring wells/ dug wells need to have provisions to prevent runoff and contamination of water. Frogs, rats and other animals should be prevented from entering the well.
6. Water points must be equipped with proper drainage to take surplus water away.
7. One water point is for five or fewer houses and must be situated within a reasonable distance from each house.
8. Workers and their families shall be provided with trainings for basic hygiene, filtration measures and contamination of drinking water.

10. Hygiene and living conditions – I.C.105-108

1. It is the responsibility of farm management to provide housing in compliance with the requirements of the UTZ Core Code of Conduct version 1.1 for Individual and Multi-site Certification, and to provide resources and training¹¹ (CP 105) on how to avoid rats, mosquitoes, and other vermin infestations. People living in houses provided by the farm are the sole responsible persons for ensuring the cleanliness of said houses and for the minor, routine maintenance required to ensure decent living conditions.
2. CP I.C.108 only applies to housing that management provides to workers and their families as determined by point 6 in chapter 8. These criteria do not apply either to housing owned by workers or smallholders or to unauthorized or unsanctioned extensions or modifications to originally provided housing.
3. A shortage of housing is to be considered as a NC against the CP I.C.108, unless House Rent Allowance (HRA) is provided.
NB: When a worker is living in a house that does not meet the UTZ standards, and the CH is providing an HRA to that worker, if that worker refuses to leave the plantation to find appropriate accommodation for any reason this point cannot be raised by the auditor as a NC. It is however expected that the CH encourages that worker to use the HRA for the purpose it was intended, thereby ensuring that worker's safety.
4. Housing provided to temporary workers shall also meet the applicable criteria in the UTZ Core Code of Conduct version 1.1 for Individual and Multi-site Certification.
5. Members must close the open NCs within a maximum of 60 working days after the NCs have been detected by the CB, or **(for Assam)** before the 28th of February 2021 as per this document. If the NC's are not closed within that timeframe, the CB cannot grant the certification.
6. The following people have the right to receive housing from the farm management:
 - a. Every worker (including his/her family) residing in the plantation. Family includes the dependent children of a worker (**male and female**), and **his/her** dependent parents.

¹⁰ A sample from the source where water is provided by the estate and in case where the source of water is different for each house or colony a sample representing it as small region.

¹¹ The CH must keep records to prove resources and training were provided to inhabitants.

- b. Every worker (including his/her family) residing outside the plantation, who has expressed a desire to reside in the plantation and who has put in six months of continuous service in that plantation.¹²
 - c. The dependent children of a worker **(male and female)**, and **his/her** dependent parents.
7. If a worker is entitled to housing (as per point 6 above), and the estate cannot provide a house on-site, then HRA must be paid to that worker.
8. The elements of housing are to be interpreted as follows:
 - a. Minimum of two well ventilated rooms (living and bedroom), plus a well-ventilated kitchen.
 - b. Proper sealed and dry floor: A dry floor can be of cement, stone, tile, wood, or clay. Clay floors may only be accepted if sealed and levelled. Dry floors are achieved inside the house when the house is constructed on an elevated platform/ raised floor. A proper sealed floor helps to avoid large populations of rats, mice, insects and other vermin. If adequate measures are not in place to prevent their reproduction, it poses a risk to the health of families.
 - c. Protection against rain, wind or cold weather conditions: Walls that withstand the elements and keep indoors free of damp. The walls that meet these requirements could be of durable material (e.g. cement, brick) or wood with a permanent foundation. The walls must be strong enough to withstand all weather conditions. If the wall is made of clay and bamboo and can adequately serve the purpose of a wall, this may be accepted. If there are no leakages in roof, windows, or doors, then the house is in a good state of repair. Due to heavy rainfall in some parts of India, including Assam, housing must have adequate drainage. The compound drains and the main outlet drains shall be arranged so that there is no water in the house caused by the blockage in the drains.
 - d. A leak in the roof should not lead to a NC, unless there is proof that the residents have reported it and the farm has not acted to repair the leak, or if leaks are prevalent in several houses.
 - e. Flush toilet /pit latrine with a slab.
 - f. No conditions posing imminent threats to the health or security of the occupants such as deficient structural conditions that could lead to severe injury or death in the case of earthquakes or fire (no structural safety). It also entails adequate removal of fumes, if cooking is done indoors. Houses should be located in non-hazardous, safe, well-drained areas.
 - g. Separate beds for each worker: This requirement refers to ILO Workers' Housing Recommendation No.11 with the objective to prevent non-family-related workers from sharing a bed against their will. Criteria do not imply that couples or their children cannot share their beds, but that unrelated children or adults are not forced to share their beds.
 - h. Doors with locking mechanism: The outside door of the house (and ideally also its windows) has a locking mechanism that prevents others entering.
9. Latrines need to be provided by the estate as part of the housing facilities. The latrines comply with the following criteria:
 - a. At least one toilet for every 15 persons, one urinal for every 25 men. Community type latrines are prohibited.
 - b. Must be clean and in good state of repair,
 - c. Must have effective drainage with septic tank(s), not allowing for the formation of stagnant cess pools.
 - d. Must be well ventilated with adequate natural light,
 - e. Toilets are designed to maximize safety for women and children, including good sight lines to latrines, privacy structures (roof and walls) with locks and well-lit toilet areas.
10. A register of workers and family members that live in management-provided housing:

¹² Except for a worker who is a member of the family of a deceased worker, who immediately before his death, was residing in the plantation. In that case, no period of time of continuous work is required.

CH's must keep a record of all houses present on the plantation. In case houses are occupied by non-workers, this is to be indicated as well. The record should include, at least:

- Number of permanent workers living on the farm
- Number of non-permanent/temporary/casuals residing on the farm
- Number of non-working people living on the farm
- Number of minors (non-adults/adolescents) living on the farm
- Number of permanent workers living outside the farm
- Number of non-permanent/temporary/casuals living outside the farm
- Name of residents of each house
- Number of Pucca houses
- Number of semi-Pucca houses
- Number of Kutcha houses
- Total number of houses available
- Number of houses occupied by workers
- Number of houses repaired
- Number of eligible workers not allotted houses in the farm
- Number of the total shortage of houses

11. The CB shall ensure that the sample of houses to be audited is reviewed by the lead auditor that is responsible for conducting the audit. The sample of houses must meet the following requirements:
 - a. The CB shall audit a representative³³ sample of houses provided by management, to evaluate compliance with the housing requirements. The sample must comply with the following criteria:
 - I. Be 50% of the square root of the total of the houses, with a minimum of 10 houses.
 - II. A NC in one house is considered as a NC for the CH on that criterion. It will be important to report if the case is an isolated one or if the CB detects that it is systemic.
 - III. The sample must increase according to the risk. The CB is responsible to decide if the sample must be increased.
 - b. The composition of the sample shall be determined in a manner that is representative of all houses provided by management, using stratified random sampling. The following sampling parameters shall be considered as a minimum:
 - Number of people residing in the house;
 - Differences in the types of houses (pucca, semi-pucca, kutcha);
 - Location of the houses (ensuring the most remote houses are also included); and
 - State of the housing
 - c. Auditors shall refer to the register mentioned above (see chapter 10, point 10). Auditors shall ensure that the register is updated.
 - d. To audit this requirement adequately, the auditor shall:
 - Inspect the outside of the house
 - Enter the house and conduct interviews with people living in the house. Good auditing practices are to be followed by the auditor in such a house visit.
 - Within the house, the auditor shall visit all key areas of the house, including the kitchen, bathing place, toilet, and one bedroom. If the toilet and/or bathing place are outside of the house, the auditor shall evaluate the toilet and/or bathing area as well.
 - e. CBs shall upload (a copy/ photo of) the register of housing mentioned in in point 10 in this chapter 10 in the GIP:

³³See point b on what to consider when evaluating representativeness.

11. Toilets and hygiene on working places – I.C. 106

Latrines in factories, maintenance areas and in the field of tea gardens have additional requirements, which are based on the PLR (1956):

- One latrine for every 50 acres of area under cultivation
- A slab (to squat on), walls and a door lock for security reasons
- Outside each latrine block, a signboard must be made visible saying in an understandable language: “For men only” or “for women only” and feature the appropriate figure of a man or a woman.
- Near the latrines enough water to wash hands must be available.

12. Communal eating areas at working places – I.C. 107

Factories, maintenance areas and in-field eating areas must be arranged in such a way that workers are protected against the sun and heavy rains. Communal eating areas are not required when **all** workers return to their homes to have lunch/dinner.

1. All types of workers need to receive instructions on basic hygiene, as per this requirement. As this is a requirement in block C, this refers not only to the workers working on the certified crop (tea) but in this case refers to all workers on the farm and the household of the producer.
2. The instructions need to be visibly displayed in the following central locations:
 - Production (referring to the tea fields);
 - Processing (referring to the tea factories);
 - Maintenance areas;
 - Hand washing and toilet facilities;
 - Living and eating areas.

Besides these instructions on hygiene, workers specifically working with the tea crop also need to receive training as clarified in control point I.A.13, on the topics mentioned in I.A.9 that are relevant to them. This means that these workers need to receive training on the topics of health and safety practices, which needs to include topics like re-entry times, and use of machinery and pesticides. In the specific context of Assam, all workers receive training on hygiene.

Annex I – Deductions: Conditions and evidence

The Payment of Wages Act, 1936 ('the Act' in this chapter) is the law governing permissible deductions from wages paid to any employed person in India. Although the Act allows different deductions under different categories, the Rainforest Alliance will only accept deductions made under the categories listed in the next table, and that comply with the conditions described:

| Letter | Deduction for | Conditions | Evidence |
|--------|--|--|--|
| a | Absence from duty | Only allowed when the employer has the right to make such a deduction, i.e. when conditions described in the "section 9. Deductions for absence from duty" of the Act are met ¹⁴ . | - Signed contract between the employer and employee which stipulates such a deduction for absence. - All terms in the contract are met. |
| b | Recovery of advances and loans | Advances made before the employment began can only be recovered from the first payment of wages for a complete wage-period. A recovery cannot be made for advances given for travelling expenses before employment began. | - Documented proof that these advances have been made. - Documented proof of pending repayment of these advances at the time of the deduction. -Rate of deduction per payment. |
| c | Deductions by the order of a court | | Certified copy of the court order. |
| d | Provident fund | It is mandatory for permanent and temporary/casual workers. | Salary slip which shows that a 12% employer contribution has been made. |
| e | Deductions with the consent of the employed Person | Employees must provide written authorization to the employer to allow this deduction. | Written authorization by the employee to the employer. |
| f | Deduction for the Welfare Fund | Employees must provide written authorization to the employer to allow this deduction. | Written authorization by the employee to the employer. |
| g | Trade Union Membership Fees (it should be clear that the unions are freely representing workers and workers are freely joining | Only in cases where unions are freely representing workers and workers are freely joining. | Documentary proof of the individual's membership to a Trade Union. |
| h | Prime Minister's National Relief Fund | Employees must provide written authorization to the employer to allow this deduction. | Written authorization by the employee to the employer. |
| i | Food rations | - Only allowed when subsidized rations are given by management and only if the rate to be deducted is less than or equal to the market rate (i.e. cost of the products, e.g. rice and sugar) - Rates for food rations are the same for all employees. | Pay-slips where the deduction is clearly indicated as rations. |

¹⁴ (a) only on account of the absence of the employed person at times when he should be working, and such deductions must not exceed an amount which is in the same proportion to his wages for the wages period, as the time he was absent and in that period is to the total time he should have been at work.

(b) If ten or more employed persons acting in concert, absent themselves without reasonable cause and without due notice, the deduction for absence can include wages for eight days in lieu of notice, but

(1) no deduction for breaking a contract can be made from a person under 15 or a woman;

(2) there must be a provision in writing which forms part of the contract of employment, requiring that a specific period of notice intention to cease of employment, requiring that a specific period of notice intention to cease work not exceeding 15 days of the period or notice which the employer has to give to discharge a worker, must be given to the employer and that wages may be deducted in lieu of such notice;

(3) the above provision must be displayed at or near the main entrance of ["the office of the Factory or Industrial Establishment as the case may be"];

(4) no deduction of this nature can be made until a notice, that this deduction is to be made has been posted at or near the main entrance of the factory/establishment.

(5) no deduction must exceed the wages of the employed person for the period by which the notice, he gives for leaving the employment, is less than the notice, he should give under his contract.

Annex II – Audit facilitator

An Audit Facilitator is a person who is independent of the certificate holder and who is present on the audit site to provide on-site observations during the remote audit process. The Audit Facilitator operates under clear instructions given by the qualified auditor. An audit facilitator can play various roles, including:

1. Ensure the (lead) auditor’s independence during the remote audit verification e.g. calls, by observing that CHs provide access to documents, persons, locations as the auditor requested
2. Check the identify of interviewees to ensure that the person the auditor talking to is actually the person requested
3. Observe the conditions under which interviews occur to ensure that the conversation/interview has the level of privacy desired as in a normal interview.
4. Facilitate the calls/video tours by using his or her own device, where needed, and point the camera to the locations instructed by the auditor, for example:
 - a. In a processing facility
 - b. In a storage room: PPE, pesticides, fertilizers
 - c. In a house
 - d. On a farm, with a farmer
 - e. In a (video) call with a worker who does not have a (smart) phone.
5. Other optional tasks: taking pictures, taking GPS coordinates
6. If appropriate, this person can also act as a translator/interpreter if her/his language capacity allows.

Requirements:

- An audit facilitator should understand the purpose of an audit and preferably has previous experience with an audit process, although he/she does not necessarily need to be an auditor.
- His/her role and responsibilities must be clearly defined by the CB.
- Must be independent, i.e. avoid conflict of interest, and strictly respect confidentiality.
- An audit facilitator should not perform the tasks of an auditor: e.g. to conduct an interview independently, to create audit findings/conclusions.