

# RAINFOREST ALLIANCE GRIEVANCE PROCEDURE

April 2020

*Version 1*



**RAINFOREST  
ALLIANCE**



<b>Issue Date:</b>	<b>Binding date:</b>	<b>Expiration date:</b>
1 <sup>st</sup> April 2020	1 <sup>st</sup> April 2020	Until Further Notice
<b>Developed by:</b>	<b>Approved by:</b>	
Manager CB Monitoring	Standard and Assurance Senior Manager	
<b>Linked to (code and name of documents, if applicable):</b>		
<b>Applicable to:</b>		
The procedure is open to anyone who has a grievance against a member (producer or supply chain actor), a certification body (CB), or against the Rainforest Alliance itself.		
<b>Country/Regions:</b>		
Worldwide		

## PRINCIPLES

I. **Scope:** The procedure is open to anyone who has a grievance against a member (producer or supply chain actor), a certification body (CB), or against the Rainforest Alliance itself. The grievance must be about compliance with Rainforest Alliance standards, rules, policies and procedures directly related to the Rainforest Alliance and the UTZ certification programs<sup>1</sup>. The grievance cannot be about contractual obligations between members and/or CBs that go beyond policies and procedures of the Rainforest Alliance. Also, no claims for direct financial compensation from the Rainforest Alliance are accepted.

II. **Pathway to resolution:** Grievances should be addressed at the most direct level possible. Only if resolution fails at that level, should the next level be engaged. For example, a worker who has concerns about a labour practice on a certified farm shall first utilize the farm's own grievance mechanism. A stakeholder who has concerns about a CB shall first contact the CB directly to try and solve the matter using the complaint and appeal procedure of the CB. If the concerns still are not resolved, the stakeholder can file a grievance through the Rainforest Alliance Grievance Procedure. In certain cases where reporting the grievance at the most direct level might endanger the reporter or such reporting is reasonably considered an unnecessary exercise, the reporter can opt to use the Rainforest Alliance Grievance Procedure prescribed in this document.

III. **Fairness:** Grievances will be treated with procedural fairness:

- a person or organization, which is the subject of a grievance, is given adequate notice about the proceedings;
- a person making a decision should declare any personal interest he or she may have in the proceedings, should be unbiased and acting in good faith;
- each party to a proceeding is entitled to ask questions and contradict the evidence of the other party; and

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<sup>1</sup> The documents related to the Rainforest Alliance certification program can be found at: <https://www.rainforest-alliance.org/business/certification-documents/>  
The documents related to the UTZ certification program can be found at: <https://utz.org/resource-library/>



d. a decision-maker takes into account relevant considerations and mitigating circumstances and ignores irrelevant considerations.

**IV. Transparency:** The Rainforest Alliance will keep records of written communications and conversations, including date, time and a summary of issues discussed. Parties involved are requested to refrain from commenting publicly on the complaint until a decision is made and all parties have been informed accordingly. The Rainforest Alliance commits to review and take any necessary corrective action to its policies and procedures, such as the standards system or the assurance requirements.

**V Confidentiality:** The Rainforest Alliance will not share: (1) the identity of the parties involved in the grievance, (2) details of the grievance, or (3) the measures taken with other parties that are not part of the grievance mechanism's process. However, the Rainforest Alliance may share this information if there is a legal obligation to do so or if an involved party makes a public statement regarding such complaint.

**VI. Acceptance:** The Rainforest Alliance will accept both anonymous grievances and grievances in which the complainant identifies him/herself. However, anonymous submission can hamper the Rainforest Alliance's ability to arrive at a full understanding and resolution of the grievance, so we encourage submitters to identify themselves to the Rainforest Alliance. By submitting a grievance, the submitter accepts the provisions of this grievance procedure.

**VII. Right to pursue remedial action:** Any submitter has the right to pursue other forms of remedial action to address the grievance, at any stage in the process.

**VIII. Protection from retaliation:** The Rainforest Alliance prohibits certificate holders and CBs from retaliating against a party submitting a grievance and will take such measures as suspending certificates and sanctioning CBs if cases of retaliation are found. Submitters may provide information to the Rainforest Alliance on any concerns about retaliation and how to mitigate such concerns.

## PROCESS

### Grievance

1. A grievance is submitted through the online grievance form. An exception can be made if the submitter is illiterate or has no access to the internet. A grievance includes at least the following information:

- a. name and contact details (unless the grievance is submitted anonymously);
- b. description of the grievance
- c. supporting evidence (optional)
- d. description of the steps already taken to resolve the grievance at an informal or direct level.

2. The Rainforest Alliance will inform the submitter within 10 working days after receipt of the grievance if the grievance is found eligible. The grievance is eligible if it is within the defined scope, if a solution at an informal or lower level has been sought where possible, and if the grievance has been submitted correctly. If the grievance is found ineligible, the Rainforest Alliance will provide an explanation and, if possible, a recommendation on how to correctly address the grievance. A grievance against a decision by the Rainforest Alliance is considered an appeal and will be dealt with as an appeal procedure as described below.



3. If the grievance is found eligible, the Rainforest Alliance will appoint a grievance manager to handle the grievance in accordance with this procedure. The grievance manager has appropriate contextual knowledge to handle the case, and is, as much as possible, impartial and free of any conflict of interest in relation to the grievance and the parties involved. If the complexity of the case so requires, the Rainforest Alliance may appoint a committee of up to three grievance managers to handle the grievance.

4. Within 10 working days after informing the submitter that the grievance is found eligible, the Rainforest Alliance will:

- a. inform the submitter of the name and contact details of the grievance manager;
- b. inform the subject of the complaint of the name of the grievance manager, supply the subject of the complaint with a copy of the grievance<sup>2</sup>, and allow the subject of the complaint 10 working days to send in a written reaction and supporting evidence. Upon request of the subject of the complaint, and in case it is deemed reasonable, the Rainforest Alliance may decide to extend the 10-day period for submitting a reaction and supporting evidence. The Rainforest Alliance will send a copy of the written reaction and supporting evidence to the submitter. In cases where the subject of the complaint has submitted evidence, the submitter will consequently be allowed 10 days to submit a reaction, but no additional evidence can be submitted.

5. Within 30 days after conclusion of step 4 of the procedure, the Rainforest Alliance will contact the parties by e-mail or phone to attempt to informally resolve the issue, unless such an attempt is reasonably to be considered an unnecessary exercise.

6. If the grievance cannot be resolved in an informal way, the Rainforest Alliance will, within 60 days after conclusion of step 4, inform the parties by email of the decision taken, including the reasons for the decision and, if applicable, any follow up measures to be taken. The Rainforest Alliance reserves the right to extend the period for taking a decision, if the complexity of the case, or other specific reasons so require. The Rainforest Alliance will inform parties in writing thereof.

7. Either party may appeal the decision by the Rainforest Alliance on a grievance, or any other decision by the Rainforest Alliance, by submitting an appeal within 30 days after the notification of the decision.

### **Appeal**

8. The appeal is submitted through the online grievance form. An exception can be made if the submitter is illiterate or has no access to the internet. An appeal includes at least the following information:

- a. name and contact details of the appellant;
- b. specification of the decision;
- c. grounds of the appeal;
- d. supporting evidence (if relevant).

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<sup>2</sup> Grievance submitters shall always disclose their identity to the Rainforest Alliance. In exceptional circumstances, the Rainforest Alliance will consider requests by grievance submitters who wish to remain anonymous to the parties to the grievance and shall protect their privacy and identity to the maximum extent possible, while recognizing that the identity of the submitter of the grievance might be obvious depending on the circumstances. In special cases the Rainforest Alliance may decide not to share information if it could negatively impact the grievance submitter or if by sharing such information the Rainforest Alliance could be violating its prior commitment to confidentiality and impartiality.



9. The Rainforest Alliance will inform the appellant within 10 working days after receipt of the appeal if the appeal is found eligible. The appeal is eligible if it is within the defined scope, and if the appeal has been submitted correctly. If the appeal is found ineligible, the Rainforest Alliance will provide a recommendation on how to correctly address the appeal.

10. If the appeal is found eligible, The Rainforest Alliance will appoint an appeal panel to handle the appeal in accordance with this procedure. The appeal panel consists of three persons who have appropriate contextual knowledge to handle the case, and who are, as much as possible, impartial and free of any conflict of interest in relation to the appeal and the parties involved. The grievance manager who handled the case in the first instance cannot take part in the appeal panel. The Rainforest Alliance may decide to appoint one person instead of three. Also, the Rainforest Alliance may decide to appoint one or more external parties to take part in the appeal panel.

11. Within 30 days after informing the appellant that the appeal is found eligible, the Rainforest Alliance will:

- a. inform the appellant of the names of the appeal panel;
- b. inform the subject of the appeal of the names of the appeal panel, supply the subject of the appeal with a copy of the appeal, and allow the subject of the appeal 10 days to send in a written reaction and supporting evidence. Upon request of the subject of the appeal, and in case it is deemed reasonable, the Rainforest Alliance may decide to extend the 10-day period for submitting a reaction and supporting evidence. In case the subject of the appeal has submitted evidence, the appellant will consequently be allowed 10 days to submit a reaction, but no additional evidence can be submitted.

12. Within 30 days after conclusion of step 11 of the procedure, the appeal panel will contact the parties by email or phone to attempt to informally resolve the issue, unless such an attempt is reasonably to be considered an unnecessary exercise.

13. If the appeal cannot be resolved in an informal way, the appeal panel will, within 60 days after conclusion of step 11 of the procedure, inform the parties by email of the decision taken, including the reasons for the decision and, if applicable, any follow up measures to be taken. The appeal panel decides on the appeal by consensus. If no consensus is possible, the appeal panel will decide by majority vote. The Rainforest Alliance reserves the right to extend the period for taking a decision, if the complexity of the case, or other specific reasons so require. The Rainforest Alliance will inform the parties in writing thereof.

14. The decision of the appeal panel shall be binding on all parties and no further grievance or appeal on the same matter will be accepted. Submitters retain the right to pursue other forms of remedial action to address the grievance.

15. After a grievance is resolved, learnings are documented and shared with relevant parties within the Rainforest Alliance to facilitate continuous improvement of the assurance system, and to prevent re-occurrence of the grievance.