



Basic Compliance Requirements for FairTSA Inspections

Date:
March 17, 2016
Version:
1.0

FairTSA Basic Compliance for Producers (Farms, Cooperatives, Processing Facilities and Key Development Partners)

Introduction

Once you have made the decision to become certified under the FairTSA Fair Trade Program, it is necessary to prepare your operation for the first inspection. Below you will find the major requirements that your operation needs to fulfill in order to pass this inspection and considerations for the ongoing compliance the FairTSA Fair Trade requirements.

1. Workers' Rights

1.1 Work Contracts

All workers, regardless of contract, migrant and seasonal workers need to have a work contract. At a minimum the contract has to specify the position, the wage (hourly/daily/etc.), work hours, overtime pay, if any, and any social benefits included. The wage has to comply national, state or regional minimum wage laws. If there is no established minimum wage, please get in contact with us BEFORE the inspection so that we can discuss this topic and find a solution. Simple contract template can be downloaded from our web site at <http://fairtsa.org/producer-resources.html> . For contract, seasonal or migrant workers "umbrella contracts" are acceptable. Umbrella contracts are contracts that specify the general conditions for employment on the first few pages, and then a number of workers can sign one and the same contract. Again, a template can be downloaded from the same web page as above.



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1.2 Right to Organize

Workers have the right to unionize, or, if no union is present, they have the right to meet once a month for two hours (paid), and elect one or more representatives who can negotiate with management. This applies for operations with 20 or more workers.

1.3 Equal Pay for Equal Work

Equal pay for equal work is a principle that needs to be adhered to. Female workers have to be paid the same wage than male workers for the same type of work. For members of a different regional origin or a different tribal origin the same applies.

1.4 No Discrimination

Discrimination for engaging in trade unions or worker committees is not permissible.

1.5 Informal Interviews with Workers

The inspector has the right to conduct informal interviews with some of the workers at the first and subsequent inspections.

2. Contracts for Farmers (Cooperatives and Key Development Partners)

For cooperatives and Key Development Partners, usually processing companies in the country of origin, there must be contracts in place specifying basic payment terms for products including pay per weight, quality specifications, and delivery terms. If applicable, the Fair Price premium must be included by the time of the second inspection. It is permissible to have umbrella contracts for larger farmer groups, too.

3. Child Labor, Forced and Bonded Labor, Non-Discrimination



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3.1 **Child Labor**

No child labor for children for children under 14 years is acceptable. Children may work on their parents or close relative's farm if the work is child-appropriate. In no case will work by children prevent available schooling. If you have a situation where younger children work in a family context in an established cultural practice, please contact us BEFORE the first inspection to discuss this situation.

3.2 **Forced and Bonded Labor**

No forced or bonded labor is acceptable. Forcibly removing passports, drivers' licenses, I.D. cards or other means of identification in order to prevent the free movement of workers is prohibited.

3.3 **Non-Discrimination**

Discrimination of any kind, be it because of race, gender, religion, ethnicity, or any other reason is prohibited.

4. **Occupational Health and Safety**

4.1 **Occupational Health and Safety on Farms**

Farmworkers must have appropriate work hours and working conditions. They must be given work breaks, especially in hot weather, and have access to ample amounts of drinking water. If there is protective gear necessary, the operation must provide this at no cost. Tools provided must be appropriate and in good working order.

4.2 **Occupational Health and Safety in Processing Facilities**

It must be ensured that there are no dangerous working conditions present. Also, working fire safety equipment and measures, appropriate first aid kits and doctor information has to be easily accessible. A simple occupational health and safety policy is downloadable from our web site at <http://fairtsa.org/producer-resources.html>.



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5. Complying with Ongoing Requirements

5.1 Ongoing Requirements

The FairTSA requirements are based on a “Cycles of Improvement” philosophy, which means that the longer a farm, cooperative or company stays FairTSA Fair Trade certified, the better the required systems and documentation should become. Minor noncompliances as determined by the certification agency have to be taken seriously and corrected as soon as circumstances allow.

5.2 Community Development

Community development is at the heart of what we are doing, and each certified operation has to create their own community development projects. The projects have to begin only **after** the first inspection has taken place, shortly after the first Social Premium has been received. Best practice is to create a Community Development Committee that must include members of the producer communities in question. If need be FairTSA can train a community facilitator who will help with guiding the community through the process of planning and evaluation. To clarify our minimum requirements, we have developed a simple community development planning form as well as evaluation form. Both can be downloaded from our web site at <http://fairtsa.org/producer-resources.html>