



**FAIR FISH**

# **RESPONSIBLE RECRUITMENT**

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**MANUAL AND ACTION PLAN  
FOR RECRUITERS & EMPLOYERS**

# NOTES



## > FOREWORD

In recent years, there have been improvements in working conditions in the Thai fishing industry, driven by negative press, the resultant threat to trade, and a range of international labor conventions and social compliance initiatives that many international buyers require their suppliers to comply with, such as the Business Social Compliance Initiative (BSCI).

However, there is also increasing recognition that focusing only on working conditions at the factory is not sufficient. Migrant workers, even before they arrive at the workplace, may have already been subjected to abuses during the recruitment process.

Plan International's Fostering Accountability in Recruitment for Fishery Workers (FAIR Fish) Project aims to reduce forced labor and human trafficking in the recruitment of women and men in the seafood processing sector in Thailand by:

- Improving understanding of the nature of forced labor and human trafficking in the recruitment of workers
- Improving company-led approaches to address forced labor and human trafficking in the recruitment process
- Improving compliance with recruitment policies and procedures by third party recruiters
- Increased action on promoting responsible recruitment policies and practices among private sector actors

Responsible recruitment is defined as looking for, selecting, and hiring suitable candidates for a job in ways that respect fundamental human and labor rights; comply with national labor laws, and international conventions and standards; and uphold fairness, transparency, and accountability among all stakeholders.

This manual and its accompanying training course will support recruiters and employers to embed responsible recruitment practices in their businesses. This is a summarized version of the full 'Pilot Model of Responsible Recruitment' manual and all sources and citations can be found in the full document.

The FAIR Fish Project would like to thank The Food School and its Director, Ms. Ananya Surangpimol, for their contribution to these documents.

### Throughout these standards we refer to:

<b>Recruiters</b>	Recruitment agencies, labor brokers and other recruitment intermediaries in both Thailand and source countries
<b>Employers</b>	The factories where workers will work
<b>Workers</b>	People who have been recruited and are working for either a recruiter or an employer
<b>Applicants</b>	People in the recruitment process, prior to becoming workers
<b>Supply chain partners</b>	All the companies and people that are involved in the supply of workers, from local labor brokers, accommodation and transport providers, through Thai and source country recruiters, up to the employer.

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## > WHAT IS WORKER EXPLOITATION?

**Worker Exploitation** is the act of treating workers unfairly for someone's benefit. Worker exploitation can exist along a spectrum with forced labor and human trafficking at one extreme, to other exploitative practices like misleading workers about a job, paying less than promised, making extortionate wage deductions, making people work long hours or in dangerous conditions, and not paying them the benefits they are entitled to.

**Modern Slavery** is an umbrella term used to describe offences of human trafficking, slavery, forced labor and domestic servitude, and practices such as debt bondage, the sale or exploitation of children and forced marriage. While varied in nature, all forms of modern slavery involve one person depriving another person of their liberty, in order to exploit them for personal or commercial gain. Today, there are estimated to be 40 million people in slavery globally, of which nearly 21m are in forced labor in the private sector.



**24.9 MILLION**  
people in forced labor

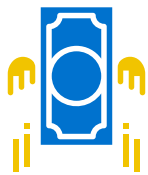


**COERCION**

People in forced labor suffer a variety of forms of coercion



**20.8 MILLION**  
in privately imposed forced labor



**24% EXPERIENCED WITHHOLDING,**  
or threatened withholding of wages



**4.1 MILLION** in state imposed  
forced labor



**17% THREATENED**  
with violence



**16% EXPERIENCED**  
physical violence



**4.3 MILLION OF THOSE IN**  
forced labor are children



**DEBT BONDAGE ACCOUNTS FOR**  
**50% OF FORCED LABOR** in the  
private economy



Women and girls comprise **63%** of people in forced labor and **99%** of those who are subjected to forced commercial sexual exploitation.



**12% EXPERIENCED**  
**THREATS** against family

**Forced labor** is work that is performed involuntarily and under the threat of some kind of penalty. It refers to situations in which people are coerced to work through the use of violence or intimidation, or by more subtle means such as manipulated debt, retention of identity papers or threats of reporting to immigration authorities.

**Human Trafficking** is the recruitment, transport, transfer, harboring or receipt of an individual by means of force or other forms of coercion. Men, women and children of all ages and from all backgrounds can become victims of this crime, which occurs in every region of the world. Human traffickers often use violence or fake promises of education and job opportunities to trick and coerce their victims.

## WHO IS MOST AT RISK AND WHY?



SEASONAL WORKERS



CHILDREN



WOMEN



MIGRANT WORKERS



CONTRACT & AGENCY WORKERS



MARGINALISED GROUPS



DOMESTIC WORKERS

## VICTIM VULNERABILITIES



HOMELESSNESS/  
POVERTY



IMMIGRATION STATUS



DRUG & ALCOHOL DEPENDENCY



DIFFICULT FAMILY BACKGROUND



MENTAL HEALTH PROBLEMS



LIMITED ACCESS TO EDUCATION



GEOGRAPHIC INSTABILITY, NATURAL DISASTER & WAR

## > THE LOCAL CONTEXT

### A. FISHING IS BIG BUSINESS

The seafood sector is crucial to the Thai economy. Thailand is one of the top four seafood exporters in the world, exporting mostly to Japan, the US, EU and Australia. Thailand's canned tuna exports alone (valued at \$1.1 billion annually) make up 53% of the world's canned tuna market, while its shrimp exports account for \$2 billion per year.

This massive industry requires a huge workforce. The Thai fishing and seafood processing sectors employed 600,000 workers in 2017 and relied heavily on the recruitment of migrant workers (302,000 registered).

Workers may be trafficked for the purpose of labor exploitation and forced labor on fishing vessels and in fish farming, seafood processing plants, and in work in ports, such as sorting and repairing nets. There is also evidence of trafficking of women and children for organized sexual exploitation by fish workers, according to the International Office of Migration (IOM).

Negative media coverage of seafood worker exploitation in recent years has led to a global outcry by consumers. International seafood buyers are increasingly making commitments to reduce and/or remove exploitative practices in their supply chains.

Many of the Thai seafood industry's international customers are subject to consumer pressure, and in some cases legislation and litigation to ensure that the products they buy from Thailand are free from worker exploitation.





## IN A RECENT REPORT

In a 2021 report, the Seafood Working Group (SWG) – a global labor rights advocacy coalition – recommended that Thailand should be downgraded to the Tier 2 Watch List ranking in the U.S. Department of State’s 2021 Trafficking in Persons Report.

- The report documented several cases across the seafood processing, fishing, and large-scale agriculture industries where employers used methods such as document confiscation, physical violence, wage withholding, and forced overtime to keep migrants working under poor and dangerous conditions to meet product demand. There was also a pattern of excessive overworking in the seafood industry due to increases in demand for shelf-stable seafood during the pandemic.

- Of particular concern, the report noted that when COVID-19 hit the seafood processing hub Samut Sakhon in December 2020, barbed wire was used to seal off an area housing more than 3,000 migrants, collectively quarantining infected and non-infected workers together, which caused food prices to skyrocket and sudden mass unemployment.

## B. LEGAL FACTORS

Foreigners' Working Management, Emergency Decree, B.E. 2560 (2017) prohibits employers from charging migrant workers fees beyond what is set out in the Ordinance.

However, some unscrupulous recruiters charge recruitment costs to source country recruiters and agents, who in turn pass them on to workers.

In 2003, Thailand and Cambodia signed an MOU to facilitate the legal migration of workers between countries. Recruitment fees under the system are high and made higher by complex supply chains and corruption. The MOU system is not popular with employers since it is lengthy, expensive and complex to administer.

See following process flows for MOU and in-country recruitment and [click here](#) for comprehensive information on the recruitment process steps, documents, and timelines for both routes.

Figure 1: MOU (Cross-Border) Recruitment Process Flow

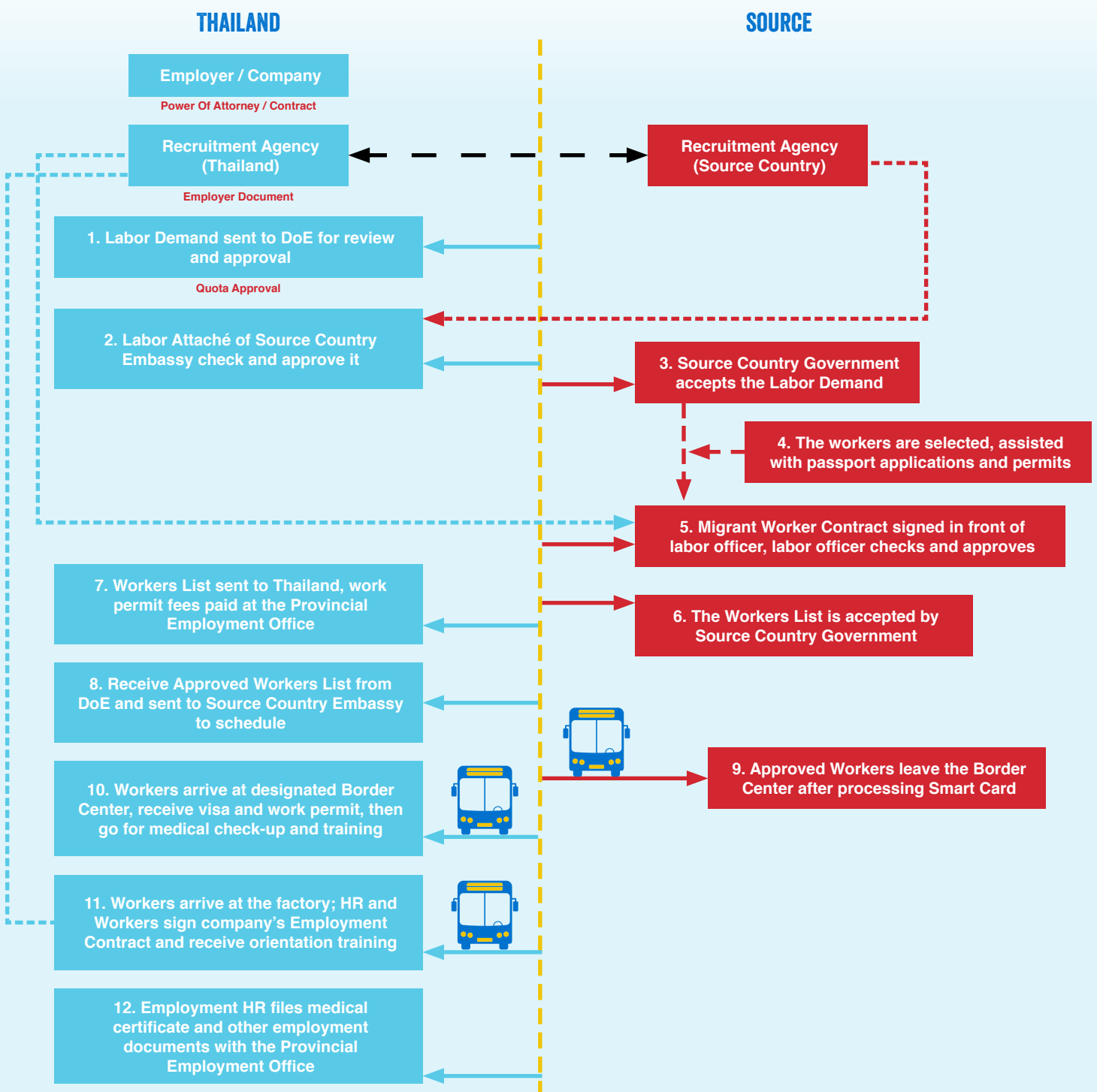
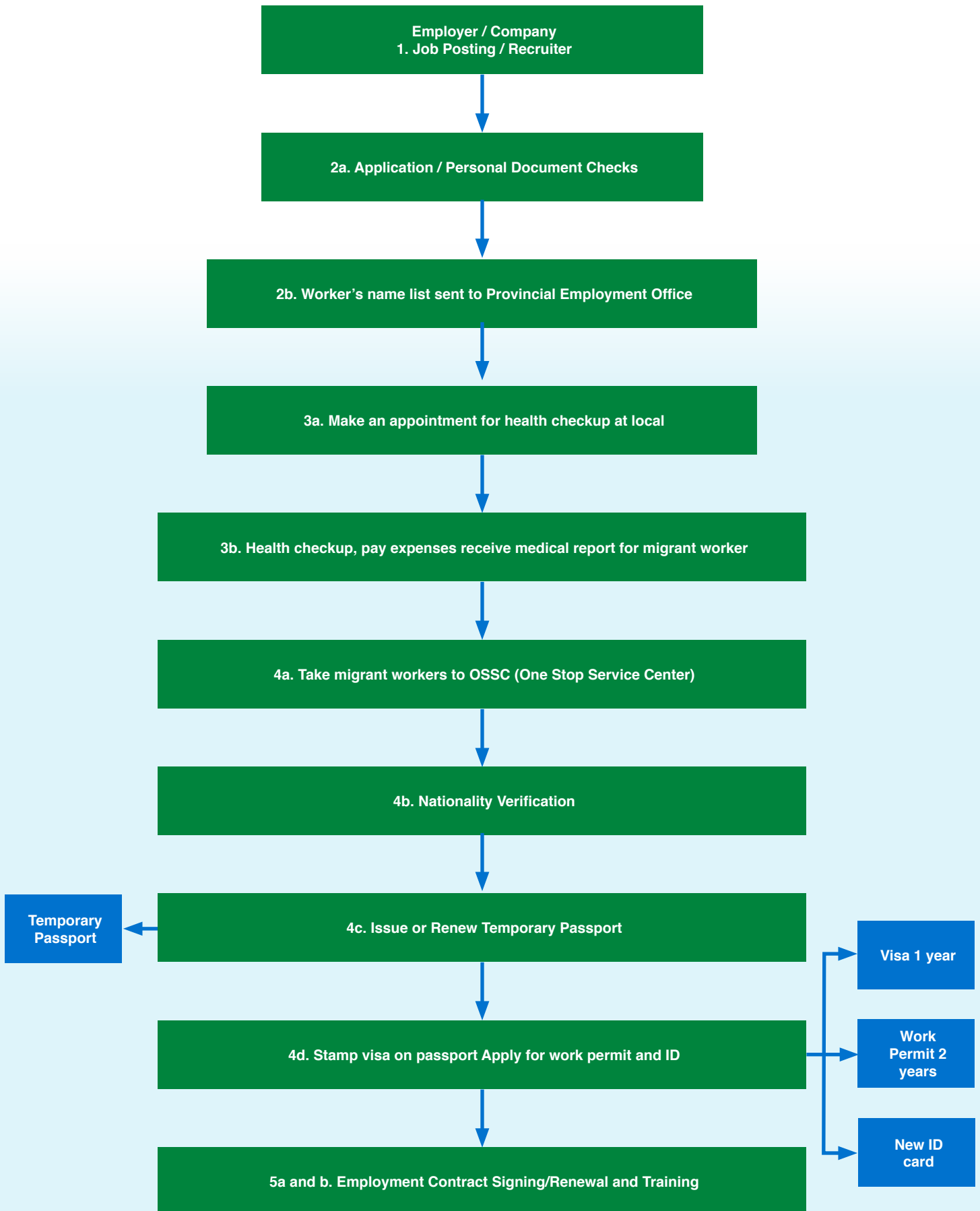


Figure 2: NV (In-country) Recruitment Process Flow



## C. UNSCRUPULOUS RECRUITMENT PRACTICES

Thai seafood processing companies are often heavily dependent on migrant workers. Many companies rely on recruitment agencies or individual recruiters to source their workforce from neighboring countries with most coming from Myanmar and Cambodia.

Workers migrate to Thailand predominantly for economic reasons – poverty and lack of economic opportunity back home. Whilst the official costs of migration are low, recruiters may pass along significant fees to workers, including:

- Exploitative mark-ups paid to various agents, brokers and middlemen involved in the recruitment process, including for transport, accommodation and pre-departure training fees
- Payments and bribes to corrupt officials to provide or speed up required documentation or processes
- Security deposits or bonds, which act as ‘runaway insurance’
- “Warehousing,” fees – an illegal practice where recruiters hold workers in a pool until jobs are available, during which time they are charged for food and lodging

Jobseekers may be forced to pay such costs under coercion, or may do so willingly, desperate to find work. Jobseekers and workers are often not provided with receipts for payments made or may be given fraudulent documentation which vastly understates the amounts paid. If the fees are large, jobseekers may take out a loan and be forced to work for months or years just to pay off exorbitant rates of interest. Migrant workers and especially those recruited across borders are particularly vulnerable to these abusive recruitment and employment practices.

Workers in debt are vulnerable to further exploitation such as forced labor and modern slavery, as they may be under threat from those they owe the debt to.

While the demand for workers is high, the fishing sector is notorious for being dirty and dangerous and generally viewed as undesirable by both Thai nationals and migrant workers. In order to meet labor demands, recruiters sometimes resort to deception by promising migrant workers employment within the construction or agricultural industries, which are considered preferable to fish processing. However, once workers arrive into the country, they can find themselves delivered to seafood processing factories and forced to work to repay their recruitment-related debt.

Given the high costs of legal migration, some migrant workers opt to migrate via illegal channels and whilst they save money on travel expenses, not having proper paperwork puts migrants at further risk of labor exploitation as they must work illegally.

Other unscrupulous recruitment practices include unauthorized wage deductions and inflated charges for services rendered. Workers may not receive a copy of their contract and it may not be written in a language they understand. Recruiters may also withhold wages or forcibly prevent workers from leaving employment once they arrive in country.

## D. CONTRIBUTING FACTORS

### - FOR MIGRANT WORKERS

The following table shows some of the vulnerabilities of migrant workers which make them particularly susceptible to labor exploitation.

Worker Vulnerability	Impact
<b>Poverty</b>	<p>Workers are more likely to accept poor pay and conditions when they have fewer alternatives.</p> <p>They are more likely to have borrowed money for the costs of their journey to Thailand, putting them in a position of debt bondage.</p>
<b>Lack of education and/or experience</b>	<p>Workers are less likely to be aware of their rights and do not know what is acceptable and what is exploitation.</p> <p>Workers don't know where to go for help and are frightened to complain in case they lose their jobs.</p>
<b>Far from home</b>	<p>It's more difficult for migrant workers to escape exploitation as they may have nowhere to go and no way of getting home safely.</p>
<b>Lack of Thai language skills</b>	<p>Workers may not understand what is being offered, and what they are agreeing to.</p> <p>It is more difficult to ask questions or complain if you do not speak and understand the language of your recruiters and employers.</p>
<b>High cost of migration</b>	<p>Encourages workers to choose illegal migration routes leading to increased employment vulnerability as undocumented workers are at greater risk of exploitation.</p> <p>Whilst the 'official' costs may be relatively low, bribery and corruption at all stages of the recruitment process add to the burden.</p>
<b>Dependent upon employer</b>	<p>Workers can only obtain a work permit through their employer and current regulations make it very difficult for workers to change jobs. This means workers have few choices if they are being exploited.</p>
<b>Migrant workers in the fishing industry often have to wait for lump sum pay outs</b>	<p>Encourages chain migration of women and children to support the family while waiting.</p>

## CONTRIBUTING FACTORS FOR EMPLOYERS

There are also contributing factors for employers:

Worker Vulnerability	Impact
Fishing jobs are considered undesirable by Thai nationals	Meaning that employers are more dependent upon migrant workers, with their greater vulnerability to exploitation.
Lack of knowledge and empathy	Employers may not understand that they are exploiting workers – they may view themselves as helping migrant workers by providing work, transport and accommodation.  In some cases, employers are resentful of migrant workers who complain and see them as giving Thailand a bad name.
Catches are dwindling and unpredictable	Regulations to reduce catch and restrict fishing leads to lower profits for employers and a consequent drive to economize.
Ethical behavior is seen as expensive	Proper training, decent work conditions and reasonable pay are seen as costly and impact upon employer profits.
Lack of repercussions	Whilst there are many legal and ethical standards, enforcement is usually low, meaning that the risk of being caught exploiting workers is also low.

# POTENTIAL CONSEQUENCES

The potential consequences of exploitative and abusive recruitment practices are extreme for migrant workers, but there are also severe consequences for recruiters and seafood processing companies:

Short term consequences		Long term consequences	
<b>Recruiters and processing companies</b>			
<ul style="list-style-type: none"> <li>• Higher turnover of workers</li> <li>• Bad publicity</li> <li>• Buyers scrutinize supply chain</li> </ul>		<ul style="list-style-type: none"> <li>• Continued labor shortages and increased costs of recruitment</li> <li>• Prosecution for illegal activities</li> <li>• Contribution to other forms of organized crime</li> <li>• Poor reputation and erosion of brand</li> <li>• Loss of access to international markets</li> </ul>	
<b>Exploited workers</b>			
<ul style="list-style-type: none"> <li>• Psychological trauma, loneliness and isolation</li> <li>• Displacement away from family and support system</li> <li>• Lack of or poor education for migrant children</li> <li>• Poor health and nutrition among workers</li> <li>• Increased debt</li> <li>• Vulnerable immigration status, especially for women and children</li> <li>• Physical, verbal and psychological abuse</li> </ul>		<ul style="list-style-type: none"> <li>• Increased poverty due to crippling debt</li> <li>• Worsening situations of gender inequality i.e., wage differential for men and women due to immigration status, gender stereotypes of jobs</li> <li>• Displaced families with vulnerable immigration status</li> <li>• Dysfunctional families left behind</li> </ul>	

Top Glove, the world’s largest manufacturer of rubber gloves, was banned from exporting its products from Malaysia to the United States after US Customs and Border Protection (CBP) made a finding that its workers were exploited, citing evidence of alleged instances of debt bondage, excessive overtime, retention of identification documents, and abusive working and living conditions.

***“CBP will not tolerate foreign companies’ exploitation of vulnerable workers to sell cheap, unethically-made goods to American consumers,”*** Troy Miller, a senior CBP official, said in a statement.

An assessment, undertaken by Impactt, a UK consultancy, reports that Top Glove has now successfully addressed and resolved all indicators of forced labor in its direct operations.

Increasing expectations on supply chain businesses to pay the costs of remediation, mean that businesses are recognising that it’s more cost effective to deal with the issue of recruitment fees up front, rather than have to pay back inflated costs afterwards.

Top Glove had to pay USD36.3 million in remediation costs for 12,672 eligible current and former workers following international condemnation of its labor practices.

## > **BENEFITS OF RESPONSIBLE RECRUITMENT**

Now that you understand what worker exploitation is, its impact, and the factors that lead to it, why should you implement responsible recruitment in your own business?

Apart from the obvious benefits of treating people fairly, responsible recruitment has significant benefits for your own business, including:

### **IMPROVEMENT IN THE HEALTH AND WELLBEING OF WORKERS AND THEIR FAMILIES**

Workers who can earn a reasonable wage and keep the money they earn, are able to properly support themselves and their families in clean and safe accommodation, and access healthy food, education, and healthcare. The World Employment Confederation (WEC) reports that socially responsible companies have higher levels of workplace morale, lower staff turnover and reduced costs for training and onboarding as well as improvements in quality, efficiency and productivity.

### **EMPLOYER OF CHOICE / BETTER RETENTION**

You quickly become known for treating your workers well, leading to an enhanced reputation as an employer of choice. In a competitive marketplace, such a reputation makes it easier to recruit and gives you a greater choice of available workers meaning you are better able to supply your clients. Happy and healthy workers will stay with you for longer, meaning you need to do less recruitment to replace workers, whilst those you have continue to develop speed and skill, thus better serving your customers.

### **MARKET DIFFERENTIATION – BE PART OF THE SOLUTION NOT PART OF THE PROBLEM**

Demonstrating your responsible recruitment practices to potential new customers means that ethical businesses will want to work with you. Businesses who can provide evidence of compliance are safe choices as supply chain partners – particularly for businesses supplying into overseas markets where audit performance is critical to winning and keeping business.

According to WEC member PALSCON, the Philippines Association of Legitimate Service Contractors, not charging fees to jobseekers means attracting higher-quality clients, better talent among referrals, and increased business opportunities.

For ABADI (the Indonesian Outsourcing Association), professionalism and a high standard of ethics means becoming a trusted partner to employers, establishing yourself as a “company of choice” and differentiating your company from others in a competitive marketplace. By providing safe, healthy and ethical services, ABADI members attract high-quality candidates who perform well for employers and increase the number of “repeat clients”. Good conditions for workers result in higher levels of job satisfaction, which in turn improves work performance and quality. This is the “win-win” of ethical and professional recruitment in Indonesia.<sup>1</sup>

1. [WEC\\_Business-Case-Ethical-Recruitment.pdf \(wecglobal.org\)](#)



# > THE FAIR FISH RESPONSIBLE RECRUITMENT MANUAL FOR RECRUITERS & EMPLOYERS

This FAIR Fish Responsible Recruitment Manual for Recruiters & Employers and its accompanying training course provides practical guidance for recruiters and employers into the seafood processing industry to support compliance with responsible recruitment principles.

The seven modules cover:

## 1. SETTING UP YOUR RESPONSIBLE RECRUITMENT SYSTEM

This is all about making sure that you have the right business structures and support for a successful responsible recruitment program. We'll look at who should lead your program, who else should be in the team, and what training and support they will need. We'll also look at what sort of documentation you need and make sure that you understand what is required of your business by law and what is required by your contract with your client, as well as the requirements of the FAIR Fish program.

## 2. FUNDAMENTAL RIGHTS

These are the core rights that are applicable to all workers, regardless of what they do, who they are or where they come from.

## 3. RECRUITMENT PROCESSES

The processes you use when sourcing and recruiting your workers, from recruitment methods to induction.

## 4. WORKING CONDITIONS

The terms and conditions that apply once your worker has started work. Many of these processes may be the responsibility of the employer, but it is the recruiter's responsibility to work with the employer to ensure fair and transparent contracts and working conditions so that you can be sure you are only supplying workers to responsible employers.

## 5. GRIEVANCE AND REMEDIATION

We all make mistakes, and this section will show you why it's important to encourage workers to complain, so that you know when mistakes have been made. It will also teach you how to deal effectively with issues so that they are less likely to happen again.

## 6. DUE DILIGENCE

Complicated supply chains mean that we rely on other businesses to support our service – whether they be recruitment intermediaries, accommodation or transport providers. This module will help you to map your supply chain and ensure that everyone in it is operating in the way you require.

## 7. MONITORING AND VERIFICATION

The final module is all about measuring our responsible recruitment processes to make sure that they are having a positive impact on the business, and that you can continue to improve.

You can work through the modules at your own pace, using this manual as a guide to the actions you need to take, and a reference document. As we go through the program, we'll list lots of other resources you can use to help you along the way.

Within each section of the online course, you'll find tasks to complete which will transfer to this document, to personalize it, and help you create an implementation plan for your business. These tasks are numbered so that you can differentiate them from the other exercises within the course.

There are also a number of checklists within this document with steps that you can take to achieve your responsible recruitment objectives.

The more honest and transparent you can be about your current performance, the more valuable your improvement plan will be. It is better to plan small steps that you will achieve, rather than large changes that will not happen because they are unrealistic.

By the end of the course, this manual will be a comprehensive record of your responsible recruitment practices and a tailored action plan of the steps you need to take to improve.

You can use this manual to demonstrate to clients that you are proactively managing responsible recruitment.

If you have questions, comments or concerns, we'd love to hear them. Please send contact us via email at [thailand.co@plan-international.org](mailto:thailand.co@plan-international.org) or drop us Inbox messages at our Facebook page: <https://web.facebook.com/fairfishthailand/>.

## TASK 1:

**COMPLETE THE TASK BELOW**



**By taking this course, I hope to achieve:**

<b>For me:</b>	<p>(TO BE COMPLETED BY DELEGATE)</p>
<b>For my business:</b>	<p>(TO BE COMPLETED BY DELEGATE)</p>
<b>For my workers:</b>	<p>(TO BE COMPLETED BY DELEGATE)</p>

# > MODULE 1 – SETTING UP YOUR RESPONSIBLE RECRUITMENT SYSTEM

A business may intend to meet all ethical standards of recruitment and labor supply, but without effective systems in place, standards may not be consistently upheld which can lead to mistakes, accidents and risks to your business, workers and clients.

To embed and integrate responsible recruitment systems, your business should:

**COMPLETE THE TASK BELOW**



Task	Completed?		
	No	Partially	Yes
Decide who is the appropriate senior leader within your business to sponsor responsible recruitment efforts (see 1.1)			
Formally set out the standards that you commit to, and expect of your business partners (see 1.2)			
Set up and maintain policies and procedures to implement your standards in practice (see 1.3)			
Appoint operational leads to promote and implement responsible recruitment (see 1.4)			
Communicate your business’s commitment to responsible recruitment to all relevant stakeholders and train workers, supervisors and managers (see 1.5)			

## WHAT TO DO

### 1.1. RESPONSIBLE RECRUITMENT PROGRAM SENIOR LEADERS

Appointing someone at the top of the organization to be responsible for ensuring that responsible recruitment standards are effectively embedded throughout the business, means that your business is more likely to achieve responsible recruitment standards.

This should be a Board level or equivalent director with authority to mandate action and sufficient time, training and competence to deliver these responsibilities effectively. You may need to call on expert advice and training to ensure that your director has the knowledge and capability to lead the program, such as requiring them to complete this program.

Their job should include:

- Communicating senior management commitment to integrate and embed responsible recruitment standards
- Overseeing and providing strategic direction for the setting up and maintenance of systems
- Overseeing collaborative work and appropriate due diligence with all supply chain partners
- Continuously improving the way your business integrates and embeds responsible recruitment practices

Depending on the size and complexity of your business and supply chain, their role may be dedicated to fulfilling these responsibilities, or they may be part of a team with a wider role.

It is also recommended that the senior leader takes pro-active steps to promote responsible recruitment practices in the locations and sectors in which you operate, for example by working collaboratively with clients, recruiters, NGOs and trade associations, or by taking part in initiatives that promote good practice, such as FAIR Fish. This will help to ensure that you remain up to date with the latest thinking around responsible recruitment practice whilst also promoting your business as a responsible recruiter.

## TASK 2:



COMPLETE THE TASK BELOW

The senior person in my business who is responsible for responsible recruitment is \_\_\_\_\_.

If there is no-one,

The senior person in my business who should be responsible for responsible recruitment is \_\_\_\_\_ because \_\_\_\_\_.

## 1.2 LAWS AND STANDARDS

There are a number of different laws and standards that may apply to your business which you will need to map and understand before you can define and commit to them in your policies and procedures (1.3).

The type of standards that will apply to you include:

### STATUTORY REQUIREMENTS

These are the legal standards that the government requires of you. Not complying with these standards means that you are breaking the law and so they are the absolute minimum standards that you must comply with. Different countries will have different statutory requirements.

### ETHICAL STANDARDS

There are many international organizations who have developed sets of standards related to how workers are treated. Some standards are specific to a country, region or sector where there is a specific risk or need, and some are universal international standards which mean that international brands can hold all the businesses in their supply chains to a common set of standards wherever they are in the world, as part of their Corporate Social Responsibility commitments. These include programs such as the [Business Social Compliance Initiative](#) (BSCI), [IOM IRIS](#), the [Fair Hiring Initiative](#), the [Responsible Business Alliance](#) and [SA 8000](#).

These standards and initiatives are based on international human and labor rights conventions and guidelines such as those of the [ILO Labor Standards](#) and protocols, such as those of the [UN Declaration of Human Rights](#) and the [UN Global Compact](#).

Although these programs are not required by law, you will often find that the clients of recruiters (employers) have agreed to be bound by one of them. That means that if an auditor finds that an employer is not complying with the ethical standards they have agreed to, they could risk losing trade. Increasingly, audits are going beyond employers to the recruiter level.

See [here](#) for a template of an Ethical Business Practice Policy that recruiters can adapt to use in their business.

#### Corporate Social Responsibility

Corporate social responsibility (CSR) helps a company be socially accountable—to itself, its stakeholders, and the public. By practicing corporate social responsibility, companies can be conscious of the kind of impact they are having on all aspects of society, including economic, social, and environmental.

### CLIENT SPECIFIC/CONTRACTUAL STANDARDS

These are the standards that employers require within their own business. Again, they are not required by law, but recruiters may agree to comply with certain standards in their contractual agreement with the employer. If a recruiter fails to comply, they risk losing the employer's business.

## THE FAIR FISH CODE OF CONDUCT

The [FAIR Fish Code of Conduct](#) provides a list of guidelines to support recruiters and employers to meet international labor standards in the recruitment and supply of workers. This manual and the accompanying training course and supporting templates and documents will equip you with the knowledge and resources to meet these guidelines.

### CODE OF CONDUCT EXAMPLE FOR RECRUITERS AND EMPLOYERS

The Company is committed to conducting business with transparency, honesty, adherence to the law and regulatory principles, good corporate governance, and sustainable development guidelines, focusing on creating good awareness about social responsibility.

The Company has therefore established the following codes of ethics to be used as guidelines for business operations in order to comply with the legal requirements, policies and ethics of the Company, as well as international standards. The Company gives importance to and supports business partners with transparency, and compliance to social management standards, including tracking strict adherence to this Code of Conduct.

The Company strongly hopes that the principles of our Code of Business Ethics will drive work efficiency between companies, with all business partners, to facilitate work that creates confidence and long-term value for all stakeholders.

### SCOPE AND GUIDELINES

#### Labor and Human Rights Practices

The Company gives importance to basic human rights in order to promote respect for the rights and freedoms of all without any form of discrimination. Zero tolerance for all acts of human trafficking and all forms of forced, bonded, slave and indentured labor; promoting equality by not engaging in gender-based and class-based discrimination; not allowing or encouraging child labor; and resisting all forms of corruption; are central to compliance with the nine core policies of the Company as follows:

#### 1. Responsible Recruitment Policy

We are committed to maintaining responsible recruitment principles and guidelines that respect, protect and comply with internationally recognized human rights, including international labor standards and regulations especially the right to freedom of association and collective bargaining, prevention and elimination of forced labor, child labor and discrimination, in every step of the recruitment and employment processes.

#### 2. Decent Work Conditions Policy

We respect basic principles of decent work (according to the International Labor Organization's standards) that provide effective employment and income generation equally for women and men, require social protection for and promote social dialogue among workers. We abide by Thai Labor Laws and follow all applicable rules and regulations regarding wage payments and working hours, including maximum working hours, overtime, holidays, leave and benefits as appropriate

#### 3. Non-discrimination Policy

We respect the dignity of our employees and workers who will be treated fairly and equitably, without violating human rights, not oppressing them with forced labor and not discriminating against any differences in race, religion, gender, age, education, beliefs or any other subject.

...continues overleaf

**4. No Child Labor Policy**

We comply with international labor laws and principles by making sure that NO worker under the minimum age considered as child labor (in the industry sector) is involved in the production or distribution of our products or services.

**5. No Forced Labor Policy**

We do not enforce penalties or indentured labor contracts. We ensure that employment is voluntary and do not force workers to work involuntarily. We do not charge fees for official legal documents required for employment (such as an identification card, passport or work permit) nor ask for guarantees for work, unless it is an act that is not against the law.

**6. Freedom of Association and Collective Bargaining Policy**

We accept, recognize, respect and do not deprive the rights of employees to freedom of association and collective bargaining as required by law.

**7. Anti-Human Trafficking Policy**

We are not involved in any form or step or process of human trafficking and will adhere to guidelines on prevention, suppression of human trafficking as well as aid and protection for victims of human trafficking.

**8. Grievance and Remediation Policy**

We provide communication channels for all employees, especially vulnerable employees, such as migrant workers and women, in order to be able to hear their concerns and help them solve and remedy complaints and grievances that can occur.

**9. Ethical Business Practices Policy for Recruiters**

In conducting business, the recruiting Company prioritizes and values, ethics, honesty and fairness to all stakeholders, compliance with the laws, rules and regulations of the government and avoidance of involvement in any form of corruption.

[For supply chain businesses] The Supplier/ Business Partner has read the above requirements, understands the terms of this Code of Conduct and will comply strictly as evidence of commitment. This Code of Conduct has been signed and stamped with the company seal and is an official document.

Supplier signature and certification with the company seal (if any) and date of signing

Company Name.....

Sign.....

Position.....

Date.....

## TASK 3:

My business is required to comply with Thai laws and the following ethical standards:

COMPLETE THE TASK BELOW



Standard		What is required
1	FAIR Fish Code of Conduct	Compliance with the guidelines
2		
3		
4		

## TASK 4:

COMPLETE THE TASK BELOW



The FAIR Fish Code of Conduct has been agreed and signed on behalf of my company by:

---

### 1.3. POLICY, PROCEDURES AND REPORTING

- Policies are documents which define what standards your business commits to and what you expect from your partners. They inform your staff, workers, clients, supply chain and even the general public, what your aims and objectives are so that everyone is clear on your goals.
- Procedures are the operational processes which make sure you achieve the standards you have committed to in your policies. They direct the actions of your staff, make sure that everyone is behaving consistently and confirm roles and responsibilities, including who are the operational leads (see 1.4).
- Reports are documents which give information – in this context, on how well you are achieving your commitments. Regular and accurate reporting means that you can measure the results of the implementation of your procedures to make sure that they are meeting the requirements of your policies. Good reports let everyone know how your business is progressing towards its aims.

We have provided a [range of template policies](#) that you can use to adapt to your own business needs. These are not just documents that you can copy and sign – you should make sure that they accurately reflect the aims and objectives of your business and that you have the right systems in place to ensure you can comply with them.

# TASK 5:

The policies and procedures we have in our business are:

COMPLETE THE TASK BELOW



No.	Name	Policy	Procedure
1			
2			
3			
4			
5			
6			
7			
8			



## 1.4. OPERATIONAL LEADS

You will need to appoint operational leads to promote and implement responsible recruitment practices. They will need initial training to make sure they understand your policies and procedures (this training course would be ideal), and then ongoing training and development to make sure their understanding remains current and relevant.

The number of people you need will depend upon the size and complexity of your business and supply chain, but they must be enough to ensure that you are able to implement and comply with your policies and procedures for responsible recruitment across your whole business. The right people will be those that can inspire and train your staff, recruiters and/or supply chain partners effectively as well as audit your own business, recruiters and/or supply chain partners to ensure compliance.

Since responsible recruitment should be embedded throughout your business, your operational leads will probably have existing roles that they will continue in alongside their responsible recruitment activity. In time, all your staff will be responsible recruitment leads.

### TASK 6:

COMPLETE THE TASK BELOW



The operational lead(s) responsible for implementing and managing our responsible recruitment program is/

are: \_\_\_\_\_

## 1.5. COMMUNICATION AND TRAINING

### Communication

The best policies and procedures in the world will be ineffective if your staff don't know about them and/or don't know how to comply with them.

It is important to clearly communicate your business's commitment to responsible recruitment to all who may be affected by, or can influence practices, so that they understand their rights and responsibilities. Key messages it is important to communicate are:

- The specific protections/standards that apply to all workers/applicants including specific protections for migrant workers as relevant
- The rights and responsibilities of each party in the supply chain
- Anyone who has direct experience of, or witnesses, identified or suspected cases of breaches of protections/standards should report it immediately and those who report it will be protected from detriment
- If anyone working for, or with, your business, at any level of seniority, should breach protections/standards, they will be dealt with in accordance with your business's Disciplinary Policy and Procedure.

Your business should communicate such messages publicly on your business website (if you have one) or other public information channels.

Messages should be:

- Clearly communicated, verbally and in writing, in a language each worker understands, considering literacy ability
- Included in workers'/staff members' induction and be freely available in writing for an individual's ongoing reference, for example by handing out/displaying your codes and policies, instructing individuals to refer to the policy on your website, or included in a Worker Handbook.
- Re-communicated to reinforce understanding and to keep up to date with any significant changes to your business's policies and procedures or any changes in requirements such as changes in applicable laws or guidance.

You should record what was communicated, when and to whom.

For more information on effective communication, see ['Effective Communication Toolkit for Multi-Language Workforces'](#).

# TASK 7:

 COMPLETE THE TASK BELOW

We will use the following channels to communicate our responsible recruitment messages:

Stakeholders	Communication Channels
Staff	
Workers	
Employers	
Suppliers	
The Public	

## Training

Your business should ensure that all relevant new and existing workers, supervisors, and managers have been trained and/or have the knowledge required to implement your responsible recruitment procedures.

Once you have identified your responsible recruitment needs, you should carry out a [training needs assessment](#) to help you build an effective training plan.

Once you have assessed your training requirements, you should schedule the required training to ensure that all staff are competent to comply with your responsible recruitment procedures.

Where possible, subject experts should deliver training, or you could use this program.

All relevant staff should receive regular refresher training to reinforce knowledge and skills and keep up-to-date with any significant changes to your businesses policies and procedures, or any changes in requirements, such as new laws and guidance.

Keep records of all training undertaken including content, dates undertaken, delegate names and any assessment of understanding, and use this to update your training needs assessment and to monitor ongoing training requirements, including which individuals still need to be trained.

## TRAINING NEEDS ASSESSMENT GUIDANCE

Follow the 6-steps below:

1

**Identify which group or individuals need to be trained on the policy(s) and procedure(s). These may include:**

- Existing workers
- New recruits
- Jobseekers
- Supervisors and managers
- Recruiters and consultants
- Other staff members
- Senior management/Directors

2

**Identify the required knowledge and skills for each group or individual.**

3

**Assess the current level of knowledge and skills for each group or individual.**

4

**Identify the 'gap' between the current level and the required level; assign a score between 0 (no gap) and 3 (major gap).**

5

**Identify how important it is that the group or individual have the required knowledge and skills in the immediate-term. Assign a score between 0 (not important) and 3 (essential). Zero tolerance topics related to human and labor rights such as human trafficking, forced labour, child labour, sexual exploitation and occupational health and safety will always be scored 3.**

6

**Multiply the gap score and the importance score to determine your priority training needs in order (the higher the score, the higher the priority).**

You should focus on delivering training to meet the priority training needs in the immediate term and the other training needs over a set time period. This will help you to develop your Training Plan.

## INFO ON STANDARDS AND MODULES

The following modules are the fundamental building blocks of your responsible recruitment program – the standards, processes and practices that define how you treat your workers.

For each element, we define what the required standard is, and give you checklists of steps to take to help you to achieve the required standard.

Where elements of these standards are the responsibility of employers, or supply chain partners, you must undertake effective due diligence, both prior to supply and on an ongoing basis, to ensure that your standards are upheld.

**Module 6 – Due Diligence** will give you more guidance on how to achieve this.

## > MODULE 2: FUNDAMENTAL RIGHTS

Fundamental human and labor rights provide the foundation for responsible recruitment and decent work which are based on ILO core conventions and other international labor standards. They are non-negotiable and must be respected by all.

Critical employees in your business and supply chain should:

- understand and be trained in fundamental human and labor rights and national labor laws, as well as in prevention of potential violations such as human trafficking, child labor, forced labor and discrimination
- have signed a Code of Conduct (COC) and/or developed policies and implementation procedures for, at a minimum, anti-TIP, no forced/bonded labor, no child labor and non-discrimination, including no sexual harassment or exploitation

You should have evidence of non-involvement with forced labor, sexual exploitation, violence, abuse of power, corruption, deception, coercion, misleading practices and any other activities that encourage or promote human trafficking, for all recruiters, support services (such as transport and accommodation providers) and employers in your supply chains. This is done through a comprehensive due diligence process. Find guidance on due diligence in Module 6.

### 2.1 ANTI-TRAFFICKING IN PERSONS (TIP)

**You must not be involved in any form, step or process of human trafficking and must adhere to guidelines on prevention and suppression of human trafficking as well as aid and protection for victims of human trafficking.**

See [here](#) for a template of an Anti-Trafficking in Persons Policy that you can adapt for your own business.

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
There are no direct or indirect threats or other means – physical, financial or psychological - to compel job-seekers to apply or work, voluntarily or in-voluntarily, without adequate information of their rights and risks of exploitation they may face.			
All documents used in the recruitment process are authentic, legal and officially authorized. Identity and status-change documents, provided by or issued to applicants/workers are valid and meet legal requirements for working in the seafood sector.			
Recruiters have a list of government, private sector organizations and NGOs involved with cross-border recruitment and remediation support in both Thailand and in source countries. Cross-border communication and recruitment process steps among government agencies, employers and recruiters/recruitment agencies are defined and documented accurately.			
Contracts between applicants and the source country recruiters; between Thai recruiters and source country recruiters and between Thai recruiters and the potential Thai employer are clearly defined, transparent, accountable, documented and comply with Thai laws.			
The employment terms and conditions set by the Thai employer are communicated accurately to applicants in the source country and match the written employment contract signed by the worker pre-departure and with the employer during post-arrival hiring.			

# TASK 8:

 **COMPLETE THE TASK BELOW**

We will use the following channels to communicate our responsible recruitment messages:

We have an up-to-date Anti-Trafficking in Persons Policy and Procedure which can be found at:

## 2.2 NO FORCED/BONDED LABOR

You must not enforce penalties or indentured labor contracts. Employment must be voluntary and recruiters/employers must not force workers to work involuntarily. Recruiters and employers must not charge fees for official legal documents required for employment (such as an identification card, passport or work permit) nor ask for guarantees for work.

See [here](#) for a template of a No Forced/Bonded Labor Policy that you can adapt for your own business.

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
Use of violence, direct or indirect force, coercion, abuse of power, threats of deportation or reporting to authorities, to compel work, voluntary or involuntary from applicants or workers, are not tolerated in any step of the recruitment and hiring process.			
No recruitment fees are charged and you do not ask for security deposits of money or property, to guarantee a job.			
Responsibilities for costs and expenses related to recruitment (e.g., processing fees) to ensure compliance to amounts allowed by national laws, as well as costs that are not clearly defined, are agreed between recruiters, employers and supply chain partners, with the intent of minimizing the potential burden on workers.			
No wage advances or loans are offered to induce work. If the worker re-requests any wage advances or loans, you must not charge interest; nor deduct repayment amounts from the worker's wages; nor add to processing fees.			
You do not destroy, conceal, confiscate or deny access to the applicant's or worker's identity or immigration documents, including passports, visas, work permits and other personal documents such as travel or lodging reservations, bank books or ATM cards, land or house deeds and any other important family or educational documents.			
If you need to hold workers' personal documents temporarily for legal compliance requirements, the documents must be returned to the applicant or worker immediately upon demand and without any pre-conditions. Updates on the process and timelines for which the document(s) is (are) being used shall be communicated to the worker in real-time.			
Terms and conditions promised to applicants by both the recruiter and any supply chain recruiters, shall be communicated to the employer to ensure that workers are not contracted upon arrival with terms and conditions different from those they agreed to during pre-departure from source countries.			

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
Workers' rights to freedom of movement and personal freedom are explained and respected, at all steps of recruitment and employment.			
Workers and applicants are allowed to freely leave and enter the premises of their workplace or company housing, if arranged (or recruiter-arranged in-transit pre-arrival accommodation) without any threats or barriers or guards (armed or unarmed). Workers have full access to personal documents and personal effects, at all these locations, at all times.			
Transportation arranged during the pre-departure (from source country), post-arrival (in Thailand) and pre-arrival (to factory) steps; as well as any transportation subsidized by the employer, shall not compromise the safety, dignity and freedom of the applicants or workers. Applicants and workers shall have the right to refuse and ask for better conditions if the pro-posed means of transportation do not meet decent and safe standards.			
There are no restrictions or barriers to applicants, new hires or workers taking breaks for meals or to go to restrooms or exercise other personal freedoms (e.g., to go to prayers); or to leave after completion of an interview, training, document processing or work; or during travel or in-transit lodging.			
There are no offers of false apprenticeship or unnecessary short-term contracts. Part-time or work-for-hire seasonal contracts shall have legal agreements that guarantee at least minimum wage.			
The applicants or workers shall be informed beforehand by the recruiter or the employer of the emergency and grievance channels they could reach in cases of accidents, injury, harm and other incidents involving themselves or other people they are travelling with or working with.			

## TASK 9:



COMPLETE THE TASK BELOW

We will use the following channels to communicate our responsible recruitment messages:

We have an up-to-date Anti-Trafficking in Persons Policy and Procedure which can be found at:

---

## 2.3 NO CHILD LABOR

You will comply with international labor laws and principles by making sure that NO worker under the minimum age considered as child labor (in the industry sector) is supplied by your business.

See [here](#) for a template of a No Child Labor Policy that you can adapt for your own business.

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
The age limit below which workers will not be recruited or hired complies with Thai Labor Laws and related fisheries and migrant worker laws. For the seafood processing and fishing sectors, workers younger than 18 years of age shall not be recruited or employed.			
You have strict age verification protocols that are documented and can be cross-checked by other means.			
Age verification procedures, especially those requiring medical or physical tests, shall not violate the dignity of applicants, new hires and workers, especially vulnerable workers such as women. Practices such as full body search, virginity checks or other demeaning and intrusive physical and psychological methods, shall not be allowed.			
You avoid indirect involvement in child labor, especially for seasonal workers or home workers, through preventive measures such as compiling lists of migrant and seasonal workers' children's names, ages, school information and class schedules.			
If you mistakenly recruit or hire a child (below 15 years of age) or a young worker (between 15 and 18 years of age) to do jobs that they are not permitted to undertake, the recruiter and employer should develop a documented remediation plan.  Responsible removal of a child from the workplace must avoid drastic dismissal as it may drive the child to seek exploitative, hazardous and illegal work. Responsible removal shall be supervised, protect the child's health, well-being, and safety as well as include arrangements for the child's education.			
In sectors of the supply chain where employment of young workers is permitted, (for example in sectors outside of seafood processing and fishing) recruiters must work with employers to ensure that young workers do not work at night and their work hours and conditions do not impact their health, safety, morals and personal development.			
You have a list of government agencies, including the provincial Ministry of Social Development and Human Security office, NGOs or CSOs, hospitals, schools, legal associations that have expertise to support remediation and rehabilitation for children and young workers, especially girls.			

### TASK 10:

COMPLETE THE TASK BELOW

We will use the following channels to communicate our responsible recruitment messages:

We have an up to date No Child Labor Policy and Procedure which can be found at:

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## 2.4 NON-DISCRIMINATION

You must respect the dignity of your employees and workers who will be treated fairly and equitably, without violating human rights, not oppressing them with forced labor and not discriminating against any differences in race, religion, gender, age, education, beliefs or any other subject.

See [here](#) for a template of a Non-Discrimination Policy that you can adapt for your own business.

Recruiters will ensure that:	Completed?		
	No	Partially	Yes
Job postings should specify only qualifications and experience pertinent to the job and shall not require personal information that may exclude certain groups or minorities from applying. The language of migrant workers shall be used.			
Job postings and applications should include the phrase “We are an equal opportunity employer. We welcome applications from qualified women and men from diverse backgrounds.” There shall be no categorization of jobs as open only to men or open only to women.			
Women recruiters are trained and available, especially for interviewing skills, with language competencies suitable for migrant workers, to address gender-sensitive issues affecting women in recruitment, migration and employment.			
Evaluation and hiring should be qualification-based and match the requirements for the job.			
No direct or indirect force is used to compel any job-seekers or applicants to take tests (e.g., for pregnancy or HIV/STDs) or submit to police checks. Women are not forced – directly or indirectly – to take contraceptives or use birth control methods as a condition for hiring or continuing employment			
You have protocols on sexual harassment/abuse that define acceptable and unacceptable behavior for all activities at all steps of the recruitment process and disciplinary measures for perpetrators and victim protection.			
You contract only licensed supply chain recruiters, who understand your policies and have matching clear, documented policies on non-discrimination, including protocols to identify and deal with sexual harassment and sexual abuse during all steps of recruitment.			
Terms and conditions of the employment contracts for new hires comply with current Thai Labor Laws and are applied fairly and equally to all women and men workers.			
The principles of equal value and equal pay are upheld and applied to all jobs and all workers irrespective of race, gender, age, sexual orientation, marital status or disability.			

Recruiters will work with employers to ensure that:	Completed?		
	No	Partially	Yes
Both women and men have equal access to training and management position opportunities. Women and men shall be considered equally for jobs, promotion, bonuses and incentives using evaluation methods based on qualifications and job performance.			
Women are not singled out for dismissal due to marriage or pregnancy nor pressured to resign by increasing their workload or transferring them to lesser- paying jobs.			
Mothers and fathers of newborns are allowed flexible work times in case they need to attend to their babies and infants or family responsibilities after returning to work.			
Disciplinary policies are developed that meet the requirements of Thai Labor Laws and apply equally and fairly to all workers, irrespective of race, sex, religion and position in the company.			
Whistleblower and victim protection for sexual harassment or sexual abuse incidents is prioritized. There are documented strategies assuring confidentiality; protecting women from further indignities; providing a safe house and/or legal assistance, preferably from women lawyers when reporting to the police; as well as a list of government agencies or NGOs/CSOs to provide support.			

## TASK 11:

 **COMPLETE THE TASK BELOW**

**We have an up-to-date Non-discrimination Policy and Procedure which can be found at:**

---

## 2.5 RIGHT TO FREEDOM OF ASSOCIATION AND COLLECTIVE BARGAINING

You must accept, recognize, respect and not deprive the rights of workers to freedom of association and collective bargaining as required by law.

See [here](#) for a template of a Freedom of Association and Collective Bargaining Policy that you can adapt for your own business.

Recruiters and employers ensure that:	Completed?		
	No	Partially	Yes
Direct or indirect force is not used to compel an applicant to guarantee that they will not form/ join unions as a pre-condition to acceptance or hiring.			
All applicants and workers are informed of their right to meet without management interference and freely form a union or an association of their choice.			
Recruiters will work with employers to ensure that:	Completed?		
	No	Partially	Yes
Workers are not punished, threatened or dismissed for joining a union, associating with or representing a workers' group to negotiate collectively with management.			
Workers' employment contracts are not terminated due to membership of, or participation in a union or Welfare Committee.			
Wage deductions are not made for the time workers spend on union or Welfare Committee meetings.			
Collective bargaining agreements and other agreements resolving grievances or disputes are respected in compliance with Thai Labor Laws.			

### TASK 12:

 COMPLETE THE TASK BELOW

We have an up-to-date Freedom of Association Policy and Procedure which can be found at:

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## > MODULE 3 – RECRUITMENT PROCESSES

You are committed to maintaining responsible recruitment principles and guidelines that respect, protect and comply with internationally recognized human rights, including international labor standards and regulations, in every step of the recruitment and employment processes.

All steps of the recruitment process, from initial contact with applicants in source countries to new hires working in the destination country - whether through direct or indirect means – comply with Thai Labor Laws, ILO Conventions and other international standards for responsible recruitment.

Workers must be applying for jobs of their own free will and have or be willing to apply for official passports.

See here for a template of a Responsible Recruitment Policy that you can adapt for your own business.

### 3.1 SOURCING AND SELECTION

Recruitment methods are transparent and appropriate with accurate and honest job details provided to applicants at every stage of the recruitment process.

Recruiters and employers ensure that:	Completed?		
	No	Partially	Yes
You select the recruitment method to match workforce needs and provide decent employment, when possible, to the community around the location where the processing plant operates, before considering in-country or cross-border recruitment.			
The use of deceptive and misleading practices to find and hire workers is prohibited. Practices that shall not be tolerated include, but are not limited to, blackmail through debts incurred by family or relatives; or receiving gifts or money; in return for false promises and guarantees of a position for the job seeker or applicant.			
Job adverts and descriptions focus on qualifications, avoiding language or requirements that could be discriminatory (e.g., do not include requirements on age, sex, race).			
<p>Before advertising a job, recruiters should document and confirm with the employer the terms that will apply, including but not limited to:</p> <ul style="list-style-type: none"> <li>• The location, start date and expected duration</li> <li>• The nature of the work offered</li> <li>• Expected working time, including any guaranteed hours, regularity of work and rest breaks</li> <li>• Pay rates, frequency, earning potential and whether any payments or deductions apply</li> <li>• Holiday entitlement, and benefits including sickness/injury, pension, maternity/ paternity and any others</li> <li>• Any known hazards and risks to the health and safety of workers and the measures taken to control such risks</li> <li>• Any other key details and terms</li> </ul>			

Recruiters and employers ensure that:	Completed?		
	No	Partially	Yes
The use of direct or indirect force to induce application for work is not tolerated; nor is compelling changes in the type of work, location or conditions of employment that are different from what was agreed to or promised to applicants.			
All workers, especially migrant workers, have the right to refuse a job, or terms and conditions offered, at all steps of the recruitment process, with-out direct or indirect threats, punishment and intimidation, or violence; at the source and destination countries, from recruiters or employers.			
Interviews are held in a location that is visible to other people, while at the same time provides a contained space that allows for confidentiality. When possible, an open door or unlocked door policy shall be followed especially for one-on-one interviews.			
One-on-one closed-door interviews between persons of the opposite sex, with the interviewer holding a position of power, thus putting the interviewee in a vulnerable position, are avoided.			
Women shall be interviewed by women or a panel composed of a balanced number of women and men. Personal questions unrelated to the job and qualifications of the applicant shall not be tolerated.			
Evidence of interviews done by both your business and supply chain recruiters e.g., in the form of completed application documents, shall be retained for audit purposes.			
All interviewers are trained in fundamental human and labor rights, nation-al labor laws, international standards, as well as in gender-sensitive questioning.			
Translators and interpreters are provided for languages that the migrant workers speak and for workers with literacy issues. The skills and quality of delivery by translators and interpreters shall be assessed beforehand. Only qualified personnel shall be hired based on written selection criteria.			
Acceptance and hiring decisions by internal or external recruiters are documented and demonstrate qualification-based evaluation that is free from personal bias or any form of discrimination.			
Workers apply for work of their own free will and shall be informed of accept/reject decisions.			

### 3.2 JOB INFORMATION AND CONTRACTS

A written job description is available in the worker’s language from the initial hiring process up to the signing of the employment contract. It defines the nature of the job, location of work, responsibilities of the worker, who the worker works with and reports to directly, and any occupational hazards and risks that may be encountered, as well as precautions to take.

A written Employment Contract in the workers language is issued prior to commencement. Terms and conditions are agreed to voluntarily and mutually without false promises, threats or penalties and shall match those promised to the worker during recruitment.

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
A clear job description with rights and responsibilities of the position, reporting structure, terms and conditions of employment and a description of the work environment is provided to all applicants.			
All workers, especially migrant workers, are informed of the location and operations of their proposed employer, as well as of legal and fundamental human/labor rights in their destination country.			
The qualifications and skills that the worker brings into the job are appropriate for the worker’s job description and work location.			
Any changes in the nature of the job, the worker’s responsibilities or work location are justified and workers are informed ahead of time. Written con-sent to the changes is obtained from the worker if the changes have potential impact on the contract terms and conditions that the worker agreed to.			
Amendments to the nature of the job, location of work, responsibilities of the worker and reporting hierarchy are not used as indirect means for eventually dismissing the worker for not performing.			
Piece-rate, work-for-hire seasonal work and housework have job descriptions written into agreements, with realistic performance targets matching the job with worker’s skills.			
The terms and conditions of the Employment Contract define work hours; wages; benefits; legal deductions; holidays and leave; workplace health and safety; bonuses, incentives and promotions; disciplinary action; dismissal or resignation; grievance, remediation and appeals. Items already in the Company Rules or Handbook can be referenced in the Employment Contract to simplify the document.			
Forms are filled out correctly and honestly to reflect accurate worker in-formation, work location, nature of the job, position, work terms and conditions.			

TABLE CONTINUES OVERLEAF...

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
There are NO contract substitutions or amendments that disadvantage the workers. Changes may be made for improvement, with the written consent of the worker, and provide fair compensation in compliance with Thai Labor Laws on work hours, wages, benefits, holidays and leave, and work conditions. Potential occupational risks, freedom of movement and personal freedoms shall be defined.			
For migrant workers, arrangements are made to provide translators and interpreters, in case of literacy issues or language difficulties, to explain the Employment Contract's terms and conditions, as well as any changes or amendments, to the workers before signing.			
The Employment Contract is made out with exact same terms, in duplicate (in triplicate if a copy is needed by the Department of Employment) and signed by both the employer and the worker.			
Workers are given a hard copy of the signed Employment Contract made out in their language and explained to them in a language and style that they can fully understand and provide informed consent to. If other languages are used, the accuracy of translations shall be verified. Each party shall retain a signed exact same copy or signed certified (as accurate) hard copy of the Employment Contract.			

## TASK 13



COMPLETE THE TASK BELOW

Our employer contracts have been checked to ensure they contain all the information required. We amended [Number] \_\_\_\_\_ contracts in order to ensure compliance.

## 3.3 TRAINING

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
Pre-departure training, explaining as a minimum the job description and applicable Thai Labor Laws to applicants, should be held by the recruiter. Evidence of these sessions should be retained for audit.			
All migrant workers go through the post-arrival training at designated border point processing centers in compliance with the MOU process. This training will be completed by the recruiter. Evidence of these sessions should be retained for audit.			
Recruiters inform employers about the topics covered in the pre-departure training at the source country and topics explained during the post-arrival training at the border points processing centers. Reports shall be in hard copy (translated) of materials used or in the form of a summary.			

### 3.4 WORKERS' PERSONAL DOCUMENTS AND CHECKS

Workers retain control of their personal documents at all times. Identity or immigration documents, including passports, visas, birth certificates, house registers, work permits and other personal documents such as title deeds or bank books are not destroyed, concealed, confiscated or denied access to, for applicants or new hires.

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
Where you need to hold workers' personal documents temporarily due to legal requirements, the worker shall be provided with an exact copy and updated of the process and timelines for which the documents are used. The documents shall be immediately returned upon completion of the process, or upon demand from the worker, without any pre-conditions.			
Should there be any doubt, or as part of due diligence, the authenticity of the workers' identity documents is verified directly with the authorized official government agencies issuing them.			
Applicants are not encouraged or compelled to lie or forge or alter any personal documents in order to meet legal or job posting requirements; for whatever reason, be it due to a personal relationship or bribery or exchange for something of value.			
Where necessary, recruiters should assist applicants to apply for official passports at authorized government agencies and pay the official fees. If passport issuance presents a bottleneck, it is best to encourage the applicants to go back to their villages instead of arranging for in-transit lodging.			
Police checks are not required without a valid verifiable legal justification. Similarly, you shall not go directly to the police or other government agencies or private sector organizations to inquire about an applicant's back-ground without informing the worker and obtaining express written consent from the individual.			
When requiring medical checks, national laws are complied with. Physical and psychological tests that are intrusive and demeaning to a person's dignity, are not permitted, especially for women. Women shall not be subjected to pregnancy tests, nor forced to take contraception or other means of birth control, as a pre-condition to application or hiring for a job.			



### 3.5 RECRUITMENT FEES, DEPOSITS AND GUARANTEES

No recruitment fees or related costs, incurred in Thailand, may be charged to workers.

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
For cross-border recruitment under the MOU process, workers are not charged for the cost of obtaining identity documents, such as a valid pass-port, visa and work permit fees, unless national labor laws and bi-lateral agreements allow such practices and migrant workers agree to do so. Mi-grant workers who already have valid passports and visas shall be reimbursed, if there is an agreement to this effect in contracts with employers.			
Corrupt or unethical practices, such as obtaining monetary deposits or security payments, requiring guarantees of cash or property in order to hire an applicant, or approve a position for the applicant with the employer, are not permitted.			
No deposits are required to guarantee that workers will not leave the job before their contract expires. No wage advances or loans are offered to workers in order to compel them to work or agree to terms and conditions that they otherwise will not accept.			

## INFORMATION ON STANDARDS AND MODULES

### International best practice standards for eliminating recruitment fees:

- i) The employer, directly or through its recruiter(s) must NOT collect any recruitment fees (e.g., application, deposit, guarantee, security, in cash or in kind) to guarantee a job
- ii) All related costs for obtaining and processing identity documents (passport, visa, work permit), translation, medical checks, border crossing/air travel fees (from home country to host country and back), as well as any in-transit travel and accommodation, should be paid by the employer through its recruiter(s). Should there be obstacles to control recruitment-related fees and costs incurred in the source country (e.g., in the MOU recruitment process), the employer and recruiter will make every effort to immediately reimburse any fees or costs incurred before arriving in Thailand.
- iii) The employer will comply with Thai laws and official announcements by the Ministry of Labor for legal caps on service and processing fees that can be paid to recruiters. The general practice to date for employers is to pay a lump sum to the recruiter, calculated from a one-time-per-worker fee (based on percentage of the migrant worker's one-month salary, with percentage decreasing as the number of workers recruited increase).
- iv) The employer/recruiter will obtain the commitment of their supply chain recruiters to respect the intent of the zero-recruitment fee principle and, whenever possible, minimize the burden on migrant workers. The recruiter will affirm this commitment by signing the Code of Conduct.
- v) Supply chain recruiters will, when possible, provide official fee schedules/cost estimates beforehand to the recruiter. Similarly, the recruiter will do the same for the Employer.
- vi) Transparent accounting and evidence of recruitment-related costs and fees will be provided by the recruiter(s) to the employer, with appropriate confidentiality.

### Zero Recruitment Fees Dilemma:

International principles and guidelines for responsible recruitment recognize the pivotal role of “Zero Recruitment Fees” in reducing and eliminating risks of human trafficking and forced labor.

BSCI considers recruitment fees and costs for job placement as one of the most common red flags in the pre-employment phase that present serious risks to workers.

In 2019, the ILO added a detailed section to its [2016 Fair Recruitment Principles](#) to define recruitment fees and costs that migrants should not pay, which covers all recruitment fees and related costs in **both the source and destination country**.

Whilst the Thai Migrant Decree of 2017 clearly upholds the basic intent of zero recruitment fees, the 2018 Amendment to the Migrant Decree of 2017 affirmed the intent under Thai law that “employers are prohibited from collecting fees from foreign workers, **except for passports issuing, health check-up, and work permit fees**, all of which have fixed rates endorsed by the Government.”

The MOU recruitment process maintains separation between costs incurred in the source country and costs incurred in Thailand; hence, Thai Employers and Thai recruiters have legal control only over fees charged in Thailand. This has created complications in implementing a zero-recruitment fees policy across borders without potential infringement on another country's legal jurisdiction.

For the near future, the goal of the FAIR Fish project is to engage Thai employers and recruiters to cover all recruitment-related costs and fees incurred in Thailand at a minimum.

## TASK 14

COMPLETE THE TASK BELOW

Our Policy Statement on recruitment fees can be found at:

### 3.6 TRANSPORTATION AND ACCOMMODATION IN TRANSIT

Safe, dignified, humane means of in-transit transportation and accommodation for all workers from their villages to the processing centers is provided by recruiters, as well as from the processing centers to the Border Centers. Full travel itineraries with details on departure, in-transit (if any) and arrival points should be documented and communicated by recruiters, preferably in writing to all workers, together with a list and contact for accommodation (if used) and emergency contacts at both the source country and Thai recruitment agencies.

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
Recruiters provide in-transit accommodation that allows workers freedom of movement to enter or leave, as well as personal freedoms and privacy to rest or go to the washroom or to pray.			
Recruiters prioritize special considerations for women workers to make them feel safe, secure, dignified and protected from potential risks and abuse. If potential risks/abuse are identified at any step of the recruitment process, prevention, e.g., separate, secure in-transit transportation/lodging shall be arranged.			
Recruiters will approve all arrangements for in-transit transportation on the basis of evidence and guarantees from supply chain recruiters that workers, especially women, are not exposed to potential risks of injury to lives, health and well-being.			
Both source country and Thai recruiters should have documented itineraries for travel, communicated to all workers and verifiable periodically along the route by telephone or GPS or other tracking method.			
Fees covering In-transit transportation, accommodation and amenities, such as safe drinking water and meals, as needed, shall be agreed between the recruiter, supply chain recruiter(s) in the source country, and the employers in advance.			
Evidence of actual expenditures and arrangements, information on all services provided, and proof of safe arrival of all workers is retained by recruiters and available for inspection at audit.			

### 3.7 POST ARRIVAL / NEW HIRES PROCESSING

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
Documents generated by direct hiring or by the MOU recruitment process are kept on file by all recruiters involved for no less than the duration of individual employment contracts and any later extensions of individual employment contracts.			
Documents kept on file shall demonstrate a transparent and compliant official paper trail for the in-country and cross-border recruitment processes, fees set and paid, documents required by law, authorizations and permits issued to the workers, recruiters and employers.			
Should the employer choose to do post-arrival interviews of workers the recruiter will work with the employer to ensure that such interviews shall follow responsible recruitment and non-discrimination policies and procedures. Arrangements shall be made for qualified interpreters for the migrant workers language to be present in case of any literacy issues.			

## TASK 15:

The following actions would make our current recruitment processes more responsible:

- 1 .....
- 2 .....
- 3 .....
- 4 .....
- 5 .....

## > MODULE 4: WORKING CONDITIONS

You must respect the basic principles of decent work (according to the [International Labor Organization's standards](#)) that provide effective employment and income generation equally for women and men, require social protection for and promote social dialogue among workers.

Recruiters and employers must abide by Thai Labor Laws and all applicable rules and regulations regarding wage payments and working hours, including maximum working hours, overtime, holidays, leave and benefits as appropriate.

See [here](#) for a template of a Decent Working Conditions Policy that you can adapt for your own business.

Responsible recruiters play a valuable role in imparting information to migrant workers of their rights and entitlements, of their employer's policies and commitments, and of the terms and conditions of their employment.

### 4.1 TRANSPARENCY OF TERMS AND CONDITIONS THROUGHOUT THE RECRUITMENT AND EMPLOYMENT PROCESS

Job offers are clear and accurate and provided in writing so that all workers understand both the nature of work required and the terms and conditions related to the job, before they accept work or are required to travel.

Ensure that:	Completed?		
	No	Partially	Yes
<p>Before advertising a job, recruiters should document and confirm with the employer the terms that will apply, including but not limited to:</p> <ul style="list-style-type: none"> <li>• The location, start date and expected duration</li> <li>• The nature of the work offered</li> <li>• Expected working time, including any guaranteed hours, regularity of work and rest breaks</li> <li>• Pay rates, frequency, earning potential and whether any payments or deductions apply</li> <li>• Holiday entitlement, and benefits including sickness/injury, pension, maternity/ paternity and any others</li> <li>• Any known hazards and risks to the health and safety of workers and the measures taken to control such risks</li> <li>• Any other key details and terms</li> </ul>			
<p>Recruiters ensure a sample of workers is regularly interviewed confidentially and anonymously to identify cases where workers have been misinformed, pressured, deceived or misled during recruitment or where terms have changed to workers' disadvantage at any point during recruitment, commencement or initial period of work.</p>			

## 4.2 WAGES, WORK HOURS, BREAKS, OVERTIME

All workers, irrespective of gender, race, religion, sexual orientation or other protected characteristics, are paid at least the most current minimum wage mandated by Thai Labor Laws for the province where the employer operates.

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
All workers, including part-time workers, piece-rate workers, work-for-hire seasonal workers, houseworkers, workers under the probationary period, workers hired through agencies or who are members of cooperatives, are entitled to at least minimum wage or its calculated equivalent.			
Wages are paid based on the principle of equal value, equal pay.			
Workers are not forced to work during holidays and leave.			
Working hours do not exceed the hours per day, hours per week; and total working hours including overtime mandated by Thai Labor Laws.			
Work breaks are specified in accordance with Thai Labor Laws.			
Workers track their own working hours using electronic or other quantifiable verifiable timekeeping methods.			
Overtime is the exception, rather than the rule in day-to-day operations.			
All overtime work is voluntary. Workers shall not be forced directly or indirectly.			
Workers are free to refuse overtime without threat or fear of punishment.			
For those who agree to overtime, there is a system to obtain their written consent at the time of the request.			
Overtime work is paid premium rates as stipulated in Thai Labor Laws.			

### 4.3 PAYMENT, BENEFITS AND DEDUCTIONS

Wage rates and payments are calculated with full transparency. Calculation of overtime and legal deductions is clearly explained and understood.

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
Payment of wages is regular and timely following an announced pre-determined schedule acceptable to workers.			
Payment shall not be deferred, delayed or withheld to bind workers to stay against their will.			
“In kind” payments are not acceptable. Payments can be made in cash or through bank accounts with an ATM (automatic teller machine) card. Whatever option is used, there is clear documentation of calculation and proof that the workers received payment in full and on time.			
Benefits mandated in Thai Labor Laws are provided to all workers. These include health insurance, social security, maternity and sick leave, disability and employment injury compensation, and old age pension for those who pay into the Social Security Fund.			
In compliance with Thai Labor Laws, only two legal deductions - withholding tax on personal income and contribution to the Social Security fund - are deducted from workers’ wages; and the amounts deducted are sent to the government authorities in a timely manner.			
There are no illegal deductions from workers’ wages. For example, deductions for time spent on training related to the worker’s job, especially OHS training; for personal protective equipment (PPE), uniforms, tools for the job; basic needs of sanitary facilities and clean drinking water; are not acceptable.			
Settlement for subsidized housing, transportation or meals are not deducted from wages. They must be pre-agreed to in writing and settled separately. The rent or fees charged shall not exceed market rates or rates paid by other workers in the same location. They shall not be used to support profit for you or your businesses in your supply chain at the expense of the workers; nor used to reclaim recruitment-related fees.			
Wage advances or loans comply with the law (no charge for interest) and must be pre-agreed to in writing with terms that do not create debt bondage or indentured situations for workers. Repayment terms are reasonable and fair. As best practice, for example, repayment amounts should not exceed 10% of the worker’s monthly wage; repayment period should be no more than six months.			
Deductions for tardiness or workdays missed are reasonable and justifiable, and limited to only the time not worked.			
Deductions are not used for disciplinary measures (e.g., for participating in a union or collective bargaining association); or to induce forced labor.			
Deductions are not used for discriminatory purposes, e.g., deductions from wages of nursing mothers for time spent on family responsibilities.			

## 4.4 EMPLOYMENT TAXES

Wage rates and payments are calculated with full transparency. Calculation of overtime and legal deductions is clearly explained and understood.

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
The appropriate information is obtained from each new hire so that they can be registered with the appropriate state authority, allocated with a personal code/ number and set up correctly on the payroll system so that the corrects state tax/social contributions can be applied in accordance with the law.			
Any scheme designed to deliver costs saving advantages regarding employment taxes and social costs deductions must be allowed by national law, have the prior authority of the employer and do not disadvantage the worker.			
Workers are provided with a pay slip, on or before their payment date that clearly shows their pay before any deductions, any employment tax and social contributions itemized, any other deductions and net pay after deductions.			

## 4.5 HOLIDAYS AND LEAVE

Thai Labor Laws are complied with in respect of

- the number of days to give workers off work for three categories of “holidays,” i.e., public holidays, weekend day off and annual leave. The public holidays are announced at the beginning of the year. The weekend day off is a full 24-hr break at the end of each week. The annual leave days depend on the length of time working.
- the number of days to give workers off work for six categories of “leave,” i.e., errand, sick, maternity, training, military, sterilization. Thai Labor Laws define the total number of days allowed, as well as the number of days that are paid.

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
All of these categories are explained to workers by informing them of the definition of each, the total number of days allowed, number of days paid, whether the days could be carried over to the following year or repaid as cash amount, plus any other related rules.			
The employer rules or Employee Handbook define the workers’ rights to holidays and leave. Holidays and leave are included in the terms and conditions of the Employment Contract, either directly in the document or by reference to or attachment of the Company Rules or Employee Handbook.			
Denial of holidays or leave are not used as a disciplinary measure or for forced labor.			



## 4.6 PROMOTION, BONUSES AND INCENTIVES

There is a quantifiable documented system of evaluating individual job performance and ability, to justify awards of bonuses and incentives based on merit.

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
Production targets or other KPIs (key performance indicators) are set at the same level for women and men for the same type of job.			
Qualified migrant workers are included in the pool of workers to be considered for promotion.			
Both women and migrant workers are encouraged to apply for work or request additional training so as to work in areas traditionally reserved or considered as for men only, e.g., mechanics, machine operators.			
Both women and migrant workers are encouraged to take leadership roles and/ or request additional training in order to be considered for supervisory/management positions.			

## 4.7 WORKPLACE HEALTH AND SAFETY

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
The employer has carried out a workplace Occupational Health and Safety (OHS) risk assessment to identify potentially unsafe areas or practices, especially for vulnerable workers, and considered potential risks and preventive measures for the safety of women and all workers in the communities they work in, live in or along the routes they take travelling to and from the factory to their accommodation. This OHS risk assessment and resulting prevention plans addresses emerging or unprecedented crisis situations, such as a pandemic, or diseases spread through community transmission, that impact health and lives.			
All workers are informed of emergency and crisis contact lists to use for situations that endanger the lives, well-being and safety of workers, including incidents of gender-based violence or sexual harassment.			
OHS training is provided, to all workers, at a minimum before work, then annually, in compliance with Thai Labor Laws. Emergency evacuation, fire-fighting and first-aid training shall be provided to all workers irrespective of their job, gender, nationality and the area they are assigned to work in.			

## 4.8 ACCOMMODATION

Accommodation is safe, hygienic, meets resident workers basic needs and accords with relevant national legislation.

Dependent upon who provides the accommodation, recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
All necessary licenses and certifications are in place and up to date, including those that establish the safety of the building and there is a system in place for maintaining them.			
Suitable and sufficient risk assessments are carried out, recorded and maintained to identify health and safety risks, and to implement controls required within and around the accommodation site.			
Workers are issued written key information, in their own language, about the accommodation arrangements, including costs, before they make any commitment, or incur any expense.			
Workers have a written agreement, in their own language, which is clear, complete, accurate, fair and legally compliant before they decide to move into the accommodation, setting out the: <ul style="list-style-type: none"> <li>• terms of payment for rent and utility charges, ensuring that they are fair and line with market value</li> <li>• conditions when or if no or little work is available or the worker is unable to work</li> <li>• conditions for moving out of the property including fair notice periods (four weeks or less)</li> <li>• circumstances which will lead to eviction</li> <li>• contents of the accommodation and what workers will need to bring with them</li> </ul>			

## 4.9 TRANSPORT

Transport provided for workers is safe and accords with relevant national laws and guidance.

Dependent upon who provides the transport, recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
Transport service operators, vehicles and drivers have the appropriate licenses, registrations, tax and insurances as required by law.			
Vehicles are regularly maintained and repaired by a competent person or business to maintain roadworthiness and safety.			
Vehicles are appropriately insured to cover injury to passengers for any reason.			
Where workers are dependent on transport provided by the recruiter, appropriate arrangements are made when the worker requires transport outside of normal working hours through no fault of their own, or they are unable to get to work because the transport did not arrive or was delayed, to ensure that the worker suffers no detriment.			

## 4.10 FREEDOM OF MOVEMENT AND PERSONAL FREEDOMS

Freedom of movement is a human rights concept encompassing the right of individuals to travel from place to place within the territory of a country, and to leave the country and return to it. The right includes not only visiting places, but changing the place where the individual resides or works.

While the restrictions on changing jobs and employers have eased up on migrant workers after the [Migrant Decree 2017](#) was amended, there remain issues related to this topic. For example, NV workers wishing to change employers need permission from their former employer, but it is not clear what happens if the employer refuses to do so.

For both MOU and NV, standard forms and fees are available, but there appear to be paperwork variations at the provincial level and no guidance on how to protect the worker if agreement cannot be reached between the old and new employers.

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
Worker's decisions to terminate their employment contract, with or without pre-agreed documented protocols are not interfered with. However, the employer shall inform the Department of Employment about the termination in compliance with Thai Labor Laws.			
Workers are not penalized, or threatened with termination, or discipline - directly or indirectly if they return to their country or province during their holidays and leave days.			
Workers are not prevented from changing jobs or employers. However, in compliance with Thai Labor Laws, the employer shall report any resignations or disappearances to designated government agencies within the required period of time and take no responsibility for impacts on the worker's legal status.			
Employers do not interfere with how workers dispose of their wages, nor put any limits or restrictions on their use; except in cases of violations, proven in a court of law, to any Company policies, e.g., use of wages to support human trafficking or sexual exploitation.			
The worker's right to choose accommodation outside of housing arranged by the employer or recruiter, even if options are offered, is respected.			
Workers are not restricted in their access to their rooms in company housing (if used) or of their personal effects, or in their activities outside of work hours or during holidays and days off.			

## 4.11 DISCIPLINARY ACTION

Employers must document their standard disciplinary processes for non-conformities and non-compliance to Company Rules and Policies. These shall be communicated to and explained to all workers

Disciplinary policies must comply with Thai Labor Laws. If required, they shall be approved by a competent authority prior to implementation then included in the Company Rules or Employee Handbook or posted on the notice board in languages that the workers understand.

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
All types of gender-based violence and gender-based discrimination are subject to a zero-tolerance policy, especially sexual harassment of women at work. A manual or program is developed to define unacceptable behavior and corresponding disciplinary actions for perpetrators.			
Disciplinary actions are not excessively harsh, and do not cause harm to lives, physical and mental well-being of the workers. They shall match the severity of the violation.			
Disciplinary action is not used to punish workers for exercising their fundamental human and labor rights; or induce forced labor; or restrict freedom of movement and personal freedoms.			

## 4.12 DISMISSAL, RESIGNATION AND SEVERANCE

Workers who resign or are dismissed are treated fairly and in compliance with Thai Labor Laws.

Workers receive all outstanding statutory and contractual entitlements on termination of contract including outstanding pay and benefits for all time worked, agreed refunds of deposits or fees and cancellation of outstanding repayments.

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
Workers are given adequate time to reflect on and correct their actions. Verbal warnings and warning letters are issued within timelines stipulated in Thai Labor Laws, prior to dismissal of a worker or employee			
Rules are documented, in the employment contract or in the employer rules, for giving advance notice for resignation. These shall not be stricter than those allowed by Thai Labor Laws.			
Clear explanation and proof of the reasons for dismissal of regular employees or workers is provided, as well as those under a probation period.			
Payment of all wages and benefits owing to the worker, who resigned or was dismissed is made upon or prior to any scheduled wage payment, so that the contract cancellation becomes effective at the next scheduled wage payment. The amount paid shall reflect the actual number of days worked.			
In cases of worker layoffs, workers are paid severance pay according to the most current Thai Labor Laws, which defines amounts according to years of employment.			

# TASK 16:

 **COMPLETE THE TASK BELOW**

We will use the following channels to communicate our responsible recruitment messages:

<p>How do recruiters and employers ensure these standards are met:</p>	
<p>In the recruiting company, who is responsible for ensuring these standards are met:</p>	
<p>Action the recruiter/ employer will take when an employer has not met these standards:</p>	

## > MODULE 5: GRIEVANCE AND REMEDIATION

**You should provide communication channels for all workers, especially vulnerable workers, such as migrant workers and women, in order to be able to hear their feedback, suggestions and concerns as well as helping them solve and remedy complaints and grievances that can occur.**

See [here](#) for a template of a Grievance and Remediation Policy that you can adapt for your own business.

Recruiters and employers should encourage workers to provide feedback about their experiences during the recruitment and employment process in order to assess whether responsible recruitment policies and procedures are achieving their objectives in preventing worker exploitation.

It is common for businesses to think that if they have no complaints, it means that all workers are happy and have nothing to complain about. In reality it is likely that workers are not complaining because they are too nervous or intimidated to do so, because they do not believe their complaint will be listened to or resolved or because there are no channels for complaints and grievances and no system for remediation in place.

**GRIEVANCE EXPRESSES DISSATISFACTION, DISAGREEMENT OR PROTEST OVER UNFAIR TREATMENT, A VIOLATION OF WORKPLACE STANDARDS AND/OR AN INFRINGEMENT OF RIGHTS. GRIEVANCES CAN ALSO BE CALLED 'COMPLAINTS', BUT COMPLAINTS ARE GENERALLY LOWER-LEVEL CONCERNS ABOUT WORKING CONDITIONS, BENEFITS AND WELFARE.**

Workers who do not feel comfortable to complain about the issues they are experiencing may simply choose to leave and will tell other workers or applicants of their problems, which could negatively impact your reputation, as well as costing you money in recruiting a replacement.

Effective communication channels will demonstrate to workers that their concerns will be dealt with, encouraging more feedback, and enabling many issues to be dealt with at an early stage before they become serious problems.

Prevention and mitigation strategies must prioritize incidents and situations that impact workers' rights to life, liberty and security of persons; freedom from slavery and servitude and freedom from torture.

## 5.1 TYPE AND CHANNELS FOR GRIEVANCE

Legitimate and accessible channels of communication are available for applicants, staff and workers to express complaints or grievances, on rights, recruitment, and working conditions, in confidence, as needed. Channels and tools shall be provided in migrant workers’ native languages and include a 24-hr emergency contact list, a hotline phone number, or confidential email or complaints box.

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
Grievance mechanisms are systematically handled by trained personnel, are rights-compatible, involve workers (especially vulnerable workers), respect confidentiality, update workers on progress of resolving the grievance, are documented, and communicated in a timely manner to the person who filed a complaint or grievance.			
A support network for handling grievances is identified, especially potential first responders, including but not limited to, government agencies such as the provincial Ministry of Social Development and Human Security office, hospitals, schools, NGOs/ CSOs, community leaders, legal associations or trade associations- at a minimum for Thailand; preferably, also in the source country.			
Various types of grievances are categorized and defined with severity ratings and potential corrective, preventive, and remediation actions. Cases that involve fundamental human and labor rights that can cause death or life-threatening injuries; negative impacts on well-being, physical and mental health; as well as damage to property or personal reputation are prioritized.			
Grievances are monitored by Thai recruiters, supply chain recruiters (or other intermediaries) and by employers.			

## 5.2 CONFIDENTIALITY, VICTIM AND WHISTLE-BLOWER PROTECTION

Workers’ confidentiality is assured throughout the grievance process and workers are protected against any form of detriment when reporting violations in good faith.

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
All workers and staff are informed of their obligation to promptly report any illegal or unethical activities that violate your policies and harm workers, especially vulnerable workers, through grievance channels set up for the purpose.			
Trained personnel are assigned to manage grievance channels and ensure precautions are taken to maintain confidentiality of individuals involved in the alleged illegal or unethical or inappropriate activity, whether the violation is proven to be true or not.			
There are documented procedures in place for gender-sensitive handling of cases involving women victims in order to protect them from further indignities, harassment or exploitation. These shall include provision for a safe house as needed; or legal assistance and support from women lawyers.			
Disciplinary action or reprisals of any form are NOT permitted to be taken against persons reporting in good faith violations of your policies. However, you may take action against any individual or organization that prevents or delays or refuses to cooperate in the investigation or discovery of violations of your policies.			

### 5.3 RECEIVING, INVESTIGATING AND DOCUMENTING GRIEVANCES

Where a worker or staff member raises a grievance, complaint, concern, suggestion or idea through any mechanism, and it cannot be remediated or actioned informally, the case should be escalated to a relevant senior manager for investigation.

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
There is a documented process flowchart for handling grievance and remediation (including processes for acknowledging, categorizing, responding, investigating, resolving, closing) especially zero tolerance areas. <a href="#">See here for an example flowchart.</a>			
All grievances are investigated without unreasonable delay. The reporter should have a fair opportunity to present their grievance and explain what remedy or action they are seeking.			
Workers should have the right to be accompanied by a companion to any grievance meeting, although not one who is involved in the case.			
Where an investigation is required (and it will almost always be necessary to investigate a grievance) it should identify the root cause of the grievance and where the case is substantiated (in full or in part) any required remediation.			
Investigations should be conducted by a trained investigating manager who has the knowledge and skills to carry out the investigation in a timely, professional and unbiased manner. ( <a href="#">See template investigation checklist</a> )			
A separate manager, independent to the investigation, will decide whether the investigation is complete, sufficient and unbiased (and if not, what actions need to be taken to correct this), whether the grievance is proven, the appropriate remediation and actions that can be taken to prevent reoccurrence.			
The reporter and others who are directly affected should be informed of the outcome.			



## 5.4 REMEDIATION STRATEGIES

Remediation involves a range of actions including acknowledgement and apology, restitution and rehabilitation, management level changes, financial compensation, repatriation and the implementation of measures that prevent future occurrences.

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
All staff and workers know that they have access to remediation including for issues related to supply chain recruiters and support services such as transport and accommodation providers.			
<p>Where remediation is required, it:</p> <ul style="list-style-type: none"> <li>• Considers the needs of all parties involved. For women migrants in particular, reporting of incidents to police and legal assistance must be done with care to avoid further harm</li> <li>• Prevents issues reoccurring and/or not creating other issues</li> <li>• Ensures that any disciplinary action carried out as part of the remediation is dealt with according to your disciplinary procedure</li> <li>• Is carried out without unreasonable delay</li> <li>• Ensures that workers are fairly compensated for any damage they have suffered</li> </ul> <p>Is communicated to all relevant parties</p>			

## 5.5 RESPONSE AND REMEDIATION FOR ZERO TOLERANCE VIOLATIONS

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
<p>A Response and Remediation Plan is developed to specify how to handle, report and record suspected gross human rights violations including labor trafficking, forced labor and other types of worker exploitation. The process must ensure that:</p> <ul style="list-style-type: none"> <li>• Workers are protected from harm or abuse and remain safe throughout the whole process</li> <li>• Trusted relevant authorities or appropriate victim support organizations are contacted</li> <li>• Evidence is captured and protected</li> </ul>			

## 5.6 CLOSURE AND APPEALS

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
The grievance, its investigation and resolution are documented, and all stakeholders involved are informed. If there are no dissatisfactions or further demands, the case will be closed.			
Should the reporters or any other stakeholders question the resolution or remediation process, an appeals process is allowed that will involve identifying a third-party mediator, either from a government agency or an NGO/CSO or local labor offices, associations or community leaders.			
Resolution of appeals are prioritized by non-judicial means, since resolving cases by judicial means and legal action could be costly, time-consuming, counter-productive and demoralizing.			
Where judicial means are taken, the source country embassy must be informed, and cross border legal jurisdiction issues considered.			

# TASK 17:



COMPLETE THE TASK BELOW

We will use the following channels to communicate our responsible recruitment messages:

<p>The grievance mechanisms for staff and workers in our business are:</p>	
<p>We ensure that staff and workers are aware of our grievance mechanisms and encouraged to use them by:</p>	
<p>Our current grievance mechanisms could be improved by:</p>	

## > MODULE 6: DUE DILIGENCE

You should undertake effective due diligence to identify, prevent and mitigate risks of exploitation in your recruitment supply chain and ensure compliance to responsible recruitment standards, practices and guidelines.

### 6.1 SELECTING AND APPOINTING PARTNER RECRUITERS

Only officially licensed recruiters that have a good reputation and track record in source countries and/or Thailand, and/or associations within the industry for seafood processors and recruitment agencies for honesty, accountability, effective management systems and trained personnel should be used in the supply chain.

Recruiters and employers ensure that:	Completed?		
	No	Partially	Yes
All businesses in the supply chain, including recruitment partners, accommodation and transport providers are audited prior to supply taking place. <a href="#">See here for the SRA checklist</a> which you can use to support your due diligence, and find more information on auditing in Module 7			
Information is obtained, as part of the due diligence process, on the licensing criteria for all recruiters in the supply chain in both source and destination countries; including their policies, scope of their operations, activities, fees, personnel, management and other proof of legal compliance.			
All personnel demonstrate knowledge, understanding and compliance to your core policies (especially those for responsible recruitment and decent work), as well as all national laws, relevant to labor, fisheries and migrant worker management.			
Written contracts between recruiters and employers specify terms and conditions regarding recruitment fees; decent treatment of workers and respect for their rights; legitimacy of all supply chain recruiters and grievance/remediation responsibilities.			
Similar written contracts or agreements are in place between Thai recruiters and their supply chain recruiters in source countries, as well as between the source country recruiter and individual migrant workers applying for a job.			
All proof of payment, receipts for processing and any other fees, costs for obtaining identity documents, in-transit travel and accommodation, medical checks, pre-entry and post-arrival training at Border Centers, and post- arrival travel to employer are retained for audit purposes and comply with Thai Labor Laws and bilateral MOUs.			
Documented HR policies and procedures defining policies and implementation of fundamental human and labor rights, responsible recruitment, decent working conditions, grievance and remediation mechanisms in the migrant workers' language are available to workers.			
A verifiable monitoring plan for all source country supply chain recruiters (including subcontractors and service providers) is kept on file by Thai recruiters.			
New hires are accompanied by recruiters to the employer's factory and complete paperwork vouching for legal processes and settlement of fees during the recruitment process.			

## 6.2 RISK ASSESSMENT

A Risk Assessment is a thorough look at a workplace to identify things, situations, processes, etc. that may cause harm, especially to people. After these risks have been identified an analysis of the likelihood and severity of the risks is done followed by actions to eliminate or lessen the chance of any harm happening.

Purpose of the Risk Assessment.
The Risk Assessment will: <ul style="list-style-type: none"> <li>• Identify hazards and risks that have the potential to cause harm.</li> <li>• Assess the impact and likelihood of the risk occurring.</li> <li>• Identify the person responsible to mitigate the risk (risk owner).</li> <li>• Determine any actions that need to take place to mitigate the risk.</li> </ul>
Who will use this Risk Assessment? (Users)
The risk assessment can be used for a company’s own self-assessment, or it can be undertaken jointly with potential business partner (such as a sub-contractor).
When will this Risk Assessment be used?
The Risk Assessment is used when engaging a potential new recruiter. In addition, the tool should be used to review risks on an annual basis.
How to use this Risk Assessment? (i.e. what steps to be taken)
The Risk Assessment is the main tool for identifying and evaluating risks. It allows management to gauge risks and their potential damage to the company as well as establish a plan to mitigate the risks. Agreed actions should be monitored to ensure they are completed. Refer to the <a href="#">‘Example of Specific Risk Assessment for MOU Recruiter’</a> document.

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
An initial evaluation of potential recruiters is undertaken. Potential recruiters should meet the following criteria: <ul style="list-style-type: none"> <li>• They have all the necessary registrations, licenses and permits.</li> <li>• They are trained/knowledgeable about applicable international standards/norms and national labor laws regarding recruitment and employment.</li> <li>• They agree and comply with zero recruitment fee principles and do not charge application fees, etc.</li> <li>• They have agreed with the Employer on responsibilities for costs and expenses related to recruitment that comply with national labor laws.</li> <li>• They understand how the terms in an Employment Contract are aligned with international standards/norms and national labor laws.</li> </ul>			
A risk assessment of the recruiter is undertaken.			
Follow up actions to mitigate risks are monitored to ensure they have been completed.			

### 6.3 MAPPING THE RECRUITMENT SUPPLY CHAIN

Supply chain mapping involves recording all the different business partners in the supply chain and how they relate to each other. Ideally, all business partners up and down the supply chain should be mapped.

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
<p>All steps and links in the supply chain have been accurately mapped and documented in a process flow diagram that has been reviewed and approved as up-to-date by the senior team. See an example below:</p> <pre> graph TD     Employer[Employer] --- Recruiter[Recruiter (Thailand)]     Recruiter --- Partner[Partner Recruiter (Source Country)]     Recruiter --- Service[Service Providers]     Partner --- Transport1[Transportation]     Partner --- Sub[Sub-contract Recruiters]     Sub --- Village1[Village 1]     Sub --- Village2[Village 2]     Service --- Transport2[Transportation]     Service --- Accommodation[Accommodation]     Service --- Translator[Translator]     </pre>			
Direct business partners such as employers, recruiters and supply chains recruiters, as well as indirect links such as those that provide accommodation or transport services to your supply chain recruiters should be mapped.			
Your supply chain map is reviewed periodically, and updated when there are changes in suppliers, external Service Providers and partners for intermediary and outsourced processes.			
Migration routes are mapped with methods of travel, routes, processing centers, border crossings and post arrival centers for each cohort of workers, enabling unannounced audits and spot checks.			
All organizations in your supply chain are verified as legitimate business entities and relevant business information is obtained. See <a href="#">here</a> for a sample questionnaire which can be adapted for use by your business.			

## TASK 18:

 COMPLETE THE TASK BELOW

Our recruitment supply chain and migration routes maps and relevant business information for all businesses in our recruitment supply chain can be found at \_\_\_\_\_.

### 6.4 WRITTEN COMMERCIAL AND CONTRACTUAL TERMS

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
Written and signed legal contracts that govern the terms of the acceptance, or supply of services and specify commercial terms, are agreed between employers, recruiters and supply chain partners prior to recruitment.			
Operational service level agreements (SLA) that detail the operational processes, agreed service levels, and assigned responsibilities between the parties are agreed between all employers, recruiters and supply chain partners prior to recruitment. See <a href="#">here</a> for a template SLA that you can adapt for your own business.			

## TASK 19:

 COMPLETE THE TASK BELOW

Up to date and signed legal contracts and SLAs with our employer/recruiter/supply chain partners can be found at \_\_\_\_\_.

### 6.5 SUSTAINABLE COMMERCIAL MODEL

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
All businesses in the supply chain are charging an appropriate fee so that there is no need to exploit workers for commercial sustainability.  Fees should cover all elements of the service provided including visa and processing fees, medical tests, transport and accommodation en-route, pre-employment training, any PPE or equipment required, all elements of pay to the worker including benefits and taxes, overheads and an appropriate amount of profit to allow sustainable trading.  See <a href="#">here</a> for examples of the costs of recruitment related fees for migrant workers.			

## TASK 20:

 COMPLETE THE TASK BELOW

All our employers and recruiters are paying a rate which covers all their costs and allows them to make a reasonable profit.

### 6.6 PROVIDING TRUTHFUL AND TRANSPARENT INFORMATION TO AUDITORS

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
Information on your own contractual obligations and responsible recruitment practices is collected and collated in order to give accurate and up to date information to those auditing your business.			
Audits are seen throughout your business as an opportunity to improve your business processes by finding and correcting errors and identifying best practice to share. Find more details on effective audits in Module 7.			

More guidance on due diligence processes can be found [here](#).



## > MODULE 7: MONITORING AND VERIFICATION

In order to gauge the effectiveness of your responsible recruitment and employment processes, you will need to assess your own performance; as well as that of your business partners. You can monitor and verify your activities through questionnaires or an on-site partial assessment of a department or a policy, or as a full internal audit of the standards.

The end goal of assessments is to determine which areas of your practices are compliant, and which require improvement. You should focus your efforts on reducing, minimizing and ultimately eliminating social and labor risks.

### 7.1 KEY PERFORMANCE INDICATORS

KPIs are used to measure performance and adherence to responsible recruitment standards. Set a target and monitor your performance against that target.

Ensure that:	Completed?		
	No	Partially	Yes
<p>A set of KPIs are agreed that reflect the required standards and are clear, easily measured and regularly reviewed. Examples of common KPIs include:</p> <ul style="list-style-type: none"> <li>• Number of applications for jobs against the number required</li> <li>• Number of workers recruited against the number required</li> <li>• Number of workers actually starting work against the number recruited</li> <li>• Number of workers still in work three months after start</li> <li>• Number of grievances rectified and remedied within the target timeframe</li> <li>• Internal and external audit scores against target</li> <li>• Supply chain recruiter audit scores against target</li> <li>• Number of male and female workers against number of male and female applications</li> </ul>			
<p>For each KPI, establish a baseline (where you are now) and set a target (where you want to be) and measure performance at regular intervals – either weekly or monthly.</p>			
<p>Where targets are not hit, determine the reason. For example, is it because staff are not following the process because they do not understand it, or are not sufficiently trained; is it because the process is not working and needs to be adjusted; or is it because the target is too challenging and needs to be made more achievable?</p>			
<p>Where targets are hit – increase the target – this is continuous improvement.</p>			
<p>KPI's are shared with your staff, customers and workers so that all can see your achievements.</p>			

# TASK 21:



COMPLETE THE TASK BELOW

Our KPI's include:

No	KPI	Baseline	Target	Frequency
1				
2				
3				
4				
5				
6				

## 7.2 AUDITS

Internal audits are carried out by your own staff. They can be full scale formal audits on all elements of compliance with your policies and procedures or small day to day audits carried out as a matter of course by all staff. Formal audits should be unannounced, follow a written process, be undertaken by trained auditors and result in a written report with corrective actions for errors and acknowledgement and praise for examples of best practice.

External audits are those which are carried out by people outside of your business. There are three main types:

- Consultative audits are those which you have booked yourself. An external auditor provides an objective and confidential view of your business. Often used as part of a continuous improvement process, or in preparation for an official audit.
- Client driven audits are where your client audits you. It may be a representative from the client themselves, such as an HR person, or they may engage an external auditor to undertake the process. The results usually go to your client who is using the audit to check that you are complying with their requirements.
- Independent audits can be undertaken by government departments to check legal compliance, or by external auditors engaged to undertake an audit against an external standard which you or your client have applied for. The result may involve some sort of certification. Poor performance in an independent audit is usually very serious and can result in loss of business. A good internal audit program can help to make sure you are well prepared for independent audits.

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
Your business performs regular internal audits in all operational areas including: <ul style="list-style-type: none"> <li>• When there is a serious complaint</li> <li>• Regular unannounced audits – frequency should be dependent upon risk, but no less than annually</li> </ul>			
All businesses in the supply chain, including recruitment partners, accommodation and transport providers are audited on a regular basis including: <ul style="list-style-type: none"> <li>• When there is a serious complaint</li> <li>• Regular unannounced audits – frequency should be dependent upon risk, but no less than annually</li> </ul>			
Audits are carried out by a trained member of staff, or an external organization, using a standard internal methodology, or a recognized external standard to ensure that all businesses in the supply chain are operating according to agreed standards and identify areas for improvement and examples of best practice that can be shared.			
Audits always include worker interviews to ensure that good practice is actually taking place. Interviews of workers should be confidential and take place in a location where management is not present.			

**What is the TRA Checklist?**

The TRA Checklist is an International Organization for Standardization (ISO)-standardized tool for the Thai Recruitment Agency (TRA) who plans to or already recruits migrant workers into Thailand to work legally for Thai Employers under the Memorandum of Understanding (MOU) recruitment method.

**Purpose of the TRA Checklist**

The TRA Checklist’s goal is to monitor internally the TRA’s level of compliance to policies, practices and social management systems elements that are components of the FAIR Fish Responsible Recruitment Model. At the same time, the TRA Checklist will also evaluate adequacy of the TRA’s existing documentation, progress of implementation, and effectiveness of improvement activities. The FAIR Fish Model emphasizes a systematic management of social risks in links of the TRA’s recruitment supply chain.

**Who will use this Checklist? (Users)**

The users for the TRA Checklist are Social Management System (SMS) or Internal Quality Audit (IQA) Team members of the TRA, reporting to the TRA’s top management. Personnel administering the checklist must be trained by qualified trainers on FAIR Fish policies, implementation procedures and reference criteria, such as Thai national laws, international standards and guidelines for human and labor rights, especially those of the ILO and IOM. The TRA’s management will act on the findings of the SMS/IQA Team.

**When will this TRA Checklist be used?**

The use of the TRA Checklist on the TRA’s business partners in a 2nd party audit (i.e., Thai sub-contractors or service providers) is based on results of due diligence and risk assessment, with first-time suppliers or high-risk partners prioritized. Internal monitoring of the TRA operations in a 1st party audit, depends on the TRA monitoring plan and management review schedule, but should not exceed one-year intervals. It is recommended for use with new or high-risk partners. For existing/low or moderate risk partners, use on an annual basis is recommended.

**How to use this TRA Checklist? (i.e., what steps to be taken)**

The TRA Checklist is the main tool for systematic collection and evaluation of objective evidence to identify gaps or improvement opportunities in the TRA’s SMS. Monitoring will follow the processes of initiation/scheduling, preparation, performance, evaluation, reporting, corrective/preventive action request, follow-up/surveillance, closure.

### 7.3 TEAM AND PLANNING

The auditors who work for your business should be accurate, thorough, impartial and knowledgeable and not likely to be intimidated or influenced by other staff, especially those more senior, when undertaking audits.

Depending on the size of your business, auditing can be a dedicated role, or carried out as part of a job.

Not every audit needs to be a full assessment. It is sensible to carry out audits on the areas of the business or elements of the service with the highest risk or with the greatest history of non-compliance.

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
Effective internal auditors are selected, appointed and trained.			
Audits are conducted against a set of written criteria that all relevant staff are familiar with. Auditors are not required to make subjective judgements, but to find objective evidence to demonstrate (or not) that standards are being met.			
Auditors do not undertake official audits on their own business area.			
Audits are unannounced – the objective is to get a true picture of business performance, not a sanitized version where the audit has been prepared for. You should foster an environment where audits are seen as opportunities for learning and improvement, not as judgmental assessments to be feared.			
Your audit scoring system allows audits to be easily compared over time to measure business improvement.			

### 7.4 REPORTING AND FOLLOW-UP

The objective and anecdotal evidence obtained from the assessments is analyzed to determine adequacy and/or effectiveness of existing systems. Strengths and weaknesses of the policies or systems are reported. For any gaps found, recommendations are made for improvement.

Recruiters and employers will ensure that:	Completed?		
	No	Partially	Yes
Auditors send the findings of the audit to the auditees. Thereafter the auditees will, in cooperation with the auditors, prepare a corrective action/preventive action response form. Timelines for response and actions will be agreed upon.			
Auditors follow-up on the responses or non-responses of the auditee and make recommendations to the recruiter’s management about further action or additional improvements required			

## TASK 22 :

 COMPLETE THE TASK BELOW

Our audit procedure can be found at \_\_\_\_\_.

## TASK 23 :

 COMPLETE THE TASK BELOW

We encourage our staff to view audits as an opportunity to learn rather than a judgmental assessment of their individual performance by \_\_\_\_\_

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## TASK 24 :

 COMPLETE THE TASK BELOW

<b>Our key next steps are:</b>	
In the short term (next 6 months):	
In the medium term (next 1-2 years):	
In the long terms (next 3-5 years):	
<b>We need support with our responsible recruitment program in these areas:</b>	
<b>The three changes that will make a major difference to reducing worker exploitation in our supply chain are:</b>	<b>1</b>
	<b>2</b>
	<b>3</b>

## > CONCLUSION

Let's re-visit the first task within your workbook, where you wrote down what you wanted to achieve for yourself, your business and your workers as a result of this course.

Have those objectives been achieved?

If not, please let us know how we could better meet your needs.

If you have completed your tasks as you have worked through this course, you will now have a comprehensive and tailored record of the steps you have taken to implement responsible recruitment standards and practices in your business.

We hope you use this manual and action plan to make positive improvements in your business and continue to learn about how responsible recruitment benefits your workers, your business and your client.

**THANK YOU FOR YOUR ATTENTION**

