

C-5: Example of Specific Risk Assessment for MOU Recruiter

RISK ASSESSMENT FOR RECRUITERS

Recruiter: ABCD Agency)12 Migrant Workers from Cambodia recruited through MOU(

FAIR FISH Core Policies – Incidents or Indicators	Severity (S)	Reason	Likelihood (L)	Reason	Preventive Measures (P)	Reason	Total Score (S×L×P)	Social Risk Rating
No Forced Labor	4	Two workers asked recruiter for advance/ guarantee for job; repayment agreement	3	Incidents occurred in the last year	2	No SMS but training on FAIR Fish policies completed; sign CoC	24	
No Child Labor	4	One worker found to be 17 years old- not allowed by law for seafood processing	3	Discovered during interview by external auditor within the last six months	2	No SMS but training on FAIR Fish core policies completed; sign CoC	24	
No Discrimination	3	If found, consider to be major	1	Recruiter has female staff and history shows gender balance in recruiting	2	No SMS but training on FAIR Fish core policies completed and sign COC	6	
Responsible Recruitment	3	Licensed but if violations found consider to be major	2	Control by Department of Fisheries and Department of Employment	2	No SMS but training on FAIR Fish policies; DOF and DOE laws and	12	

FAIR FISH Core Policies – Incidents or Indicators	Severity (S)	Reason	Likelihood (L)	Reason	Preventive Measures (P)	Reason	Total Score (S×L×P)	Social Risk Rating
						requirements; sign CoC		
Freedom of Association and Collective Bargaining	1	Number of workers at company not enough for Welfare committee	1	Unlikely; labor inspections by Department of Employment	2	No SMS but training on FAIR Fish policies and at DOE for Thai Labor Laws ; sign CoC	2	
Anti-Trafficking in Persons (TIP)	4	Licensed, but if violations or indicators found, consider to be critical	2	Information on travel from Cambodia to Thailand by land incomplete but no major complaints from migrant workers	2	No SMS but training on FAIR Fish policies and on Thai laws at DOE and DOF; sign CoC	16	
Grievance and Remediation	2	Workers have face-to-face communication with local recruiter and contact with Employer	1	Recruiter provides channel of communication locally and provide updates to Thai Employer by video	2	No SMS but training on FAIR Fish policies; on Thai laws by DOE and training with Department of Labor Protection and Welfare; sign CoC	4	

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Decent Working Conditions	2	Employment Contract based on template from Thai DOE aligned with Thai Labor Laws; worker has original	1	Recruiter familiar with National Laws (Social Security, Department of Labor Protection and Welfare, Department of Fisheries)	2	Accept because there has been training, involved with Inter Company Working Group – FAIRFISH project and sign CoC	4	

Legend: **Severity:** Critical = 4; Major = 3; Medium = 2; Minor = 1
Likelihood: Certain = 4; Highly = 3; Possibly = 2; Unlikely = 1
Preventive Measures: Labor Systems Good = 1; Acceptable = 2; Needs Improvement = 3

Calculate each Policy’s Total Risk Score using this formula: Severity x Likelihood x Quality of Preventive Measures

Low Risk: 1 to 11 (Green Color)
 Medium Risk: 12 to 23 (Yellow Color)
 High Risk: 24 and above (Red Color)

Social Risk Rating Level for Company: Count the number of red colored policies

Low Risk Level (Red Color 0) Send CoC to sign or Onsite Audit, Once a year
 Medium Risk Level (Red Color 1-4) Send CoC to sign and Onsite Audit, Once a year, request remediation, corrective and preventive actions.
 High Risk Level (Red Color 5-8) Reject or Send CoC to sign and Onsite Audit, Twice a year; request remediation, corrective and preventive actions

Next steps to Recruiter by Employer – For Red Social Risk Rating, the Stop Business/Delisting/ Blacklist for Zero Tolerance options could be invoked

Overall Social Risk Rating for Recruiter: Medium Risk (Yellow)

Comments to Recruiter by Fish Processor:

Recruiter overall appears knowledgeable about fundamental human and labor rights and tries to keep up with training from government agencies and private sector when available. However, understanding of recruitment fees principles and concepts as they relate to forced labor need improvement – incident regarding advance and guarantee may have been considered by recruiter as helping the workers but is not acceptable. After investigation, child labor incident discovered to be due to lack of accurate means of authenticating documents – again, controls regarding this issue at source country need to be strengthened.

Conclusions and Recommendations about Recruiter by Fish Processor:

On Site Audit once a year; request for documented corrective and preventive action plan on above two issues.