

# THE SEAFOOD TASK FORCE

## Code of Conduct and Auditable Standards

Mar 2020





# Introduction



Retailers - 20%

Manufacturers, Processors  
& Suppliers - 45%

NGO - 15%

Advisors - 18%





# Introduction

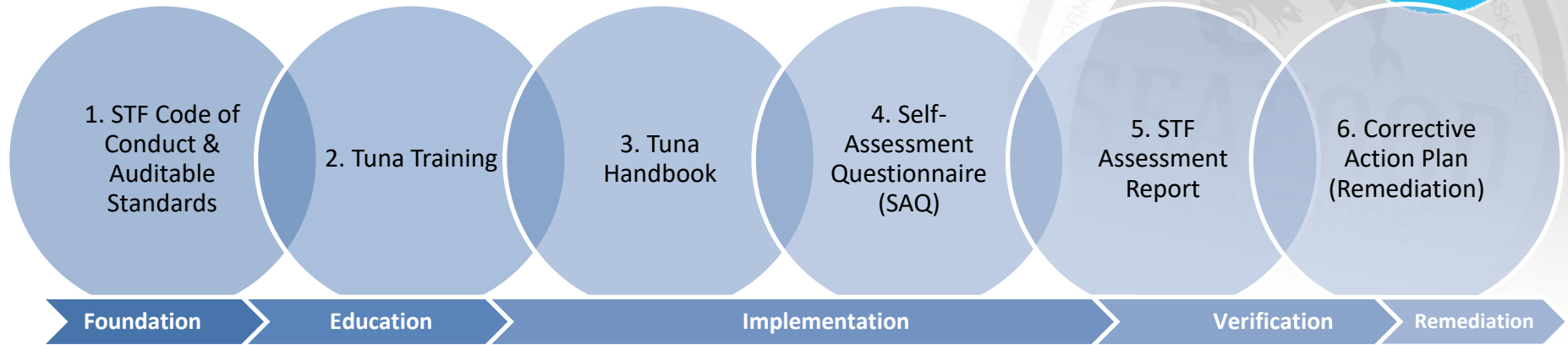


## CORE STRATEGY

THE TASK FORCE'S  
OVERARCHING  
OBJECTIVE IS -  
SUPPLY CHAIN  
OVERSIGHT



# Tuna Social Compliance *Program Overview*



Serves as the foundation of the social compliance program, sets policy and Standards for Labor practices	Provides opportunity for face to face interaction with vessel owners to implement the STF requirements & program roll out	Step by step guide for vessel owners and operators to assist in implementing the STF CoC & AS; it contains best practices and sample polices to comply with STF requirement	The SAQ is a compliance readiness or validation tool developed for vessel owners and operators to self-assess current practices against STF	Assessment checklist for verification of compliance against the STF Code and is intended to be used by 2 <sup>nd</sup> or 3 <sup>rd</sup> party auditors or assessors	The corrective action plan serves as a steppingstone in developing the remediation program of the vessel for continuous improvement
All supply chain actors across the seafood supply chain	-Vessel Owners & Operators -Compliance Managers -HR Managers	-Vessel owners and operators -Compliance managers -HR managers -Supply chain owners	-Vessel owners and operators -Compliance managers -HR managers -Supply chain owners	-3 <sup>rd</sup> party auditors and assessors -STF program managers -Supply chain owners	-Vessel owners -2 <sup>nd</sup> part and 3 <sup>rd</sup> auditors and assessors -STF program managers -Supply Chain owners

# Code of Conduct & Auditable Standards



A set of social and health & safety industry standards developed and adapted by the STF as a means of improving labor conditions across the seafood industry, from vessel to retailer.

- 1. CHILD LABOR**
- 2. FORCED LABOR**
- 3. EMPLOYMENT CONTRACTS**
- 4. FREEDOM OF MOVEMENT AND PERSONAL FREEDOM**
- 5. RETENTION OF PERSONAL DOCUMENTS**
- 6. RECRUITMENT FEES**
- 7. HUMANE TREATMENT**
- 8. WORKPLACE EQUALITY**
- 9. FREEDOM OF ASSOCIATION**
- 10. GRIEVANCE PROCEDURE**
- 11. WAGES AND BENEFITS**
- 12. WORKING HOURS**
- 13. WORKER AWARENESS AND TRAINING**
- 14. PRIVATE EMPLOYMENT AGENCIES & RECRUITERS**
- 15. HEALTH & SAFETY**

# 1. Child Labor



## Child

- any person under the age of 15
- **Sea-Based Work:**  
any person under the age of 18

## COMPLIANCE

1. Written policy prohibiting underage labor

- Clear company statement and Commitment to remediate

2. A clear procedure for age documentation

- Passport
- National ID
- Work permit
- Birth certificate

3. A procedure for safely protecting and removing any underage worker who may have been unknowingly hired

- Labor remediation steps and best practices



# 2. Forced Labor



## ACT OF

- Recruitment
- Transportation
- Transfer
- Harboring
- Receipt of Persons

## BY MEANS OF

- Threat or use of force
- Coercion
- Abduction
- Fraud
- Deception
- Abuse of Power or Vulnerability
- Giving Payments or Benefits

## FOR THE PURPOSE OF

- Forced Labor
- Slavery or similar practices (debt bondage)
- Other types of exploitation (including sexual exploitation, removal of organs)

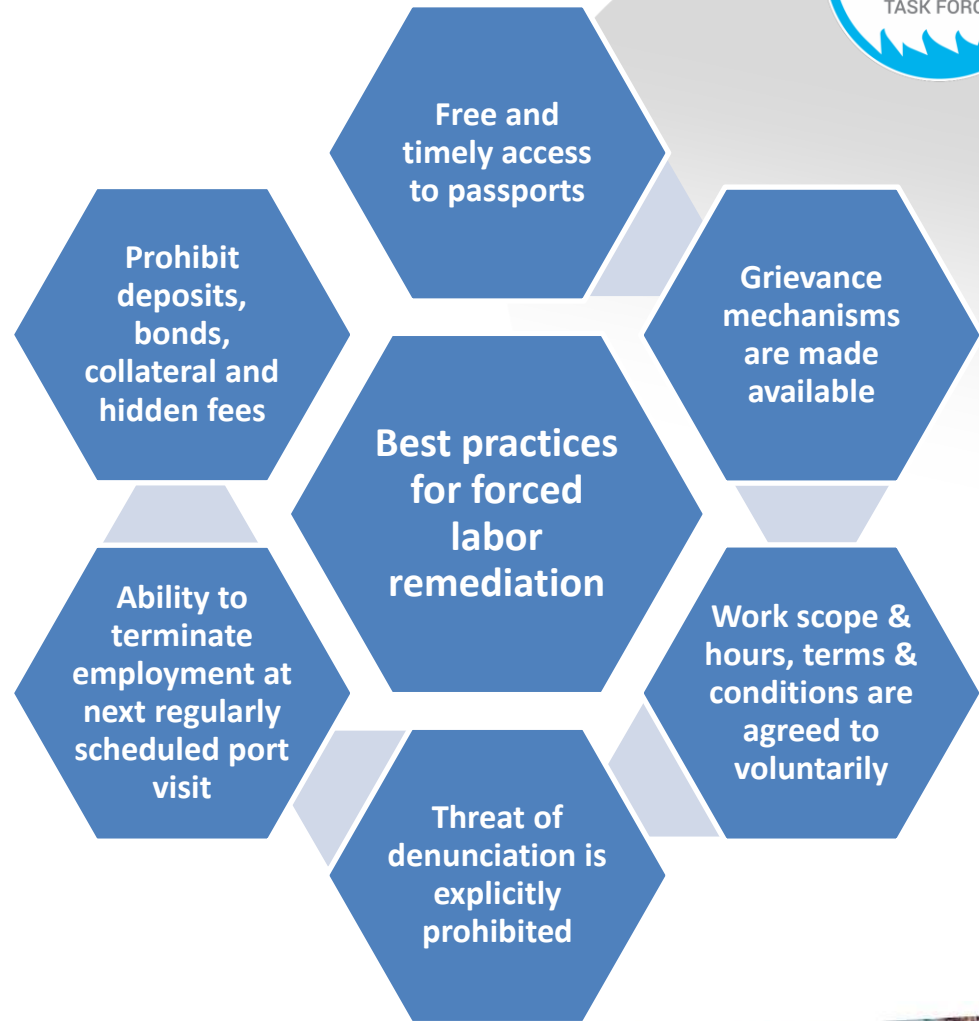


# 2. Forced Labor – What To Do



## COMPLIANCE

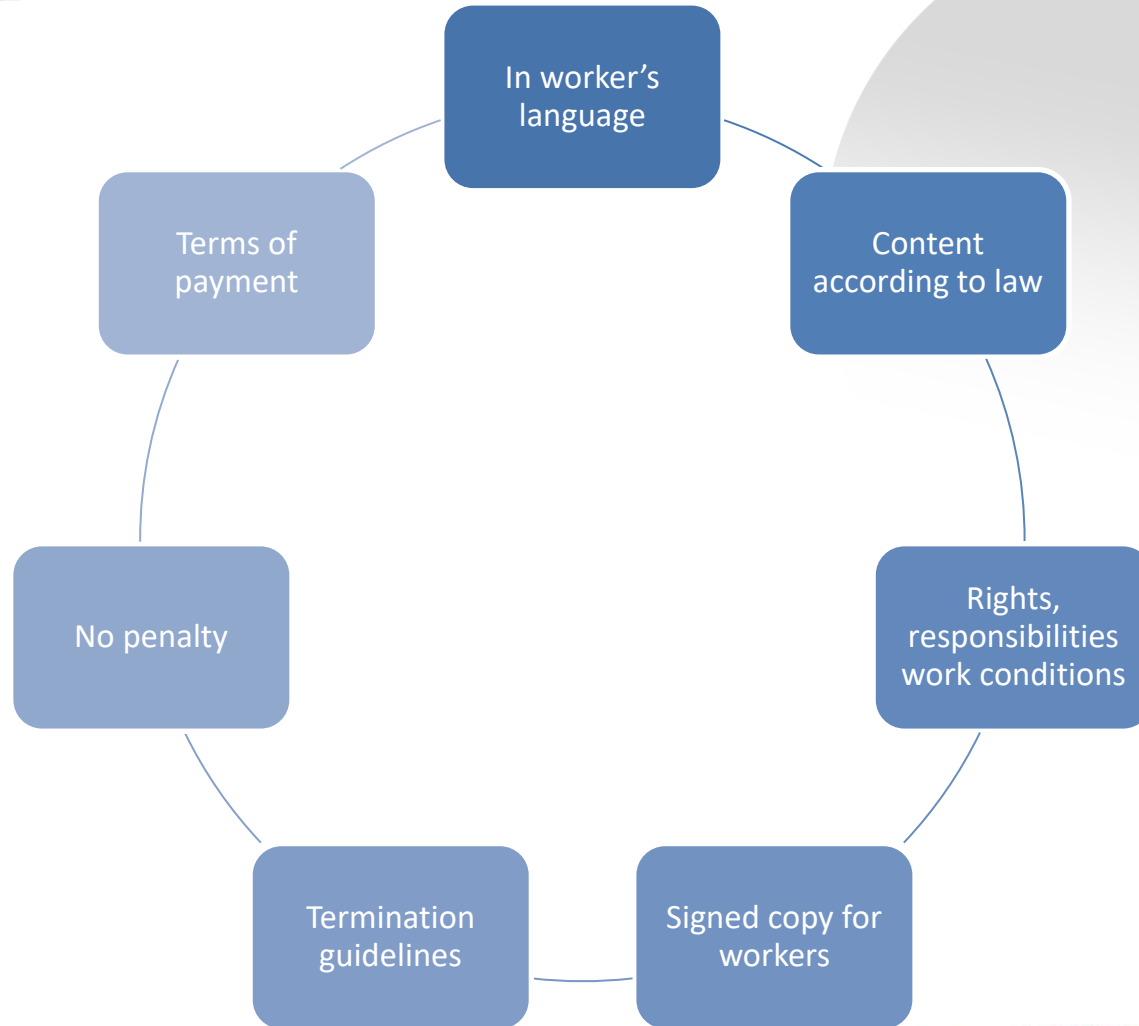
- **Contracts and Policies available in workers language**
- **Written Policy prohibiting forced labor**
- **Explicit human resource policies**
- **Remediation policy**



# 3. Employment Contracts



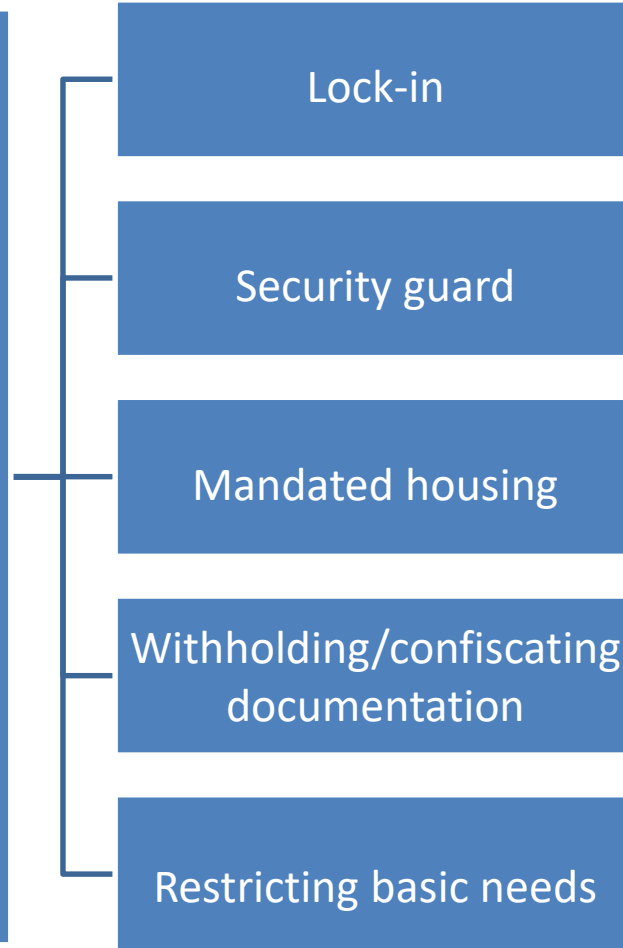
**Employment contract shall:**



# 4. Freedom of Movement and Personal Freedom



## Restriction of Movement



## Restriction of Personal Freedom

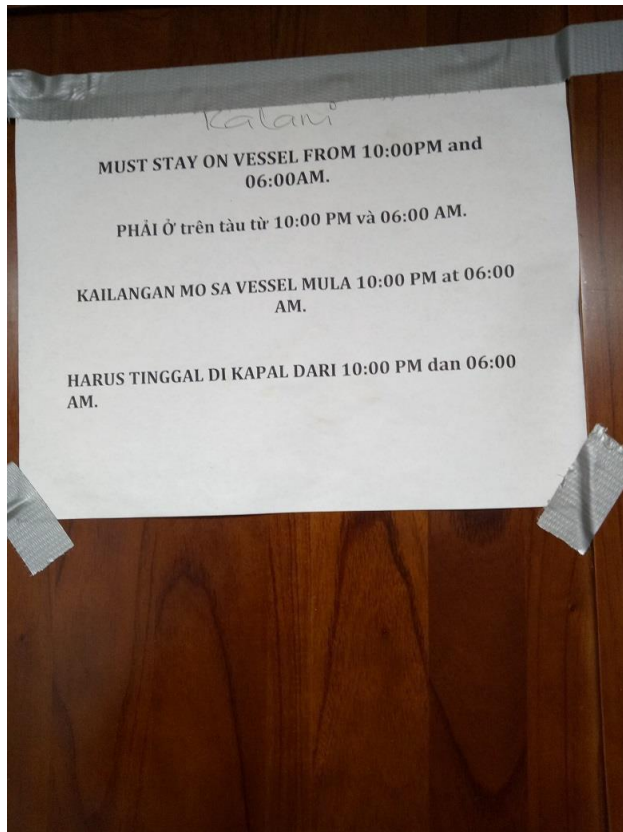




# Freedom of Movement and Personal Freedom



## Curfew Practice



- ✓ In language workers understand.
- X Limiting freedom of movement for workers.
- X No clear information for the reason of applying this practice.



# 5. Retention of Personal Documents



Where personal documents are given to boat captains for safekeeping during sea-based work, workers must receive their documents once docked, or at any time requested.



# 5. Retention of Personal Documents



## COMPLIANCE

- 1 A **written policy** with procedures to avoid abuse of the worker's right to access personal documents. This procedure must state that unless legally required to do so, the employer cannot hold personal documents without consent of workers.
- 2 Workers must be given **copies of any documents** held legally and assured immediate return upon request.
- 3 The policy statement must explain all aspects of how the boat operator will assure that the **employee's rights related to personal documents** will not be infringed upon, particularly when National Law requires employers to hold workers personal documents.



## 6. Recruitment Fees



**Responsible  
recruitment to end  
debt bondage and  
thereby reduce  
forced labor**



# 6. Recruitment Fee – What To Do



## Written Policy and Procedures

- 1 The worker's **transportation cost from home country and return** will be paid by the employer.
- 2 Workers are not charged any recruitment and hiring-related fees outside the **legally allowed fees**.
- 3 There must be a **monitoring system** in place to assure that no fees have been charged illegally.
- 4 There must be a **repayment mechanism** for fees that may have been charged in addition to legally allowed fees.





# 7. Humane Treatment



## Fishermen, including from Indonesia, 'kept like slaves' in Taiwan

Agence France-Presse

Taipei, Taiwan / Tue, September 19, 2017 / 04:24 pm

**INVESTIGATIVE REPORT AND CASE STUDY  
FISHERIES ABUSES AND RELATED DEATHS  
AT SEA IN THE PACIFIC REGION  
HRAS REPORT 1 DECEMBER 2017**

[www.humanrightsatsea.org](http://www.humanrightsatsea.org)





# 7. Humane Treatment



PROMOTE

Harassment  
Abuse  
Violence  
Intimidation  
Illegal Disciplinary  
Actions

Respect & Dignity  
Written Policy  
Commitment to  
Policy  
Effective measures

PROHIBIT



# 8. Workplace Equality



## *Areas to review for possible discrimination*

- Hiring
- Compensation and Compensation increases
- Access to training
- Promotion
- Termination
- Retirement
- Hours of work/overtime
- Holidays with pay
- Membership in labor unions/ Worker representative organizations
- Accommodation
- Legal and voluntary benefits
- Medical testing
- Physical examinations

## *Is discrimination based on any of the following?*

- Race
- Caste
- National origin
- Religion
- Age
- Disability
- Gender
- Marital status
- Sexual orientation
- Political beliefs
- Affiliation or union membership

# 9. Freedom of Association



## Right to Organize



Workers have the right to form, join or participate in a peaceful assembly

Employers shall comply with applicable laws and cannot interfere with workers right to organize

## Collective Bargaining



### PROTECTS

Working hours

Fair wages

Benefits

Working Conditions

Rules of the workplace





# 10. Grievance Procedure



**A safe environment for employees to communicate issues and remediate these effectively.**

**Workers can submit grievances through several mechanisms, including:**

**In Person**

- File a formal report to Captain or Supervisor
- Labor or workforce representative or worker welfare representative on board
- Field representatives at port

**Electronic**

- Through email
- 'Worker Voice' Apps

**Traditional means**

- Dedicated company hotline or independent third-party hotline



# 11. Wages and Benefits



## Minimum Wage & Mandatory Benefits

All workers shall be paid at least the minimum wage required by applicable laws and shall be provided all legally mandated benefits.

## Pay Frequency

Wage payments shall be made at regular intervals, but not less than once a month, and directly to workers, in accordance with applicable law and shall not be delayed, deferred or withheld.



# 11. Wages and Benefits



## Pay slip shall contain at the minimum:

<ul style="list-style-type: none"><li>• Employee credentials (Name, Job Title)</li></ul>	<ul style="list-style-type: none"><li>• Overtime rates</li></ul>
<ul style="list-style-type: none"><li>• Base wage for the pay period</li></ul>	<ul style="list-style-type: none"><li>• Number of overtime hours worked</li></ul>
<ul style="list-style-type: none"><li>• Additional earnings or bonuses (e.g. profit shares)</li></ul>	<ul style="list-style-type: none"><li>• Period of payment</li></ul>
<ul style="list-style-type: none"><li>• Allowances</li></ul>	<ul style="list-style-type: none"><li>• Date of wage issuance</li></ul>
<ul style="list-style-type: none"><li>• Deductions</li></ul>	<ul style="list-style-type: none"><li>• Employee signature</li></ul>



# 11. Wages and Benefits



## Workers

- Have full retention and complete control over their earnings
- Have freedom to dispose of their wages as they choose
- Shall not be held in debt bondage
- Shall not be forced to work in order to pay debt
- Are not required to participate in forced or mandatory savings to recoup recruitment costs





# 12. Working Hours



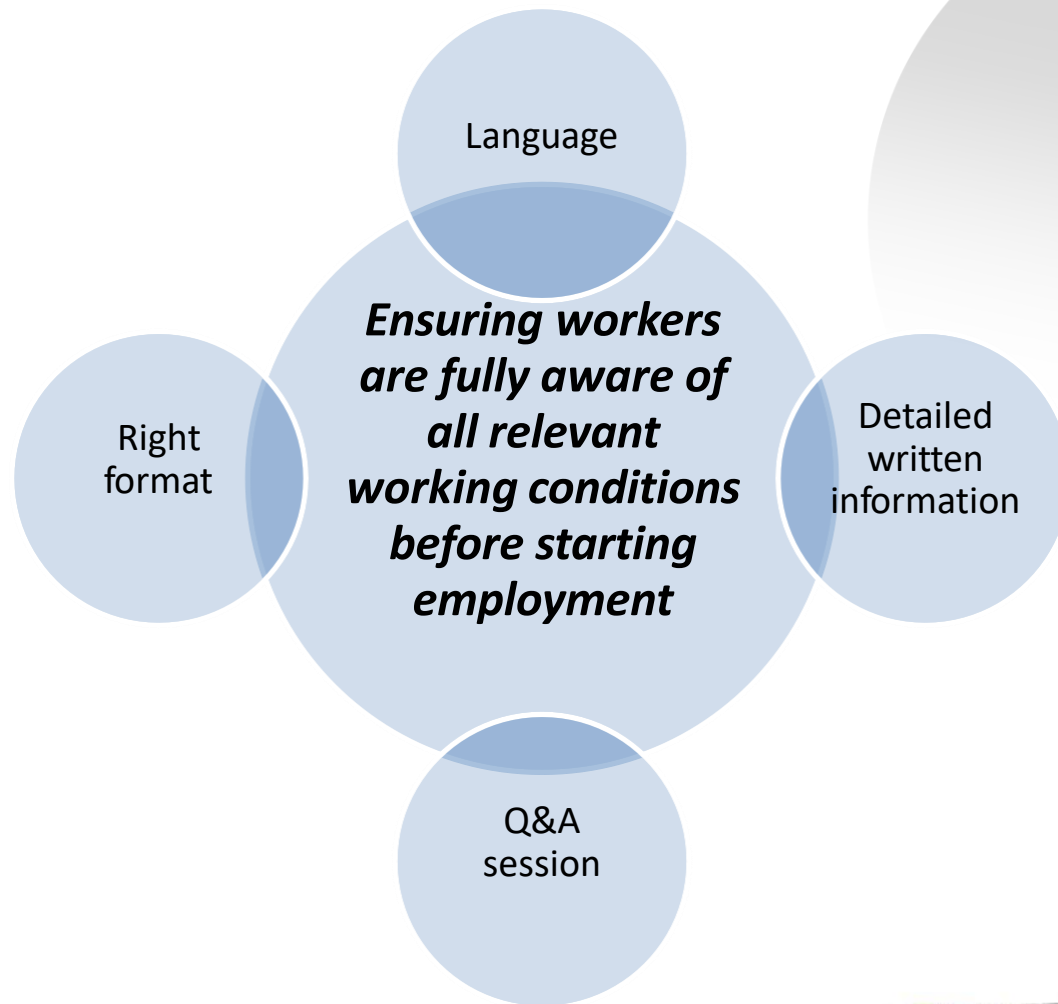
**An accurate fishing logbook can systematically demonstrate that workers receive break times and rest days in accordance with the law and other standards applied.**

## Working Hours for Vessel

For vessels **remaining at sea for more than three days**, working hour requirements are as follows (unless stricter limits are set by applicable law):

- **Minimum hours of rest:** 10 hours in any 24-hour period.
- **Average 77 hours per week** over the entire duration of the trip.
- 10 hours of rest per day may be **reduced to no less than 6 hours** during active fish catching and fish processing.
- The fisher shall receive **compensatory periods of rest** as soon as practicable.

# 13. Worker Awareness and Training



# 13. Worker Awareness and Training



*Specific training should be provided on:*

- Health and safety hazards in the workplace
- Precautions to ensure personal safety
- Grievance mechanisms and how they work

Trainings should be **evaluated** regularly by employers to understand whether information has been properly conveyed. This can be done through **surveys, brief interviews or short tests.**



# 14. Private Employment Agencies & Recruiters



- Responsible recruitment is a key factor in ensuring that **forced labor** and **modern slavery** do NOT take place. Private employment agencies, recruiters and labor brokers play a crucial role in the fishing industry by ensuring a reliable supply of labor.

# 14. Private Employment Agencies & Recruiters



*Steps to take when working with a recruitment agency:*

Sign a formal contract

Share the policy to not charge any illegal recruitment fees

Communicate STF Standard

Agency training for new hires

Communicate working conditions to jobseekers

Develop an internal monitoring system



# 15. Health & Safety



**The fishing industry is very high risk, and fishing is considered one of the most dangerous jobs in the world with the ILO and FAO estimating that 7% of all fatalities occur in the fishing industry – a rate that increases in proportion when considering that it accounts for less than 1% of the global workforce.**

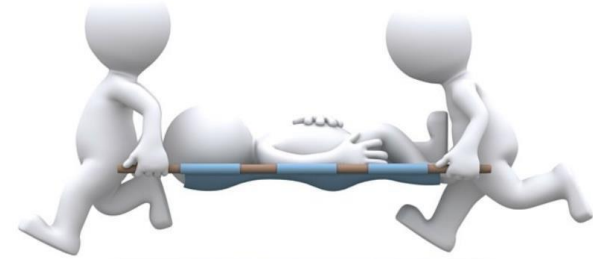




# Health & Safety



- Accident and incident prevention
- Risk and hazard mitigation and management
- Fire safety
- Emergency procedures
- Training of employees
- First aid and access to medical services
- Provision and use of personal protective equipment (PPE)
- Employee training on use of PPE
- Safety of all equipment and electrical installations
- Work environment (including noise, lighting and ventilation)
- Sanitary installations
- Access to drinking water
- Clean and hygienic food preparation areas
- Emergency preparedness
- Ship-to-shore communication

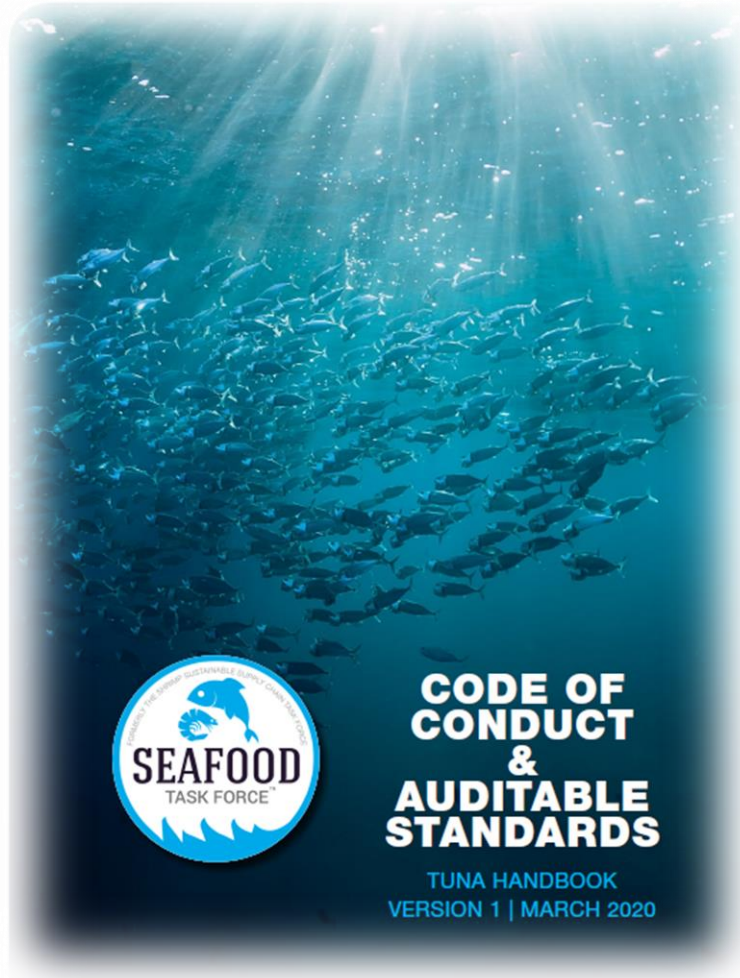




# Implementation, Verification & Remediation



# Tuna Handbook



## HUMANE 7. TREATMENT



In alignment with international standards and conventions, the Seafood Task Force recognizes all human beings' inherent dignity and requires that each person be treated with respect. This requirement extends to all workplaces and prohibits any form of abuse or inhumane treatment by the employer both in their own operations and when engaging with suppliers, agents and other business partners.

When exercising discipline in the workplace, employers must be careful to only use disciplinary measures that are legal and that in no way infringe on an employee's dignity.

Procedures and documents for compliance with this Principle of the STF Code are:

- 1 No worker harassment, abuse, or illegal disciplinary action is allowed.
- 2 A written policy must be available that strictly prohibits the use or threat of physical or sexual violence, harassment, and intimidation. Senior management must express their commitment to this policy.
- 3 There must be a written policy prohibiting illegal disciplinary actions that also describes the measures that are in place to ensure employer-wide compliance with the policy.

**Note:** Many of these aspects also are included in the other Principles of the STF Code. The focus in Principle 7 is on assuring respect and dignity and avoiding physical, sexual, psychological, or verbal harassment or abuse. It also puts limits on disciplinary action beyond legal means of which the worker is clearly informed.

**Annex H: Sample policy on Humane Treatment**





# Sample Policy



## HUMANE TREATMENT | Annex H

### Sample Policy on Humane Treatment

[THE COMPANY] recognizes the inherent dignity of every human being and commits to accordingly treat all employees with respect.

[THE COMPANY] prohibits any form of physical, sexual, psychological or verbal harassment, abuse, violence or intimidation.

Furthermore, [THE COMPANY] recognizes that all disciplinary action is taken in accordance with law and under no circumstances allows employees to be disciplined using any form of physical, sexual, psychological or verbal harassment, abuse, violence or intimidation or to in any way deduct wages or benefits as a form of discipline.

Any instances of inhumane treatment and abuse will be fully investigated and addressed.

[THE COMPANY] requires all suppliers and subcontractors to adhere to the same principles.

*As a best practice, all disciplinary measures should be held in writing and the employer should record and keep on file any disciplinary measures taken against an employee. An effective grievance procedure (see section 10) can help ensure that any instances of inhumane treatment are brought to the employer's attention.*

## Annexes

- Annex A **Child Labor**
  - Sample Child Labor Policy & Age Verification Procedure
  - Best-practice Child Labor Remediation Procedure
- Annex B **Forced Labor**
  - Sample Policy On Forced Labor and Other Forced Labor Conditions
- Annex C **Employment Contracts**
  - Minimum Elements of an Employment Contract
- Annex D **Freedom of Movement and Personal Freedom**
  - Other Types of Freedom of Movement and Personal Freedom
- Annex E **Retention of Personal Documents**
  - Sample Policy and Procedure On Retention of Personal Documents
- Annex F **Recruitment Fees**
  - Sample Policy and Procedures On Recruitment Fees
- Annex G **Humane Treatment**
  - Sample policy On Humane Treatment
- Annex H **Workplace Equality**
  - Sample Non-Discrimination Policy
- Annex I **Freedom of Association**
  - Sample Freedom of Association Policy & Alternative Worker Representation
- Annex J **Grievance Procedure**
  - Grievance Procedure Best Practices
- Annex K **Wages and Benefits**
  - Minimum elements in a Wage & Benefit Policy
- Annex L **Working Hours**
  - Developing a Working Hours Policy
- Annex M **Worker Awareness and Training**
  - Developing a Robust and Credible Worker Awareness and Training Program
- Annex N **Private Employment Agencies & Recruiters**
  - Working With a Recruitment Agency
- Annex O **Health & Safety**
  - A Practical Guide to Implement Good Health and Safety Practices
- Annex P **Additional Resources and Best Practices**



# Self-Assessment Questionnaire (SAQ)



## 6. Recruitment Fees

Workers shall not be required to pay recruitment and hiring-related fees to employers, agents or labor broker outside legally allowed fees. All fees charged to workers must be disclosed in advance and documented in a language that the workers understand.

No.	Compliance Checkpoint Questions	Yes	No
6.1	Does the vessel have a written policy that clearly states that workers are not required to pay any recruitment and hiring-related fees outside of the legally allowed fees to secure a job with the vessel?	<input type="checkbox"/>	<input type="checkbox"/>
6.2	Does the vessel prohibit its agents, labor brokers and suppliers to charge any recruitment and hiring-related fees outside of the legally allowed fees to the workers?	<input type="checkbox"/>	<input type="checkbox"/>
6.3	If any legally allowed fees are charged to the workers, are the fees disclosed to the jobseeker and workers during the recruitment process?	<input type="checkbox"/>	<input type="checkbox"/>
6.4	Is the cost of return transportation to the worker's country of origin fully covered by the vessel upon completion of the employment contract?	<input type="checkbox"/>	<input type="checkbox"/>
6.5	Does the vessel have a monitoring process and mechanism in place to continuously ensure that workers do not pay fees outside of legally allowed fees?	<input type="checkbox"/>	<input type="checkbox"/>
6.6	In the event that workers pay for fees outside of the legal fees, does the vessel have a process in place for repayment of these fees to the workers?	<input type="checkbox"/>	<input type="checkbox"/>
If <b>NO</b> for ANY questions above, describe non-compliance:			

- Used as a readiness and verification tool for vessel owners and operators to assess vessel practices against STF requirements, identify any gaps and develop a corrective action plan.
- The SAQ covers the 15 principles required for compliance with the STF Code and should be used in conjunction with the *Tuna Handbook*.



# Vessel Audit – Reporting Tool



STF VESSEL AUDITABLE STANDARDS REPORTING TOOL (FULL SCOPE)				
Assessment Date:				
Assessment Start Time:		Assessment End Time:		
Auditor/s:				
<b>Vessel Information</b>				
Fishing Method				
Vessel Name				
Vessel Owner				
Vessel License No.				
Vessel License Expiration Date				
Vessel IMO No.				
Boat Captain Name				
Boat Captain Certificate Expiration Date				
Fishing License No.				
Fishing License Expiration Date				
Fishing Logbook No.				
VMS Serial Number				
Total Number of Crew				
Nationality Breakdown				
Has the supply chain owner communicated their policy to the vessel?				
Port				
Contact Person				
Title				
Address				
Phone				
Fax				
Email				



# Vessel Audit – Corrective Action Plan



CORRECTIVE ACTION PLAN FOR TUNA VESSELS		
<p>The corrective action plan (CAP) serves as road map for vessel and supply chain owners when developing a long-term remediation and continuous improvement program. As part of the Tuna vessel social compliance program, vessels that have undergone a Self-Assessment (SAQ) shall capture non-compliances identified in the SAQ and develop a corrective action plan with specific actions and timeline for completion. This CAP can be shared with supply chain owners to demonstrate actions and improvements overtime.</p>		
<b>Vessel Name:</b>	<b>Vessel License/ID Number:</b>	<b>Date of Self-Assessment:</b>
<b>Vessel Flag State:</b>	<b>Vessel Captain Name:</b>	<b>Corrective Action Plan completed by:</b>
<b>STF Code Principle:</b> [example: Child Labor]		
DESCRIPTION OF NON-COMPLIANCE	PLAN TO CORRECT	TIMELINE FOR COMPLETION
<b>STF Code Principle:</b>		
DESCRIPTION OF NON-COMPLIANCE	PLAN TO CORRECT	TIMELINE FOR COMPLETION
<b>STF Code Principle:</b>		
DESCRIPTION OF NON-COMPLIANCE	PLAN TO CORRECT	TIMELINE FOR COMPLETION







# Thank you

<https://www.seafoodtaskforce.global/>

