



# RESPONSIBLE SOURCING TOOL

Private  
Security  
Industry |  
Tool 8

## PROTECTIONS AGAINST TRAFFICKING IN PERSONS<sup>1</sup>

### Sample Subcontractor/Supplier Self-Assessment

An important part of a systems approach to preventing human trafficking and other supply chain social responsibility issues is to assess current and prospective subcontractors/suppliers for potential risks. This sample self-assessment tool can help identify potential human trafficking risks in how a subcontractor or supplier recruits, selects, and hires personnel, their relationship with labor brokers, and how migrant personnel are managed. The answer choices for each question are designed to indicate whether the practice meets typical company or industry Supplier Codes of Conduct and applicable legal requirements for the prevention of human trafficking, including forced labor and other social compliance issues. The self-assessment can be used as a screening tool as part of the process to initially engage service providers, to develop corrective action plans, and/or to establish key performance indicators (KPIs) to track ongoing social responsibility performance. This tool could also be used by companies that directly recruit and hire personnel as they track their own social responsibility performance.

For each question, several potential answers are provided, some of which represent good management practices while others represent risks to social compliance. When evaluating how well a subcontractor or supplier is controlling risk, a company needs to look for the presence or absence of good practices and “at risk” practices. No suggested scoring is provided, as the severity of a potential risk will depend on such factors as the region and country where the work is performed, worker nationalities, applicable legal requirements, and company or industry requirements, among other factors. The evaluation guide provided in the Interpretive Guidance

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<sup>1</sup> The United States recognizes two primary forms of trafficking in persons: forced labor and sex trafficking. For the purposes of this and other tools in the set, several terms are used such as “trafficking in persons,” “human trafficking,” and “forced labor.” In relation to these tools, they refer to a crime whereby traffickers exploit and profit at the expense of adults or children by compelling them to perform labor.

section can help guide your review of a self-assessment, as well as offer suggestions for providing feedback to subcontractors and suppliers.

**Note:** The self-assessment is also an opportunity to collect profile information from suppliers that can be useful in conducting a risk assessment, as is described in Tool 6. For private security industry subcontractors and suppliers, subcontractor/supplier profile information might include:

- Name
- Headquarters address
- Location of subcontractor worksites (where subcontractor is performing work or providing services)
- Type of security service provided by subcontractor
- Number of personnel employed
- Number of personnel hired via labor recruiters or other subcontractors
- Presence of migrant personnel
- Seasonality of service delivery
- Recruiter/labor broker (where possible, link labor recruiters to individual personnel contracted)
  - Name of each recruiter used
  - Contact information
  - Nationality
  - Nationality of personnel provided
  - License and/or registration number
- How workers file grievances

## PART 1: RECRUITMENT, SELECTION AND HIRING

This section looks at your policies and practices for recruiting, selecting, and hiring security personnel. It includes direct hiring, hiring through labor recruiters, hiring of contract and temporary employees, and guest worker visa programs for companies operating in the United States.

### Notes:

- Use the “Other” selection to describe a company practice that is not listed in the available choices.
- Use the “Additional Information” section to explain your answers in detail.

### Q1.1 Which of the following concepts are included in your company's recruitment policy? (Select all that apply.)

- Non-discrimination
- Personnel do not pay recruitment fees
- All personnel are provided with detailed contracts of employment
- No underage labor (below the minimum legal working age)
- Equal compensation for men and women doing the same job
- Compliance with legal requirements
- We have no formal recruitment, selection, and hiring policies
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

### Q1.2 How do you make sure that your policy requirements are followed? (Select all that apply.)

- We follow formal recruitment procedures that meet legal and Code of Conduct requirements.
- Our recruitment procedures are specific for each type of employment arrangement and for each type of position.
- We use objective criteria for selecting the best applicants.

- We provide all personnel with a written employment agreement (contract) that complies with applicable legal and Code of Conduct requirements.
- We routinely survey new hires to verify that our policies were followed.
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q1.3 Which of the following are included in your job postings? (Select all that apply.)**

- Job functions and responsibilities
- Statement that no recruitment fees will be charged
- Required knowledge and skills
- Personal characteristics, such as gender, age, marital status, etc.
- Wages and benefits
- Duration of employment/post
- Location of position
- Type of work
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q1.4 How does your company hire personnel? (Select all that apply)**

- We directly recruit, select, and hire all personnel.
- We use licensed external labor recruiters to recruit and hire personnel (you may know “labor recruiters” by terms such as brokers, agents, labor contractors, gangmasters, or crew leaders).
- We use informal external labor recruiters to recruit and hire personnel.
- We hire some personnel directly and use labor recruiters for other jobs.
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q1.5 How does your company recruit and hire foreign migrant personnel?**

- Directly in their country of origin
- Using a licensed labor recruiter in their country of origin

- Using an informal labor recruiter in their country of origin
- Through a licensed labor recruiter in the labor destination country
- Through an informal labor recruiter in the labor destination country
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q1.6 What kind of training does your company provide for your staff responsible for recruitment, selection, and hiring? (Select all that apply.)**

- Company policies and procedures on recruitment, selection, and hiring
- Interviewing skills
- Competency-based hiring (use of objective job requirements)
- Applicable legal requirements
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**PART 2: USE OF LABOR PROVIDERS**

This section evaluates how your company uses labor providers. Companies may engage labor providers for a range of services, from simply recruiting employees to managing and paying personnel on behalf of the company.

**Notes:**

- Use the “Other” selection to describe a company practice that is not listed in the available choices.
- Use the “Additional Information” section to explain your answers in detail

**Q2.1 How does your company screen your labor recruiters to determine if they can meet legal and Code of Conduct requirements before you begin using them? (Select all that apply.)**

- We perform formal due diligence screenings of prospective labor recruiters to determine if their practices conform to company and legal requirements. (Note:

Due diligence includes checking licensing, history of legal violations, management interviews, labor provider internal policies and procedures, etc.)

- We use formal rating and selection criteria based on our performance requirements.
- We verify that the labor recruiters are licensed.
- We do not use a formal screening process.
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q2.2 What performance requirements does your company have for your labor recruiters? (Select all that apply.)**

- We require the labor recruiter to agree to comply with our responsible recruitment and social responsibility performance standards and all legal requirements.
- We require the recruiter to comply with legal requirements only.
- All labor recruiters must pass an external audit before we engage with them.
- Failure to meet our social responsibility performance requirements can result in contract termination.
- We do not have formal contracts or service agreements with our labor recruiters.
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q2.3 How do you evaluate your labor recruiters' ongoing performance in meeting both social responsibility and applicable legal requirements? (Select all the apply.)**

- We conduct regular audits of their operations.
- Labor recruiters provide us with regular self-assessments of their compliance status.
- We hold regular business review meetings with labor recruiters to discuss their performance.

- We do not have a formal process to evaluate our recruiters' legal and Code of Conduct compliance.
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q2.4 Which of the following are included in your labor recruiter audit process? (Select all that apply.)**

- We have documented audit procedures and tools.
- Our auditors are formally trained to conduct labor recruiter audits.
- We gather information from personnel through interviews and/or surveys.
- We evaluate fees and expenses paid by personnel and labor recruiters.
- We have a formal corrective action planning process to remediate identified issues.
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q2.5 How do you ensure that labor recruiters correct the issues identified by audits, self-audits, and other evaluations? (Select all that apply.)**

- Our labor recruiters are required to provide regular corrective action status updates.
- We do follow-up audits to verify that corrective actions have been fully implemented.
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q2.6 How do you communicate your staffing requirements (hiring needs) to your labor recruiter(s)? (Select all that apply.)**

- We provide written job descriptions based on job duties and required skills.
- We instruct them on how to evaluate a job candidate's qualifications (job skills and knowledge).
- We provide general guidance on skill requirements, as well as the number and categories of personnel needed.

- We only tell them the number and categories of personnel needed.
- We tell them the time by which we need the personnel.
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q2.7 Do you or your labor recruiters recruit personnel from other countries (foreign migrant personnel, guest personnel, etc.)?**

- Yes
- No

**Q2.8 Do you or your local labor recruiters (those within the labor destination country) work with recruiters or agents in the countries where personnel are recruited (labor countries of origin)?**

- Yes
- No
- If no, please explain \_\_\_\_\_

**Q2.9 How do you determine that recruiters and agents in labor countries of origin can meet both social responsibility and legal requirements? (Select all that apply.)**

- Our company performs formal due diligence of all labor country of origin recruiters and agents. (Note: Due Diligence includes: examination of licensing, history of legal violations, management interviews, review of recruiter/agent internal policies and procedures, etc.)
- Our labor destination country labor recruiters screen the labor country of origin recruiters and agents.
- Our labor country of origin recruiters and agents must provide a valid government-issued license.
- We have social responsibility requirements included in the service agreements with labor country of origin agents.
- We have no process to screen labor country of origin recruiters and agents.
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_



**Q2.10 How do you monitor the social responsibility and legal compliance performance of labor country of origin recruiters and agents? (Select all that apply.)**

- Our company performs on-site audits of labor country of origin recruiters and agents.
- Our labor recruiter(s) perform audits of labor country of origin recruiters and agents.
- We routinely interview or survey a sample of newly arrived migrant personnel to verify that labor country of origin recruiters and agents are conforming to legal and company requirements.
- We do not formally monitor the legal and Code of Conduct compliance performance of labor country of origin recruiters and agents.
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q2.11 How much do personnel pay your company or the labor recruiter or agent (in either the labor receiving or labor country of origin) to get a job with your company? (Select all that apply.)**

- Personnel are not required to pay recruitment fees or lodge deposits of any kind.
- Personnel pay only what is legally required in their country of origin.
- Personnel pay only what is legally required in the labor destination country.
- Our company policies specify the maximum amount personnel are required to pay.
- Personnel pay what is legally allowable in the labor sending or labor destination country.
- I don't know.
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q2.12 What types of fees and expenses are foreign personnel required to pay? (Select all that apply.)**

- Transportation and lodging from the place of recruitment to the labor country of origin departure point
- Transportation to the labor destination country (for the job)
- Transportation home upon completion of their contract
- Transportation home for voluntary early contract termination
- Document processing (for example: work permit, visa)
- Job application fee
- Medical examination and/or testing
- Skills testing
- No recruitment fees or other expenses are paid by personnel
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q2.13 How do the labor country of origin recruiters or your local (labor destination country) labor recruiters screen job applicants? (Select all that apply.)**

- They use objective criteria and tools based on the written job descriptions.
- They use their own judgment to decide which candidates can do the job.
- They choose personnel who have been prescreened by a local government labor/jobs office.
- An employee of my company screens applicants identified by the recruiter(s).
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q2.14 Who makes the final selection of which applicants to hire?**

- An employee of my company in the labor country of origin (where the worker is from).
- The labor country of origin recruiter or agent.
- An employee of my company in the labor destination country (where the work will be performed).
- Our local (labor destination country) labor recruiter(s).
- Other (please describe): \_\_\_\_\_

- Additional information \_\_\_\_\_

**Q2.15 How do you verify that foreign migrants can legally work in the labor destination country? (Select all that apply.)**

- An employee of my company (either in the labor sending or labor destination country) reviews all legally required documents before the candidate is hired.
- Our local (labor destination country) labor recruiter is responsible for obtaining and verifying the necessary documentation.
- The labor country of origin recruiter or agent is responsible for obtaining and verifying the necessary documentation.
- We review documents of a sample of newly hired migrant personnel when they arrive for work.
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q2.16 When are personnel provided with an explanation of their job duties and terms and conditions of employment? (Select all that apply.)**

- In their country of origin, before signing the employment contract.
- In their country of origin, after signing the employment contract.
- After arrival in the labor destination country, before signing the employment contract.
- In the labor destination country, after signing the employment contract.
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q2.17 How does your company ensure that personnel understand all the terms and conditions of their employment contract? (Select all that apply.)**

- Terms and conditions are explained to them verbally in their native language or a language the worker understands.
- The contract is written in their native language or a language the worker understands.
- Personnel are given a copy of the contract written in their native language or a language the worker understands.

- Contract terms and conditions are covered in pre-departure training.
- Contract terms and conditions are covered in arrival training/orientation.
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q2.18 The worker signs an employment contract with:**

- Our in-country labor recruiter
- Both the recruiter or agent in their country of origin and our in-country labor recruiter
- Both my company and our in-country labor recruiter
- My company only
- Another employer
- We do not use employment contracts
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q2.19 What is included in the employment contract? (Select all that apply.)**

- Job duties and responsibilities
- Wages (regular and overtime)
- Prohibition against charging recruitment fees
- Benefits (social insurance, sick leave, vacation, etc.)
- Hours of work (including overtime)
- List of legal deductions from wages (food, accommodation, etc.)
- Workplace rules
- Workplace hazards
- Location of work
- Roundtrip transportation arrangements
- Discipline procedure
- Grievance procedure
- Terms and conditions of housing
- Job-related local and national legal requirements

- Our company's employment policies
- Notice period and terms for early contract termination
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q2.20 Can personnel cancel their employment contracts before they leave their country of origin?**

- Yes, and with no financial penalty
- Yes, but they have to pay a cancellation fee
- No, they must work for the term of their contract
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q2.21 When are personnel given a copy of their employment contract?**

- At least five days before departure
- Less than five days before departure
- Upon arrival in the labor destination country (location of work)
- Personnel are not given copies of their contracts
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q2.22 What kind of training do foreign migrants receive before they leave their country of origin for work at your company?**

- Pre-departure training provided by an employee of our company that covers the contents of their employment contracts, legal requirements, and company policies
- Pre-departure training designed and delivered by the labor destination country labor recruiter
- Pre-departure training designed and delivered by the labor country of origin labor agent
- Required skills training
- Personnel do not receive pre-departure training

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- Other (please describe): \_\_\_\_\_
  - Additional Information \_\_\_\_\_

### PART 3: MANAGEMENT OF MIGRANT PERSONNEL

This section examines workplace policies, practices, and procedures used to manage migrant personnel at your workplace, your client’s facility, or other worksite, such as malls, bases, or warehouses.

**Notes:**

- Use the “Other” selection to describe a company practice that is not listed in the available choices.
- Use the “Additional Information” section to explain your answers in detail.

**Q3.1 Are there migrant personnel employed by your company?**

[Note: “Migrants” include both foreign and domestic migrants that are either directly employed by your company or work for a labor recruiter or agency.]

- Yes
- No

**Q3.2 Who is responsible for coordinating and processing migrant worker documentation when they arrive for work?**

- An employee of my company
- The labor recruiter
- Another employer (factory, farm, etc.)
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q3.3 How does your company and/or your labor recruiter manage migrant worker identity documents (passports, visas, work permits, proof of age, etc.)? (Select all that apply.)**

- We keep only photocopies of identity documents and the worker keeps the originals in his or her possession.

- Personnel are provided with individual locked storage for their identity documents.
- Personnel are required to turn in their documents to the company or the labor recruiter for safekeeping.
- Personnel voluntarily have the company or the labor recruiter hold their documents for safekeeping.
- The company or labor recruiter keeps the documents; however, personnel can retrieve them at any time without delay.
- Personnel can retrieve their documents when they intend to return to their country of origin for a visit or when their contract term is over.
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q3.4 What is included in the orientation program for new migrant personnel when they arrive for work with your company? (Select all that apply.)**

- Company employment policies and procedures
- Legal rights and responsibilities of personnel
- Facilities provided for personnel to securely store their passports and other identity documents
- Rights of personnel described in our company's social responsibility policy or Code of Conduct
- Worker feedback and communication procedures, including grievance procedures
- Discipline and termination rules and procedures
- Workplace health and safety
- Process for returning to country of origin (repatriation)
- Accommodation (housing, dormitory, hostel) rules and procedures
- Ways to report violations of company policies or legal requirements by company staff and other personnel
- Ways to report violations of company policies or legal requirements by labor recruiters
- Other (please describe): \_\_\_\_\_



- Additional information \_\_\_\_\_

**Q3.5 How does your company make sure personnel understand the information provided in the orientation training program? (Select all that apply.)**

- Personnel are given a quiz immediately after the session to test their understanding.
- We survey personnel a few days or weeks after the session to see how much knowledge they have retained.
- We provide personnel with refresher sessions every year.
- We do not measure learning or understanding.
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q3.6 What basic wage are migrant personnel paid? (Select all that apply.)**

- Legal minimum wage
- Wage defined by a legally-recognized collective bargaining agreement
- Same wage as local personnel performing the same work
- If there is no legal minimum wage, migrant personnel are paid the prevailing industry wage
- Wage is based on job skills and experience
- Wages that meet basic needs (clothing, food and housing) plus a little discretionary income
- Wages are based on piece rate (for example, the number of venues guarded)
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q3.7 Migrant personnel are paid a wage premium for: (Select all that apply.)**

- Overtime work beyond the legally defined number of regular work hours in a day or week
- Work performed on public holidays
- Work performed on the personnel's scheduled day off
- Work performed on weekends

- The adverse wage rate regardless of hours worked
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q3.8 Who provides or arranges for personnel housing?**

- Our company
- Another employer
- The individual
- Labor recruiter
- Housing is not provided or arranged for personnel
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q3.9 How does your company ensure compliance with local housing and safety standards? (Select all that apply.)**

- The requirement to meet standards is included in labor recruiter contracts.
- Standards are included in leases/contracts with housing owners/managers.
- Local housing and safety standards are clearly posted at the housing and in company offices.
- My company regularly inspects housing for compliance with standards.
- Our labor recruiter or third-party housing owner/manager is responsible for performing regular housing inspections and correcting any identified noncompliance.
- There is a mechanism in place for personnel to complain about housing conditions without fear of retaliation.
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q3.10 Describe the type of social insurance and other benefits provided to migrant personnel. (Select all that apply.)**

- The same social insurance and benefits provided to local personnel
- Work accident insurance

- Government-required social insurance for disability, unemployment, health care, etc.
- Sick leave
- Vacation (annual leave)
- Maternity leave
- Migrant personnel are not legally provided with social insurance or other benefits
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q3.11 How do you ensure that migrant personnel understand how their wages are calculated? (Select all that apply.)**

- Personnel are provided with training on how their pay is calculated.
- Personnel are provided with detailed pay slips in their own language or a language they understand.
- Personnel are provided with a “key” in their own language that enables them to understand their pay slips.
- There are postings on notice boards that explain how wages are calculated.
- Personnel can ask their employer if they have a question.
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q3.12 What kinds of deductions are made from migrant personnel’s wages? (Select all that apply.)**

- Food
- Housing
- Communications (telephone, mail, internet, etc.)
- Transportation to and from the workplace
- Transportation from the labor country of origin
- Return transportation to the labor country of origin
- Recruitment fees
- Visa processing fees

- Fines for breaking rules
- Repayment of loans
- Uniforms
- Tools
- Medical services
- Personal protective equipment (PPE)
- Mandatory savings
- Interest-charged advances for food, housing, communications, etc.
- Government taxes
- There are no deductions from personnel's wages
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q3.13 Who pays migrant personnel's wages?**

- Our local (in-country) labor recruiter
- My company
- Another employer
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q3.14 How are migrant personnel paid? (Select all that apply.)**

- Directly in cash
- Directly by company check
- By deposit into the personnel's bank accounts
- In cash cards (debit cards)
- Personnel are paid a portion of their wages each pay period and the balance at the end of their contract
- Personnel are paid in full upon completion of their contract
- Personnel are paid in part or in full in non-cash (that is, in kind payment in goods or services)
- Other (please describe): \_\_\_\_\_

Additional information \_\_\_\_\_

**Q3.15 How many regular work hours do migrant personnel work per week?**

- 40
- 48
- Less than 40
- Between 40 and 48
- More than 48
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q3.16 How many overtime hours do migrant personnel work per week on average?**

- 12
- 20
- Less than 12
- Between 12 and 20
- More than 20
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q3.17 Do migrant personnel have the right to refuse overtime work without penalty?**

- Yes, all overtime work is strictly voluntary.
- No, migrant worker employment contracts call for a certain amount of overtime.
- No, the collective bargaining agreement specifies the amount of overtime.
- No, all personnel are required to work overtime as needed to meet our production targets.
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q3.18 Do migrant personnel receive at least one day (24 consecutive hours) off in every seven-day period?**

- Yes
- No
- If "No," please explain \_\_\_\_\_

**Q3.19 Does your company have a process for migrant personnel to report workplace grievances?**

- Yes
- No
- If "No," please explain \_\_\_\_\_

**Q3.20 Which of the following are part of your company's grievance process for migrant personnel? (Select all that apply.)**

- Anonymous reporting channel (for example, a hotline or email address)
- Confidentiality for the worker reporting the grievance
- Protection for personnel against intimidation and retaliation
- Formal procedure for grievance resolution
- Communication of grievance status and resolution to personnel
- Staff assigned to receive and handle worker grievances speak the personnel's language(s)
- Supervisors and managers are trained on how to handle and resolve worker grievances
- The grievance policy and procedure are communicated to all personnel
- A grievance mechanism is available to personnel at all worksites along the supply chain
- Personnel are not required to report grievances to their supervisor or the manager of their direct supervisor
- Suggestion boxes
- Appeal process for grievances not resolved to the satisfaction of personnel
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q3.21 Can migrant personnel directly report a grievance to your company or a third party without having to go through the labor recruiter?**

- Yes
- No
- If "No," please explain \_\_\_\_\_

**Q3.22 Does your company have policies and procedures for discipline and termination of migrant personnel?**

- Yes
- No
- If "No," please explain \_\_\_\_\_

**Q3.23 Which of the following criteria are part of your process for migrant worker discipline and termination? (Select all that apply.)**

- Communication of workplace rules to all personnel
- Descriptions of disciplinary actions for violations of workplace rules
- Prohibition of punitive fine or disciplinary wage deductions
- Communication of the violation to the worker
- Opportunity for the worker to respond to a violation
- Evaluation or investigation of the violation and proposed disciplinary action
- Implementation of progressive discipline (from verbal and written warning to suspension and termination)
- Documentation of disciplinary notices in action in personnel files
- Appeals process for personnel
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_

**Q3.24 How does your company ensure that supervisors and managers understand your migrant worker discipline and termination policy and procedures? (Select all that apply.)**

- All new supervisors and managers receive training on our company's policy and procedures on discipline and termination.

- Supervisors and managers receive a refresher training on our policies and procedures on a regular basis.
- Supervisors and managers are evaluated on how well they implement our discipline and termination procedures.
- We do not train our supervisors or managers on discipline and termination.
- Other (please describe): \_\_\_\_\_
- Additional information \_\_\_\_\_



**INTERPRETIVE GUIDANCE FOR SUPPLIER SELF-ASSESSMENTS**

**1. RECRUITMENT, SELECTION AND HIRING PROCESSES**

Question	Answers with Potential Risk	Interpretive Guidance
<p><b>Q1.1</b></p> <p>Which of the following are included in your company's recruitment, selection, and hiring policies?</p>	<p>All of the answer choices are good practices and should be part of a company's hiring policies.</p>	<p><i>The absence of stated company commitments to preventing violation of rights in recruitment, selection, and hiring practices presents a risk of human trafficking, discrimination, and child labor, among other issues.</i></p>
<p><b>Q1.2</b></p> <p>How do you make sure that your recruitment, selection, and hiring policies are followed?</p>	<p>All of the available answer choices are good/desirable practices.</p>	<p><i>Companies need to have purely objective methods to select and hire personnel. Additionally, companies need some kind of process, such as surveys, to monitor the effectiveness of implementation.</i></p>
<p><b>Q1.3</b></p> <p>Which of the following are included in your job descriptions and vacancy announcements?</p>	<p>Potential risk:</p> <ul style="list-style-type: none"> <li>• Personal characteristics, such as gender, marital status, etc.</li> </ul>	<p><i>Listing non-job-related characteristics in job descriptions and vacancy announcements is discriminatory and a violation of most legal and Code of Conduct requirements. Additionally, such criteria can eliminate a significant number of qualified job candidates from consideration which may impact the company's ability to meet its business objectives.</i></p>

1. RECRUITMENT, SELECTION AND HIRING PROCESSES

<p><b>Q1.4</b></p> <p>How does your company recruit, select, and hire personnel?</p>	<p>Potential risks:</p> <ul style="list-style-type: none"> <li>• We use external labor recruiters to recruit and hire personnel.</li> <li>• We hire some personnel directly and use labor recruiters for others.</li> <li>• Use of informal brokers</li> </ul>	<p><i>The use of third-party labor recruiters is a legitimate way for companies with limited internal resources to recruit, select, and hire employees. However, the benefits of outsourcing this function can be offset by the risk of losing control over the hiring process — and of potential issues such as charging recruitment fees and unethical contract terms — unless there is strong oversight of labor recruiters' practices. Informal brokers will be more difficult to monitor and hold accountable to expectations.</i></p>
<p><b>Q1.5</b></p> <p>How do you recruit and hire foreign migrant personnel?</p>	<p>Potential risks:</p> <ul style="list-style-type: none"> <li>• Using a labor recruiter in their country of origin</li> <li>• Through a labor recruiter in the labor destination country</li> <li>• Use of informal brokers</li> </ul>	<p><i>As above, the benefits of outsourcing this function can be offset by the risk of losing control over the hiring process — and of potential issues such as charging recruitment fees and unethical contract terms — unless there is strong oversight of labor recruiters' practices, which is particularly difficult for labor country of origin agents and brokers. Informal brokers will be more difficult to monitor and hold accountable to expectations.</i></p>

1. RECRUITMENT, SELECTION AND HIRING PROCESSES

<p><b>Q1.6</b></p> <p>What kind of training do you provide for company staff responsible for recruitment, selection, and hiring?</p>	<p>Ideally, all of the answer choices should be in place.</p>	<p><i>If individuals with recruitment, selection and hiring responsibilities are not trained on company and legal requirements and how to objectively interview and select candidates for hire, there is a serious risk of using inconsistent or biased selection criteria, resulting in making the wrong hiring decisions or violating company and legal social responsibility requirements.</i></p>
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**2. USE OF LABOR RECRUITERS AND EMPLOYMENT AGENCIES**

Question	Answers with Potential Risk	Explanation
<p><b>Q2.1</b></p> <p>How do you screen your labor recruiters to determine if they can meet social responsibility requirements before you begin using them?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• We do not use a formal screening process.</li> </ul>	<p><i>Subcontractors must be capable of and willing to meet social responsibility and legal requirements. This can only be done properly using a formal vetting/screening process to identify gaps in a supplier's management practices.</i></p>
<p><b>Q2.2</b></p> <p>What formal performance requirements does your company have for your labor recruiters?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• We require the recruiter to comply with legal requirements only.</li> <li>• We do not have formal contracts with our labor recruiters.</li> </ul>	<p><i>If a labor recruiter is only required to comply with the law, and contracts do not contain explicit social responsibility performance requirements, there is a risk that recruiters' practices will not meet your Code of Conduct requirements.</i></p> <p><i>Without a formal contract, there is a risk that your labor recruiter will not understand or feel obligated to adhere to your company's expectations for socially responsible and legal business practices.</i></p>

**2. USE OF LABOR RECRUITERS AND EMPLOYMENT AGENCIES**

<p><b>Q2.3</b></p> <p>How do you evaluate your labor recruiters' ongoing performance in meeting both social responsibility and applicable legal requirements?</p>	<p>Potential Risk:</p> <ul style="list-style-type: none"> <li>We do not have a formal process to evaluate our recruiters' legal and Code compliance</li> </ul>	<p><i>Screening a labor recruiter to determine their ability to meet your social responsibility requirements does not guarantee that they will do so over time.</i></p> <p><i>Without a systematic, ongoing performance assessment process you run the serious risk of not being aware of, or not proactively addressing, violations resulting from sub-standard recruiter practices.</i></p>
<p><b>Q2.4</b></p> <p>Which of the following are included in your labor recruiter audit process?</p>	<p>All of the listed items are part of an effective labor recruiter audit process.</p>	<p><i>Audits are an essential part of any supplier performance monitoring program, and without such aspects as records reviews and interviews with management and personnel, you are unable to identify performance gaps and establish improvement plans.</i></p>
<p><b>Q2.5</b></p> <p>How do you ensure that labor recruiters correct the issues identified by audits, self-audits, and other evaluations?</p>	<p>All of the listed items are part of an effective labor recruiter audit process.</p>	<p><i>Without a formal process to track and verify closure of audit nonconformance, there is a significant risk that issues will go unresolved and the recruiter will continue to violate the law and your company's social responsibility requirements.</i></p>

**2. USE OF LABOR RECRUITERS AND EMPLOYMENT AGENCIES**

<p><b>Q2.6</b></p> <p>How do you communicate your staffing requirements (hiring needs) to your labor recruiter(s)?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• We only tell them the number and categories of personnel needed.</li> </ul> <p><i>If selected by itself, or in combination with the above answer:</i></p> <ul style="list-style-type: none"> <li>• We tell them the time by which we need the personnel.</li> </ul>	<p><i>The risk in only providing the number and general types of personnel needed or how soon you need them is that the labor recruiter may not apply your social responsibility and job performance expectations in the hiring process. This may result in human trafficking, discrimination, child labor, and other unintended social responsibility outcomes. You may also be provided personnel who are not fit to perform the work needed to achieve your business objectives.</i></p>
<p><b>Q2.7</b></p> <p>Do you or your labor recruiters recruit personnel from other countries (foreign migrant personnel, guest personnel, etc.)?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• Yes</li> </ul>	<p><i>Recruiting foreign migrant personnel is a legitimate business strategy, particularly in areas with local labor shortages or where the skill level of the local workforce is inadequate to meet business needs. However, employing foreign migrants typically means that much of the hiring process may be done in other countries by individuals and organizations over which you may have little control or oversight.</i></p>

**2. USE OF LABOR RECRUITERS AND EMPLOYMENT AGENCIES**

<p><b>Q2.8</b></p> <p>Do you or your local labor recruiters (those within the labor destination country) work with recruiters or agents in the countries where personnel are recruited (labor countries of origin)?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• Yes</li> </ul>	<p><i>Secondary labor recruiters or agents in labor countries of origin are often informal businesses that are unlicensed and unregulated. They may or may not understand your company's social responsibility expectations or the legal requirements in their country or yours, which presents the serious risk of human trafficking and other social responsibility nonconformance.</i></p>
<p><b>Q2.9</b></p> <p>How do you determine that recruiters and agents in labor countries of origin can meet both social responsibility and legal requirements?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• Labor destination country recruiters screen the labor country of origin recruiters and agents.</li> <li>• We have no formal process to screen labor country of origin recruiters and agents.</li> </ul> <p>In addition, the other listed choices should all be part of the supplier's process for screening labor country of origin agents.</p>	<p><i>Because of the often-informal nature of labor recruiting in labor countries of origin, the absence of a thorough screening of labor country of origin recruiters or delegating the responsibility to your labor destination country broker can result in the use of agents that are neither able nor willing to conform to your company social responsibility expectations or the law.</i></p>

**2. USE OF LABOR RECRUITERS AND EMPLOYMENT AGENCIES**

<p><b>Q2.10</b></p> <p>How do you monitor the social responsibility and legal compliance performance of labor country of origin recruiters and agents?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• We do not formally monitor the legal compliance performance of labor country of origin recruiters and agents.</li> </ul> <p>In addition, the other listed choices should all be part of the supplier's process for monitoring the performance of labor country of origin agents.</p>	<p><i>The recruiters and agents you use in labor countries of origin operate remotely and largely independently. Without monitoring them, you risk illegal or unethical practices going undetected and unaddressed.</i></p>
<p><b>Q2.11</b></p> <p>How much do personnel pay your company or either the labor destination country or labor country of origin labor recruiter or agent to get a job with your company?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• Personnel pay only what is legally required in their country of origin.</li> <li>• Personnel pay only what is legally required in the labor destination country.</li> <li>• Our company policies specify the maximum amount personnel are required to pay.</li> <li>• Personnel pay what is legally allowable in the labor sending or labor destination country.</li> </ul>	<p><i>Foreign migrants are particularly vulnerable to exploitation, especially as they are often charged illegal fees. The U.S. Federal Acquisition Regulation: Combating Trafficking in Persons (FAR) and many company and industry Codes of Conduct now prohibit charging any recruitment fees to workers. Without a company policy prohibiting worker-paid recruitment fees and controls in place to ensure personnel do not pay fees, your company faces a serious risk of using debt-bonded labor (a common form of human trafficking).</i></p>



**2. USE OF LABOR RECRUITERS AND EMPLOYMENT AGENCIES**

<p><b>Q2.12</b></p> <p>What types of fees and expenses are foreign personnel required to pay?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• Transportation to the labor destination country (for the job)</li> <li>• Transportation home upon completion of their contract</li> <li>• Document processing (for example, work permit, visa)</li> <li>• Job application fee</li> <li>• Medical examination and/or testing</li> <li>• Skills testing</li> </ul>	<p><i>In addition to recruitment fees, migrant personnel may be charged for transportation and other expenses that labor brokers and employers do not call "recruitment fees," but that are associated with accessing the job. These expenses are often illegal or out of compliance with Codes of Conduct or other norms and can put personnel at risk of debt bondage if they have to borrow money to pay them. This presents your company with both a reputational and compliance risk.</i></p> <p><i>Your policies and procedures should clearly define the fees and expenses that personnel cannot be charged.</i></p>
<p><b>Q2.13</b></p> <p>How do the labor country of origin recruiters or your local (labor destination country) labor recruiters screen job applicants?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• They use their own judgment to decide which candidates can do the job.</li> </ul>	<p><i>Without clear stated job requirements and selection criteria, the screening process can be unduly influenced by the biases of the individuals doing the screening.</i></p> <p><i>Selection can also be corrupted when recruiters give preference to job seekers who are willing to pay a bribe.</i></p>

**2. USE OF LABOR RECRUITERS AND EMPLOYMENT AGENCIES**

<p><b>Q2.14</b></p> <p>Who makes the final selection of which applicants to hire?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• The labor country of origin recruiter or agent</li> <li>• Our local (labor destination country) labor recruiter(s)</li> </ul>	<p><i>The more steps removed from direct control of the hiring process, the greater the risk that inappropriate or improper selection practices will be used, with the risk of not meeting the law and your company's labor skills and social responsibility requirements.</i></p>
<p><b>Q2.15</b></p> <p>How do you verify that foreign migrants can legally work in the labor destination country?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• Our local (labor destination country) labor recruiter is responsible for obtaining and verifying the necessary documentation.</li> <li>• The labor country of origin recruiter or agent is responsible for obtaining and verifying the necessary documentation.</li> </ul>	<p><i>Your company is ultimately responsible for the legal status of migrant personnel employed in your operations. Labor country of origin agents may not know the legal requirements in your country. Labor receiving (in-country) recruiters may be more concerned with delivering the number of employees your company needs rather than complying with all applicable requirements. To minimize this risk, your company must have a process to ensure the legal status of foreign migrants.</i></p>

**2. USE OF LABOR RECRUITERS AND EMPLOYMENT AGENCIES**

<p><b>Q2.16</b></p> <p>When are personnel provided with an explanation of the job duties and terms and conditions of employment?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• In their country of origin, after they sign the employment contract.</li> <li>• After arrival in the labor destination country, before they sign the employment contract.</li> <li>• In the labor destination country, after signing the employment contract.</li> </ul>	<p><i>If new hires are not provided with a thorough, accurate explanation of the terms and conditions of their employment at your company before they sign the employment contract and before they leave their country of origin, they may find themselves in a job that they did not accept voluntarily — this can be an indicator of human trafficking.</i></p> <p><i>In addition, your company may be in violation of both legal and Code of Conduct requirements.</i></p>
<p><b>Q2.17</b></p> <p>How does your company ensure that personnel understand all the terms and conditions of their employment contract?</p>	<p>All of the answer choices should be part of the supplier's process for ensuring worker understanding.</p>	<p><i>Personnel must fully understand the terms and conditions of the job they are about to accept to ensure that they are making the decision voluntarily.</i></p>

**2. USE OF LABOR RECRUITERS AND EMPLOYMENT AGENCIES**

<p><b>Q2.18</b></p> <p>The worker signs an employment contract with _____.</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• Our in-country labor recruiter.</li> <li>• Both the recruiter or agent in their country of origin and our in-country labor recruiter.</li> <li>• Both my company and our in-country labor recruiter.</li> <li>• Another employer.</li> <li>• We do not use employment contracts.</li> </ul>	<p><i>Employment contracts are an essential element in ensuring respect of worker rights and should be part of any employer's recruitment, selection, and hiring system, regardless of local legal requirements. It is appropriate for personnel to sign employment contracts with your in-country labor recruiter if the labor recruiter is responsible for providing their wages and benefits and for managing their day-to-day work activities. However, without oversight of this process, there is a risk of noncompliance with legal requirements and your company's social responsibility expectations.</i></p> <p><i>When a worker signs contracts with multiple parties, there is a significant risk that the employment terms and conditions in the two contracts will be different. The labor destination country contract terms often do not include what was promised to the employee by the labor country of origin agent.</i></p>
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**2. USE OF LABOR RECRUITERS AND EMPLOYMENT AGENCIES**

<p><b>Q2.19</b></p> <p>What is included in the employment contract?</p>	<p>All of the available choices should be included in worker employment contracts.</p>	<p><i>Detailed employment contracts are an essential element in ensuring personnel enter into employment voluntarily and that they fully understand the work terms and conditions and their legal rights.</i></p> <p><i>A contract that includes all the answer choices will help ensure compliance with the U.S. Federal Acquisition Regulation: Combating Trafficking in Persons (FAR) and most other legal and Code of Conduct requirements.</i></p>
<p><b>Q2.20</b></p> <p>Can personnel cancel their employment contracts before they leave their country of origin?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• Yes, but they have to pay a cancellation fee.</li> <li>• No, they must work for the term of their contract.</li> </ul>	<p><i>If at any time before a migrant worker leaves their country of origin they decide to decline the job, they must be free to do so. If migrants are required to pay a cancellation fee (other than cost of passport and visa) or required to fulfill their contract term, this increases the risk of human trafficking.</i></p>

**2. USE OF LABOR RECRUITERS AND EMPLOYMENT AGENCIES**

<p><b>Q2.21</b></p> <p>When are personnel given a copy of their employment contract?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• Less than five days before departure</li> <li>• Upon arrival in the labor destination country (location of work)</li> <li>• Personnel are not given copies of their contracts</li> </ul>	<p><i>The U.S. Federal Acquisition Regulation: Combating Trafficking in Persons (FAR) and many company Codes of Conduct require providing personnel with their contracts at least five days prior to departure. This allows enough time for personnel to make an informed decision about taking the job. Failure to provide contracts at least five days in advance increases the risk of exploitation (involuntariness).</i></p>
<p><b>Q2.22</b></p> <p>What kind of training do foreign migrants receive <i>before</i> they leave their country of origin for work at your company?</p>	<ul style="list-style-type: none"> <li>• Pre-departure training designed and delivered by the labor destination country labor recruiter</li> <li>• Pre-departure training designed and delivered by the labor country of origin labor agent</li> <li>• Personnel do not receive pre-departure training</li> </ul>	<p><i>Pre-departure training that covers all the details about the job and contract terms is essential for the migrant worker to make an informed decision about the job before traveling to another country for employment. Conducting pre-departure training helps prevent workers from entering into a situation of human trafficking.</i></p> <p><i>Additionally, leaving the design and delivery of the training to the discretion of either labor sending or labor destination country agents presents the risk that not all the required information will be presented.</i></p>

3. MANAGEMENT OF MIGRANT PERSONNEL		
Question	Answers with Potential Risk	Explanation
<p><b>Q3.1</b></p> <p>Are there migrant personnel* at your company?</p> <p><i>*Note: this includes both foreign and domestic migrants that are either directly employed by your company or work for a labor recruiter or agency</i></p>	<p>&lt;no red flag answers&gt;</p>	<p><i>While the presence of migrant personnel is not a red flag, if the answer to this question is yes, it is important to ensure the rest of the questions in section 3. Management of Migrant Personnel are answered fully. If this question is answered yes and the subcontractor or supplier is ultimately selected, as part of ongoing monitoring of their work companies should also consult Tool 10 to conduct interviews with migrant personnel.</i></p>
<p><b>Q3.2</b></p> <p>Who is responsible for coordinating and processing migrant worker documentation when they arrive for work?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• The labor recruiter</li> <li>• Another employer</li> </ul>	<p><i>It is appropriate for the labor recruiter to process migrant worker documentation, especially when the employment agreement is between the labor recruiter and migrant. Where the worker has another employer, that employer may also be the one to process worker documentation. However, without oversight, there is a risk that the recruiter's or other employer's processes may violate your social responsibility expectations or applicable legal requirements.</i></p>

**3. MANAGEMENT OF MIGRANT PERSONNEL**

<p><b>Q3.3</b></p> <p>How does your company and/or your labor recruiter manage migrant worker identify documents (passports, visas, work permits, proof of age, etc.)?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• Personnel are required to turn in their documents to the company or the labor recruiter for safekeeping.</li> <li>• Personnel voluntarily have the company or the labor recruiter to hold their documents for safekeeping.</li> <li>• The company or labor recruiter keeps the documents; however, personnel can retrieve them at any time without delay.</li> <li>• Personnel can retrieve their documents when they intend to return to their country of origin for a visit or when their contract term is over.</li> </ul>	<p><i>Personal identity documents are the property of the worker. Some companies and labor recruiters retain these documents for “safekeeping” or other reasons.</i></p> <p><i>If employees are not in possession of their identity documents, they may not be able to leave the work site, violating their right to freedom of movement and making the company noncompliant with the U.S. Federal Acquisition Regulation: Combating Trafficking in Persons (FAR) and many company and industry codes of conduct.</i></p>
<p><b>Q3.4</b></p> <p>What is included in the orientation program for new migrant personnel when they arrive for work at your facility?</p>	<p>All of the answer choices should be included in the orientation program.</p>	<p><i>Orientation training for newly arrived personnel is essential to their understanding of their legal rights and responsibilities and company rules and procedures. It is also a legal and typical Code of Conduct requirement.</i></p>



3. MANAGEMENT OF MIGRANT PERSONNEL		
<p><b>Q3.5</b></p> <p>How does the company make sure that personnel understood the information provided in the orientation program?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>We do not measure learning or understanding</li> </ul> <p>All the other answer choices are elements of an effective training impact assessment program.</p>	<p><i>Without measuring learning, there is a significant risk that the personnel do not adequately understand their rights and responsibilities, impacting both conformance with legal and social responsibility requirements and the company's business success.</i></p>
<p><b>Q3.6</b></p> <p>What basic wage are migrant personnel paid?</p>	<p>Each of the listed choices is an acceptable basis for migrant worker wages. However, two choices represent potential risk if managed improperly:</p> <ul style="list-style-type: none"> <li>In the absence of a legal minimum wage, the supplier must have a formal process to ensure personnel are paid no less than the local <i>industry prevailing wages</i> and benefits.</li> <li>If personnel are paid on a <i>piecework</i> basis, there is a risk that wages will fall below the legal minimum if a worker fails to meet the production quota.</li> </ul>	<p><i>All companies must have a process in place to ensure that all migrant personnel are paid a fair and legal wage. In the absence of a legal minimum wage, migrants should be paid the same as local personnel performing the same job. Without such a process, there is a significant risk that wage payments will not comply with legal and company Code of Conduct requirements.</i></p>

3. MANAGEMENT OF MIGRANT PERSONNEL		
<p><b>Q3.7</b></p> <p>Migrant personnel are paid a wage premium for _____.</p>	<p>All of the available answer choices should be part of a supplier's wage system.</p>	<p><i>All personnel must be paid a wage premium for overtime hours and work performed on holidays and other non-scheduled workdays. The absence of this policy puts your company at risk of social responsibility and legal nonconformance and can contribute to fatigue-based hazards for personnel.</i></p>
<p><b>Q3.8</b></p> <p>Who pays for personnel housing?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• Another employer (factory, farm, etc.)</li> <li>• Labor recruiter</li> <li>• Housing is not provided or arranged for personnel</li> </ul>	<p><i>Personnel housing arrangements must be clearly defined in the employment contract. Depending on the type of employment and country of operation, housing must be provided to personnel at no cost to them. If personnel must pay for housing, they cannot be charged in excess of equivalent local rents.</i></p> <p><i>Failure to clearly describe and monitor payment for worker accommodation can be both a legal noncompliance and a nonconformance with company and industry Codes of Conduct.</i></p>

**3. MANAGEMENT OF MIGRANT PERSONNEL**

<p><b>Q3.9</b></p> <p>How does your company ensure compliance with local housing and safety standards?</p>	<p>All of the listed answer choices are appropriate elements of a company's worker housing program.</p>	<p><i>Failure to have formal policies and procedures in place (e.g., regular audits and inspections) to ensure worker housing meets local standards can result in unsafe or unhealthy conditions and can be both a legal noncompliance and Code of Conduct nonconformance.</i></p>
<p><b>Q3.10</b></p> <p>Describe the type of social insurance and other benefits provided to migrant personnel?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• Migrant personnel are not provided with social insurance or other benefits.</li> </ul>	<p><i>All personnel are entitled to the social insurance and other benefits required by law and by company or industry social responsibility codes. If your compensation and benefits system does not ensure migrant personnel are provided with social insurance, such as work accident insurance, and other required benefits, you are at significant risk of noncompliance with requirements. Your company may also face employee discontent and resentment, which can impact productivity and quality.</i></p>

3. MANAGEMENT OF MIGRANT PERSONNEL		
<p><b>Q3.11</b></p> <p>How do you ensure that migrant personnel understand how their wages are calculated?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>Personnel are free to ask Payroll if they have a question.</li> </ul>	<p><i>Making sure that all personnel understand how they are paid so they can verify the accuracy of their compensation is a fundamental legal and social responsibility expectation. This is particularly true for foreign migrants who likely do not speak the local language. There is a significant risk of noncompliance with requirements if you do not provide personnel with this information.</i></p>
<p><b>Q3.12</b></p> <p>What kinds of deductions are made from migrant worker wages?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>Transportation to and from the workplace</li> <li>Transportation from the labor country of origin</li> <li>Return transportation to the labor country of origin</li> <li>Interest charged advances for food, housing, communications, etc.</li> </ul>	<p><i>Transportation to the labor destination country (where the work is performed) and return transportation upon completion of the employment contract must be paid by the employer. Additionally, transportation to and from the workplace and personnel housing must also be provided where housing is arranged by the employer.</i></p> <p><i>Requiring personnel to purchase food and water from their employer or a party designated by their employer is noncompliant with both legal and social responsibility requirements.</i></p>

### 3. MANAGEMENT OF MIGRANT PERSONNEL

	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• Recruitment fees</li> <li>• Visa processing fees</li> </ul>	<p><i>Recruitment fees cannot be charged to personnel. The U.S. Federal Acquisition Regulation: Combating Trafficking in Persons (FAR) and many company and industry Codes of Conduct prohibit charging recruitment fees to personnel.</i></p>
	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• Fines for breaking rules</li> </ul>	<p><i>Monetary fines for breaking workplace rules are considered disciplinary wage deductions. Systems of compensation and discipline that do not prohibit monetary fines are at risk of noncompliance with legal and social responsibility requirements.</i></p>
	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• Repayment of loans</li> </ul>	<p><i>Repayment of loans through payroll deductions indicates a high risk of debt bondage among your migrant personnel.</i></p>
	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• Uniforms</li> <li>• Tools</li> <li>• Personal protective equipment</li> </ul>	<p><i>Uniforms, personal protective equipment, and other tools such as belts, whistles, radios, and, if applicable, firearms are job requirements and must therefore be provided to personnel at no cost to them. Charging personnel for such items puts personnel at risk of being paid less than minimum wage and represents a compliance risk for your company.</i></p>

**3. MANAGEMENT OF MIGRANT PERSONNEL**

	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• Medical services</li> </ul>	<p><i>Migrant personnel must be provided with work accident insurance and medical services free of charge for any job-related injuries or illnesses. Failure to do so may be both a legal and Code of Conduct noncompliance.</i></p>
	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• Mandatory savings</li> </ul>	<p><i>Some companies require migrant personnel to have a portion of their salary put in a savings account to provide an incentive to work for the entire contract period or to pay for their transportation home once their contract term is over. Such involuntary withholding of wages represents a risk of human trafficking. Further, it is the responsibility of the contractor to pay for repatriation at the conclusion of the worker's contract.</i></p>
	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• Food</li> <li>• Housing</li> </ul>	<p><i>Although personnel may be charged for food and housing if part of the employment agreement, such expenses must be at or below local market prices/rates.</i></p>

3. MANAGEMENT OF MIGRANT PERSONNEL		
<p><b>Q3.13</b></p> <p>Who pays migrant personnel' wages?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• Our local (in-country) labor recruiter</li> <li>• Another employer</li> </ul>	<p><i>It is appropriate for labor recruiters to pay migrant personnel wages, especially when personnel employment contracts are with the labor recruiter. However, without oversight, when the compensation process is outsourced it presents a risk of wage underpayment, unlawful deductions, and non-payment of legally-required benefits, among other issues.</i></p>
<p><b>Q3.14</b></p> <p>How are migrant personnel paid?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• In cash cards (pre-paid debit cards)</li> <li>• Personnel are paid a portion of their wages each pay period and the balance at the end of their contract</li> <li>• Personnel are paid in full upon completion of their contract</li> <li>• Personnel are paid in part or in full in non-cash (i.e., in kind)</li> </ul>	<p><i>Failure to pay personnel in full presents a serious risk of human trafficking as personnel cannot leave their jobs without the financial penalty of lost wages.</i></p> <p><i>The use of cash (pre-paid) cards presents the risk of personnel labor receiving less than the minimum wage if there are bank fees and other charges whenever the card is used. In-kind payments are non-transparent and subject to abuse.</i></p> <p><i>The priority should be paying workers in a form that is directly accessible to them, that they control, and for which they are not charged additional fees.</i></p>

3. MANAGEMENT OF MIGRANT PERSONNEL		
<p><b>Q3.15</b></p> <p>How many regular work hours do migrant personnel work per week?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>More than 40</li> <li>More than 48</li> </ul>	<p><i>Most laws and social responsibility codes limit regular working hours to no more than 40 or 48 hours per week. Requiring employees to work more than the legal limit without being paid an overtime wage premium represents a serious noncompliance risk <b>in non-agricultural sectors</b>. In the security industry, personnel typically work on a shift system and may work up to 12-hour shifts. Still, total working hours should not exceed 48 hours per week.</i></p>
<p><b>Q3.16</b></p> <p>How many overtime hours do migrant personnel work per week on average?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>More than 12</li> <li>More than 20</li> </ul>	<p><i>Social responsibility codes typically limit a workweek to 60 hours total — including overtime. Some jurisdictions have even more restrictive legal requirements, while others do not limit work hours.</i></p> <p><i>Personnel routinely working in excess of 60 hours or the legal limit represent a serious noncompliance risk for the employer and a health and safety risk for personnel.</i></p>



3. MANAGEMENT OF MIGRANT PERSONNEL		
<p><b>Q3.17</b></p> <p>Do migrant personnel have the right to refuse overtime work without penalty?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>No, all personnel are required to work overtime as needed to meet our production targets.</li> </ul>	<p><i>A fundamental principle of social responsibility is that all overtime must be voluntary unless stated otherwise in a collective bargaining agreement.</i></p> <p><i>Involuntary overtime is a serious red flag and could be an indicator of human trafficking; it is a serious violation of social responsibility standards for the employer.</i></p>
<p><b>Q3.18</b></p> <p>Do migrant personnel receive at least one day (24 consecutive hours) off in every seven-day period?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>No</li> </ul>	<p><i>All employees are entitled to at least one day off per week by law and social responsibility codes. Not providing the required day off represents a compliance risk for the company, a health and safety risk for personnel, and a potentially adverse impact on both productivity and quality.</i></p>

3. MANAGEMENT OF MIGRANT PERSONNEL		
<p><b>Q3.19</b></p> <p>Does your company have a process for migrant personnel to report workplace grievances?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• No</li> </ul>	<p><i>Migrant personnel are often subject to unethical practices and mistreatment during recruitment and employment. Without a process for migrants to report abuses, your company runs the risk of being in violation of the law or social responsibility standards without knowing it, and/or not addressing serious issues that impact worker welfare or safety or business reputation.</i></p>
<p><b>Q3.20</b></p> <p>Which of the following are part of your company's grievance process for migrant personnel?</p>	<p>All of the available answer choices should be part of any supplier's grievance process.</p>	
<p><b>Q3.21</b></p> <p>Can migrant personnel directly report a grievance to your company without having to go through the labor recruiter?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• No</li> </ul>	<p><i>In many cases, labor recruiters are responsible for violations of migrant worker rights. Requiring migrant personnel to report their grievance to the labor recruiter instead of your company potentially exposes the personnel to intimidation and reprisal and could prevent your company from identifying and addressing the source of the abuses.</i></p>

3. MANAGEMENT OF MIGRANT PERSONNEL		
<p><b>Q3.22</b></p> <p>Does your company have policies and procedures for discipline and termination of migrant personnel?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• No</li> </ul>	<p><i>Discipline and termination procedures that comply with legal and social responsibility requirements ensure that discipline is applied fairly, humanely, and consistently. The lack of discipline and termination procedures presents the risk of discrimination, inhumane treatment, and intimidation of employees.</i></p>
<p><b>Q3.23</b></p> <p>Which of the following criteria are part of your process for migrant worker discipline and termination?</p>	<p>All of the available answer choices should be included in a supplier's discipline and termination procedures.</p>	<p><i>All of the available answer choices constitute necessary steps that should be included in a discipline and termination protocol. If any components are not present in the supplier's discipline and termination procedures, they should be integrated.</i></p>
<p><b>Q3.24</b></p> <p>How does your company ensure that supervisors and managers understand your migrant worker discipline and termination policy and procedures?</p>	<p>Potential Risks:</p> <ul style="list-style-type: none"> <li>• We do not train our supervisors or managers on discipline and termination.</li> </ul>	<p><i>Discipline and termination procedures are designed to ensure that discipline is applied consistently, legally, and fairly. When the supervisors and managers responsible for administering discipline are not trained to properly implement the procedures, the company is at serious risk of legal and social noncompliance.</i></p>