



**Sustainable Leather Foundation
Standard for Age of Workers**

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FSS2 AGE OF WORKERS STANDARD AND BENCHMARK

Summary: The SLF *Age of Workers Standard and Benchmark* provides the context, definitions, relevant international norms and expectations around age of workers. This document gives the facility under audit the principles and general expectations, but it is not exhaustive and recognises that there will be differences within regions for national and local laws.

Where there are matters of interpretation in relation to the standard, applicable laws or organisational norms, the auditor will assess in favour of the employees in that facility.



1. Scope

1.1 The SLF *Age of Workers Standard and Benchmark* specifies the definitions of age, in particular with regard to child labour, for workers employed for specific tasks in facilities operating in the leather value chain. The facilities in the value chain include all facilities from the farm to the end of life of the leather.

1.2 The *SLF Age of Workers Standard and Benchmark* is intended to ensure that all workers at an SLF certified facility are not younger than the age specified in the definitions as outlined in this document, except as provided for by the ILO recommendation 146 (see below for reference). The intent of the SLF Standard and Benchmark is to ensure that children are protected from exploitation in the workplace and / or denied appropriate education as a result of being forced to work.

1.3 Where child labour does exist then the SLF Standard and Benchmark expects a remediation policy to be actively in place with appropriate timeframes for the complete abolishment of child labour / exploitation in all forms.

2. Normative references

2.1 The following references are useful in the understanding of this document and are provided for further guidance. In the case of dispute these references will form the core of the evidence in support of the Standard and Benchmarks used here:

ILO Convention 138 – Minimum Age Convention, 1973¹ and its
ILO Recommendation 146

ILO Convention 182 – Worst Form of Child Labour, 1999² and its
ILO Recommendation 190

OECD Due Diligence Guidance on ending child labour, forced labour and human trafficking in global supply chains³

UN Guiding Principles on Business and Human Rights⁴

¹ ILO Convention on Child Labour <https://www.ilo.org/ipec/facts/ILOconventionsonchildlabour/lang--en/index.htm>

² ILO Convention on Worst Forms of Child Labour <https://www.ilo.org/ipec/facts/ILOconventionsonchildlabour/lang--en/index.htm>

³ OECD Ending child labour, forced labour and human trafficking in global supply chains <https://www.oecd.org/industry/ending-child-labour-forced-labour-and-human-trafficking-in-global-supply-chains.htm>

⁴ UN Guiding Principles on Business and Human Rights https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr_en.pdf



3. Terms and definitions

- 3.1 **Child:** in accordance with the ILO Convention 138 a child is any person under the age of 15. An exception may be made if the minimum age for work or if mandatory schooling is higher than 15 by local law, in which case the higher age will apply.
- 3.2 **Young Person:** A child aged 15-17 (i.e. under the age of 18 but over the age of 15). ILO Convention 182 protects young people from heavy duty and hazardous work or working conditions, such as working with heavy machine, working with chemicals or other hazardous materials, working long hours or during the night.
- 3.3 **Child Labour:** Any work that is carried out by a child younger than the ages specified in the above definitions, except as provided for under the ILO recommendation 146 which allows for tightly structured exceptions.
- 3.4 **Child Labour Remediation Plan:** The development and implementation of policies and plans to ensure that where child labour does exist, steps are put in place to ensure that within a certain defined timeframe, child labour will end, and the company will ensure adequate schooling is provided to the children concerned and that their families are remunerated to ensure there is no loss of income as a result of the child no longer working.
- 3.5 **Non-conformance:** Inability to meet the requirements of the standard.
- 3.6 **Facility:** The entirety of the business operation that is responsible for meeting the requirements of this *SLF Age of Workers Standard and Benchmark*, including all personnel employed at the facility (e.g. tannery, sub-contracting facility, head office organisation, etc)
- 3.7 **Personnel:** All individuals employed or contracted by the facility to perform specified tasks (e.g. directors, managers, warehouse operatives, cleaners, technicians, etc)
- 3.8 **Worker:** All non-management personnel
- 3.9 **Remediation:** Support and actions implemented to correct the failure of meeting the standard within an agreed time period.

4. Principle

4.1 The principle of the *SLF Age of Workers Standard and Benchmark* is based upon the international normative reference of the International Labour Organisation's (ILO) "Minimum Age Convention 138 (1973)" that specifies under Article 2:

- *The minimum age specified in pursuance of paragraph 1 of this Article shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years.*
- *Notwithstanding the provisions of paragraph 3 of this Article, a Member whose economy and educational facilities are insufficiently developed may, after consultation with the organisations of employers and workers concerned, where such exist, initially specify a minimum age of 14 years.*



- *Each Member which has specified a minimum age of 14 years in pursuance of the provisions of the preceding paragraph shall include in its reports on the application of this Convention submitted under article 22 of the Constitution of the International Labour Organisation a statement--*
 - *(a) that its reason for doing so subsists; or*
 - *(b) that it renounces its right to avail itself of the provisions in question as from a stated date.*

4.2 And under Article 3:

- *The minimum age for admission to any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardise the health, safety or morals of young persons shall not be less than 18 years.*
- *The types of employment or work to which paragraph 1 of this Article applies shall be determined by national laws or regulations or by the competent authority, after consultation with the organisations of employers and workers concerned, where such exist.*
- *Notwithstanding the provisions of paragraph 1 of this Article, national laws or regulations or the competent authority may, after consultation with the organisations of employers and workers concerned, where such exist, authorise employment or work as from the age of 16 years on condition that the health, safety and morals of the young persons concerned are fully protected and that the young persons have received adequate specific instruction or vocational training in the relevant branch of activity.*

4.3 In respect of the international normative reference of the International Labour Organisation's (ILO) "Worst Forms of Child Labour Convention 182 (1999)", it is specified under Article 3:

*For the purposes of this Convention, the term **the worst forms of child labour** comprises:*

- *(a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;*
- *(b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;*
- *(c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;*
- *(d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.*

4.4 And under Article 4:

- *The types of work referred to under Article 3(d) shall be determined by national laws or regulations or by the competent authority, after consultation with the organizations of employers and workers concerned, taking into consideration relevant international standards, in particular Paragraphs 3 and 4 of the Worst Forms of Child Labour Recommendation, 1999.*
- *2. The competent authority, after consultation with the organizations of employers and workers concerned, shall identify where the types of work so determined exist.*
- *3. The list of the types of work determined under paragraph 1 of this Article shall be periodically examined and revised as necessary, in consultation with the organizations of employers and workers concerned.*



4.5 The governing principle of this Standard and Benchmark is to encourage facilities to actively support the abolition of child labour and where child labour does exist to ensure remediation plans are in place and actively in force with a reasonable timeframe for conformance.

5. Procedure

5.1 The facility will provide data and documentation that demonstrates an effective management system to effectively meet the requirements of the *SLF Age of Workers Standards and Benchmark* as follows:

5.2 Management System: The facility shall have a system in place that provides the facility with records, policies, systems and procedures to include:

- a. Policies and procedures in relation to Age of Workers
- b. Personnel records that details dates of birth of all workers
- c. Where Young People are employed, procedures for ensuring appropriate work and working hours is maintained and monitored.
- d. Remediation plan and procedure in the event of child labour being identified

5.3 Risk Assessment of types of work for Young People: Ensuring that the facility has diligently assessed job roles and the risk of those roles for young people. This should include:

- a. Hazardous / non-hazardous jobs
- b. Hours of work
- c. Exploitation
- d. Health and Safety

5.4 Interviews: Where children or young people are employed, interviews will be conducted in the presence of a responsible adult to ask them about their work, their schooling, their training and their general opinion on their working conditions.

5.5 Due Diligence of Sub-contractors: Evidence will be required that the facility has requested from their subcontractors documentation and evidence of a management system that addresses the same criteria as outlined above.

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