



**Sustainable Leather Foundation
Standard for Compulsory Labour**

Reference: FSS3.1

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FSS3 COMPULSORY LABOUR STANDARD AND BENCHMARK

Summary: The SLF *Compulsory Labour Standard and Benchmark* provides the context, definitions, relevant international norms and expectations around forced or compulsory labour. 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 *Compulsory Labour Standard and Benchmark* specifies the definitions of forced or compulsory labour, and looks at areas including freedom of movement, no monetary sanctions or withholding of passports, identification papers or other personal documents and no physical reprisals or punishment.
- 1.2 Safeguarding against these risks is necessary for all facilities operating in the leather value chain, from the farm to the end of life of the leather.
- 1.3 The SLF *Compulsory Labour Standard and Benchmark* is intended to ensure that all workers at an SLF certified facility are treated fairly with respect and are not subject to any form of coercion, forced or compulsory labour.

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 29 – Forced Labour Convention, 1930¹ and its Protocol of 2014 to the Forced Labour Convention²

ILO Convention 105 – Abolition of Forced Labour, 1957³

ILO Recommendation 203 - Forced Labour (Supplementary Measures), 2014⁴

OECD Due Diligence Guidance on ending child labour, forced labour and human trafficking in global supply chains⁵

UN Guiding Principles on Business and Human Rights⁶

¹ ILO Convention on Forced Labour

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100::NO:12100:P12100_ILO_CODE:C029:NO

² ILO Protocol of 2014 to the Forced Labour Convention, 1930

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:P029

³ ILO Convention of Abolition of Forced Labour

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100::NO:12100:P12100_ILO_CODE:C105:NO

⁴ ILO Recommendation (Supplementary Measures) Forced Labour

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_ILO_CODE:R203:NO

⁵ 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>

⁶ UN Guiding Principles on Business and Human Rights

https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr_en.pdf



3. Terms and definitions

- 3.1 **Forced of Compulsory Labour:** all work or service which is exacted from any person under the menace of any penalty and for which the said person has now offered him/herself voluntarily.
- 3.2 **Coercion:** the practice of persuading someone to do something by using force or threats.
- 3.3 **Sanction:** a threatened or real penalty for not doing something or disobeying a rule.
- 3.4 **Reprisal:** an act of retaliation.
- 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 Compulsory Labour Standard and Benchmark* is based upon the international normative reference of the International Labour Organisation's (ILO) "Forced Labour Convention 29 (1930)" that specifies under Article 2:

- *For the purposes of this Convention the term **forced or compulsory labour** shall mean all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.*
- *2. Nevertheless, for the purposes of this Convention, the term **forced or compulsory labour** shall not include--*
 - (a) any work or service exacted in virtue of compulsory military service laws for work of a purely military character;*
 - (b) any work or service which forms part of the normal civic obligations of the citizens of a fully self-governing country;*
 - (c) any work or service exacted from any person as a consequence of a conviction in a court of law, provided that the said work or service is carried out under the supervision and control of a public authority and that the said person is not hired to or placed at the disposal of private individuals, companies or associations;*
 - (d) any work or service exacted in cases of emergency, that is to say, in the event of war or of a calamity or threatened calamity, such as fire, flood, famine, earthquake, violent epidemic or epizootic diseases, invasion by animal, insect or vegetable pests, and in general any circumstance that would endanger the existence or the well-being of the whole or part of the population;*



(e) minor communal services of a kind which, being performed by the members of the community in the direct interest of the said community, can therefore be considered as normal civic obligations incumbent upon the members of the community, provided that the members of the community or their direct representatives shall have the right to be consulted in regard to the need for such services.

4.2 In addition, the International Labour Organisation (ILO) “Abolition of Forced Labour Convention 150 (1957)”, that specifies under Article 1:

Each Member of the International Labour Organisation which ratifies this Convention undertakes to suppress and not to make use of any form of forced or compulsory labour--

- (a) as a means of political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system;*
- (b) as a method of mobilising and using labour for purposes of economic development;*
- (c) as a means of labour discipline;*
- (d) as a punishment for having participated in strikes;*
- (e) as a means of racial, social, national or religious discrimination.*

4.3 In respect of the international normative reference of the ILO “Forced Labour (Supplementary Measures) Recommendation 203 (2014)”, it is specified under Prevention Measures 3 and 4:

3. *Members should take preventive measures that include:*

- (a) respecting, promoting and realizing fundamental principles and rights at work;*
- (b) the promotion of freedom of association and collective bargaining to enable at-risk workers to join workers’ organizations;*
- (c) programmes to combat the discrimination that heightens vulnerability to forced or compulsory labour;*
- (d) initiatives to address child labour and promote educational opportunities for children, both boys and girls, as a safeguard against children becoming victims of forced or compulsory labour; and*
- (e) taking steps to realize the objectives of the Protocol and the Convention.*

4. *Taking into account their national circumstances, Members should take the most effective preventive measures, such as:*

- (a) addressing the root causes of workers’ vulnerability to forced or compulsory labour;*
- (b) targeted awareness-raising campaigns, especially for those who are most at risk of becoming victims of forced or compulsory labour, to inform them, inter alia, about how to protect themselves against fraudulent or abusive recruitment and employment practices, their rights and responsibilities at work, and how to gain access to assistance in case of need;*
- (c) targeted awareness-raising campaigns regarding sanctions for violating the prohibition on forced or compulsory labour;*
- (d) skills training programmes for at-risk population groups to increase their employability and income-earning opportunities and capacity;*
- (e) steps to ensure that national laws and regulations concerning the employment relationship cover all sectors of the economy and that they are effectively enforced. The relevant information on the terms and conditions of employment should be specified in an appropriate, verifiable and easily understandable manner, and preferably through written contracts in accordance with national laws, regulations or collective agreements;*
- (f) basic social security guarantees forming part of the national social protection floor, as provided for in the Social Protection Floors Recommendation, 2012 (No. 202), in order to reduce vulnerability to forced or compulsory labour;*



(g) orientation and information for migrants, before departure and upon arrival, in order for them to be better prepared to work and live abroad and to create awareness and better understanding about trafficking for forced labour situations;

(h) coherent policies, such as employment and labour migration policies, which take into account the risks faced by specific groups of migrants, including those in an irregular situation, and address circumstances that could result in forced labour situations;

(i) promotion of coordinated efforts by relevant government agencies with those of other States to facilitate regular and safe migration and to prevent trafficking in persons, including coordinated efforts to regulate, license and monitor labour recruiters and employment agencies and eliminate the charging of recruitment fees to workers to prevent debt bondage and other forms of economic coercion; and

(j) in giving effect to their obligations under the Convention to suppress forced or compulsory labour, providing guidance and support to employers and businesses to take effective measures to identify, prevent, mitigate and account for how they address the risks of forced or compulsory labour in their operations or in products, services or operations to which they may be directly linked.

4.4 The governing principle of this Standard and Benchmark is to encourage facilities to actively safeguard against any form of compulsory or forced labour through robust systems, policies and procedures and by ensuring that all personnel are treated free from any type of coercion.

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 Compulsory Labour 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 recruitment and safeguarding of all personnel
- b. Policies and procedures in relation to freedom of movement (except for hazardous or restricted work zones)
- c. Personnel records that detail employment information of all personnel
- d. Written employee guidance about fundamental principles and right at work

5.3 Risk Assessments should be in place that analyse:

- a. Potential causes of vulnerability that could lead to forced or compulsory labour
- b. Potential discriminatory causes: religion, social status, race, sex, colour, age.
- c. Training of personnel for skill and better understanding of the risk

5.4 Interviews: Workers will be randomly selected by the auditors for interviews. Normally on-site interviews will be conducted however it may be necessary to conduct off site interviews to ensure workers are comfortable and not afraid of reprisal. Interviews will be confidential and will be conducted in the presence of an impartial person to assess opinions about work, training and general working conditions.



6. Note

6.1 Please also refer to the Sustainable Leather Foundation Standard & Benchmark FSS9 Wages & Benefits for consideration of involuntary overtime which can also be interpreted as an element of compulsory labour.

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