



**Sustainable Leather Foundation
Standard for Discrimination**

Reference: FSS4.1

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Accredited by: XXX

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FSS4 DISCRIMINATION LABOUR STANDARD AND BENCHMARK

Summary: The SLF *Discrimination Standard and Benchmark* provides the context, definitions, relevant international norms and expectations around discrimination in the workforce. 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 *Discrimination Standard and Benchmark* specifies the definitions of discrimination, and looks at areas including recruitment, training, promotion, remuneration, dismissal, redundancy or retirement in relation to age, gender, race, religion, disability marital status, sexual orientation, caste, politics, union membership or any other element that could give rise to discrimination.

1.2 Safeguarding against discrimination 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 *Discrimination Standard and Benchmark* is intended to ensure that all workers at an SLF certified facility are treated with respect and are not subject to any form of discrimination or unfair treatment.

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 111 – Discrimination (Employment and Occupation), 1958¹

ILO Convention 190 – Violence and Harassment, 2019²

ILO Convention 189 – Domestic Workers, 2011³

OECD Due Diligence Guidance on ending child labour, forced labour and human trafficking in global supply chains⁴

UN Guiding Principles on Business and Human Rights⁵

¹ ILO Convention 111 Discrimination (Employment and Occupation), 1958

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C111

² ILO Convention 190 Violence and Harassment, 2019

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_ILO_CODE:C190

³ ILO Convention 189 Domestic Workers, 2011

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_ILO_CODE:C189

⁴ 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>

⁵ UN Guiding Principles on Business and Human Rights

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



3. Terms and definitions

- 3.1 **Discrimination:** any exclusion or preference made on the basis of age, gender, race, religion, disability marital status, sexual orientation, caste, politics, union membership or any other element that could give rise to unfair or negative employment decisions, terms or situations.
- 3.2 **Non-conformance:** Inability to meet the requirements of the standard.
- 3.3 **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)
- 3.4 **Personnel:** All individuals employed or contracted by the facility to perform specified tasks (e.g. directors, managers, warehouse operatives, cleaners, technicians, etc)
- 3.5 **Worker:** All non-management personnel
- 3.6 **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 Discrimination Standard and Benchmark* is based upon the international normative reference of the International Labour Organisation's (ILO) "Discrimination (Employment and Occupation) Convention 111 (1958)" that specifies under Article 1:

1. For the purpose of this Convention the term **discrimination** includes--
 - (a) any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation;
 - (b) such other distinction, exclusion or preference which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation as may be determined by the Member concerned after consultation with representative employers' and workers' organisations, where such exist, and with other appropriate bodies.
2. Any distinction, exclusion or preference in respect of a particular job based on the inherent requirements thereof shall not be deemed to be discrimination.
3. For the purpose of this Convention the terms **employment** and **occupation** include access to vocational training, access to employment and to particular occupations, and terms and conditions of employment.

4.2 And under Article 3:

Each Member for which this Convention is in force undertakes, by methods appropriate to national conditions and practice--

- (a) to seek the co-operation of employers' and workers' organisations and other appropriate bodies in promoting the acceptance and observance of this policy;



- (b) to enact such legislation and to promote such educational programmes as may be calculated to secure the acceptance and observance of the policy;*
- (c) to repeal any statutory provisions and modify any administrative instructions or practices which are inconsistent with the policy;*
- (d) to pursue the policy in respect of employment under the direct control of a national authority;*
- (e) to ensure observance of the policy in the activities of vocational guidance, vocational training and placement services under the direction of a national authority;*
- (f) to indicate in its annual reports on the application of the Convention the action taken in pursuance of the policy and the results secured by such action.*

4.3 In respect of the international normative reference of the ILO “Violence and Harassment Convention 190 (2019)”, it is specified within Core Principles, under Article 4:

Each Member shall adopt, in accordance with national law and circumstances and in consultation with representative employers’ and workers’ organizations, an inclusive, integrated and gender-responsive approach for the prevention and elimination of violence and harassment in the world of work. Such an approach should take into account violence and harassment involving third parties, where applicable, and includes:

- (a) prohibiting in law violence and harassment;*
- (b) ensuring that relevant policies address violence and harassment;*
- (c) adopting a comprehensive strategy in order to implement measures to prevent and combat violence and harassment;*
- (d) establishing or strengthening enforcement and monitoring mechanisms;*
- (e) ensuring access to remedies and support for victims;*
- (f) providing for sanctions;*
- (g) developing tools, guidance, education and training, and raising awareness, in accessible formats as appropriate; and*
- (h) ensuring effective means of inspection and investigation of cases of violence and harassment, including through labour inspectorates or other competent bodies.*

4.4 and in Protection and Prevention, under Articles 8 and 9:

- *Each Member shall take appropriate measures to prevent violence and harassment in the world of work, including:*
 - (a) recognizing the important role of public authorities in the case of informal economy workers;*
 - (b) identifying, in consultation with the employers’ and workers’ organizations concerned and through other means, the sectors or occupations and work arrangements in which workers and other persons concerned are more exposed to violence and harassment; and*
 - (c) taking measures to effectively protect such persons.*
- *Each Member shall adopt laws and regulations requiring employers to take appropriate steps commensurate with their degree of control to prevent violence and harassment in the world of work, including gender-based violence and harassment, and in particular, so far as is reasonably practicable, to:*
 - (a) adopt and implement, in consultation with workers and their representatives, a workplace policy on violence and harassment;*
 - (b) take into account violence and harassment and associated psychosocial risks in the management of occupational safety and health;*



(c) identify hazards and assess the risks of violence and harassment, with the participation of workers and their representatives, and take measures to prevent and control them; and
(d) provide to workers and other persons concerned information and training, in accessible formats as appropriate, on the identified hazards and risks of violence and harassment and the associated prevention and protection measures, including on the rights and responsibilities of workers and other persons concerned in relation to the policy referred to in subparagraph (a) of this Article.

4.5 The governing principle of this Standard and Benchmark is to encourage facilities to actively safeguard against any form of discrimination through robust systems, policies and procedures and by ensuring that all personnel are treated fairly and free from any type of violence and Harassment.

5. Procedure

5.1 The facility will provide data and documentation that demonstrates an effective management system to meet the requirements of the *SLF Discrimination 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 equal opportunities for all personnel
- b. Policies and procedures in relation to no harassment, violence or other discriminatory behaviour by any member of personnel against another member of staff
- c. Personnel records that detail employment information of all personnel
- d. Written employee guidance about fundamental principles and rights at work

5.3 Risk Assessments should be in place that analyse:

- a. Potential types of discrimination
- b. Higher risk concerns due to country, religious beliefs or customs
- c. What strategies are used to ensure fairness and non-discriminatory practices
- d. Training of personnel for skill and better understanding of the risk
- e. the effectiveness of the measures implemented

5.4 Randomly selected Interviews will be conducted in the presence of an impartial person to assess opinions about work, training, equal opportunities and general working conditions.

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