



**Sustainable Leather Foundation
Standard for Staff Development and Representation**

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FSS6 STAFF DEVELOPMENT AND REPRESENTATION STANDARD AND BENCHMARK

Summary: The SLF *Staff Development and Representation Standard and Benchmark* provides the context, definitions, relevant international norms and expectations around responsible staff development and effective representation in the workplace whether internal or homeworking. 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 *Staff Development and Representation Standard and Benchmark* specifies the definitions of effective staff development and representation both in the workplace and for homeworkers to ensure that all personnel are protected, have access to any training necessary for the safe and productive ability to perform their job and access to a mechanism for complaint and representation.

1.2 Providing a working environment that promotes development and growth, and with a culture that respects an individual's right to make a complaint and to have fair representation is incumbent upon all responsible companies.

1.3 The SLF *Staff Development and Representation Standard and Benchmark* is intended to ensure that SLF certified facilities are aware of their responsibilities to the employees and are actively working to encourage development and facilitate freedom to make complaints and to have fair representation.

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 87 - Freedom of Association and Protection of the Right to Organise, 1948¹

ILO Convention 98 – Right to Organise and Collective Bargaining, 1949²

ILO Convention 135 – Workers' Representatives Convention, 1971³

OECD Due Diligence Guidance for Responsible Business Conduct⁴

UN Guiding Principles on Business and Human Rights⁵

¹ ILO Convention 87 Freedom of Association and Protection of the Right to Organise, 1948

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C087

² ILO Convention 98 Right to Organise and Collective Bargaining, 1949

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100::NO:12100:P12100_ILO_CODE:C098:NO

³ ILO Convention 135 Workers' Representatives Convention, 1971

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312280:NO

⁴ OECD Due Diligence Guidance for Responsible Business Conduct <http://mneguidelines.oecd.org/OECD-Due-Diligence-Guidance-for-Responsible-Business-Conduct.pdf>

⁵ UN Guiding Principles on Business and Human Rights

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



UN Global Compact Guidance for Implementing Modern Slavery Grievance Mechanisms⁶

3. Terms and definitions

- 3.1 **Staff Development:** the function of ensuring that policies, procedures and practices are put in place to develop the skills, knowledge and competencies of all personnel to improve the work efficiency of both for the individual and for the business, looking also to facilitate and enable future growth.
- 3.2 **Representation:** the act of having someone speaking or acting on behalf of another person being “represented”.
- 3.3 **Non-conformance:** Inability to meet the requirements of the standard.
- 3.4 **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)
- 3.5 **Personnel:** All individuals employed or contracted by the facility to perform specified tasks (e.g. directors, managers, warehouse operatives, cleaners, technicians, etc)
- 3.6 **Worker:** All non-management personnel
- 3.7 **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 Staff Development and Representation Standard and Benchmark* is based upon the international normative reference of the International Labour Organisation’s (ILO) “Freedom of Association and Protection of the Right to Organise” Convention 89 (1948), that specifies under Articles 2, 3, 4 and 5:

Article 2

Workers and employers, without distinction whatsoever, shall have the right to establish and, subject only to the rules of the organisation concerned, to join organisations of their own choosing without previous authorisation.

Article 3

1. Workers' and employers' organisations shall have the right to draw up their constitutions and rules, to elect their representatives in full freedom, to organise their administration and activities and to formulate their programmes.

⁶ UN Global Compact Guidance for Implementing Effective Modern Slavery Grievance Mechanisms
https://unglobalcompact.org.au/wp-content/uploads/2021/03/4261-UNGC-Grievance-Mechanisms-GUIDANCE-DOC_28pp-9-FA.pdf



2. *The public authorities shall refrain from any interference which would restrict this right or impede the lawful exercise thereof.*

Article 4

Workers' and employers' organisations shall not be liable to be dissolved or suspended by administrative authority.

Article 5

Workers' and employers' organisations shall have the right to establish and join federations and confederations and any such organisation, federation or confederation shall have the right to affiliate with international organisations of workers and employers.

4.2 In respect of the international normative reference of the ILO “Right to Organise and Collective Bargaining” Convention 98 (1949)”, it is specified under Articles 1 and 2:

Article 1

1. *Workers shall enjoy adequate protection against acts of anti-union discrimination in respect of their employment.*

2. *Such protection shall apply more particularly in respect of acts calculated to--*

- *(a) make the employment of a worker subject to the condition that he shall not join a union or shall relinquish trade union membership;*
- *(b) cause the dismissal of or otherwise prejudice a worker by reason of union membership or because of participation in union activities outside working hours or, with the consent of the employer, within working hours.*

Article 2

1. *Workers' and employers' organisations shall enjoy adequate protection against any acts of interference by each other or each other's agents or members in their establishment, functioning or administration.*

2. *In particular, acts which are designed to promote the establishment of workers' organisations under the domination of employers or employers' organisations, or to support workers' organisations by financial or other means, with the object of placing such organisations under the control of employers or employers' organisations, shall be deemed to constitute acts of interference within the meaning of this Article.*

4.3 In respect of the international normative reference of the ILO “Workers’ Representatives” Convention 135 (1971), it is specified under Articles 1, 2 and 3:

Article 1

Workers' representatives in the undertaking shall enjoy effective protection against any act prejudicial to them, including dismissal, based on their status or activities as a workers' representative or on union membership or participation in union activities, in so far as they act in conformity with existing laws or collective agreements or other jointly agreed arrangements.

Article 2

1. *Such facilities in the undertaking shall be afforded to workers' representatives as may be appropriate in order to enable them to carry out their functions promptly and efficiently.*

2. *In this connection account shall be taken of the characteristics of the industrial relations system of the country and the needs, size and capabilities of the undertaking concerned.*

3. *The granting of such facilities shall not impair the efficient operation of the undertaking concerned.*

Article 3



*For the purpose of this Convention the term **workers' representatives** means persons who are recognised as such under national law or practice, whether they are--*

(a) trade union representatives, namely, representatives designated or elected by trade unions or by members of such unions; or

(b) elected representatives, namely, representatives who are freely elected by the workers of the undertaking in accordance with provisions of national laws or regulations or of collective agreements and whose functions do not include activities which are recognised as the exclusive prerogative of trade unions in the country concerned.

4.4 The governing principle of this Standard and Benchmark is to encourage facilities to actively consider how they can support growth, development and protect the wellbeing of their workforce through the facilitation of mechanisms for complaint and representation, freedom of association and the right to participate and join in worker groups or unions that have freely elected representatives.

4.5 Where there are governing laws that restrict the right to freedom of association or collective bargaining, companies shall allow their workers to freely elect their representatives in the company / state run employee groups or unions.

5. Procedure

The facility will provide data and documentation that demonstrates an effective management system to meet the requirements of the *SLF Staff Development and Representation Standards and Benchmark* as follows:

5.1 Management System: The facility shall have a system in place that provides the facility with a structured staff development plan, policies and procedures to include:

- a. Skills matrixes for different roles
- b. Succession planning criteria
- c. Training programmes
- d. Robust complaints policy and procedure that is accessible to all personnel
- e. Freedom of representation policy and procedures
- f. Clear policies and procedures for disciplinary matters that allow for effective representation

5.2 Randomly selected Interviews will be conducted in the presence of an impartial person where applicable with workers, workers' representatives and if appropriate with civil society organisations to assess opinions about development opportunities and representation of workers.

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