



The Equitable Food Initiative Social Standards, Guidance, & Interpretations

VERSION 2.1, MAY 10TH, 2019

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Responsibility for these Requirements

The EFI Standards Committee has responsibility for this document and will periodically review and update it.

Users should verify that they are using the latest version by checking on the EFI website at: www.equitablefood.org.

Versions Issued

Version No.	Date	Description of Amendment
EFI Standard_June, 2013	June, 2013	First public-facing version of the EFI Standard.
EFI Compliance Criteria_v1.0	January 24, 2014	First public-facing version of the EFI Compliance Criteria.
EFI Compliance Criteria_v1.1	June 30, 2014	Substantial Revision to Criteria Language.
		The EFI Standard_June 2013 and EFI Compliance Criteria_v1.1 (both now obsolete) have been merged and new classifications applied to what constitutes the Standards, Guidance and Interpretations.
EFI Standards_v1.2	January 1, 2015	Additional guidance on the relationship between conformance with the Standards and compliance with the law has been added to the introduction.
		No changes to the content of the indicators or, what was formerly called, the compliance criteria have been made.
EFI Standards, Guidance, & Interpretations_v1.3	September 20 th , 2017	New language for FC 1.1 & 1.2 has been added that shifts the Fair Compensation Standard away from a wage floor in favor of a mechanism for a price premium from the sale of certified product to flow from the buyer through the Grower to Farmworkers.
		Copy edits were made to improve the clarity of the document. The meaning or intent of the Standards, indicators, or guidance was not changed.

Version No.	Date	Description of Amendment
EFI Social Standards, Guidance, & Interpretations_v2.0	November 30 th , 2018	<p>Separated from the EFI Standards, Guidance, and Interpretations as the EFI Social Standards, Guidance, and Interpretations.</p> <p>Standard HS-4 and indicators HS 4.1 and 4.2 have been moved to the EFI Food Safety Standards, Guidance, and Interpretations as Standard AR-15 and indicators AR 15.1 and 15.2. No other changes have been made.</p>
EFI Social Standards, Guidance, & Interpretations_v2.1	May 10 th , 2019	<p>This is a substantive revision of the Social Standards designed to include further measures related to responsible recruitment and to codify that, in some circumstances, required training can be provided by non-EFI trainers.</p>

About the Equitable Food Initiative (EFI)

EFI is a non-profit skill-building and certification organization that brings growers, farmworkers, retailers, and consumers together to create a safer, more equitable food system. This unique approach sets standards for labor practices, food safety and pest management while engaging workers at all levels to address issues and challenges in the produce industry.

Our Mission Statement

To bring together growers, farmworkers, retailers and consumers to transform agriculture and the lives of farmworkers.

We Believe:

- That being a farmworker is a valuable and honorable profession.
- The skills and contributions of farmworkers create a healthier work environment and produce safer food.
- The future of agriculture lies within the collaboration among growers, farmworkers, retailers and consumers.
- By transforming agriculture, we will transform lives.

Introduction

The purposes of the EFI Social Standards, Guidance, and Interpretations [this document] are:

1. To provide standards and indicators that must be conformed to in order to receive and maintain EFI certification;
2. To provide guidance and interpretations for auditors, growers, and Leadership Teams (LTs) on each indicator in order to add clarity to the required performance thresholds and to increase the quality and consistency of the auditing and certifying process; and
3. To provide transparency so the EFI certification program has credibility with stakeholders.

Growers should read this document in conjunction with EFI's Certification Program Summary. Certifying Bodies (CBs) should read this document in conjunction with the EFI's Certification Program Requirements and Certification Program Summary.

Scope

This document covers the requirements of the EFI certification program that have direct impact on how conformity to the EFI Social Standards are determined through the auditing and certifying process.

Guidance & Interpretations

The Guidance & Interpretations in this document are intended to set clear expectations for growers, LTs, and auditors about how conformance with an indicator can be met and measured.

EFI Requirements and Legal Compliance

The EFI standards and indicators establish and describe requirements to be carried out by participating growers, as well as other participants in the EFI system, that are in addition to those required by laws and regulations issued by governments. Neither an employer's policy stating that it will comply with laws and regulations nor actual compliance with laws and regulations will constitute proof of compliance with the EFI requirements when those requirements differ from, augment and/or exceed those in laws and regulations. Thus, under the EFI system, employers are required to comply with applicable laws and regulations regarding terms of employment, but, in addition, are required to comply with terms of employment which may augment and/or exceed what is required by laws and regulations. Consequently, for example, an audit under the EFI system may conclude that an employer complied with what is required by state or federal law, but may conclude that the employer is out of conformance with the EFI's requirements and such nonconformance must be corrected. Accordingly, the approval, implementation and verification of corrective action plans will be based on a grower's compliance with EFI requirements and not merely on compliance with, or policies that are consistent with laws and regulations.

EFI is a voluntary system that is in part an effort to prevent conflicts among stakeholders and to provide effective tools, structures, and training so that stakeholders can resolve disputes amicably and to their mutual satisfaction. The EFI standards are not intended to provide any of the participating entities or persons with any additional rights under law that are not currently afforded under the law.

Section 1. Cross Sectional Standards		CMM	Guidance and Interpretations
Labor Management Cooperation (LMC)			
Standard LMC-1 A Leadership Team has been established for workers and management to share responsibility for compliance with the EFI Standards and contribute to the overall success of the operation, under which workers are knowledgeable, trained, and empowered to ensure compliance with the EFI Standards.			
LMC 1.1	A Leadership Team has been established under the guidance of EFI and has adopted the mission of implementing the EFI Standards.	Critical	For initial audits, a review of an EFI-provided attestation and Leadership Team Interviews (LTIs) shall verify that at least 80% of the Leadership Team (LT) has completed an EFI Leadership Team training course provided by EFI trainers. For verification and recertification audits, a review of an EFI-provided attestation and LTIs shall verify that: 1. At least 50% of the LT has completed the EFI Leadership Team training course led by an EFI or EFI-approved trainer during the current certification cycle; and 2. At least 80% of the LT has completed EFI-accredited training led by an EFI or EFI-approved trainer during the current certification cycle.
LMC 1.2	Leadership Team includes representatives of management and workers in non-management positions. Worker representatives are selected by workers to represent all job categories, gender, and specific demographic interests, including indigenous and disabled workers. The term “workers” is intended to include those hired or supervised directly by the farm operation as well as those hired or supervised by farm labor contractors, temporary agencies, and other Labor Providers.	Major	A document review shall verify that EFI has provided an attestation related to LT training prior to each audit.
LMC 1.3	Leadership Team maintains minutes for each meeting and posts minutes in a public place.	Major	A document review and visible observation shall verify that: 1. Minutes are kept for each LT meeting; 2. Most recent meeting minutes are posted where all workers can access them; and 3. Minutes are archived and accessible on request from the formation of the LT, or for two years, whichever is lesser.
LMC 1.4	Members of the Leadership Team are publicly identified to workers.	Minor	Worker interviews (WIs) shall verify that workers are able to correctly identify at least one member of the LT or are able to identify how to find that information.
LMC 1.5	Minutes include reports from Leadership Team members from each work area as to any compliance concerns, proposed remedies, and status of those remedies.	Major	A review of LT meeting minutes shall verify that adequate documentation has been made of any identified: 1. Concerns about conformity to the EFI Standards; 2. Status of unresolved action items; and 3. Resolution of action items.
LMC 1.6	Leadership Team meets with sufficient regularity to ensure the timely resolution of any issues related to compliance with the EFI Standards.	Major	A review of LT meeting minutes and LTIs shall verify that the frequency of LT meetings was sufficient for addressing identified issues within a timeframe appropriate to the severity of the risks presented by the issues.
LMC 1.7	All trainings pertaining to the EFI Standards occur on the clock.	Minor	Training schedules and payroll records shall verify that workers were paid to attend any trainings related to the on-going conformity with the EFI Standards.
LMC 1.8	No punitive measures are taken in retaliation for participation on the Leadership Team, including being disciplined, reassigned, rescheduled, suspended, or fired.	Critical	LTIs and a document review shall verify that there is no evidence of punitive or retaliatory action taken in relation to LT membership.

Section 1. Cross Sectional Standards		CMM	Guidance and Interpretations
Non-retaliation (NR)			
Standard NR-1 There is no retaliation against workers or management representatives for participating in the monitoring, assessment, and enforcement practices required under the EFI Standards.			
NR 1.1	Workers and management representatives are not fired or otherwise retaliated against for documenting and/or reporting alleged violations of the EFI Standards, for participating in the on-going auditing and compliance with the EFI Standards, or for encouraging coworkers to take similar action.	Critical	LTIs, WIs, and a document review shall verify that there is no evidence or records of punitive or retaliatory action taken in relation to documenting or reporting alleged violations of the EFI Standards, for participating in the on-going auditing and compliance with the EFI Standards, or for encouraging coworkers to take similar action.
NR 1.2	Disciplinary action taken close in time to participation in the monitoring, assessment, and enforcement practices required under the EFI Standards creates a presumption of retaliatory motive. Under such circumstances, the burden of proof shifts to the employer to show absence of retaliation through the processes of the dispute settlement mechanism.	Major	A document review and WIs shall verify that the employer bears the burden of proof that disciplinary action taken close in time to an EFI audit is not retaliatory and the presumption of retaliatory motive was applied.
NR 1.3	Policies and procedures are in place and implemented to prevent behavior that is inconsistent with this standard.	Major	A document review verifies that a written policy exists that forbids retaliation as a form of disciplinary action.
Compliance with Law (CL)			
Standard CL-1 Employer complies with national, state, and local laws regarding labor, food safety, and pesticides.			
CL 1.1	Employer complies with national, state, and local laws regarding the following: 1. Labor relations and employment, including but not limited to Social Security insurance, unemployment compensation, state and federal wage-hour laws, state agricultural labor relations laws, anti-discrimination laws, farm labor contractor laws, and, when applicable, housing and transportation safety requirements; 2. A business license, if required; and 3. Food safety laws and regulations in the country of production and the country of intended distribution.	Major	A review of the Employer Attestation shall verify that the operation is in compliance with the law. Any allegations or findings of violations of law by the employer or active Labor Providers since the Declaration of Audit Readiness have been documented and the current status or resolution of each allegation or finding has been provided in writing to the auditor. The review shall verify that frequent and/or significant legal activity in areas covered by the Standards has not taken place.
CL 1.2	When a federal, state, or local agency of government, or a court, issues a decision or recommendation finding violation of laws or regulations, the employer provides prompt notice to EFI, including a copy of the relevant documents.	Minor	A document review of records sent to EFI by the Grower concerning legal compliance as well as a document review received by EFI shall verify that all decisions and findings pertaining to a violation of laws or regulations has been provided to EFI.
CL 1.3	The methods and responsibility for ensuring the operation is kept informed of changes to relevant legislation, scientific and technical developments, and relevant industry codes of practice are documented and implemented for both the country of production and the country of intended distribution.	Minor	A document review shall verify that there is a written policy on the methods and responsibility for ensuring the Grower is kept informed of changes to relevant legislation, scientific and technical developments, and relevant industry codes exists and has been implemented for both the country of production and the country of intended distribution.
CL 1.4	Bribery is strictly prohibited.	Major	A document review shall verify that engaging in bribery is prohibited.

Section 2. Labor Standards		CMM	Guidance and Interpretations
Worker Health and Safety (HS)			
Standard HS-1 Systems have been established and implemented that provide workers with a safe and healthy work environment and minimize occupational injuries, illnesses, and fatalities.			
HS 1.1	Management, in collaboration with the Leadership Team, takes responsibility for identifying, reviewing, and resolving workplace health and safety issues, including but not limited to first aid, pesticide safety, transportation safety, reducing and responding to heat stress, and preventing and responding to sexual harassment.	Major	A document review, management interviews and LTIs shall verify that there is a written and implemented policy for identifying, reviewing, and resolving workplace health and safety issues. The policy, and its implementation, shall include collaboration with the Leadership Team.
HS 1.2	There is a health and safety manager on staff of the employer or through a third-party contractual arrangement.	Minor	A document review shall verify that one person on staff or a contracted third-party has the delegated responsibility for managing health and safety.
HS 1.3	Leadership Team maintains a written record of worker-generated occupational safety complaints and concerns, as well as remediation actions.	Minor	A review of LT Minutes shall verify that worker-generated occupational safety concerns and complaints have been documented, analyzed, and acted upon.
HS 1.4	Workers are informed that they can address occupational safety complaints and concerns through the Leadership Team.	Major	WIs shall verify that workers are aware that they can address occupational safety complaints and concerns through the LT.
HS 1.5	The health and safety manager, in partnership with the Leadership Team, ensures that all worker safety protocols are communicated to workers.	Minor	WIs shall verify that safety protocols have been communicated.
HS 1.6	Records of occupational injuries, illnesses, and deaths are created promptly and maintained. Non-confidential documentation of particular incidents is provided promptly to Leadership Team following any and all work-related injuries, illnesses, and fatalities.	Minor	A review of the OSHA log and LT minutes shall verify that non-confidential data regarding all workplace injuries, illnesses, and deaths are provided to the LT with a frequency appropriate to the significance of the event.
HS 1.7	Workers are not forced to work in any situation which poses risk to their health or, if they are pregnant, to the health of their fetus. If these circumstances are present, workers are reassigned to an alternative position.	Minor	A document review shall verify that there is a written policy that no worker will be compelled to work in a situation that poses serious risks of injury, illness, or death to the worker or, where applicable, that of their fetus. WIs shall verify that workers are not compelled to work in a situation that poses serious risks of injury, illness, or death to the worker.
HS 1.8	No punitive measures are taken against workers for summoning emergency services or reporting incidents to government agencies.	Major	WIs shall verify that no punitive measures are taken against workers for summoning emergency services or reporting incidents to government agencies.
HS 1.9	Rates of occupational injuries, illnesses, and deaths are monitored and analyzed.	Minor	A document review shall verify that the numbers, types, and dates of all occupational injuries, illnesses, and deaths are recorded and periodically analyzed to detect any trends and/or issues.
Standard HS-2 Workers are provided adequate equipment to prevent injuries, illness, and deaths.			
HS 2.1	A process is in place, including provision of equipment, first aid kits, and training as needed, to minimize occupational dangers that pose risk of serious injury, serious illness, or death.	Major	A review of training materials, training records, LT Minutes, and other documents shall verify that equipment and training have been provided and/or modification of work practices implemented to minimize occupational dangers. WIs and visual observation confirm first aid kits are well-stocked and accessible.
HS 2.2	Employers provide workers with equipment and clothing that is appropriate to their tasks and necessary to minimize illnesses and injuries. The equipment and clothes are provided free of charge.	Minor	WIs (including Pesticide Applicator Interviews (PAIs)) and visual observation shall verify that Personal Protective Equipment (PPE) has been provided free of charge to workers exposed to hazards.

Section 2. Labor Standards		CMM	Guidance and Interpretations
HS 2.3	A process is in place to ensure that equipment is properly maintained.	Minor	WIs (including PAIs) and visual observation shall verify that PPE is stored and maintained properly.
Standard HS-3 Workers receive workers' compensation insurance coverage.			
HS 3.1	Workers' compensation coverage is provided to all workers, even if state law excludes agricultural employers or workers.	Major	A document review shall verify that all workers have workers' compensation coverage.
HS 3.2	At a minimum, workers' compensation benefit levels are equivalent to those afforded to non-agricultural workers in that state.	Minor	A review of the workers' compensation insurance policy shall verify that it is equal to or greater than the state legislated minimum for non-agricultural workers.
Standard HS-4 The risk of workers' and bystanders' exposure to pesticides is minimized.			
HS 4.1	Pesticide applications strictly adhere to all directions specified on the pesticide label, including use of PPE and re-entry intervals for field and enclosed production sites. Employer instructs employees and contracted third-parties to meet this obligation. Leadership Team is notified whenever there is an application of conventional pesticides (natural enemies or other biologicals are exempted). Notification includes pesticide name, dates, and place of application.	Minor	Visual observation shall verify that pesticide application records are posted. A document review shall verify that pesticide application(s) strictly adhere to all directions specified on the pesticide label.
HS 4.2	Records of all pesticide applications are maintained for at least three years and are accessible to workers. Records shall include information on the date of application, the name of the pesticide/agricultural chemical used, the active ingredient, the crop sprayed, the concentration, method, frequency, and total amount used for each application, the size of treatment area, and records on harvesting to verify that the time between application and harvesting respects the required pre-harvest interval.	Minor	A document review shall verify that pesticide application records are accessible to workers. Records shall include information on the date of application, the name of the pesticide/agricultural chemical used, the crop sprayed, the concentration, method, and frequency of application, and records on harvesting to verify that the time between application and harvesting respects the required pre-harvest interval.
HS 4.3	Workers are trained upon hire and at least annually on their specific roles in pesticide risk reduction.	Major	A document review shall verify that workers have been trained at least annually on pesticide risk reduction relevant to their specific roles.
HS 4.4	A system is in place for workers and neighbors to report and employers to track pesticide exposures attributed to pesticide use on farm or on a neighboring farm.	Minor	A document review shall verify the existence of a reporting system for receiving and acting upon reports from workers and neighbors regarding possible exposure to crop protection materials.
Standard HS-5 Pesticide handlers follow all required practices to protect themselves and others from pesticide exposure. Medical monitoring and response procedures are in place to detect and address excessive exposure.			
HS 5.1	All PPE specified on the pesticide product label is provided by employers and is clean and in good repair.	Minor	PAIs, visual observation, and a document review shall verify that PPE is provided to all those who handle hazardous substances and is maintained and stored properly.
HS 5.2	Workers use required PPE and follow directions for use.	Minor	PAIs and visual observation shall verify that all workers use PPE in accordance to label instructions when working with or around pesticides.
HS 5.3	All pesticide mixing and loading occurs in a designated, clean, well-ventilated room or area with accurate and clean measuring equipment.	Minor	PAIs and visual observation shall verify that pesticide mixing and loading occurs in a designated, clean, well-ventilated room or area with accurate and clean measuring equipment.
HS 5.4	Closed systems are used for mixing or loading pesticides labeled with "DANGER."	Major	PAIs and visual observation shall verify that closed systems are used for mixing or loading pesticides labeled with "DANGER".

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HS 5.5	Workers handling organophosphate or carbamate pesticides labeled with the signal word "DANGER" or "WARNING" are medically monitored.	Major	PAIs, management interviews, and a document review shall verify that workers handling organophosphate or carbamate pesticides labeled with the signal word "DANGER" or "WARNING" have been medically monitored and test results analyzed and acted upon as required.
Standard HS-6 Ergonomics protocols are in place and being implemented.			
HS 6.1	Management, in collaboration with the Leadership Team, develops a Repetitive Motion Injury (RMI) Prevention Plan, covering each job, process or operation, or a representative number of such jobs, processes, or operations at the operation.	Major	A review of the RMI Prevention Plan shall verify that management, in collaboration with the LT, have assessed the RMI risk for all jobs and process on the operation and documented prevention strategies.
HS 6.2	For any repetitive motions that are deemed to pose a risk of RMIs, management, in collaboration with the Leadership Team, develops a work plan to correct the RMI exposure, or, if the exposure cannot be corrected in a timely manner, the exposure is minimized to the extent feasible. Management, in collaboration with the Leadership Team, implements engineering controls, such as work station redesign, adjustable fixtures, or tool redesign, and administrative controls, such as job rotation, work pacing, or work breaks to minimize the risk of RMIs.	Minor	A document review and visual observation shall verify that the RMI Prevention Plan has been implemented and/or updated consistent with continuous improvement.
HS 6.3	Workers' training includes an explanation of: 1. The worksite evaluation; 2. The exposures which have been associated with RMIs; 3. The symptoms and consequences of injuries caused by repetitive motion; 4. The importance of reporting symptoms and injuries to the employer; 5. The responsibility of the Leadership Team to minimize RMIs; 6. The ability of workers to provide input and suggestions for an RMI Prevention Plan; and 7. Methods recommended by the Leadership Team to minimize RMIs.	Major	A review of training materials and training records shall verify that workers have been trained on: 1. Worksite evaluation; 2. Exposures which have been associated with RMIs; 3. Symptoms and consequences of injuries caused by repetitive motion; 4. Importance of reporting symptoms and injuries to the employer; 5. Ability of workers and the LT to provide input and suggestions to the RMI Prevention Plan; and 6. Methods recommended by the LT to minimize RMIs.
HS 6.4	Hand-weeding is prohibited unless the employer demonstrates the unsuitability of the use of a long-handled tool or other reasonable alternative means of performing the work. In the limited circumstances for which hand-weeding is required, number of hours of hand-weeding by workers is limited and special rest periods apply.	Minor	A document review and visual observation shall verify that there is a written policy concerning hand weeding that has been implemented.
Standard HS-7 Physical, psychological, and verbal abuse are not tolerated.			
HS 7.1	A policy is in place which prohibits physically, psychologically, and verbally abusive behavior by workers, supervisors, and managers in the workplace.	Minor	A document review shall verify that there is a written policy that prohibits physically, psychologically, and verbally abusive behavior by workers, supervisors, and managers.

Section 2. Labor Standards		CMM	Guidance and Interpretations
Freedom of Association (FOA)			
Standard FOA-1 Employers recognize workers' freedom of association and right to organize.			
FOA 1.1	The employer's policy states that: 1. Workers have the right to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, and shall also have the right to refrain from such activities. 2. The Employer will not interfere with, restrain, or coerce workers in the exercise of these rights. 3. The Employer will not dominate or interfere with the formation or administration of any labor organization.	Major	A document review shall verify that the employer has a written policy on freedom of association that includes assurances that: 1. Workers have the right to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, and shall also have the right to refrain from such activities. 2. The Employer will not interfere with, restrain, or coerce workers in the exercise of these rights. 3. The Employer will not dominate or interfere with the formation or administration of any labor organization.
FOA 1.2	Workers are not discriminated or retaliated against in hiring or tenure of employment, or any term or condition of employment, for engaging in the above-mentioned activities under the freedom of association policy.	Major	WIs and a document review shall verify that workers' rights under the freedom of association policy have not been interfered with or restrained, or that there has not been coercion, discrimination, or retaliation against them in hiring, tenure of employment, or any term or condition of employment, for engaging in the activities covered under the freedom of association policy.
FOA 1.3	No punitive measures are taken against any worker for reporting alleged violations of law to government authorities.	Critical	WIs shall verify that workers have not had punitive measures taken against them for reporting alleged violations of law to the government.
FOA 1.4	No punitive measures are taken against any worker for seeking medical or legal assistance.	Major	WIs shall verify that workers have not had punitive measures taken against them for seeking medical or legal assistance.
FOA 1.5	No punitive measures are taken against any worker for joining or supporting a political party of his/her choice, or participating in community organizations, so long as it does not disrupt work operations.	Major	WIs shall verify that workers have not had punitive measures taken against them for joining or supporting a political party of their choice or participating in community organizations, so long as it does not disrupt work operations.
Fair Compensation (FC)			
Standard FC-1 EFI creates opportunity to generate value for all stakeholders in the food production system (supply chain), including workers, employers, and retailers/buyers, and to improve compensation and conditions of employment for workers.			
FC 1.1	The Employer shall account for all monies received from customers that are designated as an EFI Premium.	Critical	The protocols in the current version of <i>Auditor Guidance for Assessing FC 1.1 & 1.2</i> shall be used to verify the amount of EFI Premium remitted to the Employer.
FC 1.2	The EFI Premium Account shall be allocated to workers in return for the additional responsibilities required of workers on an EFI-certified operation.	Major	The protocols in the current version of <i>Auditor Guidance for Assessing FC 1.1 & 1.2</i> shall be used to verify that the correct amount of the EFI Premium was allocated towards increased compensation for workers and the resulting additional employer tax burden.
FC 1.3	A process is in place and operating to guarantee that legally required hourly wage rates apply to both work and break time, even when workers are paid by piece rate.	Minor	A document review shall verify that a process is in place and operating to guarantee that legally required hourly rates apply to both work and break time, even when workers are paid by piece rate.

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FC 1.4	<p>Upon starting their employment, workers are provided the following information:</p> <ol style="list-style-type: none"> 1. The terms and conditions of employment, including the length of employment, pay rate, regular pay date, the name, address, and telephone number of the employer; 2. If the employer is a Labor Provider, the name of the employer for which work is being performed; 3. An accurate description of the piece rate system, which includes the definition of a complete piece, identifies all piece rates (including variable piece rates), discloses the system for recording production, and sets forth any productivity requirements; and 4. The name, address, and telephone number of the workers' compensation insurance carrier. <p>If a worker is recruited in the sending country, these terms and conditions shall be provided at their time of recruitment in a language they can understand and in a written, readable format.</p> <p>These terms and conditions should not be changed without the worker's knowledge or consent.</p>	Minor	<p>A document review shall verify that for direct hires, workers have signed and accepted the terms and conditions of employment at the onset of employment.</p> <p>If recruited in the sending country, workers have signed and accepted the terms and conditions of employment at the time of recruitment.</p> <p>These terms and conditions shall not have changed without the signed consent of the worker.</p>
FC 1.5	<p>Workers receive pay at the appropriate rates and according to the regular pay date for all time worked as defined in the EFI Social Standards. Other than lawfully required deductions, no other deductions are made without the written consent of the worker. Financial disciplinary action is prohibited.</p>	Minor	<p>WIs and a document review shall verify that workers have been correctly paid for all time worked, including for training and LT participation.</p> <p>WIs and a document review shall verify that:</p> <ol style="list-style-type: none"> 1. There have been no deductions other than those legally required that have not been authorized in writing by the worker; 2. That all payments are made according to the regular pay date; and 3. There has been no financial disciplinary action.
FC 1.6	<p>Once an operation is EFI-certified, three-day paid bereavement leave is available to workers for the death of an immediate family member. The term "immediate family" is defined to include the mother, father, brother, sister, domestic partner, spouse, child, mother-in-law, or father-in-law of the worker.</p>	Minor	<p>Instructions for Initial Audit: If not currently in compliance with this indicator, a posted statement from the employer shall verify the employer's commitment to make paid bereavement leave available to workers upon certification.</p> <p>If currently in compliance with this indicator or for Verification and Re-certification Audits: A document review shall verify that paid bereavement leave is available to workers.</p>
Fair Working Conditions (FWC)			
Standard FWC-1 A transparent and clear policy and system for disciplinary measures exists and is communicated to workers. The system includes fair warning principles and disciplinary actions that are proportionate to the conduct in question.			
FWC 1.1	<p>A written, transparent, and clear policy exists and is in operation for disciplinary measures and is communicated effectively to workers by employers, in the language primarily understood by the workers. It provides:</p> <ol style="list-style-type: none"> 1. A clear statement of what constitutes acceptable behavior in the workplace; 2. A fair and transparent framework to follow when there are allegations of misconduct; and 3. A clear understanding of what behaviors lead to disciplinary action and what those disciplinary actions are. <p>The disciplinary actions are progressive in nature, from verbal warning to written warning to suspension up to and including termination.</p>	Minor	<p>A document review shall verify that a written disciplinary measures policy exists and has been communicated to workers that includes:</p> <ol style="list-style-type: none"> 1. A statement of what constitutes acceptable behavior in the workplace; 2. A fair and transparent framework to follow when there are allegations of misconduct; 3. A clear understanding of what behaviors lead to disciplinary action and what those disciplinary actions are; and 4. Disciplinary actions are to be progressive in nature, from verbal warning to written warning to suspension up to and including termination.

Section 2. Labor Standards	CMM	Guidance and Interpretations
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Standard FWC-2 An accurate, reliable, and transparent time-keeping system, which records the time that each worker starts and leaves work, is maintained, and workers are compensated properly for all time worked.

FWC 2.1	Time spent at work is recorded accurately. The Employer and worker both have access to documentation of the time workers start and finish work each day.	Minor	A document review shall verify that workers and Employers have access to accurate data from a work-time recording system.
FWC 2.2	In cases where an Employer fails to maintain accurate time records, the worker's recollection of hours worked prevails.	Minor	A document review shall verify that in cases where the Employer fails to maintain accurate time records, the worker's recollection of hours worked have been applied to calculate wages owing.
FWC 2.3	In cases where workers are required by the Employer to be transported to work, the work time begins at the time the worker boards the employer-designated transportation and ends upon disembarking.	Minor	A document review shall verify that workers are paid for time spent on employer-designated transportation.
FWC 2.4	All time spent at work is compensated at the appropriate wage rate.	Major	A document review shall verify that workers have been compensated at the correct wage rate.

Standard FWC-3 Working hour requirements are reasonable, rest breaks and meal periods are provided, and overtime work is strictly voluntary.

FWC 3.1	There is no retaliation against any worker who declines to accept overtime work. "Overtime work" is defined as more than 10 hours of work per day or 60 hours of work per week.	Minor	WIs and a document review shall verify that no punitive or retaliatory action has been taken against workers who have declined to work more than 10 hours per day or 60 hours per week.
FWC 3.2	Workers receive a paid 15-minute rest period, which insofar as practical, will be in the middle of the four-hour period.	Minor	A document review shall verify that workers received a paid 15-minute rest period in the middle of, as much as practical, each contiguous four-hour period.
FWC 3.3	Workers receive a 30-minute unpaid lunch break for each five hours worked.	Minor	A document review shall verify that workers received a 30-minute unpaid lunch break for each five hours worked.
FWC 3.4	Workers are compensated for all time under the direction and control of the Employer whether or not actual work is being performed.	Minor	A document review shall verify that workers are compensated for the entire time they are under the direction and control of the Employer.

Standard FWC-4 Slavery, human trafficking, and forced labor, including bonded or prison labor, do not occur.

FWC 4.1	Farm owners, managers, labor providers, and/or others do not hold, for any reason, any part of the worker's salary, benefits, property, or documents.	Critical	WIs, visual observation, and a document review shall verify that: 1. Workers maintain control of personal possessions, including legal documents such as passports, visas, or identification; and 2. There are no deductions from worker pay or retention of documents or property related to recruiting fees or otherwise compelling workers to remain employed by the company.
FWC 4.2	The Employer refrains from any form of physical or psychological measures requiring workers to remain employed by the company.	Major	WIs shall verify that physical or psychological measures are not used to compel a worker to remain in the employ of the company.
FWC 4.3	Usurious interest rates or unreasonable terms on loans made to workers are prohibited.	Minor	A document review shall confirm that when pay advances or loans are made to workers, that: 1. Any reasonable wage reductions for repayments are disclosed and agreed to in writing prior to any deduction; 2. Repayment terms do not inflate the worker's indebtedness or cause the worker to be bound to the employer; and 3. Authorized wage deductions are within legal limits and ensure sufficient income for necessities, except for the final wage payment, which may be used to discharge any remaining debt.

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FWC 4.4	Bonded labor does not occur.	Critical	WIs and a document review shall verify that bonded labor does not occur.
FWC 4.5	There is no use of prison labor.	Critical	A document review shall verify that there has been no use of prison labor.
FWC 4.6	There is no use of slave or trafficked labor.	Critical	WIs and a document review shall verify that there has been no use of slave or trafficked labor.
Standard FWC-5 Child labor does not occur.			
FWC 5.1	Employers verify documentation that establishes that a worker is of the legal age to work.	Minor	Visual observation and a document review shall verify that there is a documented age verification process for workers upon first hire.
FWC 5.2	No person is employed or has access to any work areas at an age younger than 16.	Critical	WIs, visual observation, and a document review shall verify that no person under the age of 16 is employed or has access to any work areas. Access to work areas for children can be granted only in the case of supervised tours or community programs.
FWC 5.3	No person under the age of 18 undertakes hazardous work, i.e. work which by its nature or circumstance is likely to harm the health or safety of the worker or working hours that conflict with compulsory education.	Major	WIs, visual observation, and a document review shall verify that there is a written and implemented policy that workers under the age of 18: 1. Shall not undertake hazardous work; and 2. Shall not work during hours that conflict with compulsory education.
Non-discrimination (ND)			
Standard ND-1 There is no discrimination against any worker on the basis of age, race, color, sex, sexual orientation, religion, national origin, ethnicity, trade union membership, disability, pregnancy, family status, or any other legally protected status.			
ND 1.1	A policy is in place which ensures that none of the forms of discrimination listed above occur in hiring, compensation, promotion, transfer, assignments, lay-off, recall, or termination decisions.	Major	A document review shall verify that a written policy exists that prohibits discriminating in hiring, compensation, promotion, transfer, assignments, lay-off, recall, or termination decisions against any worker on the basis of age, race, color, sex, sexual orientation, religion, national origin, ethnicity, trade union membership, disability, pregnancy, family status, or any other legally protected status.
ND 1.2	The non-discrimination policy is clearly posted at every worksite.	Minor	Visual observation shall verify that the non-discrimination policy is posted.
ND 1.3	No discrimination in hiring, termination, or other adverse actions occur for pregnancy, lactation, or maternal leave following childbirth.	Major	WIs and a document review shall verify that: 1. Employers do not ask female workers about pregnancy status; 2. Employees shall be informed regarding occupational health risks for pregnant women; 3. Pregnancy testing and medical tests are not administered either during the hiring process or during employment; and 4. No punitive or retaliatory action for pregnancy, lactation, or maternal leave following childbirth has occurred.
ND 1.4	Workers, including indigenous workers, are allowed to communicate in their native languages.	Minor	WIs and observation shall verify that workers are not punished or discouraged from communicating in their native languages.
Standard ND-2 Sexual harassment is not tolerated and there are policies in place to ensure a prompt and impartial investigation of any sexual harassment claims. Sexual harassment includes any insult or inappropriate remark, joke, insinuation, or comments on a person's dress, physique, age, or family situation; a condescending or paternalistic attitude, with sexual implications undermining dignity; any unwelcome invitation or request, implicit or explicit, whether or not accompanied by threats, any lascivious look or other gesture associated with sexuality; and any unnecessary physical contact, such as touching, caressing, or pinching.			
ND 2.1	Sexual harassment of any sort is strictly prohibited, and penalties for acts of harassment are clearly stated.	Major	A document review shall verify that there is a written policy that defines and prohibits sexual harassment, and clearly states consequences for acts of harassment.

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ND 2.2	Sexual harassment awareness training is provided upon hire to all workers, supervisors, and management.	Minor	WIs, management interviews, and a review of training materials and records shall verify that upon hire all workers receive training on the sexual harassment policy.
ND 2.3	Leadership Team has both a designated female and male lead designated as liaisons to management, available to help address issues related to sexual harassment, sexual violence, and discrimination.	Minor	A document review shall verify that there is both a female LT member and a male LT member designated as liaisons to management, available to help address issues related to sexual harassment.
ND 2.4	Posted policies are in place which describe how claims of sexual harassment will be investigated. The confidentiality of all individuals involved will be protected, to the extent possible.	Minor	Visual observation shall verify that the sexual harassment policy is posted.
Dispute Settlement (DS)			
Standard DS-1 There is a clear and effective dispute settlement mechanism in place to ensure transparent resolution of workplace disputes between workers and owners or management when they occur.			
DS 1.1	Leadership Team is trained on interest-based issue resolution.	Minor	A review of the EFI attestation shall verify that interest-based issue resolution training has been completed during the current certification cycle.
DS 1.2	Workers and management have a process through which they may engage in dialogue to resolve workplace issues and violations of the EFI Standards, including retaliatory actions and unjust firings. If the parties are unable to reach agreement on a non-EFI Standards related issue, workers or the employer have access to a multi-level appeal procedure.	Major	A document review of the dispute resolution policy shall verify that it: 1. Details a process for workers and the Employer to engage in dialogue to resolve workplace issues and violations of the EFI Standards, including retaliatory actions and unjust firings; and 2. Includes a provision that, if the parties are unable to reach agreement on a non-EFI Standards related issue, workers or the Employer have access to a multi-level appeal procedure. WIs shall verify that the dispute resolution policy has been implemented. LTIs shall verify that the Leadership Team has reviewed the Employer's dispute resolution mechanism and procedures, gathers nonconfidential data on implementation as appropriate, and formulates recommendations as needed to ensure proper implementation of the dispute resolution mechanism and procedures.
DS 1.3	Workers and managers are trained as to their respective roles, rights, and responsibilities under the EFI Standards.	Major	LTIs, WIs, and management interviews shall verify that workers and managers are trained as to their respective roles, rights, and responsibilities under the EFI Standards.
DS 1.4	Workers and Employers are not required to and do not waive legal remedies.	Major	A document review shall verify that no evidence exists that workers or the Employer have waived remedies open to them under the legal jurisdictions in which they operate.
Employer-Provided Housing (EPH)			
Standard EPH-1 If the Employer or Labor Provider provides workers with housing, the conditions and the infrastructure of the housing ensure decency, privacy, and security, and housing is provided at reasonable or no cost.			
EPH 1.1	All beds have clean, sanitary mattresses.	Minor	Visual observation and a document review shall verify that all beds have clean, sanitary mattresses.
EPH 1.2	Adequate ventilation exists to ensure the indoor temperature does not exceed 80°F or 27°C.	Minor	Visual and temperature observation shall verify that adequate ventilation is provided that maintains an indoor air temperature at or below 80°F or 27°C.

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EPH 1.3	All windows that open have screens.	Minor	Visual observation and physical testing shall verify that all windows and doors which open are equipped with screens.
EPH 1.4	Doors to the outside lock from the inside.	Minor	Visual observation and physical testing shall verify that doors and windows lock from the inside.
EPH 1.5	Heat is supplied when the outdoor temperature drops below 60°F or 15.5°C.	Minor	WIs, visual and temperature observation shall verify that heating is supplied whenever the outdoor temperature drops below 60°F or 15.5°C
EPH 1.6	Running water, clean drinking water, and sanitary facilities are provided at all times. If common bathrooms and showers are provided, such facilities are provided separately for men and women.	Minor	WIs and visual and physical observation shall verify that housing has: 1. Running water; 2. Clean drinking water; and 3. Operating sanitary facilities, which are provided separately for men and women where common bathrooms and showers are provided.
EPH 1.7	Secure facilities whereby workers may store their personal possessions under lock and key are provided.	Minor	Visual observation shall verify that housing has secure storage facilities where workers may store their personal possessions under lock and key.
EPH 1.8	Workers are not charged a fee for transportation to the worksite from Employer-owned or -provided housing.	Minor	WIs and a review of records shall verify that there has been no charge for transport to and from Employer-provided housing and the work site.
EPH 1.9	Workers have the right to invite any guests of their choosing into their Employer-provided housing, subject to the legitimate right of the Employer to prevent criminal activity from occurring on the premises and subject to legal obligations established under state or federal laws.	Minor	WIs and a document review shall verify that workers are able to invite any guests of their choosing into their Employer-provided housing, subject to the legitimate right of the Employer to prevent criminal activity from occurring on the premises and subject to legal obligations established under state or federal laws.
EPH 1.10	Workers have privacy in their living quarters and sanitary facilities.	Minor	WIs and visual observation shall verify that workers have privacy in their living quarters and sanitary facilities.
EPH 1.11	Laundry facilities are provided.	Minor	Visual observation shall verify that operating laundry facilities are provided.
EPH 1.12	Workers have access to essential services, including religious services, medical attention, cultural events, Laundromats, and shopping, at least once per week.	Minor	WIs and a document review shall verify that workers have meaningful and reasonable access to essential services, which include to obtain timely medical attention, attend cultural events, and, no less than once per week, to make use of Laundromats, go shopping, and attend religious services. Document review shall include logs and other documents regarding transportation provided to or arranged for workers.
Standard EPH-2 Housing for workers complies with all federal, state, and local regulations, including regulations promulgated by state or local environmental health authorities.			
EPH 2.1	Housing inspections occur prior to occupancy.	Minor	A document review shall verify that housing has been inspected and found to be in compliance with relevant state and federal regulations prior to occupancy or on an annual basis.
Standard EPH-3 Auditors and other representatives of EFI have unimpeded, unannounced access to housing.			
EPH 3.1	Employers or Labor Providers agree to permit unimpeded access to housing.	Major	Certification Body (CB) has unimpeded access to housing for all members of an audit team.
EPH 3.2	Unimpeded access to housing is provided to assessors and other representatives of EFI.	Major	Representatives of the CB and EFI have unimpeded access to housing.

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Fair Labor Recruitment (FLR)		
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Standard FLR-1 The recruitment of all workers, including through Labor Providers, occurs in a transparent and fair manner. Employment is provided free of cost and without prejudice.		
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FLR 1.1	All Labor Providers comply with all applicable laws in each worker's country of origin and the country of employment.	Major	<p>A document review shall verify that all Labor Providers engaged or utilized by the Employer to recruit and hire workers have disclosed the country of origin of each worker and provided credible documentation establishing compliance with that nation's, and the destination nation's, laws and regulations.</p> <p>Where such documentation is not available, a document review shall verify that Labor Providers engaged or utilized by the Employer have provided a signed attestation of compliance with that nation's laws and regulations.</p>
FLR 1.2	The Employer immediately provides the name, phone number, email, and physical address of the Labor Provider in the foreign country to EFI or its designee and worker representation organization or labor union.	Minor	A document review shall verify that the Employer provided EFI immediately upon engagement the contact information of Labor Providers to EFI or its designee.
FLR 1.3	The Employer instructs the Labor Provider in the foreign country to fully and transparently cooperate with representatives of EFI and worker representative organization or labor union to ensure all standards are met.	Major	A document review shall verify that the contract between an Employer and a Labor Provider stipulates that the Labor Provider transparently cooperates with representatives of EFI and the CB to ensure all standards are met.
FLR 1.4	Workers do not pay recruitment, visa or, other costs or fees related to employment.	Major	WIs and a document review shall verify that workers have not paid any recruitment or other fees.
FLR 1.5	An action plan assesses gender equity in Guest Worker visa program hiring and identifies milestones for achieving greater gender balance.	Minor	A document review shall verify that the Employer has a written action plan to assess the gender equity in Guest Worker recruitment and hiring. This plan shall include steps, and establish significant milestones, for achieving gender balance.

Worker Involvement – Labor (WI-L)		
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Standard WI-L-1 Workers have been informed about and show an understanding of their rights and responsibilities guaranteed in accordance with the EFI Social Standards.		
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WI-L 1.1	Workers have been informed about and show an understanding of their rights and responsibilities with regard to workers' compensation coverage.	Major	WIs and a document review shall verify that workers have been informed about and show an understanding of their rights and responsibilities with regard to workers' compensation coverage.
WI-L 1.2	Workers have been informed about and show an understanding of the minimum required pay rates, benefits, breaks, lunch breaks, child labor prohibitions, and the written disclosure of their terms and conditions afforded in the EFI Social Standards.	Major	<p>WIs and a document review shall verify that workers have been informed about and show an understanding of their rights and responsibilities with regard to:</p> <ol style="list-style-type: none"> 1. Minimum required pay rates; 2. Fringe benefits; 3. Breaks and lunch breaks; 4. Child labor prohibitions; and 5. Written disclosure of the terms and conditions of their employment established in the EFI Social Standards, and any additional terms and conditions.
WI-L 1.3	Workers have been informed about and show an understanding of the no-retaliation policies within the EFI Social Standards.	Major	WIs and a document review shall verify that workers have been informed about and show an understanding of the EFI Social Standards' policies that prohibit retaliation against workers for engaging in certain activities or holding a certain status.

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WI-L 1.4	Workers have been informed about and show an understanding of the process by which workplace issues are resolved.	Major	WIs and a document review shall verify that workers have been informed about and show an understanding of the process by which workplace issues are resolved.
WI-L 1.5	Workers have been informed about and show an understanding of the role of the Leadership Team.	Major	WIs and a document review of shall verify that workers have been informed about and show an understanding of the role of the LT.
WI-L 1.6	Workers have been informed about and show an understanding of RMI prevention.	Major	A review of training materials and records shall verify that workers have received training on and show an understanding of RMI prevention.
WI-L 1.7	Workers and supervisors have been informed about and show an understanding that physical, psychological, and verbal abuses, or discrimination of any kind are not tolerated.	Major	WIs and a document review shall verify that workers and supervisors have been informed about and show an understanding that physical, psychological, and verbal abuses or discrimination are not tolerated.
WI-L 1.8	Workers have been informed about and show an understanding of the sexual harassment policy in the EFI Social Standards.	Major	WIs and a document review shall verify that workers have been informed about and show an understanding of the sexual harassment policy in the EFI Social Standards.