

ERGO Program by Equitable Food Initiative

Satisfy Regenerative Organic Alliance's Gold Level Social Fairness Requirements With an ERGO Certificate From EFI



PROGRAM SUMMARY

The ERGO program by EFI provides a process for producers located in the Americas to fulfill the Regenerative Organic Alliance (ROA) social fairness requirement for Gold-level certification. Once audited and found to be in compliance with the ERGO Standards, EFI issues an ERGO certificate that can be presented to ROA for Gold-level consideration.

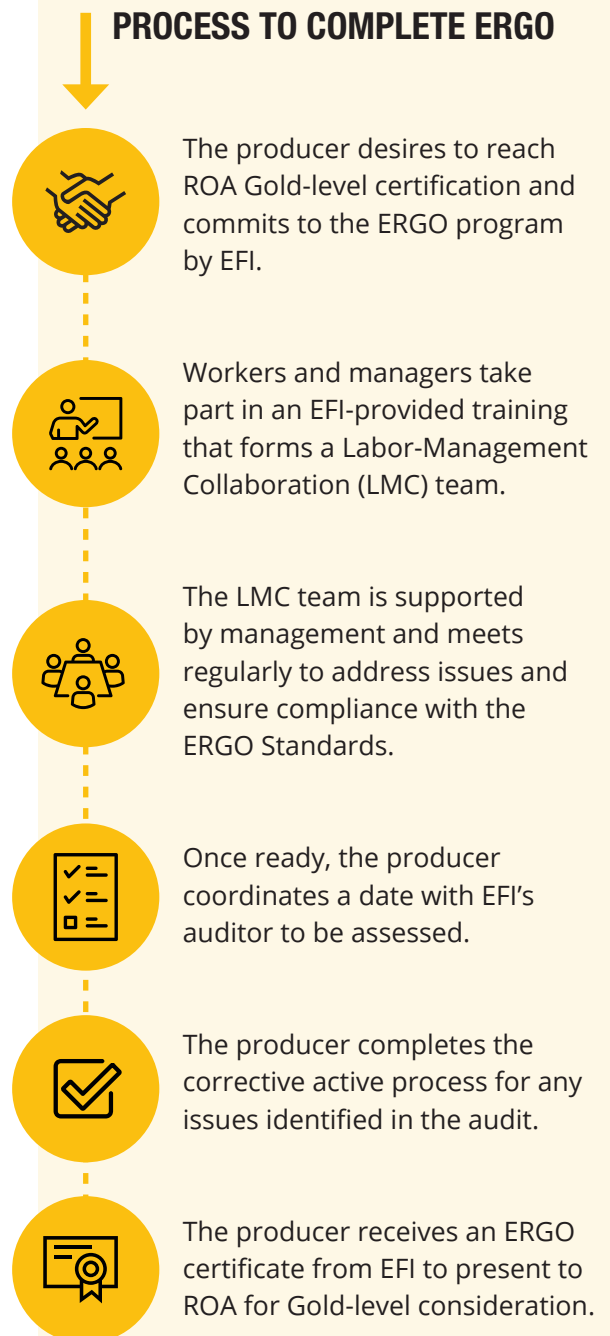
The ERGO Standards require the formation, training and ongoing functioning of a labor-management collaborative (LMC) team. The LMC allows management and workers to collaborate and share responsibility for complying with the ERGO Standards as well as contribute to the overall success of the operation. EFI provides training and support to establish the LMC and audits to the nearly 150 ERGO Standards.

The ERGO program covers these areas:

- Labor-Management Collaboration
- Non-Retaliation
- Compliance With the Law
- Health & Safety
- Freedom of Association
- Fair Compensation
- Fair Working Conditions
- Non-Discrimination
- Dispute Settlement
- Employer-Provided Housing
- Clean Recruitment
- Safe Facilities
- Worker Knowledge of ERGO



PROCESS TO COMPLETE ERGO



SAMPLE ERGO STANDARDS*

Area	Description of the ERGO Standard	Indicator(s)
Fair Working Conditions	Transparent and clear policies exist for disciplinary actions, and those actions are progressive in nature.	FWC 1.1
Fair Working Conditions	Workers are paid for time on employer-designated transportation, for all hours worked, for 15-minute rest periods and at least every two weeks.	FWC 2.3-2.4 FWC 3.1
Fair Working Conditions	Overtime work is voluntary, and workers are compensated for all time under the direction and control of the employer, whether or not actual work is being performed.	FWC 3.3-3.4
Fair Compensation	Workers, including those employed from farm labor contractors, must receive at or above the living wage rate (combination of piece rate, wages and financial benefits).	FC 1.10
Health & Safety	Management collaborates with the LMC team to identify, review and resolve all workplace health and safety issues.	HS 1.1-1.5
Non-Retaliation	There is no retaliation against workers or management representatives: <ul style="list-style-type: none"> • For monitoring, assessing or implementing the ERGO Standards. • For summoning emergency services or reporting incidents to government agencies. • For refusing work that poses a risk to their health or their unborn fetus. • For forming, joining or assisting with labor organization. 	NR 1.1 HS 1.7 HS 1.6 FOA 1.1-1.5
Health & Safety	Exposure to pesticides is minimized for workers and bystanders. Pesticides are properly handled, stored and labeled. Workers handling certain pesticides are medically monitored.	HS 5.1-5.5

*A complete list of standards is included at the end of this document.

PRICING

The cost to participate in EFI's ERGO program is \$10,000 and includes online training for an LMC team, consulting support and the initial onsite audit for the ERGO Standards. An approximate timeline to complete the program is 6 months. The training program includes:

- Online continuous improvement training led by an EFI facilitator for an LMC team of 15 or fewer individuals, ideally in a single location.
- Print-ready materials for the training manual, training workbook and standards.
- Meetings with and guidance for a producer-assigned coordinator who provides logistical support and leads components of the training to ensure a smooth and seamless training experience.
- A manager/supervisor orientation.
- Continuous support from EFI staff via email, phone or WhatsApp.
- Training sessions in a single language (English or Spanish). Interpretation can be included for an extra fee of approximately \$2,000 for English/Spanish with potentially higher fees for other languages.

ONGOING COSTS

- To maintain certification, an annual audit will be required at a cost of \$3,000.
- During the lifetime of the certification, the producer may choose to obtain consulting services from EFI to ensure proper training and functioning of the LMC team.

FAQS

What is a labor-management collaborative (LMC) team?

The LMC is the unique approach of EFI that brings workers and managers together to ensure compliance with ERGO Standards and contribute to the overall success of the operation. The team is formed and trained under the guidance of EFI facilitators and as representatives of the workforce, must be publicly identified to the entire workforce. The LMC must include representatives from all areas of the operation, including any processing facilities. Find more information in the LMC section of the ERGO Standards.

What certification does the ERGO program provide?

The ERGO program allows a producer to create, train and maintain an LMC team. If an audit finds the producer to be in full compliance with ERGO Standards, EFI will issue a certificate that can be used as evidence in an application for Gold-level Regenerative Organic Certified®. It is not a claim of EFI certification nor a claim that can be used in the marketplace outside of ROA's certification decision.

Is ERGO certification the same as EFI certification?

No. The EFI certification program offered to fresh produce growers covers labor practices, GFSI-recognized food safety, and integrated pest management/pollinator health in a single audit. The ERGO certification process covers labor practices exclusively and is offered to organic farming and ranching operations of any size, whereas EFI certification is suited for large-scale fresh produce operations exclusively.

Is EFI certification acceptable to use for Gold-level Regenerative Organic Certified®?

A fresh produce company that has earned EFI certification can submit its EFI certificate in fulfillment of ROA's social fairness standards at the Gold level.

Can fresh produce companies participate in the ERGO program?

While fresh produce companies can participate in the ERGO program, they should consider completing EFI certification that satisfies multiple retailers' social responsibility, food safety and IPM/pollinator health requirements.



HOW TO GET STARTED

Any interested producer can work with ROA staff to determine whether the ERGO program by EFI is a match for the operation. Once that determination is made, the producer will sign an agreement directly with EFI and begin work to form and train an LMC team.

Contact ROA's Paul Alvarez at paul@regenorganic.org.





ERGO

Program Requirements

VERSION 1.0, MAY 1ST, 2022

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VERSIONS ISSUED

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v1.0	May 1 st , 2022	First public-facing version.

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ABOUT THE EQUITABLE FOOD INITIATIVE (EFI)

EFI is a non-profit skill-building and certification organization that brings growers, workers, retailers, and consumers together to create a safer, more equitable food system.

OUR MISSION STATEMENT

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

WE BELIEVE:

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



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RECITALS

- A. EFI has developed a social auditing program available exclusively to growers, packers, and/or producers of agricultural products (Operators) who wish to qualify for Regenerative Organic Association's (ROA) Gold level certification. This program is referred to as ERGO.
- B. ERGO requires workers and managers to engage in EFI-provided training that results in the formation of a Labor-Management Collaboration Team (LMC).
- C. EFI Representatives provide the training required for the Operator to constitute and maintain the functionality of the LMC teams.
- D. Once the Operator, in consultation with the LMC, feels ready to be audited, they will coordinate with EFI to be assessed against the ERGO Standards by an EFI-supplied auditor.
- E. The operation is considered ERGO Certified when EFI deems the operation to be fully conformant with all ERGO Standards and likely to maintain ongoing conformance.
- F. This certification status can be shared by the Operator with ROA to support an application for Gold-level recognition.

INTRODUCTION

The purpose of the ERGO Program Requirements [this document] is to provide a description of the certification program requirements that govern the ERGO program including the EFI-managed audit and certification process. This document covers the specifics of Recitals D, and E.

This document allows Operators to understand the expectations and administrative requirements in addition to the performance requirements specified in the ERGO Standards in order to achieve certification.

ERGO PROGRAM REQUIREMENTS

1. Qualification for Participation

- 1.1 In order to participate in the ERGO Program, an Operator must:
 - 1.1.1 Engage directly with the Workforce Development Team of EFI on the formation and training of a LMC, and other training needs and requirements,
 - 1.1.2 Have been provided an approved scope of certification by EFI through the ERGO Mapping process, and
 - 1.1.3 Have all documents and records required for an ERGO audit available dating back, at a minimum, to the date of the formation of the LMC.

2. ERGO Mapping & Audit Scoping

- 2.1 Prior to LMC training, EFI will undertake an ERGO Mapping exercise in coordination with the Operator to define the scope of the ERGO audit.
- 2.2 ERGO Mapping is a process where key information about an operation is documented and submitted by the Operator to inform audit planning, including:
 - 2.2.1 The sampling scope of payroll, timecard and personnel record review;
 - 2.2.2 The sample scope of applicable populations for worker interviews;
 - 2.2.3 The sample of applicable worksites in scope for the site visit;

3. Worker-Engagement in Continuous Improvement

- 3.1 The Operator and the LMC shall coordinate closely in the continuous improvement of management systems and operational practices in order to maintain full conformance with the Standards throughout the period the Operator is ERGO certified.

4. Audit Timing & Notice

- 4.1 Annual assessments of the ERGO Standards shall occur when the greatest numbers of workers are employed (“Peak Operations”), preferably as early as possible within the three months of peak operations.
 - 4.1.1 Audit dates will be established in close coordination with the Operator at least 30 days prior to the onsite assessment.

- 4.2 EFI or ROA may elect to carry out a short-notice or unannounced audit at any time if credible information is received that the operator is egregiously out of conformance with the Standards.
 - 4.2.1 Short-notice audits shall have a maximum of 48 hours' notice.
 - 4.2.2 Unannounced audits will have no prior notice.
 - 4.2.3 During unannounced audits, farmworker and LMC interviews shall be completed within five business days of the first day of the audit.
- 4.3 ERGO Certification is valid for 1 year.

5. **Audit Process & Duration**

- 5.1 The Operator shall upload all documents and records requested by the assigned ERGO auditor to a secure file storage platform designated by EFI. Files must be made available on the platform within three business days of the request.
- 5.2 A desk review of the files shall inform the planning and execution of an onsite audit.
- 5.3 During the onsite, the auditor shall:
 - 5.3.1 Assess indicators, such as payroll records of the operator and their labor providers, which cannot be effectively or ethically desk audited.
 - 5.3.2 Cross-verify any potential nonconformances (NCs) revealed through the desk audit in order to validate or eliminate them as NCs.
 - 5.3.3 Conducting confidential and trauma-informed interviews with workers according to the sampling table in Appendix 1.
 - 5.3.4 Interview members of the management team.
 - 5.3.5 Use visual observation to gather further evidence to support findings.
- 5.4 It is expected that the onsite audit will take place over one day, but this may be extended if the number of interviews or other circumstances warrant it.

6. Onsite Process Guidance

6.1 *Opening Meeting*

6.1.1 The LMC or their designees shall be present for the audit opening meeting.

6.1.2 The auditor will be documenting attendees/attendance.

6.2 *LMC Interview*

6.2.1 The auditor shall strive to interview the entire LMC (including members in management roles).

6.2.1.1 Where that is not possible, the CB shall interview no less than 70% of the LMC.

6.2.1.2 The LMC shall be interviewed as a group using a focus group technique, with a minimum length of the focus group of 60 minutes' duration.

6.2.1.3 Individual LMC members may then be interviewed separately to gather further information as needed.

6.3 *Worker Interviews*

6.3.1 The auditor will use trauma-informed interviewing techniques that prioritize the physical, emotional, and mental health of the workers.

6.3.2 The auditor will conduct interviews with workers in a private area where confidentiality can be maintained. Management shall not be present during the interviews or provided information about the identity of workers or individual responses.

6.3.3 If, during farmworker interviews, a response is received from the sampled population that indicates nonconformity, cross-verification through other objective information sources will be performed before a corrective action is logged.

6.3.4 If, during farmworker interviews, three or more similar responses are received from the sampled population concerning the same nonconformity, this shall be considered verifiable evidence of nonconformity. Still, no personally identifying information will be provided. In all cases, additional verifiable evidence should be sought.

6.3.5 If information is received during worker interviews that, if shared through the closing meeting or audit report is likely to increase risks to the livelihood or personal security of a worker or group of workers or the personal security of the auditor, refer to Section 6.5.4.

6.4 *Housing and Worksite Observation*

6.4.1 The auditor shall assess against all relevant standards all employer-provided or FLC-provided housing, if provided for in-scope workers.

6.5 *Evidence Gathering and Use*

6.5.1 Audit evidence relevant to the audit objectives, scope, and criteria shall be verified by the auditor.

6.5.2 Only information that is verifiable may be used as documented evidence of conformance or non-conformance.

6.5.3 The Auditor shall record all audit evidence and maintain this in an audit file.

6.5.4 Should the auditor be provided with information that is likely to increase risks to the livelihood or personal security of a worker or group of workers or the personal security of the auditor, and which by its nature cannot be provided to the Operator as the provider's identity would be revealed, the Auditor shall:

6.5.4.1 Not disclose that information to any party outside of EFI;

6.5.4.2 Not use that information during an audit in any way which may allow the Operator to identify the individual(s) who provided the information;

6.5.4.3 Not use that information for a finding of nonconformity unless the information can be verified as being correct by other means, except that information provided through farmworker interviews shall be used in accordance with Sections 6.3.

6.5.4.4 If the information is related to a potential nonconformity of a critical nature, the auditor shall report the information and the source of the information immediately to EFI.

6.6 *Closing Meeting*

6.6.1 The LMC or their designees shall be present for the audit closing meeting.

6.6.2 The auditor will document attendance of the closing meeting.

6.6.3 A summary of draft nonconformities may be provided by the Auditor to the Operator and the LMC.

7. Audit Report Submission and Review

- 7.1 Audit reports shall be submitted into the recommended system, in full, in English using the EFI supplied template.
- 7.2 EFI shall review the report independent of the Auditor using industry best practices for quality management.
- 7.3 EFI shall submit to the Operator the final version of audit report no later than 10 business days following the audit's closing meeting.
- 7.4 Except if required to do so by law, EFI may only release the audit report in full or in part to third parties other than ROA with the Operator's written approval.
- 7.5 If required to release the audit report by law, EFI shall inform the Operator and ROA that this has happened.

8. Corrective Action Process

- 8.1 When EFI detects nonconformity against the ERGO Standards it shall include a corrective action request in the audit report which shall direct the Operator, in consultation with the LMC, to take corrective action.
- 8.2 For all nonconformities raised by the Auditor and confirmed by EFI's review, the following actions shall be taken:
 - 8.2.1 The Operator and the LMC shall investigate the root cause of the nonconformity and develop a corrective action plan (CAP).
 - 8.2.2 The Operator shall submit to EFI, within 2 weeks of the delivery of the final audit report, a CAP which identifies the corrective actions and the timeframes for implementation.
 - 8.2.3 Within five business days, EFI shall review the CAP and respond to the Operator.
 - 8.2.4 The Operator, in consultation with the LMC, shall implement EFI-approved CAPs and verify their effectiveness.
 - 8.2.5 The Operator shall notify EFI that the corrective action has been implemented and effective and request verification.

- 8.3 All corrective action plans shall be verified as implemented and effective within 60 days of the Operator receiving the final audit report.
- 8.4 EFI shall verify the corrective actions as implemented and effective through a desk review or on-site visit within two weeks of the Operator providing notice.
- 8.5 If the nature of a corrective action is such that it cannot be satisfactorily closed in two months, the Operator can petition EFI in writing for additional time.
- 8.6 Once EFI verifies the corrective actions are implemented and effective, the nonconformity shall be closed.
- 8.7 If the nonconformity remains open after two months, or the time agreed to in writing by EFI, EFI shall decline to designate certified status to the Operator.
- 8.8 Corrective actions for nonconformances that trigger the EFI Additional Diligence Protocols shall be implemented on a timeline determined by EFI's Executive Director. It can be expected that the serious nature of the triggering conditions will require immediate remedy.

APPENDIX 1_SAMPLING

The Auditor shall calculate sample sizes referencing Table A1 for document review, worker interviews and payroll/time card verification for each of the following populations:

1. Drivers
2. Pesticide applicators
3. Farmworkers

Table A1: Sampling table for interviews and documentation

Number of workers in the population	Number of interviews or documents needed
1 – 10	5, or 100% if there are fewer than 5 workers
11 – 20	6
21 – 30	7
31 – 40	8
41 – 50	9
51 – 60	10
61 – 70	11
71 – 80	12
81 – 90	13
91 – 100	14
101 – 150	15
151 – 300	16
301 – 500	17
501+	18

Priority shall be given to historically high-risk groups including women, indigenous workers, and job classes that have the least proximity to senior management oversight.

When the samples are drawn from each population during the on-site audit, if a farmworker has already been interviewed as part of the sample from an earlier population, a second individual shall be selected for the interview in their place.

The full sample size should be verified for each period reviewed. Samples drawn for payroll and timecard verification should include a minimum of:

- Three pay periods, and
- Peak, current/most recent and a random seasonal period.

ERGO Standards & Indicators

Version 1.0
Issue Date: February 14, 2022

Standard		Indicator	
Labor-Management Collaboration	<p>A Labor-Management Collaboration team (LMC) has been established for workers and management to share responsibility for compliance with the ERGO Standards and contribute to the overall success of the operation, under which workers are knowledgeable, trained, and empowered to ensure compliance with the ERGO Standards.</p> <p>Auditor Guidance: 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.</p>	LMC 1.1	An LMC team has been established under the guidance of trainers accredited by EFI to deliver the ERGO training curriculum.
		LMC 1.2	LMC Team includes representatives of management and workers in non-management positions.
		LMC 1.3	Members of the LMC team are publicly identified to workers
		LMC 1.4	LMC team maintains minutes for each meeting and posts minutes in a public place.
		LMC 1.5	Minutes include reports from LMC team members from each major work area as to any compliance concerns, proposed remedies, and status of those remedies.
		LMC 1.6	LMC team meets with sufficient regularity to ensure the timely resolution of any issues related to compliance with the ERGO Standards.
		LMC 1.7	All trainings pertaining to the ERGO Standards occur on the clock.
		LMC 1.8	No punitive measures are taken in retaliation for participation on the LMC team, including being disciplined, reassigned, rescheduled, suspended, or fired.
Non-Retaliation	<p>There is no retaliation against workers or management representatives for participating in the monitoring, assessment, and enforcement practices required under the ERGO Standards.</p>	NR 1.1	Workers and management representatives are not fired or otherwise retaliated against for documenting and/or reporting alleged violations of the ERGO Standards, for participating in the on-going auditing and compliance with the ERGO Standards, or for encouraging coworkers to take similar action.
		NR 1.2	Policies and procedures are in place and implemented to prevent behavior that is inconsistent with this standard.
Compliance with the Law	<p>Employer complies with national, state, and local laws regarding labor, food safety, and pesticides.</p>	CL 1.1	Employer complies with national, state, and local laws including, but not limited to, the following: 1. Labor relations and employment, including but not limited to Social Security or corresponding programs in the country of operation, unemployment compensation, wage-hour laws, agricultural labor relations laws, anti-discrimination laws, farm labor contractor laws, and employer-provided housing and transportation safety requirements; and 2. A business licensing.
		CL 1.2	Bribery is strictly prohibited
		CL 1.3	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.
		HS 1.1	Management, in collaboration with the LMC 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.
		HS 1.2	LMC has access to the written record of all worker-generated occupational safety complaints and concerns, as well as remediation actions.

Health & Safety

Systems have been established and implemented that provide workers with a safe and healthy work environment and minimize occupational injuries, illnesses, and fatalities.	HS 1.3	Workers are informed that they can address occupational safety complaints and concerns through the LMC team.
	HS 1.4	Management, in partnership with the LMC team, ensures that all worker safety protocols are communicated to workers.
	HS 1.5	Records of occupational injuries, illnesses, and deaths are created promptly and maintained.
	HS 1.6	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.
	HS 1.7	No punitive measures are taken against workers for summoning emergency services or reporting incidents to government agencies.
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.
	HS 2.2	Employers provide workers with personal protective equipment (PPE) that is appropriate to their tasks and necessary to minimize illnesses and injuries. The equipment and clothes are provided free of charge.
	HS 2.3	A process is in place to ensure that equipment is properly maintained.
Workers receive workers' compensation coverage or corresponding insurance coverage in the country of employment.	HS 3.1	Workers' compensation coverage or corresponding coverage in the country of employment is provided to all workers.
	HS 3.2	At a minimum, workers' compensation benefit levels are equivalent to those afforded to non-agricultural workers in that state/province.
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.
	HS 4.2	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.
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.
	HS 5.2	Workers use required PPE and follow directions for use.
	HS 5.3	All 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."
	HS 5.5	Workers handling organophosphate or carbamate pesticides labeled with the signal word "DANGER" or "WARNING" are medically monitored.
	HS 6.1	Management develops, in collaboration with the LMC team, 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.
	HS 6.2	For any repetitive motions that are deemed to pose a risk of RMIs, management, in collaboration with the LMC 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 LMC 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.

	Ergonomics protocols are in place and being implemented	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 LMC 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 LMC team 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 special rest periods apply and PPE provided.
	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.
	Employer-provided transportation ensures vehicle maintenance and worker safety are well managed and operates in accordance with the law.	HS 8.1	Employer has a process in place to ensure drivers meet all legal requirements for transporting workers. Only drivers meeting legal requirements may transport workers.
		HS 8.2	Employer has a process in place to ensure all vehicles used for worker transportation are properly maintained, inspected and meet all applicable safety standards.
Freedom of Association	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.
		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.
		FOA 1.3	No punitive measures are taken against any worker for reporting alleged violations of law to government authorities.
		FOA 1.4	No punitive measures are taken against any worker 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.
Fair Compensation	Workers are compensated correctly, fairly, and appropriately for all work done for the Employer.	FC 1.1	There is a documented policy that affirms the "Employer Pays" principle.
		FC 1.2	Workers receive pay at the appropriate rates and according to the regular pay date for all time worked as defined in these standards. Other than lawfully required deductions, no other deductions are made without the written consent of the worker.
		FC 1.3	Employers must have a written policy affirming there is no gender or other types of discrimination in the setting of pay rates.
		FC 1.4	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.
		FC 1.5	Upon starting their employment, workers are provided the following information: 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. 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. These terms and conditions should not be changed without the worker's knowledge or consent.

		FC 1.6	All workers must be compensated by a single legal entity.
		FC 1.7	Employment contracts are negotiated and executed in good faith and the operator honors any commitments made in a contract.
		FC 1.8	Financial disciplinary action is prohibited.
		FC 1.9	Once an operation is ERGO-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.
		FC 1.10	<p>Through a combination piece rate, wages, and financial benefits, all workers, including those employed through Labor Providers, shall be paid at or above the applicable living wage rate (See Appendix A).</p> <p>If at the time of audit, the operator is not paying a living wage, they must:</p> <ol style="list-style-type: none"> 1. Assess wage gaps against the applicable living wage rate; and 2. Develop and implement a credible plan for providing a living wage within a three-year period; and 3. Communicate transparently with workers about the plan and the timeline for milestones that will impact their compensation. <p>If there is a negotiated collective bargaining agreement (CBA) that provides for compensation at a higher rate than the applicable Living Wage, the CBA rate shall prevail.</p>
Fair Working Conditions	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. The disciplinary actions are progressive in nature, from verbal warning to written warning to suspension up to and including termination.
	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.
		FWC 2.2	In cases where an Employer fails to maintain accurate time records, the worker's recollection of hours worked prevails.
		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.
		FWC 2.4	Workers are paid no less than every two weeks unless agreed in writing with the employee.
	Working hour requirements are reasonable, rest breaks and meal periods are provided, and overtime work is strictly voluntary.	FWC 3.1	Workers receive a paid 15-minute rest period, which insofar as practical, will be in the middle of the four-hour period.
		FWC 3.2	Workers receive a 30-minute unpaid lunch break for each five hours worked.
		FWC 3.3	Workers are compensated for all time under the direction and control of the Employer whether or not actual work is being performed.
		FWC 3.4	Employer shall regularly communicate to workers that overtime is voluntary, ensuring that workers may always opt out of overtime if they are unable or unwilling. Overtime begins after 48 hours of work within a week or the number of hours set by applicable regulations.
		FWC 3.5	Employers who provide mandatory transportation to the worksite must also provide departure transportation at the end of each regular shift for workers who choose not to accept overtime.
		FWC 3.6	Employers shall allow at least 24 consecutive hours of rest in every seven-day period. Employers shall not request overtime hours on a regular basis or require that workers work overtime. If total regular and overtime hours exceed 60 hours per week, this does not occur for more than 3 months per year.

	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.
		FWC 4.2	The Employer refrains from any form of physical or psychological measures requiring workers to remain employed by the company.
		FWC 4.3	Usurious interest rates or unreasonable terms on loans made to workers are prohibited.
		FWC 4.4	Bonded labor does not occur.
		FWC 4.5	There is no use of prison labor.
		FWC 4.6	There is no use of slave or trafficked labor.
	Illegal child labor does not occur.	FWC 5.1	Employers verify documentation that establishes that a worker is of the legal age to work.
		FWC 5.2	No person is employed or has access to any work areas at an age younger than 16.
		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.
		FWC 5.4	Operators may use internships and apprenticeships in the spirit in which these have been established i.e. to educate, to develop and to create opportunity but avoiding any possibility of the arrangement being exploitative. All interns and apprentices must have clear and comprehensive contracts agreement, their rights explained to them clearly in writing and a fair stipend paid to cover living expenses.
Non-Discrimination	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.
		ND 1.2	The non-discrimination policy is clearly posted at every worksite.
		ND 1.3	Workers, including indigenous workers, are allowed to communicate in their native languages.
		ND 1.4	No discrimination in hiring, termination, or other adverse actions occur for pregnancy, lactation, or maternal leave following childbirth.
	Sexual harassment is not tolerated and there are policies in place to ensure a prompt and impartial investigation of any sexual harassment claims.	ND 2.1	Sexual harassment of any sort is strictly prohibited, and penalties for acts of harassment are clearly stated.
		ND 2.2	Sexual harassment awareness training is provided upon hire to all workers, supervisors, and management.
	Auditor Guidance: 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,	ND 2.3	At least one male and one female on the LMC team have received training focused how to support self-identified survivors of sexual harassment, sexual violence and/or discrimination in a trauma-informed manner. The entire workforce is informed of whom these two members are and have access to communicate with them, if they have questions about reporting sexual abuse and do not feel comfortable discussing with their supervisor directly.

	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 2.4	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.
Dispute Settlement	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	LMC team is trained on interest-based issue resolution.
		DS 1.2	Workers and management have a process through which they may engage in dialogue to resolve workplace issues and violations of the ERGO Standards, including retaliatory actions and unjust firings. If the parties are unable to reach agreement on a non-ERGO Standards related issue, workers or the employer have access to a multi-level appeal procedure.
		DS 1.3	Workers and managers are trained as to their respective roles, rights, and responsibilities under the ERGO Standards.
		DS 1.4	Workers and Employers are not required to and do not waive legal remedies.
Employer-Provided Housing	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.	EPH 1.1	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
		EPH 1.3	All windows that open have screens.
		EPH 1.4	Doors to the outside lock from the inside.
		EPH 1.5	Heat is supplied when 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.
		EPH 1.7	Secure facilities whereby workers may store their personal possessions under lock and key are provided.
		EPH 1.8	Workers are not charged a fee for transportation to the worksite from provided housing.
		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.
		EPH 1.10	Workers have privacy in their living quarters and sanitary facilities.
		EPH 1.11	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.
		EPH 1.13	Electronic surveillance at the employer-provided housing is not used for intimidation or control and workers are made aware of where and when it is in effect.

	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.
	Auditors have unimpeded, unannounced access to housing	EPH 3.1	Employers and Labor Providers agree to permit unimpeded access to housing.
		EPH 3.2	Unimpeded access to housing is provided to auditors.
Clean Recruitment	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.	CR 1.1	The employer has written contracts with all subcontracted labor providers that compels the provider to follow all applicable laws in the country of origin of the workers and country of employment.
		CR 1.2	All Labor Providers comply with all applicable laws in each worker's country of origin and the country of employment.
		CR 1.3	The Employer provides the name, phone number, email, and physical address of the Labor Provider in the foreign country to EFI and EFI Certification Bodies.
		CR 1.4	The Employer compels all Labor Providers to fully and transparently cooperate with the EFI Certification Bodies.
		CR 1.5	Workers do not pay recruitment, visa or, other costs or fees related to employment. If recruitment fees were paid to any party in order to secure employment, the Employer shall immediately reimburse the affected workers.
		CR 1.6	An action plan assesses gender equity in Guest Worker visa program hiring and identifies milestones for achieving greater gender balance.
		CR 1.7	The employer does not engage with subcontracted labor providers and/or recruiters who use any form of physical or psychological measures to compel workers to become employed by the company.
		CR 1.8	The employer has conducted due diligence on its own responsible recruitment management system by completing the EFI Responsible Recruitment Scorecard for its own operations. If the employer uses contracted labor providers, the EFI Responsible Recruitment Scorecard (RRSC) is completed for each labor provider. The RRSC shall be updated annually for the employer operations and any contracted labor providers.
Worker Knowledge	Workers have been informed about and show an understanding of their rights and responsibilities guaranteed in accordance with the ERGO Standards.	WI-L 1.1	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 ERGO Standards
		WI-L 1.3	Workers have been informed about and show an understanding of the non-retaliation policies within the ERGO Standards
		WI-L 1.4	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 LMC team.
		WI-L 1.6	Workers have been informed about 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
		WI-L 1.8	Workers have been informed about and show an understanding of the sexual harassment policy in the ERGO Standards.

Safe Facilities

<p>All indoor work areas and employer-provided housing shall have adequate fire safety equipment installed, inspected, and accessible.</p>	SF 1.1	Workers shall be trained in the use and location of fire extinguishers.
	SF 1.2	There shall be at least one fire extinguisher for every 3,000 feet ² (279 meters ²) of the facility and near chemical and hazardous materials storage and along emergency exit routes.
	SF 1.3	There shall be fire extinguishers and/or other fire suppression equipment within 75 feet (23 meters) of all employee work areas.
	SF 1.4	Fire extinguishers shall be mounted in a location and at a height that provides unblocked access at all times.
	SF 1.5	Fire extinguisher locations shall be clearly marked.
	SF 1.6	All firefighting equipment shall be inspected monthly and maintained in accordance with the manufacturer's instructions.
	SF 1.7	The facility shall be equipped with functioning emergency alarms that are free of obstructions and detectable in high noise areas.
<p>The facility shall provide emergency exits that are easily accessed by all employees and visitors in an emergency</p>	SF 2.1	Workers shall be trained on the how to identify and use emergency exits.
	SF 2.2	There must be a sufficient number of emergency exits on each floor to allow for the prompt evacuation of all employees with a minimum of two emergency exits located as far away as practical from each other.
	SF 2.3	Exits shall remain unlocked, unblocked, and accessible during all hours of operation.
	SF 2.4	Emergency exit doors and stairways shall open outwards, towards the exterior of the building.
	SF 2.5	Exits shall be clearly marked with visible signs.
<p>The facility shall provide evacuation paths that are easily accessed by all employees and visitors in an emergency.</p>	SF 3.1	Workers shall be trained on the facilities' current evacuation plot plan and have access to posted copies in employee areas and along emergency exit routes.
	SF 3.2	The work floor shall have emergency exit routes marked with direction of travel and lighted at all times and which lead to a safe assembly area.
	SF 3.3	Aisle space between workstations shall be clear of obstacles and allow free body movement and adequate room for the prompt evacuation of workers during an emergency.
<p>Electrical equipment shall be maintained and used in a manner that reduces the risk of injury.</p>	SF 4.1	Workers that carry out inspections and repairs of electrical equipment have a current government certification that is applicable to the location of the facility and the type of electrical work being performed.
	SF 4.2	Electrical equipment and wires are checked monthly, repaired as needed, and do not present a trip hazard.
	SF 4.3	Electrical panels with circuit breakers are covered and properly labeled to identify the source.
	SF 4.4	Access to electrical panels are clear from obstructions, with 36 inches (91 centimeters) of clearance on front and sides.
	SF 4.5	Electrical cords and outlets are inspected monthly, maintained in good condition, and do not present a trip hazard

	Noise levels shall be measured and appropriate personal protective equipment (PPE) provided.	SF 5.1	The facility shall regularly monitor the noise level in work areas where loud machinery is in use.
		SF 5.2	Workers exposed to noise levels above 85 dB for continuous periods of eight hours or more shall be provided with PPE.
	Illumination shall be appropriate for both normal working conditions and emergencies.	SF 5.3	All work areas shall be well illuminated with natural and/or artificial light.
		SF 5.4	Adequate emergency lights shall be provided along emergency routes, at emergency exits, and throughout the work floor.
	Equipment shall be in use to exhaust chemical odors from the facility.	SF 5.5	Exhaust hoods and PPE are effectively used on operations that emit chemical odor and/or fumes that affect health.