

# MPS-SQ Certification Standard

## Certification criteria

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*If there are any doubts or lack of clarity, the Dutch version of the certification standard prevails.*

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The MPS-SQ Certification Standard consists of the following documents:

- **MPS-SQ Certification criteria**
- MPS-SQ Terms and Definitions
- MPS-Governance
- MPS-List prohibited active substances
- Instructions for use of the uniform MPS-Vignette

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## 1 Aim

The aim of the MPS-SQ certificate is to demonstrate that the grower's agricultural products have been produced under good working conditions.

This certification standard includes requirements covering employee working conditions, health and safety. It is based on universal human rights, codes of conduct of representative local organisations and the international agreements of the International Labour Organisation (ILO).

This certification standard also applies to participants who have no employees. Family members working for the participating company in the cultivation of agricultural products shall be treated fairly. The requirements therefore also apply to family members working in the cultivation of agricultural products.

The provisions of the MPS-SQ certification standard are minimum requirements, and nothing in the MPS-SQ certification standard may have any effect on any law, judgement, usage or agreement that provides for better conditions for the employees concerned.

Where national, local or international laws are stricter, the requirements that offer employees the highest level of protection shall be complied with.

The aims of the MPS-SQ certification standard are as follows:

- To guarantee and encourage improvements in employee working conditions, safety and health, and
- To improve the image of the agricultural sector.

## 2 Ownership

The MPS-SQ certification standard is owned by Stichting MPS.

The text of the MPS-SQ certification standard is provided by Stichting MPS in Dutch, English and German. The English and German versions are official translations of the original Dutch text. In cases of doubt, the Dutch version will prevail.

## 3 Scope of application

This certification standard applies to growers in the agricultural sector.

The certificate can only be applied for the entire company (the legal entity) and not for one or more crops, an individual site or an individual part of the participating company.

The certification standard does not apply to agricultural products gathered or harvested in the wild for commercial or hobby use.

## 4 Audit cycle

Certificate holders are audited against the applicable requirements of the MPS-SQ certification standard on an annual basis by an accredited certification body (CB) acting on behalf of Stichting MPS.

The audit is carried out once per calendar year at all of the certificate holder's sites. The certificate holder shall demonstrably comply with all MPS-SQ requirements at all times.

In compliance with IAF MD 4, digital technologies may be used to interview officers and employees who are permanently or temporarily not on site.

For the provision of the certification services, an agreement is entered into between the certification body and the certificate holder.

#### 4.1 Certification audit

An existing or prospective MPS-SQ certificate holder shall submit an application to a licensed CB to have their working conditions, safety and health management system certified against MPS-SQ. After the CB has accepted the application and the certification agreement has been signed, the CB will perform a certification audit at the premises of the participating company.

Following the certification audit, the CB will reach a certification decision. If the result is positive, the CB can issue an MPS-SQ certificate. The certification decision shall be taken within four months of the last day of the audit. The certificate holder shall receive the certificate no more than two weeks after the certification decision has been taken. An MPS-SQ certificate is valid for one (1) year from the date of the certification decision.

#### 4.2 Annual reassessment audits

Once the certificate holder has obtained the certificate, it will be audited once per calendar year by means of a reassessment audit, provided that a certification decision is taken in good time and a new certificate is issued before the existing certificate has expired.

During the annual reassessment audit, the CB will assess the following:

1. Assessment of any nonconformities from the previous audit for which a corrective action plan (including temporary corrections) was approved;
2. Ongoing compliance with all requirements of the MPS-SQ certification standard.

A certification decision is taken after every reassessment audit. If the result is positive, the CB can issue a (new) MPS-SQ certificate. The certificate is always valid for one (1) year from the date of the certification decision.

If the reassessment certification decision is positive and is completed before the expiry date of the existing certificate, the expiry date of the new certificate can be based on the expiry date of the existing certificate. The issue date of the new certificate may not fall before the date of the reassessment certification decision.

If the CB has not completed the reassessment audit before the expiry date of the certificate, or the CB is not able to conclude the nonconformities in time, recertification may not be recommended and no new certificate may be issued (i.e. the validity of the certificate may not be extended). The CB shall inform the client, and the consequences shall be explained.

The certificate shall be given "expired" status if the new certificate is not issued in good time before the expiry of the existing certificate. The "expired" status can be reversed if the new certificate decision is taken within three months. The new certificate is valid from the date of the certification decision. If the above time frame is not respected, the certificate shall be revoked and the agreement with the CB will expire.

An expired certificate cannot be extended in anticipation of a certification decision by the CB.

### 4.3 Additional audit

The CB can decide that an additional audit is needed in the following cases:

1. To conclude an observed nonconformity, or
2. In response to complaints about the certificate holder.

The additional audit may never replace a reassessment audit or be used to extend the validity of the certificate. Following the additional audit, the CB will decide whether the existing certificate can be retained for the full current validity period.

### 4.4 MPS-ABC qualification audit

Every four weeks, the CB carries out a desk audit on behalf of Stichting MPS to check that the certificate holder has a valid MPS-ABC qualification.

## 5 Audits at the request of Stichting MPS

Stichting MPS can instruct the CB to perform additional audits of certificate holders; a so-called audit on request. An audit on request can be performed announced or unannounced, as per Stichting MPS's instructions.

An audit on request may be a full audit or a partial audit covering certain aspects specified by Stichting MPS. Stichting MPS shall also receive a copy of the report of the audit on request.

### 5.1 Unannounced audit

The CB will perform an unannounced audit of the certificate holder on behalf of Stichting MPS. An unannounced audit may only be performed if the certificate holder has a valid MPS-SQ certificate. The CB will notify the certificate holder in advance of its intention to perform the audit. This notification shall be given within a period of no less than 24 and no more than 48 hours (1-2 working days). The certificate holder may refuse this audit for medical or other justified reasons. In that case, the certificate holder will receive a second notification of an audit (no less than 24 and no more than 48 hours in advance).

If an audit cannot take place for unjustified reasons, this will result in suspension of the MPS-SQ certificate.

The aim of this audit is to assess whether the certificate holder continues to meet the requirements of the MPS-SQ certification standard between two regular audits. The CB will report the findings to the certificate holder and Stichting MPS.

## 6 Audit time

The audit time is calculated based on the number of **full-time** employees (**FTEs**) working at the participating company, including all associated sites.

**Table 1:** Calculation of audit time

Number of <b>full-time</b> employees ( <b>FTEs</b> )	Head office Minimum number of audit days at the company <sup>1</sup>	Minimum number of audit days per site outside the head office <sup>2 3</sup>
1-19	0.5	0.5 0,25
20-99	0.75	
100-199	1	
200-499	2	
500-4999	3	
5000-9999	4	
More than 10,000	6	

The MPS-SQ audit may be combined with an audit against another certification standard. Where requirements overlap, the MPS-SQ audit time at the participating company may be reduced. However, the reduction may never be more than 30% of the stated audit days at the participating company. This reduction may only be applied at the company's head office.

## 7 Performance of the audit

The audit is performed by means of the following:

1. Interviews with the management and at least the following roles in the participating company
  - Prevention officer
  - HR department
  - Representatives of the works council or staff representatives.
2. Interviews with employees
3. Observations made at the participating company, and
4. Inspections of the company's accounts and administrative data (document check).

All documentation, including personnel and payroll files, shall be available for inspection by the auditor.

The certificate holder shall receive the audit plan from the CB at least two weeks before the audit. The certificate holder shall ensure that its staff are informed about the audit and that all employees cooperate with it.

### 7.1 Employee interviews

During the audits, staff with at least the following groups of employees in the participating company will be interviewed:

- Production staff
- Drivers

<sup>1</sup> An audit day is 8 hours excluding lunch break

<sup>2</sup> Audit days excluding travel time between sites

<sup>3</sup> Factors that can impact on the duration of the audit include the accessibility and clarity of information, the type of audit (certification audit or periodic audit) and the number of employees at the location concerned.

- Cleaning staff
- Employees tasked with the use/application of crop protection agents
- Security staff

Interviews will not be limited solely to the employee groups and roles mentioned above.

The auditor will select employees for interview based on personnel and other data provided by the certificate holder. 'Employees' are all employees covered by the certificate holder's collective labour agreement or hired directly or indirectly by the certificate holder for cultivation work at the participating company.

Employees at the participating company who do not perform cultivation operations but whose work is indirectly involved in the cultivation process could also be interviewed. These may include hired-in security staff, drivers, etc.

All interviews are held in rooms or places where the interviewees feel comfortable. During the interviews, it is checked that the MPS-SQ requirements relating to health, safety and terms of employment are being complied with.

Group interviews are permitted. However, groups may not consist of more than six people.

An interpreter (sworn and/or independent) may be present to support the auditor during interviews.

Interviews are conducted on the basis of the interview template that can be determined by the Stichting MPS. During the interview, the points listed in the template shall be discussed with the interviewee(s). ~~An anonymous report of the interviews will be produced and appended to the audit report.~~

During interviews, it shall also be evident that the employees are informed about the MPS-SQ certification standard and its contents.

### 7.1.1 Number of interviews

**Table 2:** Number of staff interviews

<b>Employees FTE</b>	<b>Audit days</b>	<b>Number of people to be interviewed</b>	<b>Maximum time spent</b>
1-19	1	min. 1	0.5 hours
20-74	1	min. 3	1 hour
75-99	1	min. 4	1.5 hours
100-199	1	min. 5	2 hours
200-499	2	min. 10	4 hours
500-4999	3	min. 16	6.5 hours
5000-9999	4	min. 19	8 hours (1.0 day)
More than 10,000	6	min. 34	12 hours (1.5 days)

The interview duration is at least 15 minutes per interview session. An interview session is an interview with at least one (1) person or a group of at most six (6) people.



### 7.1.2 Confidentiality

The auditor shall be able to hold confidential interviews with employees. Interviews will be carried out with a representative mix of all roles, activities and employee groups (male and female, contract or seasonal workers, full time and part time, native and non-native employees) present at the participating company. The number of interviews depends on the number of people working at the participating company. A list of the roles interviewed by the auditor will be provided in the audit report. The results and conclusions of the interviews will be anonymised in the **interview** audit report.

## 8 Nonconformities

During the audit, the auditor can record nonconformities in respect of the requirements of this certification standard.

There are two nonconformity grading levels:

- Minor nonconformity
- Major nonconformity

A nonconformity in respect of a basic requirement is always classified as a major nonconformity.

### 8.1 Major requirements

Failure to comply with one of the following basic requirements constitutes a major nonconformity:

- Chapter 1.1 (subsections 1.1.1 to 1.1.4)
- Chapter 1.2 (subsections 1.2.1 to 1.2.4)
- Chapter 2.1 (subsections 2.1.1 to 2.1.5)
- Chapter 2.2 (subsections 2.2.2 to 2.2.4)
- Chapter 2.3 (subsections 2.3.1 to 2.3.4)
- Chapter 2.4 (subsections 2.4.1 to 2.4.3)
- Chapter 2.5 (subsections 2.5.1 to 2.5.4)
- Chapter 2.6 (subsections 2.6.1 to 2.6.10)
- Chapter 2.7 (subsections 2.7.1 to 2.7.4)
- Chapter 2.8 (subsections 2.8.1 and 2.8.2)
- Chapter 2.9 (subsections 2.9.1 + 2.9.3 + 2.9.4)
- Chapter 2.11 (subsection 2.11.1)
- Chapter 3.1 (subsections 3.1.1 + 3.1.5 to 3.1.7)
- Chapter 3.2 (subsections 3.2.1 + 3.2.5 + 3.2.11 to 3.2.14)

## 9 Audit report

The certificate holder will receive an audit report from the certification body. The audit report will be drawn up by the auditor and reviewed and approved by the CB. The report will be issued in Dutch, German and/or English.

All the information in the report will be anonymous and cannot be traced back to individual employees.

## 10 MPS-SQ standard requirements

### Chapter 1: Requirements for the application of MPS-SQ

#### 1.1 Basic requirements

1.1.1 The certificate holder shall have a valid MPS-ABC qualification.

Producers of agricultural products can only participate in MPS-SQ if they have an MPS-A(+), -B or -C certificate or equivalent. Participation in MPS-ABC without a certificate is also permitted for a limited period of time.

- Certificate holders in MPS-SQ shall either have an MPS-A (+), -B or -C qualification for their products or can demonstrate that the products are equivalent to one of the above qualifications. For the accredited MPS-A (+), -B and -C qualifications, 'equivalent' means an equivalent product qualification at a level comparable to MPS-A (+), -B or -C, established by means of a certification system accredited under EN-ISO/IEC 17065.
- Participation in MPS-ABC but as yet without a qualification is also sufficient, for a maximum of 17 periods (68 weeks) after commencement of record-keeping. After these 17 periods (68 weeks), an MPS-A (+), -B or -C certificate (or equivalent) is required.

1.1.2 The certificate holder shall inform its staff annually about the MPS-SQ certification standard and its implementation at the company by means of information events and/or training sessions.

1.1.3 Employees, trade unions and other involved parties shall be given the opportunity to report complaints about and infringements of the MPS-SQ standard requirements to the certificate holder and the certification body.

The certificate holder shall report these to the certification body, which shall follow them up. The reporting of a complaint and/or infringement may not have negative consequences for the party reporting the complaint and/or infringement.

#### 1.1.4 Prevention officer

The management shall appoint a prevention officer who is responsible for all matters relating to employee health and safety.

The prevention officer shall report to the management.

The prevention officer shall be specially appointed but can also combine this role with other duties. The appointment as prevention officer with the associated tasks and responsibilities shall be made in writing and recorded in the personnel file of the employee concerned (e.g. in the form of a letter stating that this person has this additional task/role).

All employees shall be made aware of who the prevention officer is.

The prevention officer shall have the necessary skills to carry out their duties, and they shall be capable of explaining matters pertaining to the safety regulations (safe working methods, use of protective clothing, warnings concerning spraying, etc), medical facilities, emergency plan and general health and

hygiene procedures at the participating company to their colleagues.

The prevention officer shall be fully informed of all rules and procedures relating to the above matters in the participating company. The above list is not exhaustive but provides an indication of the areas in which this person will be involved. This person will act as a contact person between management and staff. All changes or additions to the above rules and procedures shall be discussed with the prevention officer.

The prevention officer is responsible for the following:

1. Informing the staff of the safety procedures
2. Ensuring the safety procedures are understood and followed, and
3. Ensuring new employees are given the necessary instructions.

The prevention officer shall furthermore be in possession of a valid emergency response or first aid certificate.

If no validity date is shown on their emergency response and/or first aid certificate, the qualification of the emergency response officer or first aider shall be demonstrated by means of annual refresher courses.

## **1.2 General**

1.2.1 There shall be a company organisation chart on the premises.

1.2.2 There shall be a list on the premises with details of the officers/managers responsible for staff health and safety.

### Guidance on the requirement:

*The list shall be available to all employees so that individual employees know who to address any questions or complaints to.*

1.2.3 The certificate holder shall draw up and implement an annual action programme of improvements to employee working conditions, health and safety.

The certificate holder shall provide a detailed action plan describing all matters relevant to employee working conditions, health and safety. This plan shall be updated with measurable actions and verifiable targets on an annual basis.

### Guidance on the requirement:

*As a guideline, at least the following subjects can be included and described in the action plan:*

- *Number of temporary contracts converted into permanent ones*
- *Training programmes to keep employees' knowledge in various areas up-to-date*
- *If applicable, conversion or extension of accommodation for employees living on site*
- *Contributions to social projects in the vicinity of or around the company*
- *Staff events organised to raise awareness of health, safety and welfare issues*
- *Employee participation in training courses, including training on human rights and the MPS-SQ standard.*

1.2.4 Complaints concerning labour and working conditions shall be reported to:

1. the staff representative, or
2. the representative of an employee organisation, or
3. an external, independent organisation recognised and accepted by all parties concerned.

Employees shall be informed about the complaints procedure and shall be given the opportunity to report complaints in writing or verbally.

Guidance on the requirement:

*The method for reporting complaints about labour and working conditions shall be documented in a company complaints procedure. Employees shall be demonstrably informed of the existence and contents of this procedure. This will be verified during the interviews.*

*Where an external, independent organisation is involved in complaints handling, the certificate holder shall demonstrate that this organisation is accepted (or recognised) by all parties.*

## **Chapter 2: Terms of employment**

### **2.1 Trade union membership and right to negotiate**

2.1.1 Every employee is entitled to set up a trade union or join a trade union of their choice. The employee does not need to obtain permission from the certificate holder to do so.

Guidance on the requirement:

*Employees shall be free to choose which trade union or organisation they wish to join. The certificate holder (management) may not interfere in the employee's decision or influence the employee in making their decision on this matter (for example, by supporting one organisation at the expense of another, or in another way).*

*This can be demonstrated by means of the following, for example:*

- *Checking the status of the employee organisations already in existence at the participating company and whether these organisations are recognised members or chapters of a national or international trade union organisation (e.g. IUF)*
- *A copy of the collective labour agreement*
- *Trade union contributions.*

*In the specific situation in which an organisation is not a member or chapter of a national or international trade union organisation, it shall be checked in each case that the trade unions concerned are respected and independent.*

2.1.2 All employees have the right to negotiate collectively on requirements concerning working conditions, health, safety and terms of employment.

Guidance on the requirement:

*This can be demonstrated by, for example, providing copies of a collective labour agreement.*

2.1.3 The certificate holder shall demonstrate compliance with local and national laws on terms of employment.

Guidance on the requirement:

Copies of local laws shall be available and present at the company. The laws shall be up-to-date, for example in the form of a subscription (digital or loose-leaf system) with a publisher, or the participating company shall be able to show the relevant laws and regulations online during an audit.

2.1.4 Where the right to free membership and collective negotiation is restricted by local laws, the certificate holder shall give employees the opportunity to exercise their right to independent and free membership and collective negotiation.

Guidance on the requirement:

The certificate holder shall give employees the opportunity to organise themselves independently in the event of negotiations.

- The certificate holder shall ensure that employees are informed about their rights and obligations. This information should preferably come from an external, independent source.
- It is the responsibility of the certificate holder to recommend and arrange training if employees have insufficient knowledge of how to conduct good negotiations or are lacking any other skills in respect of negotiation. The aim of such training is to improve employees' knowledge of this specific subject or to raise awareness of it and to tackle any lack of skills or disadvantages in this area.

2.1.5 An employee's membership of, or connection with, an employee organisation, trade union or representation shall not result in discriminating measures in respect of their employment relationship. To enable employees to carry out their work effectively, a representative of an employee organisation shall be given free access to all workspaces.

Guidance on the requirement:

This can be demonstrated by means of confirmation by trade union members that they have not been discriminated against for being members of a trade union and that no disciplinary measures have been taken in response to the activities they engage in in this context.

## **2.2 Staff representation**

2.2.1 The certificate holder shall allow the election or implementation of employee representatives or a works council.

Guidance on the requirement:

Confirmation by employees during the audit demonstrating that they understand that they have the opportunity to set up a system of employee representatives for women, for example, if they wish to do so. If necessary, the certificate holder shall give them the opportunity to do so.

2.2.2 The works council or employee representatives have the right to meet regularly during working hours, but for at least two hours once a month. The certificate holder shall consent to these meetings.

There shall also be regular meetings between these representatives and the certificate holder or its management. In addition, employees shall have the right to meet at least twice a year to discuss matters concerning their work at the participating company. The certificate holder or its management shall consent to these meetings taking place during working hours without their involvement or participation.

Guidance on the requirement:

*Minutes of meetings of employee representatives/works council members with the management that demonstrate that meetings take place at least once a year. These meetings shall be planned in advance so as to ensure adequate representation and participation.*

*If the participating company has no works council or employee representatives, it shall be able to demonstrate that it has regularly assessed interest in setting up one of these organs.*

2.2.3 The certificate holder shall, in close consultation with the employees and the trade union, or, in the absence of a trade union, the independent works council or employee representatives, produce a plan to tackle and prevent discrimination, including gender discrimination and sexual harassment, which, besides creating awareness, shall contain detailed complaints procedures and sanctions.

2.2.4 In collaboration with representatives of the trade union, works council or employee representatives, the certificate holder is obliged to produce and implement a coherent equal opportunities policy relating to access to work, training, working conditions, protection and promotion, termination of employment and retirement.

Guidance on the requirement:

*This can be demonstrated by means of the following, for example:*

- *A written policy on the above matters, or*
- *Confirmation by employees during the audit that they are aware of these procedures.*

2.2.5 Employee representatives and management shall together produce a coherent policy on a safe and healthy working environment. This policy shall also cover matters relating to the handling of crop protection agents.

Guidance on the requirement:

*The certificate holder shall be able to demonstrate that it has a coherent health and safety policy, and that this policy is implemented in its work processes.*

*The above can be demonstrated by means of the following:*

- *Confirmation by the employees - Visual inspection*
- *Consulting local NGOs.*

2.2.6 The certificate holder shall, in consultation with the employee representatives, establish disciplinary measures that can be taken against employees who underperform. The measures shall be recorded in writing and explained to employees in clear, understandable terms. All disciplinary measures imposed shall be registered.

Guidance on the requirement:

*This can be demonstrated by means of the following, for example:*

- *Written procedures to prevent discrimination, harassment and coercion, written in a language that can be understood by all employees at the company*
- *An adequate system for registering complaints and sanctions regarding discrimination, harassment, coercion etc.*

2.2.7 The works council or employee representatives at the participating company shall be actively involved in implementing MPS-SQ. The certificate holder shall inform them about the audits and audit results, the time frame and the auditor's findings.

2.2.8 There shall be structured consultation between management and employees regarding MPS-SQ. This can be done through the works council or employee representatives.

## 2.3 Anti-discrimination

2.3.1 Employees shall be selected, hired and paid exclusively on the basis of their suitability for carrying out certain tasks. There will be no discrimination on the grounds of race, skin colour, gender, age, sexual orientation, religion, political preferences, nationality or origin, marital status, membership of a trade union, caste, social background, illnesses, physical or mental impairment, pregnancy or any other personal characteristics. Employees shall also be given access to training in equal rights.

### Guidance on the requirement:

*If certain groups are not hired for certain jobs, the certificate holder shall demonstrate and substantiate what specific work-related factors apply.*

2.3.2 All employees shall receive equal pay for the same work.

### Guidance on the requirement:

- *There may be no pay difference between employees working in the same job class. Exceptions can be accepted if this can be demonstrated based on experience, number of years' work experience in the company, age or performance. This also applies to temporary or agency staff and seasonal workers.*
- *Certificate holders shall adhere to local laws or industrial standards.*

*The above shall at least be demonstrated by means of a comparison of pay slips for a similar group of employees (e.g. same age, same level of experience and education etc.).*

*This requirement is met if the certificate holder uses a certified employment agency (e.g. PayOK, NEN 4400 in the Netherlands or equivalent). The certificate holder shall be able to demonstrate that the employment agency is certified (e.g. register of PayOK, NEN 4400 or equivalent).*

2.3.3 ~~Pregnancy, HIV~~ Non-work-related tests, e.g. pregnancy, HIV and genetic testing may not be carried out ~~as part of the recruitment and/or hiring process.~~

### Guidance on the requirement:

~~The participant must have a strong recruitment policy in which the hiring of employees is not contingent on, for example, pregnancy, HIV, or genetic testing~~  
~~Non-work-related tests are not allowed, including when hiring employees.~~

2.3.4 The certificate holder shall treat all employees with respect and dignity. Physical harassment or psychological repression, particularly of female or homosexual employees and/or employees from minority groups will not be tolerated, and the certificate holder shall ensure that measures are taken to prevent these practices.

### Guidance on the requirement:

*This can be demonstrated by means of the following, for example:*

- *Written procedures and codes of conduct to prevent discrimination, harassment and coercion. These shall be written in a language that all employees can understand (in multiple languages if necessary)*
- *Confirmation by employees during the audit (including seasonal workers, subcontractors and agency staff) that demonstrates that they are familiar with these procedures.*

## **2.4 Forced labour**

2.4.1 The certificate holder shall demonstrably ensure that no forced labour or any form of coercion is ever used.

### Guidance on the requirement:

*This requirement includes a ban on the use of forced labour in any form and under any circumstances, including work carried out to pay debts, forced labour and/or compulsory work by prisoners. Employees shall be fully informed of their terms of employment and working conditions, including work-related tasks, before they start work and shall be kept informed of changes to these conditions during their employment.*

*This can be demonstrated by means of the following, for example:*

- *Proof that the provisions of the employment contract have been explained and/or made known to the employee in full and in a way they can understand*
- *A contract that cannot in any way be associated with payments the employees would have to make or debts they would incur for any reason whatsoever*
- *Confirmation by employees during the audit.*

*Employees must be free to leave the company's premises at the end of the working day. They shall not be required to remain permanently on site. If an employee is asked to live on the premises, the participating company shall provide a justified explanation as to why this is necessary in relation to the type of work.*

*Employees must not have any substantial or long-term debts with the certificate holder or linked organizations which they can only repay by continuing to work for the participating company.*

2.4.2 It is not permitted to make employees hand over their identity documents to the certificate holder as "security".

### Guidance on the requirement:

*The above shall be demonstrated by means of the following, for example:*

- *The certificate holder or management has no originals of employees' documents in its possession, such as passports or birth certificates*
- *Confirmation by employees during the audit that they have not been asked to hand over security in the form of identity papers or money.*

2.4.3 If goods are sold to employees in a staff shop:

- *Employees may not be forced to buy these goods*
- *The goods shall be sold at reasonable market prices, and*
- *No credits may be issued that result in debts that can only be repaid by continuing to work at the participating company.*

### Guidance on the requirement:



*Confirmation by employees during the audit that they have alternative options other than allowing debts to the certificate holder or organisations related to the certificate holder (e.g. shops or accommodation) to increase. They can also confirm that they are free to use these options and, where there are no alternatives, that the goods are provided at a discount or below market prices.*

## **2.5 Minimum age**

2.5.1 Minors who are less than 15 years old or who are under the compulsory school-leaving age, whichever age is the higher, shall never be employed by or on behalf of the certificate holder.

However, if the local minimum age is set at 14 years, in accordance with exceptions for developing countries under ILO Convention 138, this lower age may apply.

Miners may be hired as holiday workers during regular school holidays for the purpose of gaining work experience. They shall receive compliant financial compensation for the work they carry out that is compliant with the collective labour agreement.

*Guidance on the requirement:*

*The ILO minimum age of 15 years is binding, unless specified otherwise under national law or international agreements.*

*The number of hours spent travelling to and from school and work plus the time spent at school or work may not exceed 10 hours per day.*

2.5.2 A minor employee who is replaced shall receive adequate financial assistance and good training opportunities during the transition phase.

*Guidance on the requirement:*

*The certificate holder is responsible for providing support and, if necessary, financial assistance, for children who are being replaced. This also applies to promoting effective education to these young people in consultation with local authorities.*

2.5.3 Adolescents below the age of 18 may not work nights or in dangerous or unhealthy conditions that could damage their health, safety or moral integrity and/or harm their physical, mental, emotional, moral or social development.

*Guidance on the requirement:*

*Children and young employees may not be exposed to situations at or outside the work location that are dangerous or unhealthy.*

*Children and young employees may not work when it is dark outside.*

2.5.4 It is prohibited for employees to bring their minor children or any other minor child with them to work to help them or to do other work.

*Guidance on the requirement:*

*The certificate holder must communicate its policy on child labour to its employees, children in service and their families and inform them of existing programs for young employees. Proof of this communication in the form of minutes of meetings or training material shall be available.*

2.5.5 The certificate holder shall have a procedure for establishing and verifying the age of employees. The records shall at least contain the following information:

1. Name of the employee
2. Age, and
3. Date of birth.

**This also applies to employment agencies.**

## **2.6 Employment contracts and pay**

2.6.1 All employees shall be hired with a binding employment contract. This contract shall be signed by the employee and the certificate holder. ~~The employee shall be assured of pay in the event of illness, disability, or accident.~~ The employee shall be covered by an insurance or social security scheme. This will cover the costs of medical treatment resulting from occupational injuries and diseases and will provide compensation for occupational injuries and diseases resulting in permanent disability or death in accordance with applicable national legal requirements. The notice period for a contract shall be the same for the employee and the employer. The employee shall receive a copy of the signed contract.

Guidance on the requirement:

- *The employment relationship of both seasonal workers and permanent employees shall be regulated with a legally binding contract.*
- *A personal file shall be created for every employee, in which the original, signed documents are kept and which shall be stored by the responsible person in a safe place (i.e. a lockable filing cabinet).*

*These personal files shall be accessible for assessment by the auditor on request.*

2.6.2 These requirements also apply to temporary and part-time staff, subcontractors and agency staff.

Guidance on the requirement:

*In some countries, it is customary for companies to work with various agency staff and seasonal workers who have signed a contract with the employment agency/contractor instead of with the company itself. In that case, a valid, signed hiring agreement between the management and the employment agency/contractor shall be available for inspection. This agreement shall set out the conditions under which these employees work, taking into account any relevant collective labour agreement requirements such as the hirer's remuneration, having a signed contract, etc.*

*This requirement is met if the certificate holder uses a certified employment agency (e.g. PayOK, NEN 4400 in the Netherlands or equivalent). The certificate holder shall be able to demonstrate that the employment agency is certified (e.g. register of PayOK, NEN 4400 or equivalent).*

2.6.3 The employment contract shall at least specify the following:

- Job title
- Number of working hours
- Pay, and

- The employee's general terms of employment.

Guidance on the requirement:

- All employees (including seasonal workers, subcontractors and agency staff) must have a signed contract in which all arrangements are described. The employment contract shall be written in a language and wording that the employees can understand.
- If the certificate holder uses agency staff, a valid, signed hiring agreement between the management and the employment agency/contractor shall be available for inspection. This agreement shall set out the conditions under which these employees work, taking into account any relevant collective labour agreement requirements such as hirer's remuneration, having a signed contract, etc.
- If the certificate holder has signed a collective labour agreement, all employment contracts shall refer to it in order to cover all terms of employment. If there is no collective labour agreement, the employment contracts shall refer to the statutory provisions on labour.
- This requirement is met if the certificate holder uses a certified employment agency (e.g. PayOK, NEN 4400 in the Netherlands or equivalent). The certificate holder shall be able to demonstrate that the employment agency is certified (e.g. register of PayOK, NEN 4400 or equivalent).

Illiterate employees shall have their employment contract read out and explained to them. This shall be demonstrated by the certificate holder.

2.6.4 Pay, overtime, benefits and paid leave shall at least comply with the statutory or industrial minimum requirements (collective labour agreement) or the standard living wage (~~excluding bonuses, length of service related benefits and fringe benefits~~) in order to meet an employee's minimum basic needs.

In any case, the certificate holder shall ensure that ~~in the absence of statutory requirements or a collective labour agreement,~~ the basic pay is never lower than the current World Bank poverty line (<https://www.worldbank.org/en/topic/poverty> ).

Guidance on the requirement:

- Employees shall be fully aware of the level of pay they will be receiving for their work before they enter employment and shall be informed of any changes made to their pay during the course of their employment. They shall be informed about the components of their pay and what the various deductions are for.
- If an employee has literacy or numeracy difficulties, the composition of their pay must be explained to them regularly, and at any rate as soon as any changes are made to it.
- No amounts may be deducted from pay on account of disciplinary measures.
- The pay earned for the standard number of hours per week shall be sufficient to cover food, clothing and accommodation for the employee and their family and must also include disposable income.
- The certificate holder shall at all times inform its employees of the statutory or industrial minimum requirements.
- The certificate holder shall be able to demonstrate that ~~at least the statutory or industrial minimum wage is being~~ paid to all employees (including agency staff) ~~is no lower than the World Bank poverty line.~~
- If a unit rate is paid, it shall be calculated whether the pay earned during the hours work is at least the equivalent of the statutory or collective labour agreement pay. ~~It may be no lower than the World Bank poverty line.~~
- Overtime shall not count towards pay needed to cover living expenses.
- If food, clothing or other essential goods and services form part of the pay, measures shall be in place that ensure that these are adequate, and their cash value shall be properly monitored.

- *This requirement is met if the certificate holder uses a certified employment agency (e.g. PayOK, NEN 4400 in the Netherlands or equivalent). The certificate holder shall be able to demonstrate that the employment agency is certified (e.g. register of PayOK, NEN 4400 or equivalent).*
- *If the certificate holder uses agency staff, a valid, signed hiring agreement between the management and the employment agency/contractor shall be available for inspection. This agreement shall set out the conditions under which these employees work, taking into account any relevant collective labour agreement requirements such as hirer's remuneration, having a signed contract, etc.*

2.6.5 If not provided for in the collective labour agreement, the certificate holder shall produce a plan, in consultation with the trade union or, in the absence thereof, in consultation with an independent works council or employee representative, for pay rises and other fringe benefits such as length of service-related benefits, bonuses, contributions to employees' children's education, canteen, training etc. in order to enable employees to obtain a living wage.

Guidance on the requirement:

- *If there is no collective labour agreement, the management of the participating company (together with all relevant parties concerned) shall produce a plan on pay rises and fringe benefits. See requirement 2.6.4 for information on obtaining a living wage.*
- *This plan shall be implemented.*

2.6.6 The full pay shall be paid to the employees in cash or by bank transfer (not in kind) on an agreed day. Details of this shall be given to the employees by means of an easy-to-understand form ~~or verbally~~. The employee shall at least be given the following information:

1. Number of hours worked for which the employee is being paid
2. Pay
3. Overtime.

The form shall be explained if the employee requests this.

Guidance on the requirement:

- *Pay shall be paid regularly and in full, by bank transfer where possible, otherwise in cash.*
- *Employees shall always receive pay slips.*
- *Illiterate employees shall be given a verbal explanation of the contents of the pay slip by the certificate holder.*

2.6.7 The certificate holder shall ensure that their staff have some form of social welfare provision, in particular covering disability, injury, pregnancy and provisions for older people (e.g. a pension scheme for older people). This also applies to temporary and agency staff (subcontractors).

Guidance on the requirement:

*See also national laws and collective labour agreements.*

*This requirement is met if the certificate holder uses a certified employment agency (e.g. PayOK, NEN 4400 in the Netherlands or equivalent). The certificate holder shall be able to demonstrate that the employment agency is certified (e.g. register of PayOK, NEN 4400 or equivalent).*

2.6.8 If applicable, the participant shall provide free transport if:

1. the commuting distance is more than 4 kilometres (one way), or

2. the commuting distance is longer than 40 minutes by foot (one way), or
  3. employees have to travel to work before sunrise and/or after sunset.
- If the certificate holder cannot offer free transport in the above situations, employees shall receive remuneration for individually or collectively organising transport.

Guidance on the requirement:

- See also national laws and collective labour agreements.
- Transport offered by the certificate holder shall be suitable, safe (including with benches/seats with seat belts), not overcrowded, in good hygienic condition and free of charge.
- If a travel expense allowance is offered instead of free transport, this shall be in line with national laws or industry guidelines.
- The travel expense allowance shall be sufficient to cover the cost of commuting.

2.6.9 The certificate holder shall comply with agreed rules on employment and working conditions if there is no collective labour agreement or if national laws do not cover this. These rules shall contain proper procedures for issuing warnings and dismissal.

Guidance on the requirement:

- A clear and appropriate policy on employment and working conditions with a warning system and a dismissal procedure shall be available. This policy shall be implemented by the certificate holder and communicated clearly to the employees.
- A transparent and comprehensive registration system shall be available for warnings and dismissal.

2.6.10 If the certificate holder uses subcontractors, payrolling and/or agency staff, it shall check that the employment agencies or companies concerned respect the minimum employment rights.

Guidance on the requirement:

The certificate holder shall be able to demonstrate that the subcontractors, payrolling companies or employment agencies meet their obligations in respect of implementing minimum employment rights for the workers they employ. This can be demonstrated by means of the following:

- A valid signed hiring agreement between the certificate holder or its management and the employment agency, contractor or payrolling company. This agreement shall set out the conditions under which these employees work, taking into account any relevant collective labour agreement requirements such as the hirer's remuneration, having a signed contract, etc.
- This requirement is met if the certificate holder uses a certified employment agency (e.g. PayOK, NEN 4400 in the Netherlands or equivalent). The certificate holder shall be able to demonstrate that the employment agency is certified (e.g. register of PayOK, NEN 4400 or equivalent).

**2.6.11 In the event that employees are required to work outside their place of employment, they shall be compensated for any additional costs of living resulting from this.**

## **2.7 Working hours and days off**

2.7.1 A regular working week shall comply with the applicable national statutory regulations, collective agreements or industrial standards but may not be longer than 48 hours excluding overtime. **Including overtime, working weeks do not exceed 60 hours.**

~~If applicable national statutory regulations stipulate working weeks of more than 60 hours including overtime, the standard requires the total number of hours worked to be reported in the audit report.~~

Guidance on the requirement:

- ~~• A regular working week is defined as laid down by national laws or a maximum of 48 hours per week, whichever is the stricter.~~
- Overtime shall be voluntary and must always be paid with a bonus. When compensation is applied, employees shall receive a proper explanation of how the compensation is calculated.

2.7.2 Overtime must be subject to at least the standard bonuses. Overtime may not be paid in kind.

Guidance on the requirement:

- Bonuses shall be established in national law, in a collective labour agreement or in the participating company's terms of employment.
- Additional pay and any bonuses must be paid in monetary form. Overtime and the associated bonuses can be paid in time if the certificate holder and employee agree to this.
- If the employee prefers to receive time off in lieu, the bonus shall still be applied.
- This requirement is met if the certificate holder uses a certified employment agency (e.g. PayOK, NEN 4400 in the Netherlands or equivalent). The certificate holder shall be able to demonstrate that the employment agency is certified (e.g. register of PayOK, NEN 4400 or equivalent).

Examples:

- If a person works 10 hours overtime and the overtime factor is 1.5, the calculation is as follows: 10 hours time off in lieu and 5 hours paid at the hourly rate.
- If the employer and the employee agree, the 10 hours overtime can result in 15 hours off.
- If employees are compensated for 10 hours overtime with 10 hours off, this does not take account of the bonus factor and the guidelines have therefore not been complied with.

2.7.3 All employees shall have a rest period of at least 24 consecutive hours within every consecutive work period of seven days.

Guidance on the requirement:

*For every consecutive period of seven days, the employee shall be given at least one free day.  
Confirmation by employees during the audit.*

2.7.4 There shall be agreed and statutory lunch breaks and work breaks. ~~This also applies to public holidays and annual leave.~~

Guidance on the requirement:

*Confirmation by employees during the audit.*

2.7.5 Employees shall be protected against being overburdened as a result of excessive and permanent work stress.

Guidance on the requirement:

*The certificate holder shall be able to demonstrate that measures are taken to minimise excessive work stress caused by work-related factors.*

## 2.8 Annual leave

2.8.1 All employees ~~in continuous employment with the same certificate holder (employer)~~ shall have the right to fully paid annual leave of at least three working weeks, excluding sick leave and incidental leave. Annual holiday periods shall be in line with national laws and/or arrangements made in a specific or sectoral collective labour agreement if one of these amounts to more than three working weeks.

### Guidance to the requirement:

- *Reference to national laws and/or collective labour agreement.*
- *The above can be demonstrated by means of the following:*
  - *Employment contracts*
  - *Verbal confirmation by employees during the audit*
  - *Pay slips and/or accounts*

2.8.2 If an employee's continuous period of employment is not long enough for them to be eligible for paid annual leave, this shall be provided by means of a pro-rata payment or a payment by way of compensation.

### Guidance on the requirement:

- *The certificate holder shall be able to demonstrate how annual leave is organised for employees working for a short period of time.*
- *Reference to national laws or industrial agreements.*

## 2.9 Maternity leave and protection

2.9.1 Female employees shall have the right to at least 12 working weeks of paid maternity leave. Maternity leave shall at least cover a period of six weeks after the birth. This leave shall not cause the employee to lose any privileges, such as paid annual leave. Pre-birth maternity leave shall be extended by the period that may arise between the due date and the actual birth date without the post-birth leave having to be shortened.

### Guidance on the requirement:

- *Employees shall receive at least six weeks' maternity leave after the birth. Maternity leave of three months shall be fully paid. Annual leave must not form part of this period.*
- *The above shall be demonstrated by means of the following:*
  - *Employment contracts*
  - *Pay slips and/or accounts*
  - *Verbal confirmation by female employees during the audit*
  - *Consultation with local NGOs*

2.9.2 Special measures shall be taken to prevent health risks to pregnant women and nursing mothers. During the period prior to maternity leave, pregnant employees may not be given work that could endanger their health. This applies in particular to work involving chemicals and crop protection agents. This requirement also applies to nursing mothers.

### Guidance on the requirement:

*The certificate holder shall be able to demonstrate that pregnant and nursing employees do not carry out work that could harm them or their child. Lighter tasks can be given to the employee at her request.*

2.9.3 The certificate holder shall not terminate a female employee's employment contract during her pregnancy or maternity leave.

Guidance on the requirement:

- *It is the certificate holder's responsibility to provide valid reasons for dismissal that have nothing to do with pregnancy, birth or childcare.*
- *If a contract is terminated, a file shall be available showing the grounds for termination and the procedures followed.*

2.9.4 An employee shall have the right to return to the same or an equivalent role at the same or higher pay at the end of her maternity leave.

Guidance on the requirement:

*The above shall be demonstrated by means of the following:*

- *Local laws and/or collective labour agreement*
- *Pay slips and/or accounts*
- *Confirmation by employees during the audit.*

2.9.5 Maternity leave or components thereof may never be replaced by financial compensation.

Guidance on the requirement:

*Financial compensation for the purpose of shortening maternity leave is not permitted and may not be accepted.*

2.9.6 The certificate holder shall have a procedure in place to enable nursing mothers to breastfeed during working hours.

Guidance on the requirement:

*The certificate holder shall promote the benefits of breastfeeding by having a specific policy stating how this is organised for nursing mothers at the company.*

2.9.7 A designated clean room shall be provided at the participating company for pregnant women and nursing mothers. If this room cannot be provided at the participating company, the certificate holder shall provide a designated facility within immediate walking distance of the participating company.

Guidance on the requirement:

*Depending on the size of the participating company, the certificate holder (employer) shall offer one or more special hygienic rooms for pregnant women and where nursing mothers can breastfeed or express breast milk.*

## **2.10 Medical care**

2.10.1 Employees shall be offered adequate medical care. The certificate holder shall ensure adequate access to local facilities or provide them on site. Employees shall receive free regular medical care and advice at the work location at set times and during working hours. This medical care and advice shall be provided at least once per year and shall also include



psychological and social assistance. Regular examinations and check-ups shall be carried out by a qualified doctor or by qualified paramedic staff under the supervision of a qualified doctor.

Guidance on the requirement:

- *The medical care must cover general medical problems, not specific problems relating to accidents or emergency situations.*
- *The aim is that when an employee falls sick, the employer shall ensure that medical care can be provided as quickly and efficiently as possible.*
- *Employees must be free to visit their GP or a medical specialist, including during working hours, if there is no company doctor present at the participating company.*

*The above shall be demonstrated by means of the following:*

- *Verbal confirmation by employees*
- *Company policy that permits employees to obtain medical care by visiting their GP or specialist*
- *Other evidence*

## **2.11 Accommodation**

2.11.1 If the certificate holder provides accommodation for employees, this shall meet the minimum requirements applicable in terms of strength, stability, safety, cleanliness, dimensions, ventilation, cooking, water and sanitary facilities.

Guidance on the requirement:

*The certificate holder shall provide the following:*

- *A separate bed for every employee*
- *Sufficient standing height of no less than 203 cm, allowing full and free movement*
- *Sleeping areas with minimum dimensions of 198 x 80 cm*
- *Beds in rows of no more than two*
- *Comfortable bedding*
- *Separate accommodation for male and female employees*
- *Adequate natural light during the day and adequate artificial light*
- *Sufficient ventilation to ensure adequate air movement in all weathers and climatic conditions*
- *Heating where necessary*
- *Adequate supply of safe drinking water*
- *Adequate sanitary facilities*
- *Adequate drainage*
- *Suitable furniture in which every employee can stow away their possessions safely, such as a ventilated wardrobe that can be locked by the occupant to ensure privacy*
- *Communal cooking facilities, dining halls, canteens or dining rooms separate from bedrooms*
- *Suitably located and equipped washing and showering facilities*
- *Rest and recreation rooms and health facilities, unless available elsewhere in the community*
- *Electricity supply.*

*In employees' sleeping quarters, the floor area may not be less than 7.5 square metres in rooms for two people, 11.5 square metres in rooms for three people, or 14.5 square metres in rooms for four people. If a room provides accommodation for more than four people, the floor area per person shall be at least 3.6 square metres. The maximum permitted number of occupants in each room shall be displayed in the room.*

Compliance with this rule is only required if the certificate holder chooses to provide accommodation for employees. Providing accommodation may not constitute a subtle form of binding employees to the participating company (i.e. a form of forced labour). The conditions under which employees can rent accommodation may be no less favourable than those in the surrounding area, including the rent payable.

This requirement is met if the accommodation is SNF or AKF certified.

The above can be demonstrated by means of the following:

- Employment contracts
- Verbal confirmation by employees
- Building and housing inspectorate regulations
- Visual check of existing accommodation.

## 2.12 Personal development of employees

2.12.1 The certificate holder shall promote the personal development of its employees by means of educational programmes in the areas of production, society and culture.

Guidance on the requirement:

The certificate holder shall be able to demonstrate that it encourages its employees to undertake personal development in the form of educational programmes in various areas..

~~2.12.2 In countries where this is applicable, the certificate holder shall ensure that its employees and their families receive good, healthy food. Special subsidies for food for employees form part of the programme that complies with the right to food. If food is provided in a canteen, the offer shall be nutritious and varied.~~

~~2.12.3 In countries where this is applicable, the certificate holder shall:~~

- ~~1. provide crèches inside or outside the participating company for employee childcare~~
- ~~2. provide education on site or transport to the nearest school for children of employees who live on site or in accommodation provided by the certificate holder.~~

~~The certificate holder shall encourage education for employees' children.~~

Guidance to the requirement:

- ~~● If applicable, the certificate holder must encourage and support healthy diets for its employees and their direct family members.~~
- ~~● If crèches or educational facilities for children are provided on site, certain basic requirements governing aspects such as the number of teachers must be met. These requirements also relate to the number of children per class and the level of education.~~
- ~~● If crèches or educational facilities are located off site, the certificate holder must provide free transport in the form of safe and reliable vans or buses.~~
- ~~● The time spent travelling to and from school and the time actually spent at school must not exceed 10 hours per day.~~

2.12.2 The certificate holder shall promote social and cultural projects in collaboration with local municipalities and shall support these financially or by other means.

Guidance on the requirement:

*The certificate holder shall be able to demonstrate how they have contributed or will contribute to a certain community project.*

## **Chapter 3: Safe and healthy working environment**

### **3.1 General**

3.1.1 All employees shall have access to clean drinking water.

Guidance on the requirement:

- *Drinking water points with suitable drinking water shall be present at the work site within a maximum radius of 100 m. These points shall be positioned in such a way as to avoid contamination from other sources. Availability can take the form of a tap, bottle or Thermos flask. Water provided in the last two forms shall be fresh.*
- *Barrels with drinking water with a closed lid are permitted provided the drinking water is changed on a daily basis. The above situation shall be taken into account if the barrels are distributed across the participating company.*
- *Drinking places shall be clearly identified to prevent accidents.*
- *Drinking water sources shall be analysed twice a year to demonstrate that the water is suitable for drinking. The analysis shall be carried out in accordance with accepted standards by a laboratory certified to ISO 17025 or equivalent.*
- *Water shall be suitable for human consumption.*

*The above shall be demonstrated by means of the following:*

- *Visual inspection*
- *Results of water analyses.*

3.1.2 The certificate holder shall provide demonstrably clean toilets or latrines.

Guidance on the requirement:

- *The number of toilets shall be sufficient for the number of employees.*
- *Suitable sanitary facilities separated by gender shall be provided in accordance with the statutory guidelines. There shall be a wash basin next to the toilets.*
- *The following numbers can be used as a guideline: if the number of employees is more than 10, there shall be one toilet per 15 women and one toilet per 25 men, unless otherwise specified by law or other regulations.*
- *Toilets shall be located in a place where they are easy to access from the work location. It shall not take employees their entire break to visit the toilets.*
- *When choosing a suitable location for the toilets, account shall be taken of the distance from wells, water courses and other vulnerable sites so as to minimise the spread of diseases.*
- *Toilets shall be kept clean; there shall be a cleaning roster for every toilet block stating who is responsible for the cleaning, how often it is done and what cleaning products are used. After cleaning, the responsible person shall record this on the roster.*

*The above shall be demonstrated by means of the following:*

- *Visual inspection*
- *Building regulations or other rules*
- *A signed cleaning roster.*

3.1.3 The certificate holder shall provide facilities where employees can eat (e.g. a canteen or similar facility) and facilities where employees can change and store personal belongings. These facilities shall be clearly separated from work areas.

Guidance on the requirement:

- *Eating, drinking and smoking at the workplace shall be prohibited.*
- *Facilities for eating and storing belongings shall be hygienic.*
- *Employees must have free access to these facilities and their personal belongings.*
- *Personal belongings shall be stored securely (under lock and key).*

The above shall be demonstrated by means of visual inspection.

3.1.4 The certificate holder shall provide its employees free of charge with suitable and effective personal protective equipment (PPE) as well as suitable, clean work clothes that are washed by the participating company in order to avoid contamination being brought into the company from employees' homes.

Guidance on the requirement:

- *Different types of clothing shall be provided for each department, e.g., in production and breeding, cold stores, workshops, maintenance department, warehouses, canteens etc. Employees who work in production or breeding shall at least be provided with a dust coat and work shoes (waterproof rubber boots if they work in a wet environment). The clothing shall be adapted to the type of crop being grown.*
- *Employees working in cold stores shall at least be given overalls that protect them against low temperatures (known as Eskimos suits), closed work boots/shoes and gloves.*
- *Employees working in the workshop or another maintenance department shall at least be given overalls (preferably cotton) and work shoes/boots with steel toe caps or rubber boots (depending on the type of work).*
- *Employees working in the crop protection agent/fertiliser store shall ~~at least~~ preferably be given overalls (preferably cotton) and, ideally, work shoes/boots with steel toe caps. Employees working in the crop protection agent/fertiliser store shall be given the same protective clothing as sprayers (see PPE for sprayers).*
- *Canteen staff shall at least be given a dust coat (food coat).*
- *If the certificate holder takes on temporary or agency staff for a short period of time, clothing should generally be given to those who will be working for at least two consecutive months.*
- *It is recommended to provide two of each item of clothing so that one can be washed while the other is being worn.*

3.1.5 First-aid boxes, basic medication and a small pharmacy shall be provided on site close to the work location and shall be available free of charge. The contents shall be checked regularly to ensure they are still complete and use-by dates have not expired.

Guidance on the requirement:

*Regular, documented checks of the contents of first-aid boxes and use-by dates of medicines shall be undertaken.*

*The above shall be demonstrated by means of inspection reports on the first-aid boxes and visual inspections.*

3.1.6 Adequate first aid facilities shall be available at all work locations. At least one person trained as an emergency response officer (and given regular refresher training) shall be present at the participating company to provide assistance where necessary. First aiders shall also know how to deal with crop protection agent poisoning.

NOTE: This means that a participating company shall have at least two persons with an emergency response qualification at its disposal.

Guidance on the requirement:

- *First aid facilities and a sufficient number of trained emergency response officers shall be available at all work locations, depending on the size of the participating company. As a guideline, for every 50 employees there shall be one emergency response officer who receives annual refresher training. The training shall be provided by a recognised organisation. See also local laws and regulations.*
- *First aid facilities shall include a lockable first aid box made of robust material and at least containing disinfectant, various types of clean bandages, gloves, painkillers and medication for acute malaria, if applicable.*
- *If an employee who has been taken sick cannot be taken straight home, a separate room shall be available where they can lie (bed, blanket). These aspects depend on the size of the participating company and the number of employees and should be reasonable.*
- *Emergency response officers shall be able to be deployed in all areas of the work location.*
- *If there is a nurse present on site, they shall keep abreast of developments and receive refresher training.*

*The above shall be demonstrated by means of a list of emergency response officers, the training they have taken and the dates of the training.*

3.1.7 The certificate holder shall have a procedure relating to safe working and shall communicate this to the staff and management. Refresher training shall be given at least once per year. New employees, including temporary staff, subcontractors and agency staff, shall be demonstrably and properly informed about the risks at the work location.

Guidance on the requirement:

- *The certificate holder shall formulate safe working procedures together with the prevention officer. The prevention officer shall communicate these procedures to employees and visitors. This can be done verbally or in writing (in the form of pictures/pictograms or text), taking into account the languages spoken at the participating company and the possibility of illiteracy. Where this information is communicated in text or diagram form, these signs shall be displayed in places where all employees and visitors can see them (e.g. in a canteen). Signs on a particular subject shall be visibly displayed in the place where this subject applies. In addition, the signs shall be maintained (taking into account weathering/sun damage so that the signs remain legible).*
- *Risk assessments carried out at all work locations shall be used to implement and maintain safe working practices.*
- *Employees shall be regularly reminded of the procedures, preferably twice but at least once per year, and new employees shall be aware of the procedures at all times. All employees shall be trained in general health and safety. This can be done by the management, the prevention officer or an external trainer. These training sessions, including refresher training, shall be documented and a list of all participants kept.*

- *These training sessions must be free of charge for employees and must take place during working hours.*

*The above shall be demonstrated by means of the following:*

- *Evacuation plans and warning signs throughout the company premises*
- *Fire drills*
- *Calibrated fire extinguishers shall be present in sufficient numbers*
- *Training details, minutes of meetings and attendance lists.*

3.1.8 The safety instructions, re-entry times and hygiene instructions shall be clearly visible in all work locations.

*Guidance on the requirement:*

- *Visual inspection*
- *Verbal confirmation by employees*

3.1.9 The certificate holder shall have documented procedures and measures in place for handling accidents and emergency situations, including crop protection agents, and shall communicate these to its employees.

*Guidance on the requirement:*

*With regard to measures to be taken in the event of pesticide poisoning, the following shall be taken into account: if there is a company clinic, it shall be equipped for this eventuality, with remedies and medications, etc. If there is no company clinic, the prevention officer or emergency response officer (or a qualified nurse, if present) shall have the necessary resources (e.g. eye wash, running water, charcoal etc) to provide first aid until professional medical help can be administered.*

*If it is necessary to take a patient to the local hospital or clinic, a procedure shall be in place for this and the prevention officer shall be aware of it, for example ensuring that transport and a driver are always available in the event of such an incident and that a record is made of the crop protection agent and active substances concerned. For the latter, products must be kept in their original packaging at all times, and employees must be aware that they can always check the packaging or box for information on them.*

*The above shall be demonstrated by means of the following:*

- *Visual inspection*
- *Inspection reports of first aid boxes - Confirmation by employees*
- *Relevant documentation (e.g. local building regulations)*
- *Other administrative evidence (e.g. safety training attendance list)*
- *An emergency plan with checklists for accidents, contamination of personnel by crop protection agents or chemicals, fire alarms and spillages of crop protection agents or chemicals.*
- *Evacuation plan*

3.1.10 Complete and constantly updated documentation and statistics on sickness, accidents and sickness absence shall be kept.

*Guidance on the requirement:*

*The above shall be demonstrated by means of the following:*

- *Reports on all accidents, incidents (including spillages of crop protection agents or chemicals), emergencies and contamination with crop protection agents, sickness and absence.*

- *The certificate holder shall keep a Safety Logbook in which accidents are specifically recorded, even if accidents rarely or never occur. The prevention officer shall keep this logbook up to date. The logbook must contain the following information: data the accident, name of the person involved, type of accident (including details of any serious injuries or fatality), location of the accident, what the cause was (if known), whether it was reported to the labour inspectorate and what preventive measures were taken, etc.*

3.1.11 All the work at the participating company shall be organised in such a way that it does not endanger the health and safety of the employees.

Buildings and equipment shall be sufficiently strong, stable and safe and offer protection against fire.

High risk work activities and locations (e.g. spraying, handling crop protection agents, construction or maintenance) shall be specially designated and monitored.

Guidance on the requirement:

- *The certificate holder shall have a recent risk assessment report covering all risks and hazards.*
- *The risk assessment shall be carried out by an external professional firm. If there is no such organisation, it is permissible for appropriately trained employees at a good level in the participating company to carry out the risk assessment.*
- *High-risk locations and potential hazards shall be clearly identified with warning signs in the local language, including pictograms where possible.*
- *Based on the risk assessment, the participating company shall take appropriate measures which must be monitored throughout the year.*
- *Emergency exits shall be clearly identified.*
- *See also local laws and regulations.*

3.1.12 Employees have the right to leave their workplace in the event of danger with an immediate, serious risk to their health or safety and to be able to immediately inform their manager about it. They shall not suffer any adverse effects as a consequence of these actions.

Guidance on the requirement:

*If employees have found it necessary to stop a certain task on account of danger, they shall inform their manager. The manager must handle this situation with care and must take all necessary measures. The employee must suffer no adverse consequences afterwards.*

*The above shall be demonstrated by means of the following:*

- *Visual inspection*
- *Confirmation by employees*

3.1.13 **Certificate holders shall offer medical examinations to employees engaged Employees working in the cultivation, harvesting and processing shall be given a medical of products, both on commencement of their employment and annually thereafter. The examination when they start and thereafter on an annual basis must be paid for by the certificate holder.** The results shall be communicated to the persons concerned in easily understandable language.

Guidance on the requirement:

- *See also national laws and collective labour agreements.*

- The certificate holder shall offer employees the opportunity to undergo a medical examination at the employer's expense.
- The medical examination for the category of employees mentioned above must be carried out by a competent person. As a guideline for this examination, the basic parameters for a medical check-up include general physical health, heart and lung function, eyes, etc.
- Persons competent to carry out this examination shall ascertain what checks are relevant to which category of employees.
- All results shall be communicated with the person concerned in an understandable form and shall be logged and stored as confidential.
- This also applies to agency staff. If agency staff are hired via an employment agency, the participating company does not have to offer this medical examination itself. However, it shall be ensured that the employees concerned are offered such an examination by the employment agency for which they work. Proof of this shall be present at the participating company.
- If the agency staff are employed directly by the participating company, the participating company shall demonstrate this itself.

### 3.1.14 There shall be an alarm present at the company that alerts employees to an emergency situation.

#### Guidance on the requirement:

- E.g. megaphone or air horn

## 3.2 Use, handling and storage of crop protection agents

3.2.1 All personnel (including employees of external organisations) who come into physical contact with or apply crop protection agents shall be able to demonstrate competence and knowledge by means of official diplomas or certificates for special courses.

#### Guidance to the requirement:

- The participating company shall keep details of the training undertaken by each relevant employee (subject of the required training, name of the trainer, date of the training, proof of participation, attendance lists with signatures).
- Growers or their advisers shall have documentation available proving the competence of the person technically responsible for the quantity and type of fertiliser and crop protection agent to be applied (including post-harvest treatments).
- For growers, for example, this might be relevant agricultural training or a course in the use and application of fertilisers and crop protection agents.
- Advisers shall have documented proof of a recognised training course.
- The person at the participating company who is responsible for integrated pest management, if applicable, shall have taken a documented course recognised by the participating company (such as an official course or a course developed by the company itself), or the external advisers shall be able to demonstrate their technical qualifications by means of official certifications and/or courses taken.

3.2.2 Crop protection agents that are prohibited or not registered in the country or whose use-by date has expired may not be used. ~~The same applies to crop protection agents that are resistant to degradation (such as chlorinated hydrocarbons), soil decontamination products and weed killers. Highly toxic WHO-I products, carcinogens and mutagens (EPA list) shall where possible be replaced by less toxic products (see~~



<https://www.who.int/publications/i/item/9789240005662>)-No products that contain active substances on the MPS-List prohibited active substances may be used.

Guidance on the requirement:

- *Products containing active substances on the MPS-List prohibited active substances may not be stored or used. Even if a certain substance of the MPS-List Prohibited active substances is permitted and available in the production country, MPS-SQ certificate holders are not permitted to use it.*
- *If there is no reasonable local collection point or disposal site for disposing of prohibited/out-of-date chemicals, it is better to store these chemicals in the storeroom. These chemicals must be provided with a clear label stating that they are out of date.*
- *This rule also applies to chemicals used for disinfecting packaging or boxes for third parties, such as wooden crates treated with methyl bromide for transporting yucca stems.*

3.2.3 Sprayers may not spray for longer than four hours per day. Because of the high risk and exposure to toxic substances, there shall be a rotation system or a medical monitoring system in place.

Guidance on the requirement:

- *The certificate holder shall be able to demonstrate that sprayers do not spray for more than four hours per day. Details of every sprayer shall be recorded.*
- *Task rotation programmes shall be implemented. The following guideline is recommended: 1 week spraying and 2 weeks not spraying.*
- *The requirement for task rotation does not apply if medical monitoring is present. If a medical check-up reveals excessively high levels in a worker's blood, they must be removed from the spray shift without their level of pay being affected.*
- *If the certificate holder can prove that sprayers spray on an incidental basis (less than 5 hours per week), exceptions can be made in the rotation schedule. This shall be assessed on a case-by-case basis.*
- *This requirement does not apply if an automatic spraying system is used in which the crop protection agents are made ready and the equipment is configured in a short space of time and the operator monitors the situation remotely.*

3.2.4 Anyone in charge of spraying shall be ~~medically examined yearly~~ offered an annual **medical examination**, including testing of blood cholinesterase levels by an independent institute.

Guidance on the requirement:

- *See also national laws and collective labour agreements.*
- *The medical check-up and blood test shall be carried out by independent doctors. The test must include general observations such as heart, lungs, blood pressure, infections, skin irritations etc. Blood tests must be performed to check cholinesterase levels. Results must be treated in confidence and only passed on to the employee concerned. Employees must be informed about the reason for this test, why it is needed and why it is being carried out. If a result indicates a problem, the employee shall not carry out any more spraying work until their blood values return to normal.*
- *If a certificate holder can demonstrate that no organophosphates and/or carbamates are used, a cholinesterase test is not needed.*

*The above shall be demonstrated by means of the following:*

- *Records of medical check-ups*
- *The results of the check-up shall be given to the employee in an understandable way.*

- *A complete file of these examinations shall be kept.*

3.2.5 The appropriate protective measures complying with the instructions on the label and/or legal requirements and appropriate for the health and safety risks shall be available for employees, visitors and subcontractors. This shall be able to be demonstrated.

Guidance to the requirement:

- *Everyone (employees, visitors, subcontractors etc.) shall have access to the correct protective measures which shall comply with the recommendations on the label or the statutory requirements.*
- *Visible proof shall be available that these items, such as rubber boots, waterproof clothing, protective overalls, rubber gloves, face masks etc. are present, are used and are in good condition.*
- *The type of mask shall be suitable for protecting employees carrying out spraying against various hazardous chemicals (preferably with cartridge type A2P3 or equivalent). Depending on the type of cartridge, the frequency, and the use of various types of chemicals, cartridges shall be replaced at least once every two months. Local rules can differ. Cartridges must in any event be replaced as soon as chemicals can be smelt during spraying while wearing a mask. If this period is exceeded, this shall be justified. Note: Cartridges shall be kept in a safe place, preferably in an air-tight container, and not together with crop protection agents. The above shall be demonstrated by logging the number of hours the cartridges are used and their replacement.*
- *Overalls shall be liquid-proof and shall cover the entire body. Aprons are not permitted. This also applies to warehouse staff.*
- *Single-use overalls that are disposed of immediately after use are not recommended as they are not fully liquid-proof.*
- *Both full masks and special goggles are permitted.*
- *Normal work shoes or safety boots are not suitable for the application of crop protection agents.*
- *Rubber boots are required for both preparation and spraying.*
- *Gloves shall be chemical-proof.*
- *Thin latex gloves (often used by harvesters) are not permitted.*

3.2.6 After application, protective clothing shall be cleaned.

Guidance on the requirement:

- *Protective clothing and equipment shall either be cleaned or discarded after the use of crop protection agents.*
- *This clothing and equipment must be cleaned separately from employees' own clothes and gloves must be washed before removal.*
- *Dirty, torn and damaged clothing and equipment and out-of-date filters shall be disposed of.*
- *Disposable items (gloves, overalls etc.) shall be disposed of after use.*

3.2.7 Facilities for changing and washing after spraying shall be provided. After working with crop protection agents, employees shall wash thoroughly.

Guidance on the requirement:

- *The certificate holder shall provide employees with facilities where they can shower and change after spraying. The shower shall be on the premises. Other employees, family or bystanders shall be prevented from coming into contact with contaminated overalls, gloves etc.*
- *Furthermore, the likelihood of employees actually washing is greater if the shower is on the premises. This can then be monitored better by the participating company. Protective clothing may not be stored in the same room as personal clothing. A simple shower room will suffice.*

- *A separate changing room (not a toilet) shall be provided, and areas for men and women shall be separate. As a guideline there should be one shower for every five sprayers. See also local laws and regulations.*

3.2.8 It is prohibited to spray in greenhouses when unprotected employees are present. Warning signs shall be provided at the entrances to areas where spraying is taking place and shall state when it is safe to re-enter the greenhouse.

Guidance on the requirement:

*Safety instructions and re-entry times shall be clearly indicated, implemented and understood. The use of pictograms is recommended.*

3.2.9 When crop protection agents are used in a greenhouse, the re-entry times on the label or in the statutory instructions for use shall be observed.

If crop protection operations are being performed, this shall be made clearly visible. Personnel not tasked with spraying may not enter the area or greenhouse being treated. If the greenhouse is not fully closed, employees shall remain at a distance of at least 10 metres from the greenhouse. This shall be monitored by or on behalf of the certificate holder.

If no re-entry time is stated on the label, the re-entry times based on the WHO classification shall be observed:

WHO Tox I: 24 hours

WHO Tox II: 12 hours

WHO Tox III: 6 hours

If no re-entry time is stated on the label and the active substance does not appear on the WHO list, the crop shall at least be dry before people re-enter the greenhouse.

3.2.10 All crop protection agents shall be stored in their original packaging. ~~and provided with labels clearly stating the creation date.~~

Guidance on the requirement:

*No products may be stored with labels printed in a language that is not the local spoken language.*

3.2.11. Storage locations of crop protection agents, fertilisers and chemicals shall be safe, sound, lockable, non-absorbent, clean, dry, resistant to extreme temperatures, well-ventilated and well-lit and shall comply with local regulations. Storage locations shall be set up in such a way that they do not form a source of pests and diseases. Concentrated acids shall be stored in a separate lockable room, unless this is already provided under the requirements for the storage of crop protection agents.

Guidance on the requirement:

*Storage locations of crop protection agents shall comply with the following:*

- *Safe (under lock and key)*
- *Sound*
- *Concentrated acids shall be stored in a separate lockable room*
- *Resistant to extreme temperatures or in a position that is protected against extreme temperatures*

- *Non-absorbent*
- *Clean (a room free of rubbish and rodent breeding sites; spillages of crop protection agents and leaks shall be cleaned up)*
- *Sufficient capacity for storage of all crop protection agents*
- *Dry (no rainwater ingress or heavy condensation causing mould to form)*
- *Well ventilated (with sufficient and constant ventilation with fresh air to prevent a build-up of harmful vapours)*
- *Well lit (adequately lit or situated so that there is enough natural and artificial light to allow all product labels to easily be read while the products are on the shelves)*
- *Compliant with local regulations*
- *The storage locations shall be set up in such a way that they do not form a source of pests and diseases, they do not pose a hazard to employees and the risk of cross-contamination of crop protection agents is avoided.*

3.2.12 Safety precautions (eye wash, plentiful water) shall be available in case employees come into contact with crop protection agents or in the event of spillage.

*Guidance on the requirement:*

*There shall be water in the vicinity, such as an outside tap that is easily accessible or a bucket close by (with water that is changed regularly). Other absorbent material shall also be within reach.*

3.2.13 Only employees with sufficient training in storage procedures and handling and dosing crop protection agents shall have access to the storage rooms and/or have their keys.

*Guidance on the requirement:*

*Depending on local laws and regulations, the training shall be carried out by a recognised external organisation or in-company, provided the organisation/person is qualified and experienced and aware of the latest information/developments. The content of the training (subjects covered) and the names of attendees shall be registered.*

- *Training shall take place once or twice per year, depending on laws and regulations in the country concerned. If the sprayer is not responsible for recording spraying activities, these activities shall always be recorded by someone else.*
- *In some countries, official spraying licenses are valid for longer than one year. In this case, this is permissible and annual refresher training is not needed. See local laws and regulations.*
- *The lock on the store shall be sturdy, and only authorised personnel may have a key (or know the code). They shall carry the key with them at all times.*

*The above shall be demonstrated by means of a list of sprayers, their status and their most recent attendance at sprayer training.*

3.2.14 The accident procedure and a list of contact people shall be present in the storeroom at all times.

*Guidance on the requirement:*

*Emergency procedures shall be displayed visibly at the entrance. The contents shall be understood by the people concerned.*

3.2.15 All equipment and resources shall be demonstrably maintained to ensure that they are at all times properly and fully compatible with the operations being carried out (see also the

statutory requirements for risk assessments). Where possible, this should be done by means of an independent certified maintenance programme.

Guidance to the requirement:

- *Crop protection and fertilisation equipment shall be regularly maintained and their maintenance documented, taking account of the statutory requirements for risk assessments. Maintenance can be substantiated with data (date and type of maintenance) or documents (spare parts invoices etc).*
- *The equipment must have been calibrated at least once during the past year to determine the accuracy of delivery.*
- *This must be done by means of an independent certified maintenance programme, by a person with proven technical skills, or by specialist companies, suppliers, etc.*

## **Chapter 4: Organisation ethics**

4.1 The certificate holder shall have a documented procedure that ensures that neither the certificate holder nor its employees are directly or indirectly involved in extortion, embezzlement and/or any other form of corruption.

To achieve this, the certificate holder shall at least:

- identify the risks of corruption, extortion, embezzlement and corruption in the company, and
- implement measures to manage the risks identified, and
- ensure that the documented procedure is up to date and complies with the applicable laws.

4.2 The certificate holder shall ensure that all documentation, including personnel files and payroll records, are kept accurately and completed truthfully. The certificate holder shall have a documented procedure that ensures that the information is not falsified and that neither the certificate holder nor its employees are involved in falsifying information or any form of information modification.

To achieve this, the company shall at least:

- identify the risks in the company, and
- implement measures to manage the risks identified.

4.3 All transaction documentation shall contain a reference to the MPS-SQ status and the MPS number.

- Sales invoices and, if applicable, other documentation relating to the sale of certified material/product shall contain the MPS-SQ status and the certificate holder's MPS number.
- Non-certified products do not have to be identified as "of non-certified origin". Certified products shall be identified as being of certified origin, however.
- This does not apply only if there is a written agreement between the certificate holder and the customer that the MPS number does not need to be stated on documents.



## 11 MPS-SQ Sanction Regulations

### 11.1 Introduction

A nonconformity against a basic requirement of the MPS-SQ certification standard shall always be classified as a major nonconformity.

All other nonconformities against MPS-SQ requirements are classified as a minor nonconformity.

### 11.2 Sanctions Nonconformities

#### Major nonconformity

##### **Initial audit**

The certificate will not be awarded until the major nonconformity has been concluded by the certification body.

The certificate holder shall implement the corrective measures for the nonconformity within 28 calendar days of the last day of the audit.

The auditor shall verify the implementation of the corrective measures within 42 calendar days of the last day of the audit.

Verification can take the form of a document review or an on-site audit. The certification body determines how the verification will be handled.

##### **Reassessment audit**

The certificate holder shall implement the corrective measures for the nonconformity within 28 calendar days of the last day of the audit.

The auditor shall verify the implementation of the corrective measures within 42 calendar days of the last day of the audit.

Verification can take the form of a document review or an on-site audit. The certification body determines how the verification will be handled.

If it is not reasonably<sup>4</sup> possible to implement corrective action within the specified time frame, the certificate

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<sup>4</sup> Force majeure  
MPS-SQ Certification Standard v10.1  
Certification Criteria

holder may be granted an additional period of up to three months to do so.

#### Minor nonconformity

Within three months of the last day of the audit, the certificate holder shall take one of the following measures:

- Provide a corrective action plan for the nonconformity, or
- Provide demonstrable evidence that the nonconformity has been resolved.

The auditor shall approve the corrective action plan or evidence within 3½ months of the last day of the audit.

If it is not reasonably<sup>5</sup> possible for the certificate holder to submit a corrective action plan in time, it may be granted an additional period of one month to do so.

The implementation of the corrective measures will be verified by the auditor during the next audit.

#### Repeated nonconformity

A minor or major nonconformity that is observed again by the auditor during the next audit.

##### **Major nonconformity**

A repeated major nonconformity is again classified as a major nonconformity.

In addition, a compulsory unannounced audit will be carried out at the certificate holder within six months of the last day of the audit.

##### **Minor nonconformity**

A repeated minor nonconformity is classified as a major nonconformity.

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<sup>5</sup> Force majeure  
MPS-SQ Certification Standard v10.1  
Certification Criteria