

## FSC® Core Labour Requirements according to FSC-STD-40-004 Annex D

### Disclaimer

The usage of this template is no guarantee for conformity with FSC requirements. It is in the responsibility of the certificate holder to comply with the FSC requirements.

The usage of this template is voluntary. Alternative ways to show conformity with the requirements of FSC-STD-40-004 are possible as well. For country specific information, you may also wish to look at [Chain of Custody Certification | FSC Connect](#).

## **FSC-STD-40-004 Annex D**

Under FSC-STD-40-004 Chain of Custody Certification, organizations shall apply the FSC core labour requirements to their operations. FSC has determined that to do so, the organization shall:

1. adopt and implement a policy statement, or statements, that encompass the FSC core labour Requirement's; and
2. maintain an up-to-date self-assessment in which the organization describes how the organization applies the FSC core labour requirements to its operations.

The following offers guidance on how the organization can fulfil these requirements.

### **Requirements**

FSC has developed a series of requirements that apply to all CoC-certified organizations. They are as follows:

#### **FSC core labour requirements**

7.1 In the application of the FSC core labour requirements, the organization shall give due consideration to the rights and obligations established by national law, while at the same time fulfilling the objectives of the requirements.

7.2 The organization shall not use child labour.

7.2.1 The organization shall not employ workers below the age of 15, or below the minimum age as stated under national, or local laws or regulations, whichever age is higher, except as specified in 7.2.2.

7.2.2 In countries where the national law or regulations permit the employment of persons between the ages of 13 to 15 years in light work, such employment should not interfere with schooling nor, be harmful to their health or development. Notably, where children are subject to compulsory education laws, they shall work only outside of school hours during normal day-time working hours.

7.2.3 No person under the age of 18 is employed in hazardous or heavy work except for the purpose of training within approved national laws and regulations.

7.2.4 The organization shall prohibit the worst forms of child labour.

7.3 The organization shall eliminate all forms of forced and compulsory labour.

7.3.1 Employment relationships are voluntary and based on mutual consent, without the threat of a penalty.

7.3.2 There is no evidence of any practices indicative of forced or compulsory labour, including, but not limited to, the following:

- physical and sexual violence
- bonded labour
- withholding of wages /including payment of employment fees and or payment of deposit to commence employment
- restriction of mobility/movement
- retention of passport and identity documents • threats of denunciation to the authorities.

7.4 The organization shall ensure that there is no discrimination in employment and occupation.

7.4.1 Employment and occupation practices are non-discriminatory.

7.5 The organization shall respect freedom of association and the effective right to collective bargaining.

7.5.1 Workers are able to establish or join worker organizations of their own choosing. 7.5.2 The organization respects the full freedom of workers' organizations to draw up their constitutions and rules.

7.5.2 The organization respects the full freedom of workers' organizations to draw up their constitutions and rules.

7.5.3 The organization respects the rights of workers to engage in lawful activities related to forming, joining or assisting a workers' organization, or to refrain from doing the same, and will not discriminate or punish workers for exercising these rights.

7.5.4 The organization negotiates with lawfully established workers' organizations and/ or duly selected representatives in good faith and with the best efforts to reach a collective bargaining agreement.

7.5.5 Collective bargaining agreements are implemented where they exist.

## **Policy statement**

FSC requires the organization to have and implement one or more policy statements that encompass the FSC core labour requirements (above). Many organizations already have statements or implemented policies that cover the principles and practices outlined in the FSC core labour requirements, and such statements and implemented policies may be used to demonstrate compliance with the Chain of Custody Standard.

An acceptable statement need not be a verbatim recitation of the FSC core labour requirements. The statement merely needs to cover the scope of the principles outlined in the FSC core labour requirements. However, merely having a statement alone, including a verbatim recitation of the FSC core labour requirements, is not sufficient. Rather, the statement or statements, shall be accompanied by a completed self-assessment in which the organization indicates its compliance with the scope of the FSC core labour requirements and the organization's implementation of the policy statement or statements. The policy statement or statements shall be accompanied by documentation that indicates its implementation.

For example, an organization that has a policy statement prohibiting employment of anyone younger than 18 years old satisfies the requirement of having a policy covering Clause 7.2 (prohibition of child labour). The organization would still need to provide evidence, including documentation in the self-assessment, to demonstrate the implementation of that policy statement.

## **The self-assessment**

Instructions:

Each organization shall complete the self-assessment in which the organization describes how it applies the FSC core labour requirements to its operations. The certification body uses the self-assessment to guide the audit and verification of compliance with the standard. FSC has designed this process to be an efficient and cost-effective means to verify compliance with the requirements, while at the same time to ensure compliance with applicable law. The process benefits from the organization's knowledge of its operations and applicable laws to assist the auditor in completion of the audit.

The organization shall declare on the self-assessment that the statements are true and correct to the best available knowledge. The organization knowingly making false statements on its self-assessment may result in suspension or termination of the certificate.

The organization shall respond to the questions in the self-assessment as completely and truthfully as possible. Organizations shall identify relevant documents and other materials that the auditor can review to verify the referenced statement on the selfassessment.

NOTE: For Multi-site or Group CoC certificates, the Central Office shall be responsible for completing the self-assessment for all Participating Sites under the scope of the certificate.

Central to the FSC core labour requirements is their interplay with applicable national law. At all times, organizations are expected to comply with applicable national law. However, in some

situations, national law allows action that is prohibited by the FSC core labour requirements or gives rights to the organization that may result in behaviour that contravenes the principles of the FSC core labour requirements. In those situations, the organization is expected to give due consideration to the rights and obligations established by national law, while at the same time fulfilling the objectives of the requirements. How to achieve that balance is not always clear and is best accomplished by an explanation offered by the certificate holder in the selfassessment. In rare cases, the response may require an analysis regarding compliance with applicable law to provide clarity to the certification body, and that analysis should be included as part of the response.

**Examples of questions that may prove helpful in completing the self-assessment:**

FSC has provided the following open questions that may be helpful to the organization to take into consideration when completing the self-assessment. The questions are broken down into four categories covered by the FSC core labour requirements. The level of detail required will depend on the location of the organization's operational site, including the organization's assessment of risk, and the labour environment. This list of questions is not exhaustive.

Category	Question
<b>Child Labour</b>	<ul style="list-style-type: none"> <li>• What is the statutory, legal, or regulated minimum age at the place of your operations?</li> <li>• What measures have you taken to ensure that child labour is not used in your operations?</li> <li>• Do you register the age (birthday) of your workers and how do you verify that this is the actual age? Do you check the identification papers?</li> <li>• If there are legal or regulatory restriction which to your understanding would limit your ability to comply with the requirement, describe how you mitigate those limitations.</li> <li>• If you employ workers below the age of 18, describe what measures you have taken to ensure that they don't perform hazardous or heavy work. If there are a requirement for training and education, indicate supporting documents.</li> <li>• Is the employment of children between the age of 13 or 15 legally allowed? Do you employ children between that age? If yes on both accounts, specify measures you have taken to ensure that they only perform light work that is not harmful to their health or development and that allows them to work outside school hours only.</li> </ul>
<b>Forced Labour</b>	<ul style="list-style-type: none"> <li>• Describe your recruitment and contracting practices to show compliance with this principle.</li> <li>• Do you grant loans or salary/wage advances that would require a worker to extend his/her working beyond the legal or contractual agreements? If so, can you describe how you mitigate the risk of bonded labour in such a case?</li> <li>• How do you ensure that there are no employment fees deducted, or payments or deposits made to commence employment?</li> <li>• How do you ensure that the workers do not experience any form of mobility restriction?</li> <li>• How do you ensure that the workers have access to their passports and identification documents at all times while at the same time offering a safe place for storing the documents?</li> <li>• How do you ensure that there are no threats of denouncing workers to the authorities?</li> </ul>
<b>Discrimination</b>	<ul style="list-style-type: none"> <li>• How do you ensure that wages and other working conditions are non-discriminatory?</li> <li>• Is there gender/age ratio parity?</li> <li>• Do you have an ethnically diverse workforce?</li> <li>• Do you have policies about non-discrimination?</li> <li>• Do you ensure all employees have equal opportunity for promotion?</li> <li>• How do you ensure applicants have equal opportunity for employment?</li> <li>• If there are legal or regulatory restriction which to your understanding would limit your ability to comply with these requirements, describe how you mitigate these restrictions?</li> </ul>
<b>Freedom of Association and the Right to Collective Bargaining</b>	<ul style="list-style-type: none"> <li>• Are workers organised into a trade union? To the best of your knowledge, describe why you believe the workers have or have not chosen to be represented by a trade union.</li> <li>• If workers are represented by a union, is the union autonomous and independent?</li> <li>• What forms of worker representation other than unions exist at the site?</li> <li>• Are there collective bargaining agreements in place that cover workers, and if so, how do you ensure compliance with such agreements?</li> </ul>

Company name: \_\_\_\_\_

Company address: \_\_\_\_\_

COC certificate code (if already certified): \_\_\_\_\_

Confirmation of a Company policy statement which covers the core labour requirements below:  Yes  No

NOTE: If you have more than one site, or if you use outsourcers, the self-assessment must cover all of them. Please use multiple copies of this form if required. Use of this template is not obligatory and you may use the editable PDF version available on the FSC website, or develop your own, provided that all the points below are covered.

**Attestation:** I, \_\_\_\_\_, hereby affirm that the following statements are true and correct to the best of my knowledge, and I acknowledge making a knowingly false statement can result in the suspension or termination of the certificate or non-issue of the certificate.

\_\_\_\_\_  
Name & Signature

\_\_\_\_\_  
Date

Requirements	Questions	Answers and Describe
<b>Child Labour</b>		
<p><b>7.2 The organization shall not use child labour.</b></p> <p>7.2.1 The organization shall not employ workers below the age of 15, or below the minimum age as stated under national, or local laws or regulations, whichever age is higher, except as specified in 7.2.2.</p> <p>7.2.2 In countries where the national law or regulations permit the employment of persons between the ages of 13 to 15 years in light work, such employment should not interfere with schooling nor, be harmful to their health or development. Notably, where children are subject to compulsory education laws, they shall work only outside of school hours during normal day-time working hours.</p> <p>7.2.3 No person under the age of 18 is employed in hazardous or heavy work except for the purpose of training within approved national laws and regulation.</p> <p>7.2.4 The organization shall prohibit the worst forms of child labour.</p>	a) Does your organization comply with Clause 7.2? If yes, continue at c).	
	b) If the answer is no to a) above, please describe how or why your organization does not comply with Clause 7.2.	
	c) For the individuals employed by you at the site/sites holding the certificate, describe how your organization knows it complies with Clause 7.2.	
	d) Identify any documents or other records (and their location) that you rely upon to verify compliance with Clause 7.2.	
	e) Identify any legal obligations that you believe may impact your ability to comply with Clause 7.2. Please describe them, and how they impact your ability to comply with Clause 7.2.	
	f) Attach a policy statement, or statements, made by your organization that encompasses Clause 7.2.	

<b>Forced Labour</b>		
<p><b>7.3 The organization shall eliminate all forms of forced and compulsory labour.</b></p> <p>7.3.1 Employment relationships are voluntary and based on mutual consent, without the threat of a penalty.</p> <p>7.3.2 There is no evidence of any practices indicative of forced or compulsory labour, including, but not limited to, the following:</p> <ul style="list-style-type: none"> <li>• physical and sexual violence</li> <li>• bonded labour</li> <li>• withholding of wages /including payment of employment fees and or payment of deposit to commence employment</li> <li>• restriction of mobility/movement</li> <li>• retention of passport and identity documents</li> <li>• threats of denunciation to the authorities.</li> </ul>	a) Does your organization comply with Clause 7.3? If yes, continue at c).	
	b) If the answer is no to a) above, please describe how or why your organization does not comply with Clause 7.3?	
	c)	
	d) For the individuals employed by you at the site/sites holding the certificate, describe how your organization knows it complies Clause 7.3?	
	e)	
	f) Identify any documents or other records (and their location) that you rely upon to verify compliance with Clause 7.3.	
	g)	
e) Identify any legal obligations that you believe may impact your ability to comply with Clause 7.3. Please describe them, and how they impact your ability to comply with Clause 7.3.		
f) Attach a policy statement, or statements, made by your organization that encompasses Clause 7.3.		



<b>Discrimination in Employment and Occupation</b>		
<b>7.4 The organization shall ensure that there is no discrimination in employment and occupation.</b>	a) Does your organization comply with Clause 7.4? If yes, continue at c).	
7.4.1 Employment and occupation practices are non-discriminatory.	b) If the answer is no to a) above, please describe how or why your organization does not comply with Clause 7.4.	
	c) For the individuals employed by you at the site/sites holding the certificate, describe how your organization knows it complies with Clause 7.4.	
	d) Identify any documents or other records (and their location) that you rely upon to verify compliance with Clause 7.4.	
	e) Identify any legal obligations that you believe may impact your ability to comply with Clause 7.4. Please describe them, and how they impact your ability to comply with Clause 7.4.	
	f) Attach a policy statement, or statements, made by your organization that encompasses Clause 7.4.	

<b>Freedom of Association and the Right to Collective Bargaining</b>		
<p><b>7.5 The organization shall respect freedom of association and the effective right to collective bargaining.</b></p> <p>7.5.1 Workers are able to establish or join worker organizations of their own choosing.</p> <p>7.5.2 The organization respects the full freedom of workers' organizations to draw up their constitutions and rules.</p> <p>7.5.3 The organization respects the rights of workers to engage in lawful activities related to forming, joining or assisting a workers' organization, or to refrain from doing the same, and will not discriminate or punish workers for exercising these rights.</p> <p>7.5.4 The organization negotiates with lawfully established workers' organizations and/ or duly selected representatives in good faith and with the best efforts to reach a collective bargaining agreement.</p> <p>7.5.5 Collective bargaining agreements are implemented where they exist.</p>	a) Does your organization comply with Clause 7.4? If yes, continue at c).	
	b) If the answer is no to a) above, please describe how or why your organization does not comply with Clause 7.4.	
	c) For the individuals employed by you at the site/sites holding the certificate, describe how your organization knows it complies with Clause 7.4.	
	d) Identify any documents or other records (and their location) that you rely upon to verify compliance with Clause 7.4.	
	e) Identify any legal obligations that you believe may impact your ability to comply with Clause 7.4. Please describe them, and how they impact your ability to comply with Clause 7.4.	
	f) Attach a policy statement, or statements, made by your organization that encompasses Clause 7.5.	