Rainforest Alliance
Additional Social Auditing Methods for Workplace Sexual and Psychological Harassment and Violence

July 2020,
Version 1.5

The Rainforest Alliance works to conserve biodiversity and ensure sustainable livelihoods by transforming land-use practices, business practices, and consumer behavior.
D.R. © 2017 Red de Agricultura Sostenible, A.C.

This document is provided by Red de Agricultura Sostenible, A.C. (also known as Sustainable Agriculture Network) to Rainforest Alliance, Inc. and/or to its successors, under the terms and subject to the limitations set forth in the perpetual, exclusive, non-transferrable license granted by Red de Agricultura Sostenible, A.C. in favor of Rainforest Alliance, Inc., or its successors under the terms and conditions set forth in an agreement between the parties (the “Agreement”), in the understanding that:

1. All content of this document, including, but not limited to text, logos, if any, graphics, photographs, trade names, etc. of Red de Agricultura Sostenible, A.C. is subject to copyright protection in favor of the Red de Agricultura Sostenible, A.C. and third party owners who have duly authorized the inclusion of their work, under the provisions of the Mexican Federal Law on Copyright (Ley Federal del Derecho de Autor) and other related national and/or international laws. The Rainforest Alliance name and trademarks are the sole property of Rainforest Alliance.

2. Rainforest Alliance, Inc., and/or its successors, shall only use the copyrighted material under the terms and conditions of the Agreement.

3. Under no circumstance shall it be understood that a license, of any kind, over this document has been granted to any third party different from Rainforest Alliance, Inc., or its successors.

4. Except for the terms and conditions set forth in the Agreement, under no circumstance shall it be understood that Red de Agricultura Sostenible, A.C. has, partially or totally, waived or assigned the copyrighted material.

More information?

For more information about the Rainforest Alliance, visit www.rainforest-alliance.org or contact info@ra.org

Translation Disclaimer

Translation accuracy of any Rainforest Alliance sustainable agriculture certification program document into languages other than English is not guaranteed nor implied. Any question related to the accuracy of the information contained in the translation, refer to the English official version. Any discrepancies or differences created in the translation are not binding and have no effect for auditing or certification purposes.

Policy
**Issue Date:** January, 2020  
**Binding date:** March 1, 2020  
For current revision August 1, 2020  
**Expiration date:** Open – until next review

<table>
<thead>
<tr>
<th>Developed by:</th>
<th>Approved by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department Standards and Assurance, Rainforest Alliance</td>
<td>Senior Manager, Global Assurance</td>
</tr>
</tbody>
</table>

**Linked to (code and name of documents, if applicable):**
- RA-R-AS-1-V1 Rules For The Authorization Of Certification Bodies, April 2018
- RA-S-SP-1-V1.2 Sustainable Agriculture Standard, July 2017
- RA-R-SP-1-V1.2 Certification Rules 2017

**Replaces:**
SAN-P-SP-1-V1 “SAN POLICY - SAN Additional Social Auditing Methods for Sexual and Psychological Violence against Women” (February 2017) and RA-P-SP-1-V1.2 Sexual Harassment Policy / Additional Social Auditing Methods for Sexual and Psychological Violence against Women (July, 2017)

**Clause or criterion number and text (if applicable):**
Critical Criterion 4.2   Workers are treated respectfully and are never subjected to threats, intimidation, sexual abuse or harassment, or verbal, physical or psychological mistreatment.

**Applicable to:**
Certification Bodies and Auditors

**Countries:**
Worldwide

**Crops:**
Tea

**Type of organizations:**
Individual farms and groups of the type ‘Several farms under one single organization’
1. Introduction

The ILO* defines sexual harassment as a sex-based behaviour that is unwelcome and offensive to its recipient. For sexual harassment to exist these two conditions must be present. Sexual harassment may take two forms:

• Quid Pro Quo, when a job benefit—such as a pay raise, a promotion, or even continued employment—is made conditional on the victim acceding to demands to engage in some form of sexual behavior.

• Hostile working environment in which the conduct creates conditions that are intimidating or humiliating for the victim.

Behavior that qualifies as sexual harassment:
Physical: violence, touching, unnecessary proximity
Verbal: Comments and questions about the appearance, lifestyle, sexual orientation, offensive phone calls
Non-Verbal: Whistling, sexually suggestive gestures, display of sexual materials.

A number of studies have attempted estimates of the extent of sexual harassment. These have yielded variable percentages - from 23-55% - of workers affected. The most common targets of harassment, are individuals — especially women — in insecure and low-paid positions. Sexual harassment is framed by arduous working environments: conditions including low pay, linking of housing with employment and dangerous working conditions, help to foster harassment. Gendered job hierarchies, views that harassment is part of 'women's lot' at work, and cultures that blame women also foster sexual harassment.

The effects of sexual harassment on its victims are well documented. Many experience feelings ranging from irritation and nervousness to anger, powerlessness and humiliation. At its worst, sexual harassment can make their working lives miserable and even dangerous. According to ILO’s Conditions of Work and Employment Series No. 2, research has shown that victims can eventually become ill when subjected to sexual harassment on a regular basis; particularly where it is perpetrated by a supervisor, involves sexual coercion, or takes place over a long period of time. It has been found to trigger a wide range of ailments, including stress-related illnesses, high blood pressure and depression. Ultimately, victims of sexual harassment may miss out on career opportunities or leave their jobs (ILO 2005).

Sexual harassment also costs employers. When harassed workers lose concentration, when it interferes with their judgment, when they are difficult to motivate or tend to be late or absent, employers incur significant losses. Productivity may decrease, team work be jeopardized, and the risk of workplace accidents increase. Ultimately, employers may lose valuable workers, while others may be dissuaded from applying for vacancies. Employers who fail to prevent sexual harassment may also face the financial costs of sick pay for employees who become ill, and legal bills from court actions brought against them (ILO 2005).

In addition, where sexual harassment causes disproportionate numbers of victims to feel unwelcome, uncomfortable or threatened in their places of work, or even forced to leave their jobs, it functions as a form of sex discrimination and many women would be reluctant to take up traditionally male jobs or jobs in a largely male workforce. Women’s equal opportunities are threatened and their position in the labor force undermined when they are dissuaded from applying for higher-status, well-paid, traditionally male jobs. For these reasons, sexual
harassment has been approached as a form of sex discrimination by emphasizing its discriminatory effects and prohibiting it in anti-discrimination laws and policies (ILO 2005). Various studies have reported that social issues—and to an even greater extent, gendered issues such as discrimination and sexual harassment—are difficult to identify. There is a culture of silence surrounding gender-based violence that makes collection of data on this sensitive topic particularly challenging. Often, because the issues are not visible or because evidence is thin or not corroborated, the issues are not recorded or reported.

The Rainforest Alliance certification program for sustainable agriculture covers the protection of workers from threats, intimidation, sexual abuse or harassment, or verbal, physical or psychological mistreatment as one of its critical criteria. Due to the complexity with regards to (identification of) these issues, with this policy Rainforest Alliance is taking action to further strengthen the required social auditing methods covering principle 4 (Improved Livelihoods and Human Wellbeing) of the Rainforest Alliance Sustainable Agriculture Standard (July 2017, version 1.2).

2. Policy: Additional Social Auditing Methods

The following social methods are binding for tea audits from August 2020 onwards, including elements on:

a. Audit planning
b. Selecting a representative sample of interviewees
c. Conducting the interview
d. Reviewing the management system
e. Considerations for audit reports
f. Other resources

2.1. Audit Planning

a. Gender diversity should be systematically included as a consideration with the composition of audit teams. Where possible and where appropriate, audit teams of Rainforest Alliance authorized CBs should include at minimum one female auditor and should consider the inclusion of a social science expert.

b. Where possible and where appropriate, female auditors shall conduct interviews with women about gender discrimination, psychological or physical violence, including sexual harassment topics.

c. Audit plans for each client shall be custom-made for each specific situation:
   i. Each audit plan shall be adapted to the processes and working environment of the organization subject to an audit, and provide for sufficient time to cover the organization’s social management system, shifts and production scenarios.
   ii. Audits shall be planned according to the risks of the specific context. For example, based on the risks identified at different stages of the process,
during a three-year certification period, at least one audit is planned covering harvest periods and one audit covering non-harvest periods.

iii. Audit plans shall include the following information, as a minimum:

1) Auditors’ Names and Gender
   - Experts’ names and gender, interpreters’ names and gender, other persons’ names and gender observing the audit, if applicable.

2) Client contact details including the organization’s name; address; main contact; management representative; workers representative; other representatives such as health and safety, gender or discrimination committee representatives; Human Resource Manager; Payroll Supervisor.

3) Shifts operated and to be audited.

4) Locations to be audited.

5) Approximate time of each audit activity per day, including travel time to sites.

6) Audit site demographics related to number, gender and language spoken for: workers, supervisors and managers, and contract services suppliers.

7) Indication of the expected number of worker and manager interviews (According to Rainforest Alliance Accreditation Requirements’ ANNEX 2: Additional Social Auditing Methods for High Risk Regions, Crop Sectors and Operations).

8) Statement on the obligation for senior management and workers representatives to be present at the opening and closing meetings.

d. Local language should be used for interviews, including the consideration of tribal dialects. In the case of the use of an interpreter, its independence shall be guaranteed and they shall be trained by the CB about the audit process, including interview techniques.

2.2. Selecting a representative sample of interviewees

a. The sample of interviewees shall be selected based on the stratified random sampling technique relying on human resource data about the operation’s number of employees provided by the operation in the application to the CB.

b. The following sampling parameters should be considered that can detect vulnerable groups when defining the sample of interviewees for social topic interviews in high risk regions:
   i. Age;

---

1 When subpopulations within an overall population vary, it is advantageous to sample each subpopulation (stratum) independently. Stratification is the process of dividing members of the population into homogeneous subgroups before sampling. Then random sampling is applied within each stratum, improving the representativeness of the sample by reducing sampling error (http://en.wikipedia.org/wiki/Stratified_random_sampling).
ii. Ethnicity including origin and ethnic group (workers of different origin within the same country, foreigners, indigenous people from different tribes);

iii. Gender: women and men – by work function;

iv. Employee status: permanent, temporary, part time workers, workers paid by piece rate;

v. Hierarchy level: operations, supervision, management;

vi. Literacy level

vii. Type of work they perform;

viii. Time working for the organization;

ix. For the risk scenario of sexual harassment, women who are pregnant, divorced, separated, or widowed shall be included in the interview sample, as well as young and single women, casual workers, informal workers and migrant workers or workers infected with HIV.

x. To complete the audit investigation about gender discrimination, violence and sexual harassment, also on-site subcontractors and suppliers, such as cleaners, canteen staff, construction crews, clinic nurses and doctors, dormitory and security guards, as well as transport service providers should be interviewed.

c. The audit team should dedicate at minimum 50% of the audit time on interviews with workers.

i. Individual interviews can be followed by additional group interviews to confirm evidence of possible non-conformities.

2.3. Conducting the interview

There is a culture of silence surrounding gender-based violence that makes collection of data on this sensitive topic particularly challenging. Even victims who want to speak about their experiences with gender-based violence may find doing so difficult because of feelings of shame or fear. The need to establish rapport with the interviewee and to ensure confidentiality and privacy during the interview are important, but they are especially critical to ensure the validity of the data collected on domestic violence. Complete privacy is also essential for ensuring the security of the interviewee and the interviewer. Asking about or reporting violence carries the risk of further violence (KNBS 2010).

The following requirements shall be implemented for an audit team’s interviewing process:

a. Interviews shall be only conducted without the presence of supervisors and managers.

b. For sensitive issues, where possible and where appropriate, no male worker or auditor shall be present during interviews with women.

c. All interviews with workers about sensitive labor issues shall only be conducted in a confidential setting; without any supervision or management personnel present and outside the plantation or in a closed room on the plantation.
d. Before starting an interview, the auditor shall introduce herself/himself to the interviewee, clarify her/his role with the certified operation and confirm that all interview information is subject to total confidentiality.

e. Notes should not be taken during these interviews but be made immediately after each interview.

f. Open questions shall be the main interviewing technique to collect evidence from workers. Active Listening should also be implemented to inspire trust and make the worker feel valued.

g. Examples of sexual harassment are (Rubenstein 1992):
   i. Physical conduct
      1) Physical violence
      2) Physical contact, e.g. touching, pinching
      3) The use of job-related threats or rewards to solicit sexual favors
   ii. Verbal conduct
      1) Comments on a worker’s appearance
      2) Sexual comments, stories and jokes
      3) Sexual advances
      4) Repeated social invitations
      5) Insults based on the sex of the worker
      6) Condescending or paternalistic remarks
   iii. Non-verbal conduct
      1) Display of sexually explicit or suggestive material
      2) Sexually suggestive gestures
      3) Whistling

h. Once having established an atmosphere of confidence with the interviewee, the topics and examples of interview questions in Annex I may serve as guidance for the interview.

i. The schedule of women shall be analyzed also as part of the investigation. Women tend to work longer hours than men as they also need to fulfill their household and family responsibilities. They are often also in a more vulnerable position regarding their employment terms. This may put women workers in difficult situations, where they are subjected to verbal, physical, or even sexual abuse. Overtime also raises security issues for women because traveling to and from work very early in the day or late in the evening may put them at risk of abuse and violence outside of the workplace.

j. The auditor shall only continue the interview, if privacy is ensured. If privacy is not ensured, the interviewer should thank the interviewee, and end the interview.
i. Clause 7.5.1.d) of the Rainforest Alliance Accreditation Requirements (RA-R-1-2.1) are mandatory for Rainforest Alliance accredited certification body audit processes as follows: The audit team shall have the right to interview the workers or administrative staff without the presence of their supervisors. If this condition is not met, the lead auditor has the right to terminate the audit process. As consequence, the client shall apply again for a certification audit process.

k. The auditor shall record the date, place, time and duration of the interview, as well as the name and position of each person interviewed.

l. The auditor/s shall not reveal any interview activity details to the management representatives at initial or final meetings or during the audit process, in general.

m. The identity of interviewees shall be kept anonymous at all times, including the prohibition of inserting pictures of interviewees or other workers and employees in presentations of an audit’s final meeting.

2.4. Reviewing the management system

a. The audit team shall assess the following structure and hierarchy aspects of a plantation’s management system as evidence about compliance with Rainforest Alliance Sustainable Agriculture Standard’s criteria 1.6, 1.7, 1.8, 1.11, 1.12, 1.14, 4.2, 4.9, 4.22 and criteria of principle 4, in general:

i. Map and analyze the workflows for each production site to identify jobs and corresponding responsibility with possible focal points of abuse.\(^2\)

ii. The existence of casualization\(^3\) as a possible precursor to predispose workers to act desperately to gain or keep their employment, including sexual advance or bribery.

iii. Publishing and communication to all employees and workers of strongly worded policy statements:

1) Organizational policy on an abuse free work place;

2) Policy for the empowerment of women in different levels of the organization, including equal opportunities when appointing lower and upper management positions.

iv. Existence and effective implementation\(^4\) of a grievance (a complaints procedure which is both effective and simple to use) and follow up

---

\(^2\) Is the work organization transparent and does it prevent power or authority to be used for corruption or abuse? The organization chart and hierarchy of positions provide indications if the work environment potentially enables supervisors actions of abuse due to lack of instructions, training, procedures or other tools that favor humane working conditions. When there is a skew in power towards gender, then most likely there are issues of work abuse.

\(^3\) Short-term hiring for less than three months, also known as hire-fire mechanism.

\(^4\) No reports/cases are usually a bad sign that these systems are not working. One of the challenges is to strip away the veils of policy and procedure to reveal actual practice. The anti-harassment and sexual harassment policies can be posted all over the place and various complaints channels may exist but they were not operating in practice.
mechanisms for reporting and addressing abuses and or other labor rights violations.

v. Existence of a written system of progressive discipline.

vi. Existence of a well-trained, balanced and empowered gender committee.

vii. Frequent training for all workers targeted particularly at staff that plays a specific role in the complaints procedure.

viii. Monitoring and regular evaluation of sexual harassment complaints procedures.

ix. No use of any form of, or threat of, monetary fines and penalties as a means to maintain labor discipline, including for poor performance or for violating company rules, regulations, and policies.

x. Access to food, water, toilets, canteens, medical care or health clinics or other basic necessities is not used as either reward or as a means to maintain labor discipline.

xi. The farm management/group administrator does not use any form of, or threat of, physical violence, including slaps, pushes or any other forms of physical contact as a means to maintain labor discipline.

xii. No use of any form of verbal violence, including screaming, yelling, or the use of threatening, demeaning, or insulting language, as a means to maintain labor discipline.

b. Auditors should attend the meetings of trade unions or other committees; or training events.

2.5. Considerations for Audit Reports

a. The name and identity of all interviewees shall be kept anonymous at all times and at all different versions of the audit reports, including the prohibition of inserting pictures of interviewees or other workers and employees in audit reports.

b. The audit team shall consider the testimonies of the interviewees as probative when they match or concur. Probative facts are those that make the existence of something more probable or less probable than it would without them. Due to the nature of these topics, documentary evidence will not always be required to issue a nonconformity, since it may be difficult or even impossible to obtain. Coherent and concurring information gathered during interviews has probative value.

c. Any form of sexual harassment or abuse, or mistreatment of any kind will result in a nonconformity on critical criterion 4.2, and shall also be considered as a form of discrimination, automatically resulting in a nonconformity against critical criterion 4.3.

2.6. Other Resources

RA-G-LS-01-V1 Guide provides more information for the implementation & evaluation of criteria requirements.
3. References


Annex I. Example of worker interview scenario (BSR)

Below example of a worker interview scenario on Harassment and Abuse originates from the BSR guidance document on Gender Equality in Social Auditing (2018).

<table>
<thead>
<tr>
<th>Questions</th>
<th>Possible Findings or Conclusions</th>
<th>Methodology and Structure</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. In the community where you live, is it common or acceptable for women to voice their opinion at home?</td>
<td>Get a sense of how much is acceptable for women regarding verbal, emotional, and physical abuse</td>
<td>Building Rapport</td>
</tr>
<tr>
<td>2. Who usually makes decisions in the community and at home? Are women allowed to participate? What usually happens to women when they express different opinions to men? Do they get shouted at? Do men sometimes raise a hand on women? Is it acceptable?</td>
<td>Get a sense of verbal and physical abuse amongst workers. Is it an acceptable behaviour amongst peers?</td>
<td>Bulk of Questions: Abuse</td>
</tr>
<tr>
<td>3. I heard shouting is common. Would you say it happens often? Is it often from men to men? Does it happen from men to women? Does it ever happen from women to men?</td>
<td></td>
<td>Question Type: Indirect</td>
</tr>
<tr>
<td>4. In the workplace, would you say workers are friendly with each other? How?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. When workers do not get along, how do they express themselves? Do they have a verbal argument? Do they raise their voices? Does it get physical?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. What about in transportation to and from work or at security checks? Would you say security staff (where relevant) are respectful with workers? How about in dormitories or staff hostels?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Do workers get along with their supervisors? What about with management?</td>
<td>Get a sense of verbal and physical abuse amongst workers. Is it an acceptable behaviour amongst peers?</td>
<td>Delve Deeper – Abuse</td>
</tr>
<tr>
<td>8. Do supervisors get along with each other? When they don’t get along, how do they act?</td>
<td></td>
<td>Question Type: Indirect</td>
</tr>
<tr>
<td>9. What about when supervisors don’t get along with workers—what do they do?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. Do you feel like when something happens that makes a woman feel bad (such as shouting), workers can seek comfort somewhere (co-workers, counselling, home)?</td>
<td>Do women have channels or people they can go to in order to deal with the issue? Are these effective?</td>
<td>Conclusions</td>
</tr>
<tr>
<td>11. Are you satisfied with these channels? How do they work? Do you think these channels are sufficient?</td>
<td></td>
<td>Question Type: Open-Ended</td>
</tr>
</tbody>
</table>