



**RAINFOREST ALLIANCE POLICY FOR CERTIFICATION IN INDIA**  
OCTOBER 2020  
VERSION 2.2

**RAINFOREST  
ALLIANCE**



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<b>Developed by:</b>	<b>Approved by:</b>	
Rainforest Alliance	Ruth Rennie Rainforest Alliance Director, Standards and Assurance	
<b>Linked to (code and name of documents, if applicable):</b>		
<ul style="list-style-type: none"> <li>• RA-S-SP-1-V2 Sustainable Agriculture Standard, July 2017</li> <li>• RA-R-SP-1-V2 Certification Rules 2017</li> <li>• RA-P-SP-7-V2.3 Exceptional Use of FAO/WHO highly hazardous pesticides," July 2017, Version 2.3</li> <li>• RA-P-SP-V1 Water and soil analysis through representative samples for Group Administrators, July 2017, version1.0</li> <li>• RA-FO-OP-23-V1.1 Self-Assessment RA Standard Checklist India</li> <li>• Exception Policy COVID19</li> </ul>		
<b>Replaces:</b>		
RA-P-SP-4-V1 Housing and Potable Water Policy RA-P-SP-4-V2 RA Policy for India 2020 v2.1		
<b>Clause or criterion number</b>		
Critical criteria: 3.3, 3.4, 4.3, 4.5, 4.6, 4.7, 4.12, 4.13, 4.15, 4.16 Improvement criteria: 3.23, 3.24, 4.28, 4.30.		
<b>Applicable to:</b>		
Certificate holders and certification bodies		
<b>Regions:</b>		
India		
<b>Crops:</b>	<b>Type of organizations:</b>	
All	Individual farms and group administrators	

## MAIN CHANGES FROM VERSION 2.1

The table below summarizes the main changes in this version of the policy from the version 2.1 published on 1 June 2020.

Summary Table		
Pg	Clause	Change
<b>Rules of certification</b>		
4	3.2.a	Allows remote audits in Assam in 2020
5	3.2.e	NEW Specifies CH must conduct and submit a self-assessment before a remote audit takes place NEW Specifies that audits can be conducted in person or remotely
5	3.2.g	NEW Allows CBs to request permission from RA to convert partial remote audit to a fully remote audit NEW Specifies the CB must indicate any additional remote checks (if feasible) to be carried out to complete the fully remote audit
5	3.2.h	NEW: Recommendation to CBs to use an audit facilitator to provide on-site verification support for remote audits where possible
14	Annex II:	NEW: Definition, role and requirements for audit facilitator



## Contents

1. Introduction .....	4
2. Glossary .....	4
3. Rules of certification.....	4
4. Integrated pest management (IPM) – criteria 3.3, 3.4, 3.23 and 3.24 .....	6
5. No discrimination – criterion 4.3.....	6
6. Wages - criterion 4.5 .....	7
7. Young workers – criteria 4.6 and 4.7 .....	8
8. Potable water – criterion 4.12 .....	8
9. Housing – criteria 4.13, 4.28 and 4.30.....	9
10. Occupational health and safety – criteria 4.15, 4.16 .....	11
Annex I – Deductions: Conditions and evidence.....	12
Annex II – Audit facilitator.....	13



## 1. INTRODUCTION

The Rainforest Alliance is an international non-profit organization working at the intersection of business, agriculture, and forests to make responsible business the new normal. We are an alliance of companies, farmers, foresters, communities, and consumers committed to creating a world where people and nature thrive in harmony.

This policy provides the framework for implementation, auditing, and certification rules based on the Rainforest Alliance Sustainable Agricultural Standard, for farms and producer groups involved in crop and cattle production, July 2017, version 1.2, known in this document as the Rainforest Alliance 2017 Standard. It is mandatory for Certificate Holders (CHs) based in India and Certification Bodies (CBs) auditing in India to comply with this policy. When a requirement is applicable for CBs, this is specifically indicated. This policy is in principle applicable to the entirety of India, but certain rules will be applicable only to certain regions, in which case this will be indicated as such.

For more information about the Rainforest Alliance, please visit the website: <http://www.rainforest-alliance.org> or contact [info@ra.org](mailto:info@ra.org).

For questions about this policy, please contact [CBcert@ra.org](mailto:CBcert@ra.org)

## 2. GLOSSARY

RA:	Rainforest Alliance
NC:	Non-conformity(ies)
CB:	Certification Body(ies)
CH:	Certificate Holder(s)
IPM:	Integrated Pest Management
HRA:	House Rent Allowance
PPE:	Personal Protective Equipment
PLA:	Plantation Labour Act

## 3. RULES OF CERTIFICATION

1. This policy is a binding document, applicable to Tea producers in India (not for Chain of Custody certificate holders). Failure to comply with one or more elements mentioned in this policy will lead to the issuance of a non-conformity<sup>1</sup> (NC) to the CH.
2. **In the case of Assam:**
  - a. CHs must receive an audit (physical or remote) before the 31st of December 2020. If a CH is not audited before 31st December 2020, its certificate will be canceled and the CH will only be able to sell its tea as Rainforest Alliance certified according to the rules in the "[Rainforest Alliance Policy on sales during suspension and cancellation](#)".
  - b. All audits in 2020 must be conducted against the [RA Sustainable Agriculture Standard, July 2017](#).
  - c. When conducting physical audits, auditors and certificate holders must take full precautions to comply with public health measures to stop the spread of COVID19. These include respecting social distancing, hand-washing and any other measures mandated by the relevant national or local authorities. Auditors must respect measures

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<sup>1</sup> A non-conformity is the failure to meet a requirement of the standard. It is an opportunity for the management system to improve. It should be viewed as a factual statement that drives improvement. The non-conformity should include precisely what the auditor saw, heard, read, or experienced that contradicted the requirement. The objective evidence is factual and traceable, but it must be stated as concisely as possible.



- put in place by certificate holders to protect staff and workers from the risk of the spread of infection.
- d. All NCs identified during certification audits must be closed in a period of 120 days or before the 28th of February 2021, whichever occurs first. To confirm closure of non-conformities a verification audit must take place and shall be concluded within 120 calendar days after having received the certification decision (i.e. the audit where NC were detected). This means all verification audits must be conducted and the certification decision taken, and reflected in Salesforce, no later than 28th of February 2021.
  - e. **For physical audits**, CHs are advised to conduct a self-assessment before applying for an audit, for which they can use the RA-FO-OP-23-V1.1 Self-assessment RA Standard Checklist India. **For remote audits**, CH must conduct the self-assessment and submit this to the CB before the audit takes place. The goal of this assessment is for the CH to evaluate compliance and decide if they can apply to certification and, in case of groups, with which farm(s) of the group. **All farms in a group/multi-site must be audited (physically or remotely)**. The rules for Group Sample Planning described in the Rainforest Alliance Rules for Planning and Conducting Audits (section 5.4) will not apply in these cases.
  - f. In case an extension of the certificate is needed (any type of extension), the CB must contact RA (CBcert@ra.org) on behalf of the CH and request this extension. RA reserves the right to decide on extensions of certificates.
  - g. If a partial remote audit has already been conducted and the CB deems that it will be impossible to conduct the onsite portion before 31 December 2020, the CB must request permission from RA to convert this into a fully remote audit **to complete the certification process**. CBs must indicate any areas of the audit which were not fully covered by the remote verification already undertaken. If significant areas of compliance were not verified during the partial remote audit, the CB must indicate how additional remote checks will be used to complete the audit process. Where it is not feasible to ensure meaningful additional verification remotely the CB must indicate this in the request.
  - h. Where a remote audit is performed, the CB shall ensure the privacy of interviews. RA recommends where possible the use of an audit facilitator who is not necessarily a trained auditor, but a person independent from the Certificate Holder who can provide some level of physical observation during the remote audit process. More information about the audit facilitator can be seen in Annex II.
3. In the case of Certificate Holders in India (excluding producers in Assam) the latest version of the [Exception Policy COVID19](#) applies.
  4. CBs and auditors shall:
    - a. Indicate in Salesforce<sup>2</sup> when a sampling for interview deviates from the indications mentioned in the [Rainforest Alliance Rules for Planning and Conducting Audits](#), section 5.5, Interview Planning, including the reason behind it.
    - b. Use the local language for interviews, including the consideration of tribal dialects. In the case of the use of an interpreter, the CB must at least:
      - I. Include the name of the interpreter in the audit plan;
      - II. Guarantee the impartiality of the interpreter;
      - III. Train the interpreter on the audit process and types of questions; and
      - IV. Calculate more interview time.
    - c. Clearly indicate any NC against the relevant requirement, indicating at least:
      - I. Facts: what, who (name of workers shall not be disclosed), when and where.

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<sup>2</sup> Using the "milestone note" field in the engagement record within the Certificate Database.



- II. Concise evidence, to be uploaded in the Salesforce system.
5. Certificate holders that hold double certification against the current RA standards (i.e. UTZ 2015 and RA 2017) can decide under which standard they want to receive an audit. Those farms do not need to receive two audits against the two current RA standards. In each case, the rules for the chosen standard applies.  
Producers can then sell the product under the standard that they are certified against, and supply chain actors (SCA) can apply for Mutual Recognition (MR) to sell under either standard. SCA's must register each transaction in the respective traceability system.

## 4. INTEGRATED PEST MANAGEMENT (IPM) – CRITERIA 3.3, 3.4, 3.23 AND 3.24

1. The CH must have trained persons available for the identification and monitoring of pests.
2. The following pesticides can be used on tea farms when the respective Rainforest Alliance risk management requirements are fully implemented (for details see the document "Exceptional Use of FAO/WHO highly hazardous pesticides," July 2017, Version 2.3, RA-P-SP-7-V2.3):
  - a. Clothianidin (against tea mosquito bug, aphids, greenfly/green leafhopper)
  - b. Thiamethoxam (against tea mosquito bug, aphids, greenfly/green leafhopper)
  - c. Carbendazim (against Fusarium)
  - d. Glufosinate-ammonium (weed control)
  - e. Phosphine (post-harvest)
3. The essential elements of a sound monitoring system includes:
  - a. Regular<sup>3</sup> observations and recording of crop health/pest infestation covering the whole operational area
  - b. Observations are accurately and precisely recorded (indicating location, date, pest, etc.)
  - c. Management specifies the threshold levels of pest infestation and their justification (based on research recommendations & the farm's own experience)
4. CBs must upload a copy/photo of the IPM plan of the CH in the Salesforce system.

## 5. NO DISCRIMINATION – CRITERION 4.3

1. CHs must ensure compliance with the requirement of equal pay to men and women for work of equal value as per the critical criterion 4.3. This includes, at least:
  - a. Equal payment is given to all male and female workers for the same work or work of a similar nature;
  - b. No discrimination is tolerated in the calculation of payment of wages, working conditions or other forms of benefits on the basis of caste, race, ethnicity, descent, sex, gender identity, pregnancy, sexual orientation, religion and belief, tribe, disability, linguistic identity, HIV status, nationality, marital status, food preference, skin tone, place of residence, place of birth or age;
  - c. Women, transgender people, and other heads of households are provided with the same in-kind benefits for dependents as male heads of households. This applies to

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<sup>3</sup> At least once per fortnight (a higher frequency is preferred when the crop is an annual crop or in a period of high pest incidence when the crop is perennial)



- rations, healthcare benefits (e.g. gratuity of health care for partners of female workers), and any other in-kind benefits provided to male workers for their dependents;
  - d. Young workers (between 15-17 years old) are paid based on the principle of equal pay for work of equal value, i.e. deductions based on the age of the young worker are prohibited; and
  - e. Maternity leave is granted to female temporary workers when they are entitled to receive it<sup>4</sup> (i.e. not only to permanent workers).
2. When referring to discrimination, in requirement 4.3, this also includes, but is not limited to:
- a. Providing equal rations to the male and female workers;
  - b. Providing equal medical benefits to all workers; and
  - c. Providing the opportunity for women to the supervisory and managerial positions, equal to men

## 6. WAGES - CRITERION 4.5

1. CHs must ensure compliance with the payment of at least the **minimum cash wage**, as it pertains to tea workers in the region.
2. Deductions to cash wages can only be made for:
- a. absence from duty
  - b. recovery of advances and loans
  - c. Deductions by the order of a court: In case that the CB identifies deductions made by the order of a court, the CB must contact RA and inform the type of deduction for RA to ensure that this is in line with the standard.
  - d. provident fund
  - e. Deductions with the consent of the employed Person
  - f. Deduction for the Welfare Fund
  - g. Trade Union Membership Fees (it should be clear that the unions are freely representing workers and workers are freely joining)
  - h. Prime Minister's National Relief Fund
  - i. Food rations (those can be done at rates that do not exceed the market rates and that those deductions must be clearly described in the payslip)

The conditions regarding which deductions will be accepted by Rainforest Alliance and guidance on evidence to be presented/reviewed during the audit to ensure deductions are properly made, can be found in Annex I.

### 3. In the case of Assam:

- a. To ensure clarity, Rainforest Alliance takes the next figures to be the interim wage, as notified by the Assam state government from July 3<sup>rd</sup> 2018 <sup>5</sup>:
  - i. In Assam this is 167 INR cash per day per worker (for both permanent and temporary workers).
  - ii. In Barak Valley this is 145 INR cash per day per worker (for both permanent and temporary workers).

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<sup>4</sup> As per the Plantation Labour Act, 1951 (PLA), to be eligible for maternity benefit, a woman must have been working as an employee in an establishment for a period of at least 80 days in the past 12 months.

<sup>5</sup> NO.GLR(RC)178/2014/Pt/321



- b. In addition to ensuring this wage has been paid in the certified period, CHs in Assam must be up to date with the payment of arrears up to the 31st of December 2019. According to the Assam state government's notification from the 3rd of July 2018, an interim wage increase of 30 INR per day per worker, is to be paid retroactively from 1st of March 2018. Arrears for the period 1st March 2018 to 1st July 2018 must be paid to all workers entitled to receive this payment.

## 7. YOUNG WORKERS – CRITERIA 4.6 AND 4.7

1. Young workers (between 15-17 years, i.e. since the day of his/her 15<sup>th</sup> birthday until the day before his/her 18<sup>th</sup> birthday) shall not be employed or permitted to perform hazardous work as per the applicable law.<sup>6</sup>
2. The employer shall check and maintain young workers' fitness certificates<sup>7</sup> in their records and check that no young worker is employed who is unfit.
3. No young worker shall be allowed to work more than 27 hours a week, employed for work between 07:00 pm and 08:00 am, nor shall they be allowed to work overtime.<sup>8</sup> Young workers must be provided a rest period of 1 hour after 3 hours of work.
4. No young worker shall be allowed to work for the CHs on the same day that he/she is working in another location.
5. Young workers must be paid the same wage as adult workers, irrespective of the fact that they only work 27 hours per week. i.e. the same wage than an adult receives for full-time work, not be prorated to the 27 hours. E.g. if the cash salary of an adult that works 48 hrs per week is 1.0002 INR, a young worker that works 27 hours shall be paid the same 1.0002 INR.
6. A register must be maintained for young workers, including at least:
  - a. name,
  - b. sex (male/female/other),
  - c. date of the birth,
  - d. hours and periods of work,
  - e. rest/interval duration,
  - f. nature of work provided,
  - g. Date and number of fitness certificate

## 8. POTABLE WATER – CRITERION 4.12

1. "Access" to potable water shall be understood as "enough volume of safe drinking water available within walking distance from the field or in the farm's facilities". This needs to be communicated to the workers.
2. The CH must test the potable water provided to the workers. The testing of water quality, as per critical criterion 4.12b, may be based on a representative sample of farms, location of water sources, pump types and water purification systems,<sup>9</sup> and shall prove that water contamination risks do not negatively affect the drinking water quality for all the workers and their families, if they live on the farm.
3. Water testing can only be done by laboratories authorized by the government to do so.

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<sup>6</sup> The Child Labour (Prohibition And Regulation), Amendment Act, 2016

<sup>7</sup> As per (PLA) 1951.

<sup>8</sup> As Per Child Labour- Prohibition And Regulation Act, 1986 And The Child Labour (Prohibition And Regulation), Amendment Rules, 2017

<sup>9</sup> A sample from the source where water is provided by the estate and in case where the source of water is different for each house or colony a sample representing it as small region-



4. Failing to comply with one or more of the above-mentioned points will result in a non-conformity on criterion 4.12.
5. CBs' auditors must, at least verify that:
  - a. water tests are conducted yearly;
  - b. water tests are representative of all water systems available in the farm;
  - c. original test results are available; and
  - d. the values in the results are not above the ones indicated in the Rainforest Alliance RA-S-SP-1-V2 Sustainable Agriculture Standard, July 2017

## 9. HOUSING – CRITERIA 4.13, 4.28 AND 4.30

1. It is the responsibility of farm management or the group administrator to provide housing in compliance with the Rainforest Alliance 2017 Standard's requirements and to provide resources and training<sup>10</sup> on how to avoid rats, mosquitoes, and other vermin infestations. People living in houses provided by the farm are the sole responsible persons for ensuring the cleanliness of said houses and for the minor, routine maintenance required to ensure the decent living conditions.
2. Criteria 4.13, 4.28, and 4.30 of the Rainforest Alliance 2017 Standard only applies to housing that management provides to workers and their families as determined by point 6 in chapter 8. These criteria do not apply either to housing owned by workers or smallholders or to unauthorized or unsanctioned extensions or modifications to originally provided housing.
3. A shortage of housing is to be considered as a NC against the 4.13 critical criterion, unless that House Rent Allowance (HRA) is provided.  
NB: When a worker is living in a house that does not meet the RA standards, and the CH is providing an HRA to that worker, if that worker refuses to leave the plantation for any reason this point cannot be raised by the auditor as a NC. It is however expected that the CH encourages that worker to use the HRA for the measure it was intended, thereby ensuring that worker's safety.
4. Housing provided to temporary workers shall also meet the applicable criteria in the Rainforest Alliance 2017 Standard.
5. As per the RA-RSP-1-V2 Certification Rules 2017,<sup>11</sup> non-conformities with a critical criterion will result in the denial or the immediate suspension of the certificate, but with the option of a verification audit. Operations must close the open NC's within a 120-day timeframe from the certification decision date, or **(only for Assam)** before the 28th of February 2021, whichever occurs first.  
If the NC's are not closed within that timeframe, this will lead to an immediate suspension of the certificate. NCs against critical criteria cannot be closed with an improvement plan whose full implementation takes more than this 120-day period or before the 28th of February 2021 whichever may occur first.
6. The following people have the right to receive housing from the farm management and group administrator:
  - a. Every worker (including his/her family) residing in the plantation. Family includes the dependent children of a worker (**male and female**), and **his/her** dependent parents.
  - b. Every worker (including his/her family) residing outside the plantation, who has expressed a desire to reside in the plantation and who has put in six months of continuous service in such plantation.<sup>12</sup>
7. If a worker is entitled to housing (as per point 6 above), and the estate cannot provide a house on-site, then HRA must be paid to that worker.

<sup>10</sup> The CH must keep records to prove resources and training provided to inhabitants.

<sup>11</sup> 7. Obtaining the certificate, page 13.

<sup>12</sup> Except for a worker who is a member of the family of a deceased worker, who immediately before his death, was residing in the plantation. In that case, no period of time of continuous work is required.



8. The elements of housing as per 4.13 are to be interpreted as follows:

Letter	Criterion	Interpretation
A	Absence of rats, mice, insects, and vermin, or conditions that favor their populations that could cause disease or carry parasites that function as vectors of diseases	This criterion requires at least a properly sealed floor. The floor may be of clay (if sealed and leveled) if it ensures a rodent and insect free house. The intention is to avoid large populations of these animals as a result of inadequate or non-existent measures to prevent their reproduction to the point that it poses a risk to the health of families.
B	Dry floors	A dry floor can be of cement, stone, tile, wood, or clay. Clay floors may only be accepted if sealed and leveled. Dry floors are achieved inside the house when the house is constructed on an elevated platform/raised floor.
C	Protection against rain, wind or cold weather conditions	The walls that meet these requirements could be of durable material (e.g. cement, brick) or wood with a permanent foundation. The walls must be strong enough to withstand all weather conditions. If the wall is made of clay and bamboo and can adequately serve the purpose of a wall, this may be accepted. The roof that meets these requirements could be of zinc sheet /metal /cement /tile roof. The house is in a good state of repair, if there are no leakages in roof, windows, or doors. Due to heavy rainfall in parts of India, including Assam, housing must have adequate drainage. The compound drains, and the main outlet drains shall be so arranged that there is no water in the house due to the blockage in the drains. A leak in the roof should not lead to a NC, unless there is proof that the residents have reported it and the farm has not taken action to repair the leak, or if leaks are prevalent in several houses. Thatch roofs are accepted but will be subject to a quality assessment by the auditor.
D	No conditions posing imminent threats to the health or security of the occupants	Imminent threats to the health or security of the occupants are deficient structural conditions that can lead to severe injury or death in case of earthquakes or fire (no structural safety). It also entails adequate evacuation of fumes, if cooking is done indoors. Houses should be located in non-hazardous, safe, well-drained areas.
E	A register of workers and family members that live in management-provided housing	CH's must keep a record of all houses present on the plantation. In case houses are occupied by non-workers, this is to be indicated as well. The record should include, at least: <ul style="list-style-type: none"> <li>• Number of permanent workers living on the farm</li> <li>• Number of Non-Permanent/Temporary/Casuals residing on the farm</li> <li>• Nr of non-working people living on the farm</li> <li>• Number of minors (non-adults/adolescents) living on the farm</li> <li>• Number of permanent workers living outside the farm</li> <li>• Number of Non-Permanent/Temporary/Casuals living outside the farm</li> <li>• Name of residents of each house</li> <li>• Number of Pucca houses</li> <li>• Number of semi-Pucca houses</li> <li>• Number of Kutcha houses</li> <li>• Total number of houses available</li> <li>• Number of houses occupied by workers</li> <li>• Number of houses repaired</li> <li>• Number of eligible workers not allotted houses in the farm</li> <li>• Number of the total shortage of houses</li> </ul>
F	Separate beds for each worker	This requirement refers to ILO Workers' Housing Recommendation No.11 with the objective to prevent non-family-related workers from sharing a bed against their will. Criteria do not imply that couples or their children cannot share their beds, but that unrelated children or adults are not forced to share theirs.
G	Doors with locking mechanism	The outside door of the house (and ideally also its windows) has a locking mechanism that prevents others entering.



9. The CB shall ensure that the sample of houses to be audited is reviewed by the lead auditor that is responsible for conducting the audit. The sample of houses must meet the following requirements:
  - a. The CB shall audit a representative<sup>13</sup> sample of houses of the housing provided by management, to evaluate compliance with the housing requirements. The sample must comply with the following criteria:
    - I. Be 50% of the square root of the total of the houses, with a minimum of 10 houses.
    - II. A NC in one house is considered as a NC for the CH on that criterion. It will be important to report if the case is an isolated one or if the CB detects that it is systemic.
    - III. The sample must increase according to the risk. The CB is responsible to decide if the sample must be increased.
  - b. The composition of the sample shall be determined in a manner that is representative of all houses provided by management, using stratified random sampling. The following sampling parameters shall be considered as a minimum:
    - I. Amount of people residing in the house;
    - II. Differences in the types of houses (pucca, semi-pucca, kutcha);
    - III. Location of the houses (ensuring the most remote houses are also included); and
    - IV. State of the housing
  - c. Auditors shall refer to the register mentioned in requirement 4.13E (see point 8 in chapter 8). Auditors shall ensure that the register is updated.
  - d. To audit this requirement adequately, the auditor shall:
    - I. inspect the outside of the house
    - II. enter the house and conduct interviews with people living in the house. Good auditing practices are to be followed by the auditor in such a house visit.<sup>14</sup> Within the house, the auditor shall visit all key areas of the house, including the kitchen, bathing place, toilet, and one bedroom. If the toilet and/or bathing place are outside of the house, the auditor shall evaluate the toilet and/or bathing area as well.
  - e. CBs shall upload (a copy/ photo of) the register of housing mentioned in 4.13 E (see point 8 in this chapter 8) in the Salesforce system (max 5MB per file).

## 10. OCCUPATIONAL HEALTH AND SAFETY – CRITERIA 4.15, 4.16

1. PPE (Personal Protective Equipment) must be provided to individual operators and preferably not shared within one washing cycle.
2. Use of PPE is also required when applying natural pest control substances with possible dermatological or microbiological risks.
3. All workers (including temporary workers) who handle or come in contact with pesticides or other substances posing potential health risks must be trained, on the use of PPEs and the health risks of pesticides, by a competent person.<sup>15</sup> Records of the training that include the name and signature of those who attend must be kept.

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<sup>13</sup> See point b on what to take into account to evaluate representativeness.

<sup>14</sup> A comprehensive list of good practices are given in Rules for Planning and Conducting Audits, section 6.7.1

<sup>15</sup> A competent person (trainer) in this case (criterion 4.16) is a person trained on the subject by RA or relevant industry bodies (e.g. CropLife) and research associations. For some elements of the training a qualified medical doctor would be sufficient.



## ANNEX I – DEDUCTIONS: CONDITIONS AND EVIDENCE

The Payment of Wages Act, 1936 (the Act in this chapter) is the law governing permissible deductions from wages paid to any employed person in India. Although the Act allows different deductions under different categories, the Rainforest Alliance will only accept deductions made under the categories listed in the next table, and that comply with the conditions described:

Letter	Deduction for	Conditions	Evidence
a	Absence from duty	Only allowed when the employer has the right to make such a deduction, i.e. when conditions described in the "section 9. Deductions for absence from duty" of the act are met <sup>16</sup> .	- Signed contract between the employer and employee which stipulates such a deduction for absence. - All terms in the contract are met.
b	Recovery of advances and loans	Advances made before the employment began can only be recovered from the first payment of wages for a complete wage-period. A recovery cannot be made for advances given for travelling expenses before employment began.	- Documented proof that these advances have been made. - Documented proof of pending repayment of these advances at the time of the deduction. -Rate of deduction per payment.
c	Deductions by the order of a court		Certified copy of the court order.
d	Provident fund	It is mandatory for permanent and temporary/casual workers.	Salary slip which shows that a 12% employer contribution has been made.
e	Deductions with the consent of the employed Person	Employees must provide written authorization to the employer to allow this deduction.	Written authorization by the employee to the employer.
f	Deduction for the Welfare Fund	Employees must provide written authorization to the employer to allow this deduction.	Written authorization by the employee to the employer.
g	Trade Union Membership Fees (it should be clear that the unions are freely representing workers and workers are freely joining)	Only in cases where unions are freely representing workers and workers are freely joining.	Documentary proof of the individual's membership to a Trade Union.
h	Prime Minister's National Relief Fund	Employees must provide written authorization to the employer to allow this deduction.	Written authorization by the employee to the employer.
i	Food rations	- Only allowed when subsidised rations are given by management and only if the rate to be deducted is less than or equal to the market rate (i.e. cost of the products, e.g. rice and sugar) - Rates for food rations are the same for all employees.	Pay-slips where the deduction is clearly indicated as rations.

<sup>16</sup> a) only on account of the absence of the employed person at times when he should be working, and such deductions must not exceed an amount which is in the same proportion to his wages for the wages period, as the time he was absent and in that period is to the total time he should have been at work. (b) If ten or more employed persons acting in concert, absent themselves without reasonable cause and without due notice, the deduction for absence can include wages for eight days in lieu of notice, but-(1) no deduction for breaking a contract can be made from a person under 15 or a woman; (2) there must be a provision in writing which forms part of the contract of employment, requiring that a specific period of notice intention to cease of employment, requiring that a specific period of notice intention to cease work not exceeding 15 days of the period or notice which the employer has to give to discharge a worker, must be given to the employer and that wages may be deducted in lieu of such notice; (3) the above provision must be displayed at or near the main entrance of ["the office of the Factory or Industrial Establishment as the case may be"]; (4) no deduction of this nature can be made until a notice, that this deduction is to be made has been posted at or near the main entrance of the factory/establishment. (5) no deduction must exceed the wages of the employed person for the period by which the notice, he gives for leaving the employment, is less than the notice, he should give under his contract.



## ANNEX II – AUDIT FACILITATOR

An Audit Facilitator is a person who is independent of the certificate holder and who is present on the audit site to provide on-site observations during the **remote audit process**. The Audit Facilitator operates under clear instructions given by the qualified auditor. An audit facilitator can play various roles, including:

1. Ensure the (lead) auditor's independence during the remote audit verification e.g. calls, by observing that CHs provide access to documents, persons, locations as the auditor requested
2. Check the identify of interviewees to ensure that the person the auditor talking to is actually the person requested
3. Observe the conditions under which interviews occur to ensure that the conversation/interview has the level of privacy desired as in a normal interview.
4. Facilitate the calls/video tours by using his or her own device, where needed, and point the camera to the locations instructed by the auditor, for example:
  - a. In a processing facility
  - b. In a storage room: PPE, pesticides, fertilizers
  - c. In a house
  - d. On a farm, with a farmer
  - e. In a (video) call with a worker who does not have a (smart) phone.
5. Other optional tasks: taking pictures, taking GPS coordinates
6. If appropriate, this person can also act as a translator/interpreter if her/his language capacity allows.

### **Requirements:**

- An audit facilitator should understand the purpose of an audit and preferably has previous experience with an audit process, although he/she does not necessarily need to be an auditor.
- His/her role and responsibilities must be clearly defined by the CB.
- Must be independent, i.e. avoid conflict of interest, and strictly respect confidentiality.
- An audit facilitator should not perform the tasks of an auditor: e.g. to conduct an interview independently, to create audit findings/conclusions.