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Guidance S: Remediation Protocol | July 1st, 2022 | Until further notice

Linked to
- SA-S-SD-1 Rainforest Alliance 2020 Sustainable Agriculture Standard, Farm Requirements
- SA-S-SD-2-V1 Rainforest Alliance 2020 Sustainable Agriculture Standard, Supply Chain Requirements
- SA-G-SD-6-V1 Guidance Document E: Grievance Mechanism
- SA-G-SD-11-V1 Guidance Document L: Assess-and-Address
- SA-G-SD-20-V1.1 Guidance Document R: Assess-and-Address Monitoring Tool
- SA-PR-GA-1-V2 Grievance Procedure
- SA-R-GA-1-V1.1 2020 Certification and Auditing Rules
- SA-S-SD-19-V1 Annexes Chapter 5: Social

Replaces
- SA-S-SD-5-V1.1 Annex S4: Rainforest Alliance Remediation Protocol

Applicable to
- Farm Certificate Holders, Supply Chain Certificate Holders

Guidance documents are non-binding. Guidance documents provide information to help readers understand, interpret, and implement the standard requirements, however, following the guidance in this document is not mandatory.

More information
For more information about the Rainforest Alliance, visit www.rainforest-alliance.org, contact info@ra.org or contact the Rainforest Alliance Amsterdam Office, De Ruijterkade 6, 1013AA Amsterdam, The Netherlands.

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For any question related to the precise meaning of the information contained in the translation, please refer to the official English version for clarification. Any discrepancies or differences in meaning due to translation are not binding and have no effect for auditing or certification purposes.

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OVERVIEW OF KEY CHANGES

Rainforest Alliance has shortened and restructured the Standard Annexes to make them more user friendly. The binding content in the Annexes is not changed.

In this guidance you find the full content previously found in the earlier Annex.

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1. INTRODUCTION

The primary audience for this document is certificate holders, to assist them with setting up and managing effective response and remediation systems on labor and human rights. This document can also be used by Certification Bodies (CBs) to verify whether certificate holders (CH) have implemented remediation activities in accordance with the Protocol and within set timelines, as well as by civil society and government offices to support and collaborate with certificate holders.

This Remediation Protocol ("Protocol") is part of the Farm and Supply Chain Requirements of the 2020 Rainforest Alliance Sustainable Agriculture Standard ("Standard"), linked to requirement 5.1.4 of the Standard. It is applicable to all crops and all certificate holders that wish to become or remain certified. The Standard requires certificate holders to set up a system to assess-and-address discrimination, forced labor, child labor and workplace violence and harassment in working with the certified crops, which includes remediating grievances as per below figure 1.

![Figure 1: Assess-and-Address Overview](image)

Figure 1: Assess-and-Address Overview

This Protocol is mandatory for all certificate holders and organizations in or joining the Rainforest Alliance certification program, that have requirement 5.1 in the scope of certification. It also offers practical guidance about the steps certificate holders may take to effectively remediate cases of discrimination, forced labor, child labor, workplace violence and harassment, and any other human rights violations specified in chapter 5, in line with the Rainforest Alliance Sustainable Agriculture Standard Requirement 5.1.4.
The Remediation Protocol contains both mandatory steps as well as guidance on how to implement the mandatory steps. In line with ISO documents, Mandatory steps will be introduced by “shall,” whereas optional steps will be introduced by “may.” Examples:

- **Mandatory:** certificate holders *shall* implement corrections to remediate all known cases within 12 weeks.\(^1\)
- **Good practice / recommended:** certificate holders *may* collaborate with government agencies to implement corrections or corrective actions.

### 1.1. What is remediation?

Remediation is the process of righting the wrong after a human rights violation is uncovered, reported, and verified internally. The United Nations Guiding Principles (UNGPs) require states and businesses (including agricultural businesses) to take steps to ensure that workers have *access to effective remedy* when labor or human rights violations take place.

Remediation by certificate holders can cover a wide range of actions to restore the situation of the affected person to before the incident happened, including financial and non-financial compensation, repayment of recruitment fees, unpaid wages, overtime or illegal wage deductions, apologies or repatriation, and shall always include a guarantee of non-repetition. If the incident involved a perpetrator, for instance in the event of sexual harassment cases, actions may also include punishments including employment termination and referral to state criminal investigations.

Remediation actions are taken in two ways:

- **Corrections** that have to be implemented within 12 weeks to address immediate risk of harm (e.g., remove the person from the situation, ensure the person is safe).

- **Corrective actions** that are implemented to tackle the root causes of the problem and can be implemented over a longer period based on an action plan. The action plan for those corrective actions is based on investigation and analysis of the root causes and discussions with relevant stakeholders to develop remediation activities. The plan has to be ready by the end of the 12 week period when the first corrections are implemented.

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\(^1\) If a case is identified by an auditor during an audit, evidence that corrections are undertaken, a root cause analysis took place and corrective actions are planned, is submitted to the CB 10 weeks after the last day of the audit. For more information, see Rainforest Alliance’s 2020 Certification and Auditing Rules.
1.2. Link with grievance mechanism

For the system to effectively remediate cases, it shall be closely linked with the certificate holder’s grievance mechanism in accordance with the Rainforest Alliance Sustainable Agriculture Standards core requirement 1.5.1. The grievance mechanism can be used by internal and external stakeholders including all workers, group members and staff, buyers, suppliers and communities to report alleged grievances linked to the certified farm, management, employee, group member and/or certification activities and receive a response.

1.3. Link with Gender Committee

All cases related to gender-based violence and harassment at work may be remediated through the Gender Committee (requirement 1.6.1).

1.4. Link with risk-based approach

The risk-based approach that the Rainforest Alliance requires certificate holders to implement will support those to identify risks and to prevent violations from taking place by tackling the causes of those risks. In medium and high-risk environments, certificate holders are required to conduct an in-depth risk assessment (as per Standard Requirement 5.1.5), which will help identify root causes of pervasive risks and will support certificate holders in taking actions to overcome those root causes.

Below, figure 2 displays the steps outlined to prevent cases from arising, and remediating them when they do arise.

**Figure 2: Overview of the risk-based approach**
2. PRINCIPLES OF EFFECTIVE REMEDIATION

The following elements shall be key elements of the Certificate Holder’s remediation system:

2.1 Safety, welfare and best interests of people involved

When implementing remediation measures, the safety, welfare, and best interest of the affected individual shall always come first. To the extent possible, the identity of affected persons should remain confidential. When remedying a case involving children, certificate holders shall protect the child’s best interests and safety.

2.2 Human rights principles, national law & engaging with law enforcement

Remedy shall be delivered in accordance with international human rights principles, national law and this Rainforest Alliance Protocol. In cases where labor and human rights abuses violate local criminal law, the certificate holder may cooperate with the local authorities at the discretion and wish of the victim of the crime. It is important that the assess-and-address person/committee, as well as the grievance committee, have clear guidance by their management on engaging law enforcement or the local authorities.

2.3 Prevention

The outcome of a remediation process shall always include measures to ensure that the violation does not recur. Remediation should be based on an analysis of the reasons why the problem occurred (root causes) to better understand how to prevent the same problem occurring in the future. Step 3 in the remediation process detailed in chapter 4 of this Protocol provides more information on how to conduct a root cause analysis. This can be done through further investigation, review of policies and procedures, and engagement with workers’ representatives, labor providers and buyers to improve early warning systems and response.
3. SETTING UP A REMEDIATION SYSTEM

The following are steps to prepare for effective remedy.

3.1 Appointing responsible parties

The certificate holder’s management shall be held accountable for ensuring that Requirement 5.1.4 is implemented and that remediation follows the mandatory steps outlined in this Remediation Protocol.

Requirement 5.1.1 of the Standard requires that each certificate holder sets up an Assess-and-Address Committee or appoints a person (for group certification, group management can choose to appoint a management representative instead of a committee) responsible for tackling discrimination, child labor, forced labor, and workplace violence and harassment. This committee manages the implementation of the Protocol, including developing a remediation plan. Management must also nominate a management representative to the Assess-and-Address Committee to lead and be accountable for the Assess-and-Address process. Human resources departments often deal with labor related issues and someone from human resources may therefore have the appropriate skills to serve as the management representative for Assess-and-Address to represent management in the Assess-and-Address Committee.

The Assess-and-Address Committee or responsible person is responsible for monitoring risks and the implementation of risk mitigation measures in accordance with Requirement 5.1.3.

- Reporting potential cases of child labor, forced labor, discrimination and workplace violence and harassment to the management and to the Grievance Committee in accordance with Requirement 5.1.3.
- Developing a plan for how to remediate cases and including this in the Farm in the Management Plan in accordance with Requirement 5.1.4.
- Monitoring remediation activities in accordance with Requirement 5.1.3.
- Remediating verified labor and human rights cases in accordance with Requirement 5.1.4.
- Document all identified possible cases, and following up on the remediation of verified cases in accordance with Requirement 5.1.4.

The Grievance Committee is responsible for receiving complaints from anyone negatively affected by the operations of the certificate holder which may include labor and human rights grievances. The Grievance Committee is therefore responsible for investigating complaints including cases of discrimination, child labor, forced labor, or workplace violence or harassment referred by the Assess-and-Address Committee. If the case is verified through the investigation, the Grievance Committee will collaborate with the Assess-and-Address Committee, and/or the Gender Committee/Person who will develop the appropriate remediation in collaboration with the victims.

The Assess-and-Address Committee is responsible for developing, implementing and overseeing remediation actions.
3.2 Preparing a remediation plan

Even in low risk environments for labor and human rights violations, the Rainforest Alliance requires certificate holders to have a remediation plan in place, as this helps them to respond quickly when a case is identified. Below are the steps (figure 3) to develop a remediation plan:

**Figure 3: Preparing a remediation plan**

The three steps to developing a remediation plan are explained below:

1) Map stakeholders

The person/committee responsible for Assess-and-address, including for remediation, may cooperate with external actors, such as NGOs and government, to support the implementation of risk mitigation, monitoring, and/or remediation.

Certificate holders can use the example below to create a basic overview of response and remediation stakeholders for each of the topics.

**Figure 4: Basic overview of response and remediation stakeholders**
The questions below can be used to guide the identification of stakeholders:

a. Which organizations work locally/at the district level in the field of child labor, forced labor, discrimination, workplace violence and/or harassment and what direct response or remediation support can they offer when a case of child labor, forced labor, discrimination, violence and harassment or other labor rights violations are discovered? See the box below with suggested stakeholders for different cases?

b. Which organizations/government offices/supply chain partners at the national level can support remediation or prevent a case from reoccurring (e.g. training, advocacy for the law change, income support/income generation)?

The box below indicates some types of people, groups and organizations to consider when identifying stakeholders for remediating human rights cases:

### Potential stakeholders in remediating human rights cases

- Members of the Gender Committee/ Responsible person for Gender required under requirement 1.6.1 of the Standard may be involved in cases of gender-based discrimination or gender-based violence and harassment and may be involved in safeguarding the victims’ safety and wellbeing, including in the follow-up;
- Unions or workers’ organizations with members on the farm or organization may participate in the development of plans for addressing root causes of systemic labor violations, as well as monitoring their implementation;
- Community-based organizations, community and religious leaders, school personnel, health services personnel, government agencies and others may provide support services to former child laborers, victims of discrimination, harassment and violence, trafficking and forced labor;
- NGO’s, human rights organizations and experts, such as child protection or other experts, maybe consulted for training, or to assist with assessing the support that is needed for long-term victim rehabilitation/restitution;
- Supply chain partners, including buyers, retailers, and industry bodies, may be able to support addressing systemic issues that negatively impact farmers and workers.

2) Write down your Remediation Plan

Using **Template A – Remediation Plan** found at the end of this protocol, create an overview of who in your team is responsible for remediation and with which remediation partners/stakeholders (e.g. department of social affairs, education, women’s affairs, civil society, supply chain partners) will collaborate where possible. The proposed actions of your Remediation Plan should be entered in Template A, which will be included in the Management Plan.

3) Training and awareness-raising

Once you have agreed on the remediation plan, the management team must be trained so that everyone’s role is clear when a potential case is discovered or reported, in line with Core Requirement 5.1.1. Creating awareness amongst group members and workers about the Grievance Mechanism and Remediation Protocol helps ensure workers and community members are aware of their rights and can access remediation.
4. WHEN A CASE HAPPENS: RESPONSE AND REMEDIATION PROCESS

4.1 Stages, timeframe and responsible parties for response and remediation

MANDATORY REMEDIATION STEPS:

<table>
<thead>
<tr>
<th>CASE REPORTED</th>
<th>Shared with Grievance Committee (GC) for investigation.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Immediate safeguarding &amp; Consent</td>
<td>As soon as case is reported, the safeguarding of affected individuals, and seeking victim consent for next steps, shall be immediate priority.</td>
</tr>
<tr>
<td>Severity test</td>
<td>GC conducts severity test; if severe, further investigation needs to take place.</td>
</tr>
<tr>
<td>Implement corrections &amp; Develop corrective action plan</td>
<td>CH (with external parties) implements corrections as part of remediation plan, and develops corrective action plan with detailed timeline.</td>
</tr>
<tr>
<td>Implement corrective actions</td>
<td>CH (with external parties) implements corrective actions to address root causes.</td>
</tr>
<tr>
<td>Monitoring</td>
<td>Assess and address Committee monitors implementation of agreed corrections, and corrective actions by CH and external stakeholders.</td>
</tr>
</tbody>
</table>

FIGURE 5: REMEDIATION STEPS

- Mandatory timeframes and steps
- Good practices that are not required but are recommended
<table>
<thead>
<tr>
<th>Timeframe – weeks</th>
<th>Stage</th>
<th>Activities</th>
<th>Responsible person</th>
</tr>
</thead>
<tbody>
<tr>
<td>48 hours</td>
<td>1. Case reported</td>
<td>Case is received by the Assess-and-Address Committee/responsible person and shared with the Grievance Committee (GC) for investigation.</td>
<td>Assess-and-Address (A&amp;A) Committee Grievance Committee (GC)</td>
</tr>
<tr>
<td>48 hours</td>
<td>2. Response – immediate safeguarding</td>
<td>As soon as a case is reported, the immediate priority is safeguarding of the affected individuals, and seeking victim consent for next steps.</td>
<td>A&amp;A Committee Grievance Committee</td>
</tr>
<tr>
<td>4 weeks</td>
<td>3. Response – severity test</td>
<td>GC conducts severity test, if severe, further investigation needs to take place. If not, skip to step 6.</td>
<td>Grievance Committee</td>
</tr>
<tr>
<td>4 weeks</td>
<td>4. Response - investigation</td>
<td>GC investigates the case, and collects more information if more details are required, especially with severe cases.</td>
<td>Grievance Committee</td>
</tr>
<tr>
<td>4 weeks</td>
<td>5. Response – criminal investigation</td>
<td>Severe cases that potentially violate applicable criminal law may be referred to the police or relevant authorities for a criminal investigation.</td>
<td>Management &amp; affected individual</td>
</tr>
<tr>
<td>4 weeks</td>
<td>6. Response – Verification &amp; Recommendation to remediate</td>
<td>GC verifies case and recommends remediation, hands over case to responsible department [HR/finance] or committee (Assess-and-Address/ Gender Committee) who collaborate with relevant experts on remediation.</td>
<td>Grievance Committee; Management;</td>
</tr>
<tr>
<td>6 weeks</td>
<td>7. Response - Communicate with parties involved</td>
<td>Gender / A&amp;A Committee meets with victims and other parties involved, discusses possible remediation measures, including, if required, disciplinary action against the perpetrator. If any affected party does not agree with Grievance Mechanism decision, an appeal can be submitted through an Appeals Panel to review the decision. Alternatively, complainants can use external Grievance mechanisms (CB, government’s or Rainforest Alliance).</td>
<td>A&amp;A Committee / Gender Committee</td>
</tr>
<tr>
<td>6 weeks</td>
<td>8. Remediation – Coordination</td>
<td>Gender / A&amp;A Committee refers cases to responsible internal and external stakeholders to implement corrections and corrective actions as part of remediation plan (template A) and oversees the implementation.</td>
<td>A&amp;A Committee / Gender Committee</td>
</tr>
<tr>
<td>12 weeks¹</td>
<td>9. Remediation – implement corrections and confirms</td>
<td>Certificate holder (together with external parties) implements corrections as part of remediation plan and confirms a corrective action plan to address root causes of the issue with detailed timeline.</td>
<td>Certificate holder,</td>
</tr>
</tbody>
</table>

¹ If a case is identified by an auditor during an audit, evidence that corrections are undertaken, a root cause analysis took place and corrective actions are planned, is submitted to the CB 10 weeks after the last day of the audit [instead of the 12 weeks]. For more information, see Rainforest Alliance’s 2020 Certification and Auditing Rules.
4.2 Remediation process

The twelve steps set out above are described in further detail below, containing more examples of corrections and corrective actions. The Rainforest Alliance understands the different contexts certificate holders operate in and that remediation might look different in each context.

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1) Reported human rights case shared with Grievance Committee

- As noted above, the case can be reported through the certificate holder’s own monitoring system, through the grievance mechanism, through an audit, or through an outside party/media report.
- Complainant/affected individual is contacted within 24-48 hrs, with acknowledgment of receipt of case and explanation of the process.

2) Safeguarding and consent: The safety and protection of the at-risk individual shall be the top priority. If there is an immediate risk of harm to workers’ mental or physical health in an identified/reported case, support is given after obtaining full consent and while protecting the confidentiality of the individuals. Support can be provided by an external party under the same conditions.

- If the affected individual is a child, the child’s family/caretakers are contacted to participate in the remediation process. The child’s family/caretakers must give their consent for any further steps to be taken.
- Together with the affected person and his/her family, where applicable, the necessary support, services, and follow-up steps are identified.

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4 If a case is identified by an auditor during an audit, the full remediation of a case (stage 10) shall be completed before the next audit and with a maximum of 50 weeks from the last day of the previous audit (instead of the 52 weeks). Evidence of implementation of the corrective action plan shall be sent to the CB at least 2 weeks prior to the next audit. For more information, see Rainforest Alliance’s 2020 Certification and Auditing Rules.
• In severe cases, where individuals might be in immediate danger (e.g. revenge for reporting rape, corruption etc), the at-risk individual may need to be brought to a secure and confidential location and be provided food/water as needed.
• Individual is informed of the remediation process and asked for his/her informed consent for further investigation and/or support. Persons accused of wrongdoing are suspended from their roles pending further investigation and separated from the victim where appropriate.

3) **Grievance Committee (GC) conducts severity test**

- This test consists of four questions. ‘Yes’ to any question means this case shall be referred immediately to management, who may reach out for external support to authorities, relevant experts and possibly the Rainforest Alliance.
- If a case is severe, the GC together with Management needs to assess potential criminality (see step 5) of the case, and possibly involve the Rainforest Alliance and/or the CB for follow-up action.

### Severity Test Questions

<table>
<thead>
<tr>
<th>'Yes' to any of these questions results in this being a severe case and requires referral of the case to management</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Is the situation of the worker/child/whistleblowers potentially life-threatening?</td>
</tr>
<tr>
<td>2. Is this a systemic incident, meaning there are multiple cases of this issue on the farm/site?</td>
</tr>
<tr>
<td>3. Can the situation have lifelong, negative impacts on the welfare of the worker/child, including physical and/or psychological damage?</td>
</tr>
<tr>
<td>4. Is there evidence that the management or staff member knew that the violation was taking place but continued/approved the practice?</td>
</tr>
</tbody>
</table>

4) **Grievance Committee investigates case:** In the short term (approx. 4 weeks), the Grievance Committee investigates the case.

- The victim’s statement (and that of the family, as appropriate) is documented in a standardized format and all information related to the case is held in a secure location and kept confidential.⁵
- With the victim’s consent, or in the case of children, the consent of parents/caretakers, additional information about root causes of the case is sought and documented from other parties, such as workers. Documentation can include photographs, testimonies or other forms of evidence.
- For each case, determine which of your identified stakeholders in your Remediation Plan (see figure 3) should be contacted and engaged with to investigate and remediate the case (CH level, Local stakeholders, National stakeholders). E.g. for a severe child labor cases, you might need support from a child protection

⁵ Rainforest Alliance’s Guidance Document R: Assess and Address monitoring tool can be used for this.
expert, the education department, family income support; for sexual violence cases, you might need medical, legal and psychosocial support, including from women’s organizations.

- Contact external stakeholders, as relevant, including child protection services, labor consultants, and gender specialists to investigate cases and identify possible remediation channels.

5) **Grievance Committee conducts an assessment of potential criminality & if need be, refers the case to authorities/ law enforcement**

- Grievance Committee and management and/or the Certification Body (if the CB identified the violation) assesses the circumstances as they relate to the applicable criminal laws of the jurisdiction.
- If the case identified involves actions that constitute a crime, it may be reported to the relevant government authorities who are responsible for the legal follow-up.
- Protection of the affected individual (and his/her family and reporter) shall always be the top priority. Such referrals shall not be made if they could put victims at risk of further harm and should not be made without victim (or parents’ / caretakers’) consent. The decision should be communicated to the victim, family and the perpetrator(s).

6) **GC concludes investigation and decides on remediation**

The GC, after reviewing all evidence (in severe cases, together with management, A&A or Gender Committee, and external experts), concludes the investigation and recommends remediation. Then, the GC hands over the case to the responsible committee, which could be the Assess-and-Address or the Gender Committee, depending on the type of case (e.g. gender-based sexual harassment or violence cases will go to the gender committee).

7) **Gender / Assess-and-Address Committee meets with alleged victims/others involved, discuss rights, resources, and responsibilities with individuals involved, and proposed remediation measures (corrections, root cause analysis, and corrective actions), including disciplinary action against the perpetrator if required:**

    a. Parties can agree or disagree.
    b. If they disagree, parties have the option to appeal through an appeals panel, which should be set up independently from the certificate holder. An external labor advisor can support this.
    c. In the rare event that the appeals panel and Grievance Committee cannot resolve a grievance, and only when all options have been exhausted, the person or organisation making the complaint can escalate to the Certification Body that certified the Certificate Holder, or in turn, they can contact the Rainforest Alliance’s Grievance Mechanism.

8) **Once affected parties agree, the Assess-and-Address Committee develops a plan for the implementation of corrective actions (corrective action plan) to address the root causes of the issue. The Assess-and-Address Committee refers cases to responsible internal and external stakeholders to implement corrections and corrective actions as part of the remediation plan and oversees the implementation.**

A list of possible remediation actions for the different violations is included below in table 1. Each situation and context is unique, and as such, this list is not
mandatory nor exhaustive but includes suggested steps for both short-term corrections and long-term corrective actions per topic.

9) **Short term (12 weeks*) corrections** to ensure the person’s safety, address immediate risks and support their rehabilitation/restitution of rights are implemented at the level of the farm, company, affected individual and community, and the detailed plan for the implementation of corrective actions is confirmed.

10) **Long term (50 weeks?) corrective actions to address the root causes of the issue are implemented** at the level of the farm, company, affected individual, and community.

11) **The Assess-and-Address Committee monitors the implementation of corrections and corrective actions**
   - Corrections and corrective actions are regularly reviewed to ensure they are implemented according to plan and effective.
   - The Assess-and-Address Committee actively solicits input from workers on their satisfaction with systems and remedies.
   - All phases of remediation are documented using standard formats.

12) **The Assess-and-Address Committee, together with management, regularly reviews the type of cases, internal reports, and remediation activities to close cases and ensure the system is fit for purpose.**

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* If a case is identified by an auditor during an audit, evidence that corrections are undertaken, a root cause analysis took place and corrective actions are planned, is submitted to the CB 10 weeks after the last day of the audit (instead of the 12 weeks). For more information, see Rainforest Alliance’s 2020 Certification and Auditing Rules.

? If a case is identified by an auditor during an audit, the full remediation of a case (stage 10) shall be completed before the next audit and with a maximum of 50 weeks from the last day of the previous audit (instead of the 52 weeks). Evidence of implementation of the corrective action plan shall be sent to the CB at least 2 weeks prior to the next audit. For more information, see Rainforest Alliance’s 2020 Certification and Auditing Rules.
<table>
<thead>
<tr>
<th>Violation</th>
<th>Short-term step(s) (4 weeks)</th>
<th>Medium-term step(s) (12 weeks)(^8) – corrections</th>
<th>Long-term steps (52 weeks)(^9)/ Addressing Root Causes</th>
</tr>
</thead>
</table>
| **General human rights violation** | Within 48 hours: Immediate safeguarding response, removing affected individual from harmful situation. Investigation and developing remediation plan in close cooperation with affected parties and where needed, specialist. | Implement corrections that support the affected individual’s rehabilitation/restitution needs. Review and update policies, procedures and action plans that contributed to the case (e.g. lack of monitoring, training of responsible supervisors, recruitment and labor management systems). Plan training activities to roll out updates to policies, procedures and action plans. | • Long-term victim rehabilitation/restitution, and to address root causes and prevent recurrence of the violations. These plans should be integrated as appropriate into the overall management plan required under requirement 1.3.2. • If a low risk for these issues was originally identified in the risk assessment, and a serious or repeated violation has occurred, the level of risk should be adjusted. This would lead to new required mitigation measures, and adjustments to how and how often audits will be carried out in the future.  
**Policies and management procedures to address issues**  
• General policies in line with National Legislation and or Collective Bargaining Agreements (CBAs):  
• Recruitment policies (Highlighting no recruitment fees, provisions of safe accommodation, provision of free transport, no loans)  
• Contractual Terms & Conditions (permanent workers, temporary and seasonal workers)  
• Loans and Advance payments (Caps)  
• Minimum Age policies and hours and Health and Safety for young workers |

\(^8\) If a case is identified by an auditor during an audit, evidence that corrections are undertaken, a root cause analysis took place and corrective actions are planned, is submitted to the CB 10 weeks after the last day of the audit (instead of the 12 weeks). For more information, see Rainforest Alliance’s 2020 Certification and Auditing Rules.

\(^9\) If a case is identified by an auditor during an audit, the full remediation of a case (stage 10) shall be completed before the next audit and with a maximum of 50 weeks from the last day of the previous audit (instead of the 52 weeks). Evidence of implementation of the corrective action plan shall be sent to the CB at least 2 weeks prior to the next audit. For more information, see 2020 Rainforest Alliance’s Certification and Auditing Rules.
<table>
<thead>
<tr>
<th>Topic</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Working hours policies, including rest days, overtime limits</td>
<td></td>
</tr>
<tr>
<td>Wage policies and pay brackets, rates of pay based on minimum wage per day &amp; per hour. Bonuses for piece rates</td>
<td></td>
</tr>
<tr>
<td>Discrimination policies, fair treatment at work, including temporary and seasonal workers</td>
<td></td>
</tr>
<tr>
<td>Grievance policy and complaints procedure</td>
<td></td>
</tr>
<tr>
<td>Sexual Harassment Policy</td>
<td></td>
</tr>
<tr>
<td>Accommodation including standard of living, foods and transport costs and/ or payment in-kind</td>
<td></td>
</tr>
<tr>
<td>Health &amp; Safety policy</td>
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<td>Whistleblowing policy</td>
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<td>Systems &amp; Procedures</td>
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<td>Age verification</td>
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<tr>
<td>Recruiters/ Agency Service Agreements (payment terms and overall treatment of workers)</td>
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<tr>
<td>Systems for recording hours and presence on site for health &amp; safety</td>
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<td>Wage payment methods (weekly, monthly, deductions and proof of payment)</td>
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<td>Verbal and Written contracts minimum information (job role, pay rates, hours of work, length of employment, health and safety, raising grievances, health &amp; safety)</td>
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<tr>
<td>Access to grievance mechanism and communication on site</td>
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<tr>
<td>Access to childcare and educational facilities</td>
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<tr>
<td>Food, transport and accommodation provision payments in-kind</td>
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<tr>
<td>Provision of training to supervisors and managers</td>
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<tr>
<td>Training on worker management and communication, including team leadership skills and dealing with conflict</td>
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<tr>
<td>Training on handling sickness and absence and/ or addressing performance issues</td>
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<tr>
<td>Training on disciplinary procedures, major and minor faults</td>
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<tr>
<td>Communication between workers and management</td>
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</tbody>
</table>
| General – in case of criminal law violation | The case has been reported to local authorities as applicable. | Corrective measures towards perpetrator according to the violation. Measures can vary from a letter with a warning, temporary dismissal to permanent dismissal. | • Developing internal monitoring process to ensure new management practices are applied  
• Monitoring the case at the criminal justice system while safeguarding needs of affected individuals  
• Prevent recurrence of incident through actions recommended in above line |
| Discrimination | Immediate safeguarding response, investigation and developing remediation plan in close cooperation with affected parties and specialist. | Make public announcement for new vacancies accessible for all, including in the local language where needed. Ensure that job requirements are accessible for all, unless impossible. Revise contracts and adjust wages to ensure equal pay for jobs of equal value. Ensure female workers don’t need to undergo pregnancy tests at any stage of their working cycle. | The following are examples of items that could appear in the management plan. Each item in this plan should be time-bound and clearly assigned to a responsible party for follow-up:  
• Training on discrimination, identifying and addressing issues and dealing with grievances  
• Full reimbursement of wage gap due to discriminatory practices  
• Provide training to underprivileged groups to improve their opportunities to apply for higher positions, provide training, capacity building to job recruiters, make sure extra person is present at job interviews  
• Set quota for representation of underprivileged groups in higher-level and management positions, keep track of progress and report back to management |
| Forced labor | Immediate safeguarding response, investigation and developing remediation plan in close cooperation with affected parties and specialist. | Depending on the specific case, the following steps may apply:  
- **Document retention:** Return passports/identity papers to workers and make arrangements for safe and accessible storage of such documents.  
- **Pay-related issues:** Immediately pay any excessively delayed wages due to workers and any | Depending on the specific case, the following steps may apply:  
- **Pay-related issues:** Workers must be paid at least monthly. When calculated by volume, workers' pay must equal at least the minimum wage based on a 48-hour working week or national legal working hours limit. Deductions from wages for costs such as employer-provided housing or food must only be taken with workers' consent. Workers must be provided pay slips showing hours worked (regular and overtime) and/or volume produced, calculation of wages and deductions, and wages paid. Management should confirm that personnel responsible for wage payment are correctly trained in calculations and requirements. Management should make available personnel who speak the |
unallowed deductions taken from workers' pay, and change policies on timing/frequency of payment. If immediate repayment is not possible, establish a time-bound plan for repayment.

- **Recruitment-related debt:** Assess amount of debt the workers hold and ensure that it is repaid or establish time-bound repayment plan and responsibilities for repayment.

- **Fraudulent/coercive recruitment:** Re-negotiate contract terms that were initially misunderstood/misrepresented and sign new contract. Directly contract with workers rather than indirectly through labor brokers.

- **Military/prison labor:** Farms/sites must immediately stop using military labor. Any prison labor working on the farm/site must freely provide their consent to work and must be given equal treatment with other workers.

- **Confinement/intimidation:** Farms/sites must communicate to all workers of their rights under the law to freely leave the job. This can be done through their contracts, information posted in the workplace, a workers' appropriate languages to explain/answer workers' questions about wage calculations and pay slips. Management should assign responsibility to a member of staff to conduct a periodic review of pay records to identify instances of underpayment, delayed payment, and other inconsistencies.

- **Recruitment-related debt, fraudulent/coercive recruitment:** Full reimbursement of all recruitment fees, back wages, illegal deductions and other compensation owed.

- **Training on recruitment practices, seasonal and temporary workers, forced labor, debt bondage, labor exploitation by intermediaries, loans systems.** Farms/sites must ensure that any labor providers used are licensed or certified by the appropriate government authority, if one exists. Farms/sites must have written contracts with each labor provider, requiring that labor providers abide by Rainforest Alliance worker protection standards. When possible, farms/sites should directly contract workers who are recruited by labor providers. For workers whose direct employer is a labor provider, the Assess-and-Address monitoring system should check periodically with some of these workers to ensure that their pay, working conditions, etc. are as promised by the labor provider. Workers recruited through labor providers should be treated equally with other workers and provided the same information about their protections under the Rainforest Alliance standard. The Assess-and-Address monitoring system should periodically check with workers who are recruited through labor providers, to see if they owe any debts related to recruitment fees.

- **Military/prison labor:** Implement a process to periodically check with prison laborers to ensure they are receiving the same treatment as other workers with respect to contracts, pay, working conditions, and all other worker protections in the RA standard.

- **Confinement/intimidation:** Implement a process to periodically check with workers to see if they feel threatened by security guards.
| Child labor 10 | Immediate safeguarding response, investigation and developing remediation plan in close cooperation with affected parties and specialists. | Transition children of legal age for work into non-hazardous roles  
• Assistance with education-related fees | • Conduct awareness-raising activities with communities on importance of education; assess barriers to education and work to overcome those for children of group members currently out of school  
• Train staff on child labor and dealing with children accompanying working parents  
• Develop remediation plan  
• Apply minimum age standards  
• Offer the job formerly occupied by the child to another member of the child’s family  
• Provide children with a copy of their birth certificate so that they are accepted in school  
• Link vulnerable families to government or NGO support schemes, including cash transfers or income generating activities  
• Supply children with school uniform, bicycles and/or books  
• Arrange saving schemes, income generating activities or credit facilities for parents so that they are less reliant on the children’s work and can support their education. |

10 The basic risk assessment includes the following recommendation to determine age: Verification of age should be based on identity documents, school and medical records or other verifiable forms of identification proof.
| Workplace violence / Harassment | Management needs to ensure perpetrator will not approach victim again  
Ensure victim and perpetrator are separated where possible and appropriate (e.g. in case of workplace harassment and violence) | Support the victim’s healing process by facilitating access to medical care, etc. and/or by giving time off and contributing financially  
Ensure safe working situation (e.g. safe transport, no isolated workplaces for female workers) for the victim and close monitoring of the situation  
Appropriate discipline or termination for perpetrator(s) of harassment/violence or person(s) responsible  
Remove offensive, sexually explicit calendars, literature and other materials from the workplace | The corrective measures should be accompanied by an informative conversation/training on human rights and appropriate behaviour, according to the issue.  
- Training of managers, supervisors, guards, workers, Gender Committee on bullying, harassment and violence at work, appropriate behavior and on the grievance mechanism  
- Strengthen the Gender Committee and other relevant women’s groups on the knowledge of these issues, how to recognize them and how to deal with them  
- Conduct a yearly safety audit of the workplace while involving female workers and implement measures to address identified risky areas  
- Reach out to women’s and human rights organizations and involve them in remediation measures like training, giving support to victims |
5. **TEMPLATE A - Remediation Plan**

Please find here a template you may use to prepare for remediation. It can be integrated in the management plan.

<table>
<thead>
<tr>
<th>Objective</th>
<th>Action</th>
<th>Locations</th>
<th>Start date, End date</th>
<th>Frequency</th>
<th>Responsible persons</th>
<th>Status</th>
</tr>
</thead>
</table>
| Be prepared to implement effective remediation if and when a potential violation is identified that requires remediating | Assign responsibility internally within management and the Assess-and-Address Committee for remediation including:  
  a. Internal and external coordination about cases.  
  b. Safeguarding needs of the affected person | | | | | |
| | Identify local authorities and support agencies who can help with immediate safeguarding needs for at risk women, children and other at-risk groups, including migrants:  
  1) Government offices (education, labor and social affairs, agriculture)  
  2) Women’s organisations and safe houses  
  3) Child protection agencies  
  4) Workers’ unions  
  5) Migrant support agencies | | | | | |
| | A training of the management team and other relevant staff shall take place focusing on everyone’s role when a potential case is discovered or reported | | | | | |