




DRISCOLL'S LABOR STANDARDS

(Formerly Driscoll's Worker Welfare Standards)



Updated December, 2017



Driscoll's[®]
Only the Finest Berries[™]

PURPOSE STATEMENT

These Standards define Driscoll's core workplace principles and expectations. We want employment within the Driscoll's enterprise to be a source of pride to those many thousands of people who make our mission of delighting berry consumers possible.

Driscoll's acknowledges the value and importance of all people within our supply chain. By promoting respect, health and safety in the workplace we are supporting our company vision *"To become the world's berry company, enriching the lives of everyone we touch."* It is our belief that good working conditions should be an expectation by all, and in our experience, results in a more productive operation and a more meaningful experience for everyone.

SCOPE OF APPLICATION

These Standards apply to all workers in our supply chain, with no distinction. Our implementation effort of these Standards will focus on providing protection to the most vulnerable employees of our enterprise, particularly those workers who are migrant and work on a seasonal basis.

INTERNATIONAL LABOR STANDARDS

These Standards are based on the International Labor Organization (ILO) Conventions and Recommendations, the Sedex Members Ethical Trade Requirement (SMETA), the Global Social Compliance Program (GSCP) standard, the Business Social Compliance Initiative (BSCI) standard, and a collaborative review of agriculture-specific standards from several non-governmental organizations.

LEGAL COMPLIANCE

Labor laws in the countries where we work are supported by these Standards. Where labor laws exceed these Standards those laws must be respected and followed. Where labor laws do not provide the minimum protection of these Standards, Driscoll's will require that employers measure up to our expectations.

IMPLEMENTATION

Driscoll's will ensure implementation of these Standards across the globe. Implementation will include site assessments and third party audits.

EXPECTATION OF TRANSPARENCY, SUPPORT AND CONTINUOUS IMPROVEMENT

Driscoll's expects an environment of transparency and information exchange between us, our growers and our nurseries with regard to labor policies, practices and conditions. Driscoll's strives to have a supportive and progressive approach within each growing and nursery site. If any issues are identified through the assessment process, growers and nurseries are expected to work with Driscoll's to ensure and demonstrate sincere and continuous improvement toward defined goals. This commitment to transparency includes a commitment to developing credible third party grievance procedures for farm workers working on farms in our supply chain.

ZERO TOLERANCE STANDARDS

Driscoll's considers the following practices unacceptable:

- › child labor
- › forced labor
- › human trafficking
- › coercion, abuse and harassment
- › health & safety conditions posing immediate risk to life and limb

All identified zero tolerance issues shall be corrected immediately by the employer or will result in termination of the relationship with Driscoll's.

1. Employment is Freely Chosen

- 1.1 Compulsory labor and human trafficking in all its forms, such as forced, prison, bonded, or indentured labor, are prohibited.
- 1.2 The employer and labor contractors shall not keep any kind of "deposits" or original personal employment documents such as identification, citizenship, passports or visas.
- 1.3 Workers have the right to terminate their employment at will. The right of workers to leave the workplace after their shift must be respected.

2. Freedom of Association & the Right to Collective Bargaining

- 2.1 Workers have the freedom to choose to establish, affiliate and take action in free and independent workers' organizations without interference or reprisals.
- 2.2 Worker representatives shall not be discriminated against and must have access, within the legal framework, to carry out their representative functions in the workplace.

3. Worksite and Worker Accommodation Health & Safety

- 3.1 The employer shall provide a safe and hygienic working environment at all times, including during transport from and to the work place, when this is provided by the employer.
- 3.2 Workplaces should be void of threats to workers' health and precautions to prevent accident and injury should be taken. Employers shall comply with local laws and the Health & Safety Appendix of these Standards.
- 3.3 Workers shall receive regular and recorded health and safety training, and such training shall be repeated for new or reassigned workers.
- 3.4 Access to sufficient clean toilet facilities, potable water, and, if appropriate, sanitary facilities for food storage shall be provided.
- 3.5 Accommodation, where provided, shall be clean, safe, meet the basic needs of workers and comply with the requirements outlined in the Housing Appendix of these Standards.
- 3.6 The employer shall assign responsibility for health and safety to a senior management representative.

4. Child Labor & Young Workers

- 4.1 In accordance with International Labor Organization (ILO) Convention 138, every worker employed must be at least fifteen (15) years of age, unless a higher age is specified by local law.
- 4.2 The employer shall ensure that specific policies and procedures are implemented to prevent the employment of children below 15 (or legal employment age, if higher).
- 4.3 The employer shall have systems in place to check the age of all workers and maintain proof in their employment records.
- 4.4 The employer shall ensure sensitive and appropriate solutions are sought in cases where child labor has been identified. Solutions should be those that ensure the child's best interest and removal from the worksite, but that do not place them in a more vulnerable situation.
- 4.5 The employer shall ensure protection of young workers (under 18 years of age) with regards to safe working conditions, types of work, and hours of work. Young persons under 18 shall not work at night, perform overtime, work in hazardous conditions, come in contact with pesticides, operate heavy machinery, or lift heavy loads.

5. Wages & Benefits

- 5.1 At a minimum, the employer shall ensure wages and benefits provided meet or exceed legal minimums and/or industry standards, and/or applicable collective agreements.
- 5.2 Overtime must be compensated according to local law.
- 5.3 Employment shall always be offered within the terms established by the applicable laws. At the time of employment, the employer shall provide workers with contracts containing clear and written information on terms of employment in a language that they understand. Terms of employment include job description, wages, benefits, transport conditions, starting date and the period of employment. The employer shall ensure contracts are signed before starting employment date.
- 5.4 Deductions from wages as a disciplinary measure shall not be permitted, nor shall any deductions from wages not provided for by national law be permitted without the express permission of the worker concerned.
- 5.5 The employer shall provide workers with an understandable wage statement which includes days worked, wage or piece rate earned per day, hours of overtime at each specified rate, bonuses, allowances and legal or contractual deductions for each pay period. The employer shall ensure workers acknowledge the accuracy of the details of wages paid.
- 5.6 The employer shall ensure workers are paid on a regular basis in accordance with local law, but in any case at least once per calendar month. Payments shall be made via methods that can be tracked, providing the worker with a record of payment.

6. Working Hours & Rest Day

- 6.1 The employer shall ensure normal working hours are in accordance with local laws and are clearly defined by the employment contract.
- 6.2 The employer shall ensure overtime hours are voluntary and do not exceed local, legally-defined limits. Workers shall not be required to work more than sixty (60) hours in any seven (7) day period.
- 6.3 The employer shall provide at least one full rest day in every seven (7) days, or two (2) days off in every fourteen (14) day period, where legally allowed.
- 6.4 Detailed records of working hours, including normal and overtime working hours and any breaks taken, shall be maintained for all workers.
- 6.5 Overtime expectations shall be clearly communicated and agreed to by each worker.

7. No Discrimination

- 7.1 Discrimination in any form is prohibited and workers shall be treated with respect and dignity. There shall be no discrimination against any worker or prospective employee in hiring, wages, benefits or any other capacity on the basis of race, creed, color, national or ethnic origin, gender, age, disability, union or political activity, marital status, pregnancy, religious views or sexual orientation.
- 7.2 The employer shall provide equal opportunities for all workers.

8. Regular Employment, Labor Contractors & Third Party Employers

- 8.1 Employers and the third party employers they use shall ensure that workers are not required to pay any recruitment fees, transport costs, or any other charges related to obtaining work at any point in the recruitment process.
- 8.2 Migrant workers recruited in their country or region of origin shall be provided access to housing, healthcare and social services. If a contractual agreement includes workers' families, access to child care, child education and shelter shall also be provided. At termination of the employment, the employer shall provide workers transport back to the region or country of origin, as per the terms of employment.
- 8.3 Migrant workers shall be provided with a written contract accurately detailing the employment conditions offered before they start the journey to the employment location. Where the employer is responsible to provide additional benefits for the migrant such as housing, education and health services, these should also be detailed in the contract.
- 8.4 The employer shall have full understanding of the entire recruitment process, including all labor recruiters and intermediaries in terms of required legal and/or ethical requirements.
- 8.5 There are effective management systems in place to identify and monitor the hiring and management of all migrant workers, contract, agency, temporary or casual labor.

8. Regular Employment, Labor Contractors & Third Party Employers (continued)

- 8.6** The employer shall maintain a contract agreement with each labor contractor, stipulating that they are required to uphold these Standards. The use of labor contractors shall not hinder or prevent workers' rights.
- 8.7** If labor contractors are used, the employer shall maintain copies of their business license, worker files, proof of social insurance payments, and any other documentation or records needed to demonstrate compliance with these Standards.

9. No Harassment & Abuse

- 9.1** Strictly prohibit the use of verbal, physical, or psychological threats and abuse or harassment of any kind, sexual or otherwise.

10. Management Systems

- 10.1** The employer is expected to operate in compliance with local laws, by obtaining and maintaining the necessary, up to date business license and local permissions.
- 10.2** The employer shall appoint a senior member of management or a designated ethics committee to be responsible for compliance with these Standards.
- 10.3** The employer is expected to communicate to all workers a visible and understandable declaration of commitment to comply with these Standards, in an area accessible to all employees, translated in relevant languages.
- 10.4** The employer shall maintain written, clearly defined and signed policies and procedures for the implementation and day-to-day management of these Standards within their operation.
- 10.5** The employer shall provide a clearly written, escalating disciplinary policy and procedure. For example, verbal warning, written warning, suspension and termination. Any exceptions to this written policy (e.g. violence or drunkenness in the workplace) that might prompt immediate termination shall be in writing and clearly communicated to employees at the moment of hiring. Records of all disciplinary actions taken shall be maintained for all employees.
- 10.6** The employer shall provide a formal documented procedure for workers to raise suggestions, complaints and grievances in a confidential and safe manner.
- 10.7** The employer shall ensure that all policies and procedures relevant for the implementation of these Standards are clearly communicated to all workers in a language understood by the worker and, when necessary, ensure workers and management receive training for the effective implementation of all policies.
- 10.8** The employer shall maintain up-to-date employment records, including worker's name, date of birth, job description, wages, benefits, starting date and the period of employment. Employment records shall be maintained as required by the local law and for at least 12 months after a worker is no longer employed.

DEFINED TERMS

Standards (Driscoll's Standards for Social and Ethical Treatment of Workers)

- Employer – Any employer of labor in Driscoll's supply chain
- Labor Contractor – All forms of labor contractors including: labor suppliers, recruiters, service providers, jobbers, etc.
- Migrant Worker – Workers that have traveled from their home to work in any other location that is farther than commuting distance
- Supplier – Any supplier of any means of production for Driscoll's supply chain
- Worker(s) – Employees within the supply chain, primarily those most vulnerable workers such as farm labor, migrant labor and seasonal labor
- Social Services – Government services provided for the benefit of the community, such as education, medical care, and housing

Appendices

Housing Standards

Worksite Health & Safety Standards

