



Enhanced Social Standard

Issue 1.0 – Public Comment Draft

DD-MONTH-YEAR (Effective Date)

Global Seafood Alliance Vanguard Certification Standard

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A Introduction

The Enhanced Social Standard (ESS) is a Vanguard standard that has been developed to be used by seafood processing facilities where a more in-depth social auditing approach is required to meet their social expectations. This ESS is a standalone “bolt on” standard to the rest of the Global Seafood Alliance Seafood Processing Standard (SPS) program and is intended to align with requirements of the Consumer Goods Forum’s Sustainable Supply Chain Initiative (SSCI) benchmark for manufacturing/processing.

The ESS audit will be conducted by experienced, social auditors, registered with APSCA. This standard shall expect these auditors to conduct detailed interviews with the facility's workforce to ascertain compliance. This extra layer of scrutiny will give extra credibility and social assurance for facilities and stakeholders that require a more focused and rigorous assessment of a worker’s employment and living conditions.

A facility is eligible to be assessed and certified to the ESS when, or after, applying for SPS V6.0 Certification. Certification to this standard cannot be granted without a valid SPS certificate. Similar to SPS, an ESS certificate expires 1-year after its initial issuance.

There are two ways in which criteria to this standard can be audited:

1) ESS audit jointly with an SPS Audit

- Requires 2 auditors, 1 SPS technical auditor + 1 ESS Qualified Auditor
- The audit of this ESS replaces all social clauses in the SPS Core (sections 5 and 6 in the SPS Core Standards would not need to be audited)
- Requires facilities to submit their application well in advance of their audit in order to meet scheduling needs of the GSA approved Certification Bodies. The ability to conduct ESS and SPS audits jointly depends on auditor availability and cannot be guaranteed.

2) ESS Standalone Audit

- Requires 1 ESS Qualified Auditor
- Can be conducted at any time, provided the facility has a valid SPS certificate

B Scope

This standard applies to enhanced social criteria for seafood processing facilities that are, or in the process of, becoming certified to Global Seafood Alliance SPS. Assessments to this standard will be conducted by ESS Qualified Auditors to be valid.

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C Clause Requirements

EES1 General Requirements

- 1.1 The facility shall have a current version of this (ESS) standard available for employees and auditors.
- 1.2 The facility shall have a process to review and monitor national legislation to ensure that its policies and procedures are up to date and accurately comply with current regulations.
- 1.3 The facility shall have a written Human Rights Policy approved by senior management that covers all parts of the facilities' operation and clearly defines the department or management representative(s) who shall oversee its implementation.
- 1.4 The Human Rights Policy shall be communicated to all employees, contractors, relevant business partners, and other Inquiring stakeholders.
 - 1.4.1 All communications to employees, contractors, and relevant business partners workers shall be conducted in a language or format they understand.
- 1.5 Employees in all relevant business functions shall be trained on the facility's Human Rights Policy. Training attendance shall be documented.
- 1.6 The facility shall have an Ethical Trading Policy in place, approved by senior management, to demonstrate the facility's commitment to comply with all applicable national anti-bribery laws and prohibit any act of corruption, extortion, embezzlement, or any form of bribery – either directly or indirectly.
- 1.7 The facility shall not falsify any information regarding their activities, structure and performance including those that could be perceived as misrepresentation in the supply chain.
- 1.8 The facility shall inform all its suppliers and customers of their Ethical Trading Policy and requirements.
- 1.9 All workers shall be trained/informed in the Ethical Trade Policy and processes thereof and this shall be documented.
- 1.10 The facility shall exercise proper control to the extent of this standard over any contractor/facility that is used to outsource any processes that may have an impact on social responsibility.
- 1.11 Facilities shall have a written ESS Internal Audit Policy that shall be reviewed annually and overseen by a competent authority and/or department within the organization.
- 1.12 All identified internal ESS audit non compliances shall be closed out in advance of the external ESS audit and shall describe the corrective action and the time taken to implement.
- 1.13 Internal auditors shall be trained in conducting internal audits to this ESS and an auditor shall not be used to audit any section of this standard that they are directly responsible for.
- 1.14 All non-conformances and remedial actions that arise from the internal audit shall be communicated to the facility's senior management team to approve.

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ESS2 Wages and Benefits

- 2.1 The facility shall ensure that all workers are paid at least the legal minimum wage excluding overtime payments, or the wage rate established by an employment contract or collective bargaining agreement, whichever is higher.
- 2.2 The facility shall have a plan to instigate living wage pay policy for their workers that shall be based on local assessment of the wage requirements to cover the workers' basic expenses and allow for some discretionary funds for use by workers and their families.
- 2.3 The facility shall provide benefits that, at minimum, are required by local or national law or collective bargaining agreements. If not required by law the facility shall endeavor to provide these minimum benefits that provide decent working conditions for its workers to include, holiday entitlements, sickness benefits, medical or health insurance and paid maternity/paternity leave.
- 2.4 The facility shall compensate workers for overtime hours worked beyond the nationally mandated regular work week, at a premium rate, or which should be at least the rate determined by an employment contract, collective bargaining agreement or local law, whichever is higher.
- 2.5 The facility shall not make deductions from wages that are not permitted as required by national law or a collective agreement or have been specified in the worker's written contract.
- 2.6 The facility shall not make deductions from wages as part of a disciplinary process.
- 2.7 Workers shall be informed about any deductions in writing and/or in a language/format that is understandable by the worker.
- 2.8 The facility shall only have access to a worker's account to make deposits.
- 2.9 Payment of wages shall not be made to someone other than the worker or into an account not controlled by the worker.
- 2.10 All workers shall be paid in full, in legal tender or a bank account in his/her name and as minimum on a monthly basis or per the worker's contract of employment.
 - 2.10.1 All wage payments shall be documented.
- 2.11 The facility shall not use contractors, subcontractors, temporary workers, homeworkers, apprentices, or other non-full-time employment schemes to avoid the payment of benefits, social security, etc. required by local or national law under a regular employment relationship.
- 2.12 The facility shall maintain all relevant documents, including complete and accurate work records and time sheets, that verify all workers, including contractors and piece workers, are paid in compliance with local or national law, including regulations regarding equivalence to or exceeding minimum requirements regarding wages, overtime, and holiday pay.

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ESS3 Working Hours

- 3.1 The facility shall set working hours that shall not exceed 48 hours, excluding overtime, that comply with local or national laws, collective or contractual agreements, where applicable, or industry standards in the country, whichever affords greater welfare to the workers.
- 3.2 No worker shall work more than 12 hours overtime in any regular working week unless it is voluntary, it has been granted under exceptional circumstances, it is permitted by national law, and it has been demonstrated that safeguards exist to protect worker health and safety.
- 3.2.1 If applicable national laws permit working hours greater than 60 hours per week, the maximum total hours worked shall be verified as meeting national requirements and the worker's name, position and number of hours worked in a given week shall be recorded.
- 3.3 All workers shall have the right to rest breaks during work shifts.
- 3.4 Workers shall have the right to at least one full rest day (24 consecutive hours) after 6 consecutive days worked, or two full rest days in a 14-day period.
- 3.5 The facility shall not terminate an employee's contract or deploy any other detriment for refusal to work overtime that the worker has voluntarily agreed to.

ESS4 Forced, Bonded, Indentured, Trafficked and Prison Labor

- 4.1 All work including overtime shall be voluntary. Workers shall have the right to terminate their employment contract, or voluntary overtime agreement, without the threat of penalty or sanction and can leave their employment after they serve an agreed period of notice.
- 4.2 The facility shall not engage in any form of forced or indentured labor including involuntary prison labor.
- 4.3 The facility shall not withhold any worker's personal identification documentation.
- 4.4 A facility shall only use voluntary prisoner labor if this is part of rehabilitation program operated by national regulators and each prisoner shall be given a contract/work agreement stating their rights as a minimum to cover their occupational health and safety requirements and remunerated to be paid at least the minimum wage.
- 4.5 No worker shall be required to pay any deposits, bonds or collateral guarantees or recruitment fees or related costs to secure employment with the facility.
- 4.6 All workers shall have the right to move freely in the facility where necessary for health and safety and food safety reasons and to leave the premises after their work shift.
- 4.7 The facility shall prominently display information, in local languages or format understandable by the workers, regarding complaints and grievances, hot-lines, competent authorities, and other resources for victims.
- 4.8 If advances and loans to workers are provided, the facility shall have a written policy stating terms and conditions and this shall be communicated to workers in an understandable manner before they accept the loan or advance. These terms shall not be used to bind workers to employment.

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ESS5 Child Labor and Young Workers

- 5.1 Does the facility employ young workers under 18 years of age?
- 5.2 The facility shall not engage in or support the use of child labor. The facility shall comply with local child labor laws regarding minimum working age, or the age of compulsory education, or, the ILO Minimum Age Convention 138, whichever is higher. The facility shall collect, verify, and retain age-related records of workers to confirm that the age requirements are met.
- 5.3 The employment of young workers (above the minimum age but under 18 years old) shall be in compliance with local or national laws, including required access to compulsory education and any restrictions on hours and time of day.
- 5.4 Young workers shall not be subjected to conditions which compromise their health, safety, or moral integrity, or which harm their physical, mental, spiritual, moral, or social development. This includes restricting working hours and prohibiting night work and hazardous work.
- 5.5 The facility shall have in place remediation policies and procedures for support to anyone identified as a child laborer in the facility. Depending on the age of the child, support must include at a minimum removal and reintegration into education.
 - 5.5.1 If the remediation procedure is activated the facility shall keep a record of all the actions taken and put in place to avoid any recurrence.
- 5.6 Where contractors or labor recruiting agencies are used, the facility shall have policies and procedures in place to verify that such organizations meet the requirements of the ESS with respect to young workers.

ESS6 Hiring and Terms of Employment

- 6.1 Workers shall have a legal right to work in the country they are employed in. Work performed and terms of employment shall be in compliance with local, national or international labor standards, whichever is stricter.
- 6.2 All workers, including temporary, and those employed through recruitment agencies, shall enter into work under a signed agreement, available in a format/language they understand, describing terms and condition of employment.
- 6.3 Facilities shall have policies that encourage hiring of workers directly, and when recruitment agencies are used, they are compliant to this standard and are:
 - 6.3.1 Licensed (if applicable)
 - 6.3.2 Compliant to applicable national regulations
 - 6.3.3 Operate in an ethical manner
 - 6.3.4 Facilities shall have procedures to verify the above.
- 6.4 The facility shall have a policy reflecting the Employer Pays Principle that is publicly available and communicated to all workers, recruitment agencies, and other business partners.
 - 6.4.1 If workers have paid recruitment fees or related costs, the facility shall document and reimburse the fees in a timely manner, no longer than 1 month after the fees have been discovered and shall develop a plan to prevent such fees from being charged in the future.

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- 6.5 The facility shall maintain a list of all the recruitment agencies they use and have a documented process to monitor them on an annual basis to ensure they continue operating legally and ethically. Records shall be stored, and corrective action plans should be kept and monitored.
- 6.6 Workers shall be informed in advance before any changes to their contract are mandated by the facility. Workers shall be given the opportunity to accept these changes or propose a compromise that both parties agree to. If no agreement can be reached the worker shall have the right to resign their position.
- 6.7 The facility shall not use consecutive short-term contracts and/or false apprenticeship or other schemes to avoid meeting its obligations to full-time rights, benefits etc. that are offered to its full-time employees.
- 6.8 Facilities that provide or allow training/apprenticeship programs shall provide evidence to verify such workers are not being exploited and their training or apprenticeship program meets applicable national legal requirements.

ESS7 Discrimination, Harassment, Complaints, and Discipline

- 7.1 The facility shall have an equal opportunity policy in place and shall not engage in, or permit, discrimination in all aspects of recruitment, employment, and compensation based on legally protected personal characteristics. Terms and conditions of employment shall be based upon the ability to do the job, not on personal characteristics or beliefs.
- 7.2 The facility shall have a workplace policy to cover violence and harassment in the workplace to treat all workers with dignity and respect and not engage in or permit actual or threats of psychological, physical, verbal, or sexual abuse, bullying or harassment.
- 7.3 The facility shall not terminate employees for pregnancy, force the use of contraception, or reduce wages or discriminate in any way after maternity/paternity leave for returning workers. Jobseekers and workers shall not be subjected to pregnancy, virginity, IV or STI testing.
- 7.4 The facility shall have in place a written procedure to address grievances, complaints, and concerns by all workers and external parties without fear of retaliation.
- 7.5 The facility shall have in place an established complaints and remediation system to handle cases and allegations, including sexual abuse/harassment, bullying or discriminatory practices for both the jobseekers and workers. This shall, at a minimum, include a confidential reporting mechanism, information on any hotlines or other outside services available, and the possibility of initiating an independent assessment/arbitration.
- 7.6 A record of actions taken to address grievances, complaints, and concerns shall be retained for up to 3 years in a secure and confidential manner and shall state what the specified time frames were to close off each issue identified in the investigation.
- 7.7 Cases of forced, bonded or child labor within a facility's operation or associated supply chain, whether perceived or proven, shall be reported to GSA and the facility's certification body immediately, or at least within 48 hours of such issue being identified by the facility.
- 7.8 The facility shall have a remediation procedure to be implemented when cases of forced, bonded or child labor are identified within its operation or associated supply chain, that shall create a remediation plan to support the rehabilitation of the affected worker and where necessary ensure that different actions are taken dependent on the age of the worker.
- 7.9 The facility shall have a written disciplinary procedure made available in the language of the workers.

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- 7.9.1 Records of investigations with documented outcomes including disciplinary actions shall be retained in a confidential manner for a minimum of three years after which time the records shall be destroyed.
- 7.9.2 The facility shall ensure that disciplinary actions do not include fines, or the threat or mention thereof, or other deductions not permissible by national legislation.

ESS8 Freedom of Association and Collective Bargaining

- 8.1 All workers shall have the right to associate, organize, and bargain collectively (or refrain from doing so) without the need of prior authorization from management. Facilities shall not retaliate against workers exercising their right to representation in accordance with international labor standards.
- 8.2 Where the right to freedom of association and collective bargaining is prohibited or restricted under local or national law, the facility shall strive to engage, not prevent, alternative means to facilitate worker representation and negotiation (for example, the election of one or more workers by other workers to represent them to management).
- 8.3 The facility shall grant worker representatives access to the workplace to carry out their representative functions.
- 8.4 The facility shall inform workers of their rights to freedom of association and collective bargaining and shall consult with their nominated trade union or worker representative on all issues that could impact the workers.

ESS9 Employee Facilities and Housing

- 9a Does the facility provide temporary or permanent accommodation (housing)?
- 9b If yes can the worker "opt out" of using this temporary or permanent accommodation provision.
- 9.1 If accommodation is provided, they shall be located in a separate building from operational and storage areas.
- 9.2 If provided or mandated by the facility or employment agency/labor agency, worker housing shall meet local and/or national standards including but not limited to safe, watertight structures, adequate space as per occupational load for the facility, heating/ventilation/cooling, pest control, sink, shower, and toilet provisions.
- 9.3 The facility shall provide safe, healthy, and clean conditions in all designated work, rest, dining, and housing areas as applicable. This includes, but is not limited to, provision of potable water, sanitary toilet facilities, and clean kitchen and food production storage areas.
- 9.3.1 Workers shall have access to free potable water close to their place of work.
- 9.4 The facility shall have a sufficient number of private and safe, toilets and hand wash stations in compliance with local and national laws which are managed to accommodate the demand during breaks. These shall be readily accessible to employees and kept in good repair.
- 9.5 All workers shall be provided with private changing facilities free of charge that are safe, hygienic, fully accessible, and secure to store all their personal documentation and belongings.
- 9.6 If meals are provided, they shall be safe, wholesome, or nutritious and commensurate with eating customs of the workforce.

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- 9.6a Are meals provided free to workers?
- 9.6b Are meals provided at a cost to workers?

ESS10 Worker Health and Safety

- 10.1 How many health and safety accidents and incidents were reported over the past 12 months at the facility?
- 10.2 The facility shall appoint a management person responsible for ensuring worker health, safety, and training.
- 10.3 The facility shall identify, prevent, eliminate, or minimize any workplace health and safety hazards through risk assessment analysis conducted as a minimum on an annual basis or after an incident or accident or near miss by a competent individual.
- 10.4 Health and safety incidents, investigations of accidents, and their cause and corrective actions shall be documented. Corrective actions shall be taken and results shall be communicated to the facility management and at risk workers.
- 10.5 The facility shall have a fire and emergency protection and prevention plan in place covering all parts of the facility including the and housing areas, where applicable. This shall include, but is not limited to, applicable local and national regulations relating to:
 - 10.5.1 Number of smoke detectors and/or fire alarms and their location
 - 10.5.2 Number of functioning fire extinguishers/hydrants
 - 10.5.3 Identification and sufficient number of emergency exits (including provision of appropriately designed emergency stairwells on multi-story buildings to support evacuation of personnel)
 - 10.5.4 Identification of evacuation routes that are clearly marked, have proper lighting, and kept clear and unlocked while employees are present
 - 10.5.6 Provision of training and enforcement for handling of flammable liquids and chemicals
 - 10.5.7 Procedures to prevent fires during "hot" or intense heat working activities e.g., welding
 - 10.5.8 What to do in the event of a natural disaster
 - 10.5.9 What to do if a worker is seriously injured or taken ill
- 10.6 Facilities shall monitor that equipment and machinery are safe through, but not limited to:
 - Properly functioning shields or guards
 - Warning signs/pictures
 - Emergency shut-off switches
 - Implementation of lock-out/tag-out procedures to prevent start-up during maintenance
- 10.7 Facilities shall monitor the strength, stability and safety of buildings and equipment in work, eating and, where applicable, housing areas. This includes but is not limited to structural welding/fastening, ensuring electrical safety through proper wiring, grounding of cables, and coverage of circuit boxes.
- 10.8 An Emergency Response Plan shall be prepared for serious illnesses, accidents, natural disasters, or other incidents. As part of this plan the facility shall inform all workers that if they feel that they are in imminent danger to their personal safety they shall have the right to relocate to a safe area without first seeking permission from the facility's management team.
- 10.9 The Emergency Response Plan shall be reviewed, and emergency procedures tested, at least annually or after any major modification to the facility to ensure it effectively addresses worker health and safety.

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- 10.10 Select workers shall be trained in the details of the Emergency Response Plan and in first aid of electrical shock, profuse bleeding, drowning and other possible medical emergencies. A list of the trained workers shall be available. At least one of the trained workers shall be present at the facility while it is in operation or maintenance.
- 10.11 Emergency evacuation drills (in case of fire, chemical leak or similar) shall be conducted, at a minimum, annually, to include all shifts and floors, and conducted jointly with other occupants in the building. Drills shall be conducted similarly in housing facilities. The frequency of fire and evacuation drills shall be documented and verified.
- 10.12 The facility shall limit worker exposure to sounds more than 85dB in volume to less than eight hours a day or less if mandated by a stricter national standard. If workers are exposed to sounds more than 85dB in volume for greater than eight hours in a day, the facility shall provide hearing protection devices to reduce below 85dB.

ESS11 Personal Protective Equipment (PPE) and Clothing

- 11.1 The facility shall maintain a list of PPE and a controlled issuance procedure that monitors the proper use of protective equipment and clothing provided to employees, contractors, and visitors.
- 11.2 PPE and hygienic clothing shall be provided free of charge and be properly maintained and replaced as necessary.

ESS12 Medical Care

- 12.1 The facility shall provide access to medical care facilities for all workers, including access to or communication with medical authorities in case of emergencies or accidents.
- 12.2 Facilities shall maintain records of medical care provided to individuals at the facility. Records shall remain confidential and be retained for a minimum period of 3 years.
- 12.3 First aid kits shall be clearly marked and be readily available to employees close to work and rest areas and sealed to prevent contamination.
 - 12.3.1 The facility shall maintain a list of first aid items kept on hand and, where appropriate, their expiration date and any expired content shall be replaced.
- 12.4 Facilities shall have in place remediation procedures for individuals injured as a direct result of a workplace accident and who are now not medically capable of conducting their contracted work function.
- 12.5 The facility shall provide medical screening reviews on a regular basis based on a risk assessment to workers who are handling hazardous materials or chemicals.

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ESS13 Employee Training

- 13.1 The facility shall have documented training for workers, based on their specific roles within the company, in areas that include but are not limited to those identified below. All training shall be overseen by a trained competent authority(s).
- Machine operator and other dangerous equipment
 - Dangerous chemicals, toxic substances and use and disposal of dangerous materials and clean-up of spills
 - New employee orientation training in general health, safety, product quality and the prevention of product contamination
 - Fire and electrical emergency prevention and safety
 - Personal hygiene
 - Food safety and Good Manufacturing Processes
 - Refresher training programs
 - Any other area that deemed potentially hazardous or a threat to employee safety
 - Workers have been given training on the facility's grievance mechanism and how to use the complaints process
- 13.1.1 Training programs shall include specific requirements that monitor, verify, and document the effectiveness of the training, and that training programs are being effectively transferred to the workplace.
- 13.1.2 Records that verify proper training for all elements described above shall be maintained and retained for 3 years.
- 13.1.3 Senior management shall ensure that all training programs are properly facilitated by suitably qualified trainers/coaches.
- 13.1.4 Where local law requires workers to be licensed to operate or maintain such items, proof of licensing shall be maintained.
- 13.2 All training shall be conducted within normal working hours for a worker and at no financial cost to the worker. Where training must be conducted outside of normal working hours the worker shall be compensated for their time and paid at a premium rate of pay as stated in clause 2.4.

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