

## Contract Labor

# Human Rights Assessment Tool



## Global Workplace Rights



If you have questions about human rights or related issues, contact the Global Workplace Rights Department at [humanrights@coca-cola.com](mailto:humanrights@coca-cola.com)

## Why Conduct a Human Rights Due Diligence Assessment?

The Company's success is built on high standards of quality, integrity and excellence. We are committed to being a valued member of the communities in which we operate. Our Human Rights Statement, Workplace Rights Policy and Supplier Guiding Principles confirm the Company's commitment to respecting the human rights of our employees, those in our supply chain and in the community.

There is an increasing expectation from our customers and from the public that we will demonstrate our respect for human rights across our value chain. This expectation includes understanding the possible human rights impacts of our business relationships and actions, including agriculture, plant siting, production and product distribution.

Each step in our value chain has different risks and challenges that may also vary regionally. By conducting a human rights assessment at the outset, we can identify and mitigate human rights risks upfront. If an issue is identified, community engagement should be at the heart of any mitigation strategy.

### Case Study

*A tea factory in Pakistan was a target of a global corporate campaign because of the use of contract labor. The factory employed 22 permanent workers and 723 contract workers. The contract workers had no annual or medical leave, received 1/3 the wage of regular employees and were excluded from joining a union. The International Union of Food workers led a campaign against casualization in the workforce and used the company as a symbol. After a year-long public campaign, the company agreed to create 200 additional direct, permanent jobs and pay arrears to workers and the state for unpaid social security retirement fund payments.*

## How Do I Use This Assessment Tool?

The purpose of this Assessment is to identify potential human rights-related risks as the result of contract labor activities. The Assessment questions will require you to identify:

- ✔ Low risk activities
- ⚠ High risk activities

A low risk identification means that there is a low human rights-related risk with respect to that activity and further action may not be necessary or that a limited and manageable response action may mitigate or eliminate the risk. A high risk identification, on the other hand, suggests that further inquiry or action may be needed in order to mitigate against potential human rights-related risk. In the case of a high risk identification, one or more of the following actions could be taken:

- ☑ Perform the action suggested in the assessment question.
- 📄 Obtain further information about the subject matter before determining next steps.
- 🗣 Contact internal Subject Matter Experts (SME) (e.g., Global Workplace Rights, Legal, Environmental, etc.) for further guidance on addressing the situation.
- ↔ Engage third party about the activity

**This human rights self-assessment tool focuses on the principal indicators of potential human rights impact. The questions are not exhaustive and local conditions may require examination and remediation of additional factors.**

## Contract Labor

### Non-Employee Workers

The frequent use of high levels of contract labor is common in many parts of the world. Due to the nature of the employment relationship, contract workers are at risk of human and workplace rights abuses. Contract workers may lack stable employment, may be exposed to unsafe working conditions, and often receive lower wages and benefits than permanent employees, even when performing the same work. These workers often lack access to grievance mechanisms.

The intent of this checklist is to help facilities using large numbers of contract workers ensure human and workplace rights are being respected. Facilities should actively manage contract labor agencies, provide a safe work environment of the contract workers and avoid using termination and rehire practices to circumvent legal obligations associated with regular employment.






### Complicity

Complicity refers to when a company knew, or should have known, that a business partner or supplier was engaged in human rights abuses and, as a consequence, it indirectly contributed to a human rights violation. The concept is relevant when dealing with labor recruiters or brokers and highlights the need to work with reputable partners and suppliers.















### Case Study

*A global agriculture company was accused by the International Union of Foodworkers of exploiting contract workers in plantations in Costa Rica. In April 2011, the targeted Company committed to ending the practice of short-term contracts in all 28 plantations by the end of 2011. The system of consecutive 5.5 month employment contracts is a widespread phenomenon in Costa Rica and one which leaves workers facing long-term irregular employment status, limits worker rights and benefits.*









## The Human Rights Due Diligence Assessment

**KEY:**  Low risk activity  High risk activity  Perform/Stop Action  Obtain further info  Contact SME  Engage 3rd party



















### Hiring

- Does the facility only use its own employees in key jobs?  
YES  NO   
- Do contract workers represent less than 30 percent of the workforce?  
YES  NO   
- Does the facility have a process to engage only reputable contract labor agencies (valid business license, legal compliance with the law, etc.)?  
YES  NO   
- Do contract workers understand the placement agreement and terms of employment?  
YES  NO   

### Work Environment:

- Do contract workers performing core jobs receive the similar pay and benefits as regular workers?  
YES  NO   
- Do contract workers receive required training, including safety training, and are such workers issued personal protective equipment?  
YES  NO   
- Do contract workers have unrestricted access to restrooms, first aid and canteens?  
YES  NO 

### Management of Contract Workers

- Are termination and re-hire policies utilized to avoid contractual or legal obligations associated with regular employment?  
NO  YES    
- Are there contract workers with job tenures of 1 or more years (permanent "contract" employees)?  
NO  YES   
- Does the contract worker agency make all government-required pension, social security and provident fund payments on behalf of contract workers?  
YES  NO    
- Does the facility have a process to undertake periodic, informal audits of contractor supplier practices?  
YES  NO   
- Does the contract agency have policies and documentation to ensure:
  - Minimum Age Verification
  - Minimum Wage and Overtime payment
  - Rest day and Working hour limit
  - Freedom of Association
  - Nondiscrimination
  - Prohibit abuse of labor
  - Worker mobility (no forced labor)
 YES  NO   
- Does contract agency allow access to records for HRP/SGP assessments to verify compliance?  
YES  NO 