

## **Proposal for changes to the PEFC chain of custody standard**

### **Chain of custody of forest based products – requirements with guidance for use (working draft 3)**

Submitted by BWI (Building and Wood Workers' International)

#### **Chapter 1: Scope**

*To be added as 4<sup>th</sup> paragraph*

This standard includes requirements relating to health, safety and labour issues which are based on fundamental ILO (International Labour Organisation) Conventions and ILO Convention 169.

#### **Chapter 2: Normative references**

*To be added:*

ILO No. 87, Freedom of Association and Protection of the Right to Organise Convention, 1948

ILO No. 29, Forced Labour Convention, 1930

ILO No. 98, Right to Organise and Collective Bargaining Convention, 1949

ILO No. 100, Equal Remuneration Convention, 1951

ILO No. 105, Abolition of Forced Labour Convention, 1957

ILO No. 111, Discrimination (Employment and Occupation) Convention, 1958

ILO No. 138, Minimum Age Convention, 1973

ILO No. 182, Worst Forms of Child Labour Convention, 1999

ILO 169, Indigenous and Tribal Peoples Conventions, 1989

#### **Chapter 3: Definitions**

*To be added as 3.9*

Fundamental ILO Conventions

Eight conventions (ILO 29, 87, 98, 100, 105, 111, 138 and 182) identified by the ILO's Governing Body as "fundamental", covering subjects that are considered as fundamental principles and rights at work: freedom of association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour; and the elimination of discrimination in respect of employment and occupation.

#### **New Chapter 6.5.1.2**

The organisation shall comply with national, state, provincial, and local labour and health and safety laws, policies, practices and regulations and applicable requirements of the fundamental ILO Conventions (ILO 29, 87, 98, 100, 105, 111, 138 and 182) and ILO Convention 169.

Note: The applicable requirements are those requirements of the above mentioned conventions which are implementable by the organisation.

### **New chapter 6.5.1.3**

The organisation shall:

- a) have a written policy demonstrating its commitment to comply with the fundamental ILO Conventions and ILO Conventions 169 and to provide a workplace free of known hazards and a system to achieve compliance.
- b) provide access to the operative provisions of fundamental ILO Conventions and ILO Conventions 169 and safety codes in appropriate locations and in a working language for all workers.
- c) have a systems in place to achieve compliance with fundamental ILO Conventions and ILO Conventions 169, and safe work practices including statistics or regulatory compliance data collected and available (data collected by federal, provincial, state, or local government agencies can be used) and, knowledge of reports of the Committee of Freedom of Association and The Committee of Experts, and other relevant information as needed.
- d) promptly correct any non-compliance with the requirements of chapter 6.5.1.2 and take effective steps to prevent future occurrences and provide evidence on those measures.

### **New chapter 6.5.1.4**

The organisation shall:

- a) have documented procedures against anti-union discrimination including dismissal, based on union membership and union activities, including protection against black listing for union activities.
- b) have transparent procedure for dismissal. If a union is representing workers of the organisation, information about the grounds for dismissal and the conditions of employment which may affect freedom of association shall be provided to the employee's unions.
- c) have policies guaranteeing workers access to their representatives.
- d) ensure that employment contracts affirm the right to freedom of association and collective bargaining for employees and subcontracted employees. Written contracts shall specify the terms and conditions of the work and the level of remuneration.
- e) not use civil law to infringe on freedom of association or collective bargaining.
- f) bargain with worker representatives of legally recognized labor organizations where it is required or permitted by national law.
- g) shall require its contractors to follow the labor standards as set forth in this section.
- h) have a policies to:
  - prohibit the use of forced labour covering the organization, its contractors and suppliers or products, materials and services.
  - verify age of employees and of their contractors
  - ensure equal employment policies that cover recruitment, promotion, division of work, and dismissal

- ensure minimum wages for all employees and contractors that reach the locale's level of adequate living standards
  - document and report OSH
  - to address the issues surrounding indigenous peoples
  - to ensure that rights of traditional and cultural use of natural resources and of participation in the use, management and conservation of these resources are addressed.
- i) have functioning internal complaints and dispute resolution mechanisms relating to the requirements of chapter 6.5.1.2.