

Synopsis of the Second Consultation GoodWeave Apparel, Fashion Jewelry and Home Textiles Standard

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Introduction

This paper represents a synopsis of feedback received by the GoodWeave International team from a second round of consultation in the Standard for Apparel, Fashion Jewelry and Home Textiles that took place from November 7-December 31, 2017. The purpose of the consultation was to validate the Standard based on the first round of consultation and subsequent feedback, as well as to more actively seek feedback from brands and retailers that might be using the Standard.

The stakeholder input received helped the GoodWeave Standards Committee and GoodWeave Team to determine modifications and improvements in the development of future iterations of the standard.

Background

As part of its mission to end child labor in global supply chains, GoodWeave is testing its model in the apparel, home textiles and fashion jewelry sectors. The standard development approach is to adapt the existing GoodWeave Rug Standard to these supply chains, with a specific focus on informal home-based production. At the heart of this work is maintaining the intent of the core GoodWeave Principles. A first round of public consultation took place April 14 to June 14, 2017. The feedback from that consultation resulted in changes to the criteria resulting in a second draft version (V 0.2) that was the subject of this second round of consultation presented in this report.

Process & Methodology

In accordance with the ISEAL Standard-Setting Code to ensure best practices are followed, and in accordance with the GoodWeave Standard Operating Procedures for the development of GoodWeave Standards, GoodWeave administered a 30-day second round of public consultation at the end of 2017.

The team used a variety of mechanisms to seek feedback. These were:

- A short survey sent to GoodWeave's broad distribution list and available via the GoodWeave website.
- Targeted interviews with key prospective market partners (brands and retailers), including those involved in the pilots.
- Targeted interviews and workshops with Indian-based experts that specialize in working with home-based worker communities.

The consultation focused on the applicability of the standard for the users and challenged them to provide solutions for any critiques. Questions included:

- Is the standard a good starting point for addressing issues of child labor, forced and bonded labor in the production types identified?
- Is there any issue (or issues) in the Standard that would inhibit your organization from implementing this standard / applying this standard in your supply chain?
- Is the structure clear?

A further input into the feedback was the insight from the pilot auditing process, in terms of the Standard's implementation feasibility and areas of common non-compliance.

Although the total number of participants was low compared with the first round, the quality of their participation was high. In total, there were:

- Eleven responses to the survey
- Six emailed submissions
- Six targeted interviews
- Nine participants in the NGO group consultation

The next section details the feedback.

Standard Feedback Table

These are comments that specifically address content of the standard and/or specific principles and criteria. This table also includes action taken by GoodWeave to address the comments.

Criteria	Standard Language	Issue/Recommendation from Consultation	Our Action
Scope	The Standard is limited to the production stages of embellished apparel, home textile products and fashion jewelry.	The word “embellished” is confusing. Block printing and silk screening are included in the scope of this Standard, which is not typically thought of as embellishment exactly. Be clear about which processes are, or are not, included.	<i>Development of a specific section in the Standard to clarify its scope, with a detailed list of what processes are covered.</i>
Scope	The GoodWeave license holder is responsible for the operations of its subcontracted units and workers and is encouraged to continuously monitor the compliance of the Standard at all levels of the supply chain.	Question about who would be the license holder? Would this only be the Tier 1 supplier?	<i>Clarify the wording in the Standard to explain that the license holder is indeed the Tier 1 supplier</i>
Definitions		Recommend further clarify “child”, “child labor” and “adolescent labor”. The current definitions overlap and are confusing. Recommend a definition for “child” that does not overlap with “adolescent”.	<i>Strengthening of definitions and references to international norms and conventions.</i>
Definitions		The current definitions of “Dedicated Center” and “Factory” overlap. Recommend looking at India factory definition to clearly differentiate.	<i>Clarification of the definition of Dedicated Center and Factory to ensure there is no confusion.</i>
Definitions	If children are found to be working in the home performing light work beyond that which is allowed in A.1.1, the license holder works with the subcontractor, the homemaker, the community and GoodWeave on remediation projects.	The term “light work” reads a bit funny.	<i>Addition of a definition for light work and reference international norms/conventions.</i>
A1.1	Children below the age of 14 are not employed or allowed to work. Where the national legal limit or end of compulsory school age is above 14, the higher age limit will be followed.	You should raise the minimum work age to 16 per ETI based code and most apparel producers' Codes of Conducts and change the definition of a child to below 18. Between 16-18 is an adolescent.	<i>After consultation with its Standards Committee, GoodWeave decided to continue aligning the minimum working age with the International Norms, and to provide guidance to explain the ILO principles</i>
A1.4	Producers work with GoodWeave and/or local remediation projects in cases where child labor is found.	Clarify exactly who the producer is. Recommendation to use the word “exporter” or “contracting exporter” instead of the word “producer”. The supplier should have a remediation policy and take responsibility for this, The brand should not take responsibility for this. Should it say work with the brand? Brands generally want to be part of the improvement and have moved past the “cut and run” approach. Might do them a discredit to not include them.	<i>Develop guidance on remediation, clarifying roles and responsibilities</i>
A1.5	All legal requirements for young workers are followed and documentation kept as prescribed by local and national law and regulations.	Provide the guidelines for work for young workers here if possible.	<i>Development of guidance on work for young workers</i>

A1.5	There is a list of the tasks carried out by young workers and potential hazards are identified to ensure that young workers are not engaged in hazardous work.	A reference to international standards for the hazardous list (not only local and national law) would strengthen the standard.	<i>Review definition and references to hazardous work.</i>
A1.6	The combined hours of daily transport, school and work time do not exceed the limit allowed by law.	Mention the laws relevant in Indian context if possible.	<i>Develop guidance on this requirement, with India-specific laws and regulations.</i>
A1.7	Education plans are in place	<p>What is an “education/employment plan” for young workers? This seems overly burdensome and could prevent the facility from hiring young workers all together. Instead, could GW ask questions about school and school hours when interviewing young workers? GW could then visit the school the young worker attends to verify statements. (Assuming the intent of “education/employment plan” is to verify that the young worker is in school).</p> <p>Clarify that GoodWeave has this in place, and the exporter does not need to have this in place separately.</p> <p>How does the contractor show that children are not working? Offer guidance or clarity on this point.</p>	<i>Develop guidance on ways to verify if children attend schools, and ways to accommodate work schedule of young workers so they can attend school</i>
A1	Safe conditions for young workers	<p>Questions were asked as to why it is not specifically mentioned in the standard about the number of working hours allowed to young workers.</p> <p>Discussions around need for guidelines and restrictions on employment of young workers and pre-requisites in case a young worker is employed should be provided in the standard.</p>	<i>Develop guidance on working hours and conditions for young workers</i>
A2	<p>Intent: The following situations suggest that bonded labor may be taking place:</p> <ul style="list-style-type: none"> -There is no agreement with the workers for his/her work; -The worker is not free to leave employment and work for another employer; -The worker is not allowed to move outside or leave the workplace; -The worker is not paid directly but pay goes to an agent, recruiter or parent under conditions that restrict worker freedom. 	Suggest broadening the statement on "The following situations suggest that bonded labor may be taking place" to add "or forced labor". Also suggest defining "conditions that restrict worker freedom" under the fourth bullet of this overview section.	<p><i>Broaden the statement to include forced labor along with bonded labor.</i></p> <p><i>Wording on worker freedom reviewed to avoid confusion</i></p>

A2.1	The employer or contractor ensures that no part of any homeworke’s salary, payments or benefits is withheld in order to force such worker to continue working for the employer.	Discussions around whether workers get paid in cash or cheque. Can the standard state that cheque payment is desirable? Because if he is paid in cheque it will be necessary for them to open a bank account and it will also show transparency.	<i>To be generic and cover all situations, the Standard now stipulates that the best forms of payment should be identified and should be acceptable to workers.</i>
A2.2	There is a time recording system in place where the beginning and the end of workday is registered for each individual worker.	Would the Standard require that even informal gathering spaces include a time keeping system for workers? If so, is this reasonable? It might not be relevant for homeworkers to have a time recording system in place, because it is usually piece-rate. Also having clearly specified working hours might not apply for homework.	<i>The Standard now requires that a time keeping system is in place, including for DCs and homework.</i>
A2.3	Producers have a written or verbal employment agreement in place with the workers on terms and conditions of employment.	Do not mention the word verbal contracts. If the standard allows verbal contracts at factory and DC level, then the inspections will not be enforce written contracts. Add language like “homeworkers should be aware of terms an conditions of employment” is there possibility to use another word instead of agreements.	<i>The Standard now requires written contracts/agreements</i>
A2.3	Producers have a written or verbal employment agreement in place with the workers on terms and conditions of employment.	Recommend that the standard require written employment contracts for all workers, not just verbal agreements. Should ensure this is incorporated into existing processes and not overly burdensome for contractors (encourages adoption).	<i>The Standard now requires written contracts or agreements The audit protocols will test that workers understand the conditions and have agreed to them</i>
A2.3		You refer to wages but not benefits, such as social security, pensions, maternity leave, etc. which is legally required in many countries. Include benefits as part of the wages discussion.	<i>Wages and benefits are now addressed under the same section</i>
A2.3	The employment agreement includes at least the job description, working hours and pay rate, and meets at least the minimum wages as required by law.	Mention state and national laws.	<i>The Standard refers to national and international laws</i>
A2.4	Pay records comply with national legislation and are understandable and are accessible to homeworkers.	Include words passbooks, diaries along with pay records. Would GoodWeave consider producing a homeworke book with the recording system in the back? Perhaps try to keep it consistent with others that are out there already to streamline it for workers.	<i>Additions made to align requirements for homeworkers with requirements for exporters/subcontractors</i>
A2.4	The employer or contractor provides pay records to all	Possibility of including requirements that all homeworkers should be aware of the	

	homeworkers that specify wages paid for work completed and any deductions. Pay records comply with national legislation and are understandable and are accessible to homeworkers.	state/national minimum wages?	<i>A specific section is now added on wages and benefits</i>
A2.4	The employment agreement includes at least the job description, working hours and pay rate, and meets at least the minimum wages as required by law.	Change language to include national and state level minimum wage levels.	<i>The Standard refers to national and international laws on wages, and also addresses the question of living wage.</i>
A2.4	Payment in kind is only permissible when it constitutes partial payment for work performed and is allowed by law. Such payments must be correctly valued and appropriate for the use of the worker and his/her family.	Remove in kind payments clause- not acceptable as per laws.	<i>In kind payments are accepted by laws in India, Afghanistan and Nepal and practiced in the sector. However, the Standard no longer refers to in-kind payments, but rather to national laws.</i>
A2.5	Labor Brokers The producer does not hire workers through a third party or broker who holds the contract with or is responsible for paying workers' salaries and benefits. The labor broker does not collect fees or take payment (cash, documents, wages, etc.) from the worker as a condition for their recruitment.	Unclear about labor broker-contractors. What is the difference, what is restricted. Labor contractors is not in the definition. The difference must be clear, as labor contractors are restricted for some bad practices. Often contractors do the tasks of brokers. Define labor contractors, clearly explain what the purpose of a labor broker is.	<i>Wording clarified in the Standard on labor brokers</i>
A2.5	Labor brokers	Include the word agents along with brokers.	<i>Wording clarified in the Standard, the word agents is not added to avoid confusion</i>
A2.5	The producer does not hire workers through a third party or broker who holds the contract with or is responsible for paying workers' salaries and benefits. The labor broker does not collect fees or take payment (cash, documents, wages, etc.) from the worker as a condition for their recruitment.	Consider changing language to " the producer hires workers either on direct pay rolls, or through licensed contractors." Also check law related to licensed contractors.	<i>Wording clarified in the Standard, to explain that no third party should hold employment contracts or be responsible for payments</i>
A3	Conditions of Work Are Documented and Verifiable	I just do not agree with the header here- - actually Conditions are decent, documented and verifiable. (not just documented and verifiable).	<i>No change made to this header, as decent work principles are already embedded in other sections of the Standard</i>
A3	Documentation	What does supplier need to do—how much documentation is required? It will depend on how much work—especially paperwork-- is	<i>Development of guidance on documentation</i>

		required of the supplier as to whether they will be willing to get and remain involved.	
A3	Licensees must be able to show a fully traceable supply chain for the production processes and register all production sites with GoodWeave.	<p>This could be challenging as the list is constantly changing, especially for homeworkers, and will need to be kept up to date, but could be unmanageable if it is more than every six months. Every six months would put it in line with the Transparency Pledge.</p> <p>Data protection systems for confidential information will need to be kept up to date as new data protection laws come into place.</p>	<i>The Standards now aligns with Transparency Pledge and data protection confidentiality laws</i>
A3.5	Access is provided to workers for confidential interviews during verification visits	Should there be a mechanism for the voice of the workers, to raise issues outside of these specific visits? It might be outside of the current scope, but there might be a need for it.	<i>The Standard now includes a complaints and grievance mechanism procedure.</i>
Other	Health & Safety	<p>Issues of health and safety seem a bit weak, especially in the use of machinery and equipment, the use of chemicals/exposure to chemicals, Safety Data Sheets in local language, safety training, etc.</p> <p>Develop a full section on Health/Safety/Chemicals. If this standard is envisioned to be purely for the assembly of finished products from already completed raw materials, it may not be necessary, but if there is any conversion of raw materials, then a stronger section on health/safety/chemicals would be needed. With children in the workplace, you may also want to add a doctor/nurse to the equation where periodic/annual health checks are required.</p> <p>Assembly of fashion jewelry often requires assembly using soldering equipment, which can have harmful effects of off-gasing and residual waste. Add coverage of this in health/safety/chemicals.</p> <p>Could the standard specify that hazardous production processes should not occur in homes? There can be extreme health & safety and environmental implications to allowing hazardous processes to occur in homes.</p>	<i>Develop a section on health and safety in the Standard. Develop guidance on each</i>
Other	Sexual Harassment/Abuse	Why Sexual Abuse was not a part of the certification principle in the standard.	<i>Introduce a requirement prohibiting harsh, inhumane or inappropriate treatment (including sexual harassment)</i>

Conclusion: Main actions taken on the Standard

To conclude, the recommendations made during the consultation were used to amend the Standard, as described above, together with the field research undertaken by GoodWeave.

Furthermore, the following structural changes and additional documentation were produced:

- Reorganization of the Standard into two sections:
 - 1) Certification Principles
 - 2) Scope, Claims, and Labelling Requirements, specific to each category of products.
- Addition of Progress Principles (on Discrimination Freedom of Association, Health and Safety, Working hours, Wages and Benefits, Environmental Impact)
- Development of a Guidance Document supporting the Standard

The revised Standard will now be submitted for a third and last public consultation.