

DRAFTERS' NOTES

SA8000: 2014

PREPARED BY:
**SOCIAL ACCOUNTABILITY
INTERNATIONAL**

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Introduction

These Drafters' Notes were prepared in consultation with the Standard Revision Committee of the SAI Advisory Board.

These Drafter's Notes provide background information on and explanations of the SA8000: 2014 revision process. They are useful to read in conjunction with the [SA8000: 2008 Drafter's Notes](#), which provide information about the changes made at that time.

About the SA8000 Standard

The SA8000 Standard was first published in September 1997 after a multi-stakeholder, consensus-based drafting process. SA8000 is an auditable, voluntary standard that intends to: **sustainably empower and protect all personnel within an organisation's control and influence who provide products or services for that entity, through a management systems-based approach**. This includes personnel employed by the organisation itself, as well as home workers and those employed by its suppliers, sub-contractors and sub-suppliers.

The Standard is based upon the United Nations Declaration of Human Rights, International Labour Organization (ILO) conventions, international human rights norms and national labour laws that promote workers' rights, decent work and working terms and conditions, while also strengthening sustainable livelihoods and enriching employment opportunities.

The Standard also draws on ISO-based principles, with extensive management systems requirements and a view to continuous improvement. The Standard combines an emphasis on management processes with clearly defined minimum levels of social performance.

SA8000 is based on the principle that ensuring workers' rights and well-being is not a burden for employers, but rather an investment in human resources that leads to a productive, healthy and sustainable workplace for all.

Fourth Edition – SA8000: 2014

SA8000: 2014 is Social Accountability International's (SAI) fourth edition of the Standard and the first revision since 2008. Please note that the 2014 revision does not include a significant amount of substantive changes. It is focused instead on editorial changes to clarify the language and, in some cases, to provide greater consistency within or among elements.

This version retains the spirit and intent of previous editions, but is more explicit on certain issues in order to address questions and misinterpretations that have arisen in the field. It also explicitly addresses abusive practices that have become more common since 2008. Thirdly, some sub-requirements have been renumbered to correspond to SAI's [Social Fingerprint](#)[®] tool and some Requirements and sub-Requirements have been reorganized so that the Standard flows more logically and is easier to understand overall.

The Standard Revision Committee (SRC) of SAI's multi-stakeholder Advisory Board (AB) led the revision process and was the principal drafter of the revised Standard language on behalf of the AB. The revision process took place over the course of one year and was conducted according to [ISEAL's Standard-Setting Code](#).

The revision process started with the SRC's review of a list of issues that had arisen since 2008, provided by the AB, SAI and Social Accountability Accreditation Services (SAAS) senior management and commentators involved in the 2008 revision. Based on this input, the SRC drafted a preliminary version of the 2014 revision. That draft was then reviewed by 33 targeted subject-matter and management system experts from relevant stakeholder groups, including industrial and agricultural businesses, trade unions, NGOs and academia. These experts submitted their comments by completing a detailed survey. The SRC edited the preliminary draft according to the survey data and presented this second draft to the entire AB for comment and discussion.

This internal consultation resulted in a third draft, which was posted online for a sixty-day public consultation process (Full report of the public consultation process may be found [here](#)). The results of this public consultation period informed the final draft of the revision, which the AB approved by consensus at its May 2014 meeting.

These Drafters' Notes are intended to help auditors, employers, supply chain managers, trade unions, workers and other interested parties who utilize SA8000, to understand the substantive changes in this revised Standard. This document summarizes all substantive differences between the SA8000: 2014 and SA8000: 2008 Standards. It also explains the drafters' intentions in making

the changes in order to provide greater insight into the purpose and interpretation of the revisions. Additionally, when relevant, the possible implications of these text changes on workers, auditors and organisations are noted.

For a complete comparison of all the changes—substantive and editorial-- please see the side-by-side comparison of the SA8000: 2008 and SA8000: 2014 [here](#).

SAI has begun work on a revised Guidance Document for the SA8000: 2014. It will be issued by January 1, 2015.

Social Fingerprint® Integration into SA8000

As noted above, some sub-requirements have been renumbered to correspond to SAI's [Social Fingerprint®](#) tool, specifically those in the Management System section. This is part of a larger change that seeks to join the two programmatic systems created by SAI - the Social Fingerprint® capacity building program and the SA8000 certification system - so that users can benefit from both systems.

Social Fingerprint® is a program of ratings, training and tools that was created to help companies to measure and improve their management systems for labour compliance to facilitate the effective implementation of labour standards performance. SAI's intention is to have organisations interested in earning certification undertake a Social Fingerprint® self-assessment as a precursor to certification.

SAI expects the system to be ready for implementation and use by SA8000 applicants in by December 2014. All the necessary tools, the revised SA8000 Standard, guidance and the revised SAAS Procedure 200 will be place before it goes live. SAI is also developing training for all SA8000 auditors to provide them with the knowledge needed to understand the Social Fingerprint® program as a prerequisite to SA8000 certification.

Content Changes to SA8000: 2014

I. INTRODUCTION

1. INTENT AND SCOPE

The intent of the Standard is unchanged; language has been edited for clarity. The new phrasing clarifies that SA8000 is a **sustainable standard for ensuring the empowerment and protection of the health and welfare of all personnel throughout a worksite and a company's supply chain, while providing a management system for employers to demonstrate and verify their compliance with the Standard.**

2. MANAGEMENT SYSTEM

There is a new introductory statement about the Management System approach and its application to the other eight elements of the Standard. This addition is intended to emphasize the use of the Management System as the foundation of correct implementation of, and sustained compliance with, SA8000. This introduction also emphasizes the importance of a term newly used in the Standard, "Social Performance," which seeks continual improvement when applying, sustaining and complying with SA8000.

The second paragraph of the new introductory statement describes the structures and operations required to create worker-manager teams. There are two new teams established by SA8000: 2014. One team is responsible for assessing and addressing (potential and actual) health and safety issues in the workplace, as well as monitoring solutions and remedies. The second team is responsible for ensuring the organisation's overall compliance with SA8000. The second team will monitor, inspect and suggest the resolution of, current and potential non-conformances with SA8000 in the facility, and continue its evaluation of the organization's responses until there is sustained conformance.

The organisation's management should prioritize this new commitment to, and expansion of, the role of worker-management cooperative action. These teams are also intended to utilize worker-management structures when a workplace does not have a trade union. In essence, these teams are intended to assist and deepen the organization's compliance to every element of the Standard.

II. NORMATIVE ELEMENTS AND THEIR INTERPRETATION

1. ADDITIONS

ILO Convention No. 181 has been added because it is the source of the new SA8000: 2014 definition of “Private Employment Agency” (Definition No. 17, supra) used in the Management System criterion 9.10.1. This requirement states that organisations shall conduct due diligence on any and all private employment agencies they use.

The UN Guiding Principles on Business and Human Rights (UNGP) has been added because it is the most widely disseminated and cited compilation of the responsibilities of business to respect human rights that has been developed over the past few decades. In particular, the concept and requirement of due diligence in the SA8000: 2014 management of suppliers and contractors requirements (9.10.1) originates from the UNGP. This mandated tool is intended to strengthen an organisation’s criteria in selecting and continuing its supplier/contractor relationships.

2. INTERPRETATION

The international instruments are listed to indicate the source of the Standard’s requirements. They are also listed to encourage auditors and audited organisations to refer to these international instruments and consult the organisations that produced them for further information. The websites of those organisations include extensive interpretations, detailed case studies and expert recommendations relating to the interpretation and application of the international instruments that can be useful for auditors and audited organisations.

All the listed normative elements have a significant role in SA8000: 2014 compliance. SA8000 applicants and certification bodies are expected to be aware of the content of these international instruments and abide by their principles. This is a different duty than conformance with the nine explicit SA8000 requirements, but should also be reflected in an organisation’s compliance framework, knowledge and plan.

III. DEFINITIONS

The Definitions section of SA8000: 2014 has been reorganized. The definitions listing is generally alphabetical but closely inter-related definitions are grouped together. This change is intended to make the definitions clearer and easier for the reader to understand. The re-organization will also make it easier to research a specific term.

SHALL AND MAY

SA8000: 2014 adds two critical definitions to guide its users throughout the entire Standard: “shall” means that the provision that follows is required; “may” refers to those actions that are permitted but not required.

INTERESTED PARTIES

This is a new definition expanding upon the previous category of “stakeholders.” Previously, “stakeholders” specifically included only those with an identifiable stake or role in an organisation’s SA8000 compliance. The added term, “interested parties,” includes those concerned with an organisation’s general “social performance” (sustained compliance with SA8000 through continual improvement), as well as those who are concerned with an organisation’s “activities.” The definition of “interested party” thus includes those who are also concerned with an organisation’s impact beyond its compliance with the nine explicit requirements of the Standard.

For example, “interested parties” includes individuals or groups who are affected by an organisation’s toxic effluent release or its unilateral non-contracted use of neighbouring land, even though SA8000 does not include requirements concerning toxic emissions or non-consensual land use. Furthermore, under SA8000: 2014, “interested parties” have more than the right to obtain information from the organization; they are also intended to have full access to the grievance procedure mandated by Management System criterion 9.6.1, and are entitled to information about those grievance procedure results as per Management System criterion 9.6.2.

NON-CONFORMANCE

This term is now explicitly defined. It was not explicitly defined previously, since it was assumed to have an apparent meaning that is easily understood.

ORGANISATION; PERSONNEL; AND WORKER

Organisation: The new Standard replaces the word “company” with “organisation” in recognition of the fact that some enterprises have no formal or legal structure and may operate on a more informal basis. The replacement conforms to ISO 260000.

This new definition is also more explicit regarding the type of entities included under the definition of organisation. These entities include, for example, “companies, corporations, farms, plantations, cooperatives, NGOs and government institutions.”

Personnel: SA8000: 2014 expands the definition of personnel. Formerly, “personnel” included, “directors, executives, managers, supervisors and workers” who are “employed or contracted” by the organisation. SA8000: 2014 utilizes a broader understanding of contract workers and therefore also includes, “security guards, canteen workers, dormitory workers and cleaning workers.” The intent of this change is to include *all* contract workers in the definition of “personnel,” even those who may not work directly onsite, such as security or dormitory workers, and those whose services may not be directly connected to production activities, such as canteen or cleaning workers. All individuals who are serving the “organisation” shall be considered “personnel,” whether they are contracted or directly employed, or work onsite or offsite.

Worker: The definition and its intent have not changed from SA8000: 2008.

Note: When reading the Standard, it is important to note the use of the terms “personnel” versus “worker.” Although the definition of “worker” has not changed from previous SA8000 versions, the definition of “personnel” now explicitly references contract workers, such as security guards, canteen workers and several types of maintenance workers.

This change has been made to reduce confusion about the difference between “personnel” and “worker.” The term “personnel” is intended to include all individuals supplying labour, goods or services to the organisation, which encompasses all of an organisation’s management (including its officers and executives) as well as employed and contracted workers. The term, “worker,” on the other hand, has a narrower scope and is intended to include solely personnel members who are not management.

For example, Child Labour criterion 1.2 uses the term “personnel”: “The organisation *shall* establish, document, maintain and effectively communicate to personnel and other interested parties, written policies and procedures for remediation of child labourers.” The term “personnel” is deliberately used here rather than “worker” because it is crucial for workers *and* all interested

parties to understand the organisation's policies and procedures for remediation of child labourers.

On the other hand, Health and Safety criterion 3.5 uses the term "worker:" "A Health and Safety Committee, comprised of a well-balanced group of management representatives and workers, *shall* be established and maintained." The term "worker" is used here, rather than "personnel", because this requirement emphasizes the involvement of workers in managing health and safety performance of the organisation.

CORRECTIVE ACTION AND PREVENTIVE ACTION

SA8000: 2014 clarifies the difference between "corrective action" and "preventive action," as there has been confusion about the difference.

"Corrective action" is now separately defined to emphasize its application to the cause(s) and root cause(s) of an actual *detected* non-conformance. "Corrective actions" are therefore taken to prevent the *recurrence* of that non-conforming action.

"Preventive action," on the other hand, is now independently defined to emphasize its application to the cause(s) and root cause(s) of a *potential* non-conformance. "Preventive actions" are taken to prevent the *potential occurrence* of a non-conformance.

Together, the two types of actions address both past and potential future problems to prevent the *occurrence or recurrence* of a non-conformance. Both "corrective actions" and "preventive actions" now explicitly require a causal and *root* causal analysis of the situation. The root causal analysis is to be the deepest possible investigation of the source of the potential or possibly recurring non-conformance, along with its responsive remediation.

HUMAN TRAFFICKING

The definition of "human trafficking" is unchanged. However, there is an upcoming revised ILO definition; when that definition is available and has been redrafted for SA8000: 2014, any revised language shall be available on the SAI website and through advisories to critical stakeholders

SA8000 WORKER REPRESENTATIVE(S)

SA8000: 2014 includes a new definition of worker representative(s). It retains the role of the worker representative as facilitating "communication with the management representative(s) and senior management on matters related to SA8000." However, it has two significant changes.

First, it recognizes that a union or workers' election may result in the selection of more than one worker representative. This change is intended to acknowledge and affirm different types of union or workers' selection processes that may decide to name, for example, a worker representative for each shift, for each farm site in a plantation network or for each of several work departments.

Second, it affirms the fact that an existing union in a unionised facility or the workforce in a non-unionised worksite, may choose *not* to select a worker representative. Although that is not preferable for the effective implementation of SA8000, SAI is committed to the freedom of action of unions and workers, which includes their freedom not to name a worker representative(s). However, this lack of cooperation with or interest in SA8000 should raise serious alerts for an auditor. If an auditor finds this type of situation, he or she should investigate all related areas within the organisation, such as communications with workers and freedom of association. The search for the root causes of such a lack of cooperation or interest might completely and immediately make the organisation's certification unlikely or impossible.

WORKER ORGANISATION

This definition has been minimally changed. SA8000: 2014 states that a worker organisation shall be "autonomous," and not under the control or influence of any other entity or party. This definition also expands upon the role of a worker organisation so that it is as broad as possible: the role of such an organisation now includes "furthering and defending the rights and interests of workers." The term, "worker organisation," is used interchangeably with the term "trade union" in ILO conventions and all versions of SA8000.

LIVING WAGE

SA8000: 2014 adds the definition of "living wage," in recognition of this Standards' greater emphasis on implementing a living wage. The definition lists predictable expenses that should be included in living wage calculations.

PRIVATE EMPLOYMENT AGENCY

SA8000: 2014 adds the definition of "private employment agency," taken verbatim from ILO Convention 181. The definition was added since the basic rule concerning fees charged by these agencies has changed (discussed below in Forced or Compulsory Labour). The intention is to denominate "private employment agency" as an entity that coordinates directly or indirectly between the worker and her/his prospective employment. This definition is meant to exclude

employment-related and employment skills-enhancing websites and entities that may, for example, generally list available jobs without qualifying or selecting any particular candidates, teach resume or C.V. writing skills or offer to distribute resumes to possible employers.

RISK ASSESSMENT

SA8000: 2014 adds the definition of “risk assessment,” in recognition of the Standard’s added emphasis on the health and safety aspects of the organisation’s facility, in addition to other labour conditions. Risk assessment is a process to identify and prioritize workplace risks.

SOCIAL PERFORMANCE

SA8000: 2014 adds the definition of “social performance,” which recognizes its elements of both sustainability and continual improvement.

STAKEHOLDER ENGAGEMENT

SA8000: 2014 adds the definition of “stakeholder engagement” by listing some of the types of stakeholders that should be considered when drawing upon the views, expertise and participation of “stakeholders.” These include, but are not limited to, the organisation, workers, trade unions, worker organisations, suppliers, contractors, buyers, consumers, investors, NGOs, media and local and national government officials.

SUPPLIER/SUBCONTRACTOR AND SUB-SUPPLIER

SA8000:2014 adds additional language to the definitions of “supplier/subcontractor” and “sub-supplier.” The intent of this new language is to make it explicitly clear that these titles – “supplier,” “subcontractor” and “sub-supplier” – denote *all* individuals and entities that relate to the organisation’s receipt of ordered or contracted labour and goods and services. In other words, these terms encompass the organisation’s entire supply chain.

IV. SOCIAL ACCOUNTABILITY REQUIREMENTS

1. CHILD LABOUR

There are no significant changes from the SA8000: 2008 Standard regarding child labour.

2. FORCED OR COMPULSORY LABOUR

SA8000: 2014 makes significant changes to two elements of this requirement from the previous edition.

2.1 This Standard adds prison labour (as defined by ILO Convention No. 29) to the categories of impermissible labour. This addition intends to make the prohibition of prison labour more explicit within the Standard; previously, prison labour was only mentioned in the Guidance Document.

Additionally, SA8000: 2014 amends its prohibition of the retention of worker's identification papers by inserting the term "original." SA8000: 2008 prohibited the retention of "identification papers"; modifying the prohibition to restrict retention of "original identification papers" allows organisations to keep *copies* of identification papers, which in some instances is a good practice, whereas retaining workers' *original* identification papers restricts workers' freedom of movement and can therefore lead to forced labour.

2.3 SA8000: 2014 prohibits, for the first time, the payment of any employment fees or costs that are borne in whole or in part by the worker. This is in conformance with the consensus among human rights advocates and the social accountability community that such activities are a key risk for forced or compulsory labour. As discussed previously with regards to the definition of private employment agency (definition 17), this provision does not include ancillary employment services that help improve workers' access to employment opportunities. This new prohibition intends to shift the fees and expenses of gaining actual, specific employment from the worker onto the organisation in all cases.

This change should also be understood within the context of the new Management System criterion 9.10.1, which requires organisations to "conduct due diligence on its suppliers/subcontractors, private employment agencies and sub-suppliers. The same due diligence approach shall be applied when selecting new suppliers/subcontractors, private employment agencies and sub-suppliers." In conducting due diligence of existing private employment agencies or when selecting a new agency, the organisation should ensure that the

private employment agency maintains effective policies and procedures to prevent workers from being charged fees or expenses to obtain employment.

The Guidance Document will detail the organisation's obligation to reimburse workers for any employment-related fees in case of erroneous charges from a private employment agency.

3. HEALTH AND SAFETY

SA8000: 2014 has reordered several Health and Safety criteria from the 2008 version. For example, SA8000: 2008 criterion 3.5 is now criterion 3.3, whereas criterion 3.6 is now criterion 3.2. These changes were made so that the section flows better as a process.

This requirement has also undergone significant content changes. The intention of these amendments is to improve health and safety conditions for workers and other personnel in the workplace and at residences or dormitories provided by the organisation.

3.2 The assessment of safety and health workplace risks for pregnant and new mothers has been expanded to include nursing mothers. The level of safety and health care to be provided to this category of women has not changed.

3.3 This provision changes the use of personal protective equipment (PPE) from a first response to a last response. Now, an organisation shall provide PPE to its workers only after effective health and safety hazard elimination and minimisation efforts have been conducted in order to address workplace environment issues. This change reflects SA8000: 2014's new emphasis on preventive, remedial and continuing monitoring and responding activities.

3.5 The Standard now requires the formation of a Health and Safety Committee made up of a "balanced group of management representatives and workers." It outlines the process by which the worker members shall be selected, similar to the methodology required for the selection of an SA8000 worker representative(s) (as discussed above in definition 20). Committee members shall be trained, and periodically retrained, to adequately perform the continuing task of conducting periodic safety and health risk assessments throughout the organisation's workplace. The Committee also addresses the current and potential safety hazards requiring preventive actions and keeps records of both the risk assessments it has conducted and the organisation's responsive actions.

3.6 The requirement that organisations regularly train their personnel on health and safety issues has been expanded in SA8000: 2014. In addition to the usual initial trainings for all new and

reassigned personnel, there must be additional trainings when an “incident has occurred and when changes in technology and/or the introduction of new machinery present new risks” to adequate safety and health.

3.7 SA8000: 2014 adds the requirement that, in addition to tracking incidents in the workplace, the organisation also maintain records of safety and health incidents “in all residences and property provided by the organisation,” even when it contracts the residence or property from an external, third party service provider.

3.8 In addition to the previous list of mandatory sanitary facilities necessary for workers, the organisation must now also provide “suitable space for meal breaks.” This addition was made because there have been increasing reports of workers at indoor and outdoor worksites improvising unsanitary “solutions” when they do not have any dedicated space for a meal break.

3.9 SA8000: 2014 similarly expands the responsibility of organisations with regards to dormitories. Now, organisations must ensure that all dormitories are clean, safe and adequate, even when the space is contracted from an external, third party service provider.

4. FREEDOM OF ASSOCIATION AND RIGHT TO COLLECTIVE BARGAINING

Note: SA8000: 2014 has not substantially amended its provisions on Freedom of Association and Right to Collective Bargaining. The changes made are intended to strengthen the former requirements, their implementation and their auditing. This has been done in recognition of the role of trade unions in promoting and ensuring workers’ rights.

4.1, 4.3 These requirements concern the duty of organisations to unconditionally recognise the right to Freedom of Association and explicitly state that workers shall be free from retaliation for joining a union or organizing workers in an effort to establish a union.

5. DISCRIMINATION

5.1. Discrimination based on “territorial origin” has been added to the types of discrimination that are prohibited in SA8000: 2014.

5.3 SA8000: 2014 expands upon the requirement that organisations ensure that their workplaces are free from threatening, abusive, exploitative or sexually coercive behaviours. That duty now extends beyond the worksite to organisation-provided residences and dormitories, including those provided through the organisation’s contracts with an external, third party service provider.

6. DISCIPLINARY PRACTICES

SA8000: 2014 contains no significant changes to the Disciplinary Practices requirements.

7. WORKING HOURS

7.1 SA8000: 2014 explicitly states that organisations shall abide by collective bargaining agreements with regards to working hours. Additionally, organisations must now comply with laws, applicable collective bargaining agreements and industry standards with regard to working hours, public holidays and breaks (newly included).

8. REMUNERATION

8.1, 8.4 SA8000:2014 explicitly requires a living wage to be paid for a normal work week, “not including overtime,” so that the wage meets at least “legal or industry minimum Standards” or is derived from “a collective bargaining agreement.”

8.3 SA8000: 2014, like SA8000: 2008, requires that organisations render payment “in a manner convenient to workers.” However, SA8000: 2014 eliminates the requirement to solely render payment in either “cash or check form,” as there are many acceptable and legal methods that have become commonplace around the world that do not fit into this description, such as direct deposit or prepaid debit cards.

Instead, SA8000: 2014 takes language from ILO Convention No. 95 in its prohibition of the payment of wages in a “delayed or restrictive form such as vouchers, coupons or promissory notes.” This change explicitly restricts employer-payment schemes that either deny workers the timely payment of their wages or require workers to accept their wages in forms that restrict their own freedom to decide how and where they spend their wages.

8.4 SA8000: 2014 now requires that the payable premium rate for overtime at workplaces when the rate is *not* controlled by national law or an applicable collective bargaining agreement shall be calculated as the “higher of the premium rate paid by the organisation or that paid by prevailing industry Standards.” This clarification is intended to provide workers with a substantial overtime wage rate when their locality does not mandate one by law.

9. MANAGEMENT SYSTEM

Note: Most of this Requirement has been revised in SA8000: 2014. However, many of these revisions are slight changes in language or emphasis rather than significantly new ideas or

provisions. Below are Drafters Notes for those provisions that have been substantively revised or those that have been added since 2008. All of the provisions in this Requirement have undergone a change in numbering. This was done to both accommodate the added clarification language in some cases and to conform to the numerical order used in SAI's Social Fingerprint® material.

9.1 Policies, Procedures and Records

9.1.1, 9.1.2, 9.1.4, 9.1.7, 9.1.8 These provisions contain requirements that were included in the previous Standard and have not been significantly changed in SA8000: 2014.

9.1.3 The core of this provision remains the same. However, the requirement that SA8000 and the organisation's policies about SA8000 be prominently displayed in the workplace has now been expanded. This information should also be displayed in organisation-provided residences, whether owned, leased or contracted from an external, third party service provider.

9.2 Social Performance Team

9.2.1 SA8000:2014 eliminates the SA8000: 2008 roles of management representative and SA8000 worker representative. Now, the organisation is required to create a Social Performance Team (SPT), comprised of Management and SA8000 Worker representative(s). This revision is meant to institute a balanced team approach to SA8000 implementation and compliance, with management and worker representatives determined by each respective group. This new entity and approach indicate the significance of the requirement for the organisation to recognize "that workplace dialogue is a key component of social accountability."

9.2.2 This new provision is very similar to SA8000: 2008. It outlines the trade union's right to name its SPT member(s) in unionised facilities or the right of workers to freely elect their SPT member(s) in organisations where the union does not appoint a representative or the organisation is not unionised. Similar to SA8000: 2008, the trade union or workers (depending on the given workplace), are not required to exercise their right to participate in the SPT; these groups *may* choose to name or elect their SPT member(s). This provision intends to fully recognize the fact that the right of trade unions or workers to *freely* name or elect their SPT member(s) also encompasses their right to choose *not* to participate as well.

[Note the text in this section is nearly identical to that used in the definition of SA8000 worker representative(s).]

Although not preferable for the effective implementation of SA8000, SAI is committed to the freedom of action of unions and workers, which includes their freedom not to name a worker representative(s). However, this lack of cooperation with or interest in SA8000 should raise serious alerts to an auditor. If an auditor discovers this type of situation, he or she should investigate all related areas within the organisation, such as communications with workers and freedom of association. The search for the root causes of such a lack of cooperation or interest may completely and immediately make the organisation's certification unlikely or impossible.

This requirement also affirms that the SA8000 worker representative(s) shall not be seen as a substitute for trade union representation.

9.3 Identification and Assessment of Risks

This section replaces the previous Management Review requirements, given the altered role of the SPT in SA8000 compliance. Previously, "top management" was responsible for reviewing the adequacy and effectiveness of the organisation's compliance to SA8000 and its other legal and voluntary schemes through a review of its policies, procedures and performance. In the new version, the SPT is now responsible for those duties; the focus of the "review" has also undergone a transformation.

The SPT is now responsible for identifying and prioritising current and potential *risks* to SA8000 compliance. The new requirement also mandates that the SPT must periodically produce a *written* risk assessment of the current and potential non-conformances to SA8000 and their remediation, as well as its prioritization of remediation involved, based upon stated criteria. This is intended to ensure that management respects and carefully reviews the SPT's recommended actions and their prioritisation.

9.3.2. This section, in furtherance of the role, use and expertise of the SPT, outlines the process for SPT risk assessments, and asserts that the process shall include "meaningful consultation with interested parties." This indicates that the SPT's risk assessment conclusions shall include its consideration of information provided by external parties as well. It is anticipated that SPTs will reach out to such interested parties as experts on occupational safety, health, discrimination, freedom of association and other subject matters, which might also include those in NGOs, trade associations and others.

9.4 Monitoring

9.4.1 This provision outlines the monitoring tasks of the SPT, which are significantly broader and deeper than those required by SA8000: 2008. The SPT's monitoring duties now include not only the continual monitoring of the organisation's SA8000 compliance, but also its continual monitoring of the organisation's actions in response to risk assessment findings and remediation recommendations. Further, the SPT must continually monitor the *effectiveness* of the systems the organisation has developed and implemented pursuant to its SA8000 compliance policies.

This section grants the SPT authority to collect information from interested parties/stakeholders (as discussed above in provision 9.3.2). The SPT is also mandated to liaise with any and all organisation departments to learn about possible non-conformances to SA8000 and determine the steps for remediation. This aims to broaden the authority and liaison role of the SPT as much as possible, to ensure meaningful monitoring.

The strengthened role and increased authority of the SPT have been added to SA8000: 2014 in response to frequent queries and requests for assistance from SA8000 applicants on implementing the Standard. Enhanced monitoring is one of the changes in SA8000: 2014 that is meant to support implementation since it requires the most planning, effort, technique and skill.

9.4.2 As a part of the SPT's enhanced monitoring role in SA8000: 2014, the SPT now has a role in audits and establishing preventive and corrective actions. The SPT shall facilitate internal audits and then produce reports for senior management on the "performance and benefits of actions taken" in furtherance of SA8000 compliance.

9.4.3 In this provision, the SPT is also charged with monitoring its own performance by periodically reviewing its progress and charting "potential actions to strengthen implementation of the Standard."

9.5 Internal Involvement and Communication

This revision adds new requirements concerning internal communications. Organisations must now demonstrate that SA8000 Requirements are effectively understood by personnel through routine and continuous communications. This change is related to the sections above; it is meant to empower everyone in the organisation on a continual basis, by providing them with initial knowledge of SA8000 and continually updating them on compliance developments.

9.6 Complaint Management and Resolution

9.6.1 This revision expands upon the right of personnel to report SA8000 conformance and non-conformance issues to the organisation. Now, each facility must establish a written, confidential, non-retaliatory grievance system, which permits personnel *and* interested parties to comment, report or recommend their views on *any workplace matter*, including SA8000 non-conformances.

9.6.2 In addition to the communications stated above in 9.6.1, this provision requires organisations to maintain practices for “investigating, following up on and communicating” the results of their actions to address their personnel’s’ or interested party complaints and information, including reports of non-conformances. These results shall be available to all personnel and upon request, to interested parties, in another effort to value and empower personnel in all SA8000 processes.

9.6.3 In order to assure personnel and interested parties that the complaint and report system is safe, this provision states that an organisation may not retaliate against its personnel or an interested party in any manner for exercising the right to complain and report.

9.7 External Verification and Stakeholder Engagement

9.7.1 This provision states that organisations must *fully* cooperate with announced and unannounced external audits for the purpose of certifying compliance with the requirements of SA8000: 2014. This provision has been strengthened from the previous version, which only required that organisations supply “reasonable information required by the auditor.”

9.7.2 This added provision states that organisations *must* engage with stakeholders in order to “attain sustainable compliance with SA8000.” This change strengthened the previous requirement regarding stakeholder engagement, which only stated that an organisation had to “demonstrate its willingness to participate in dialogues with all interested stakeholders.”

9.8 Corrective and Preventive Actions

9.8.1 SA8000: 2014 adds some requirements to the basic duty of organisations to establish policies and procedures for implementing corrective actions. Organisations shall also similarly apply these policies and procedures to the management of “preventive actions.” This addition recognises that preventive actions are critical to eliminate potential non-conformances in a workplace. This provision states that it is the duty of the organisation to adequately resource its management of preventive and corrective actions, which was not explicitly stated previously. The

revision also recognizes the role of the newly established SPT, which shall also ensure “that these actions are effectively implemented.” As noted previously, this change supports this revision’s effort to strengthen implementation and monitoring of implementation.

9.8.2 This new provision requires the SPT to retain records, reaffirming many of the provisions for written records contained in SA8000: 2014 and SA8000: 2008. However, this provision explicitly states what type of information shall be included in these records. In addition to the requirement that it include, at a minimum, a list of SA8000 non-conformances, records should also include the “root causes [of non-conformances], the corrective and preventive actions taken and their...results.” It also mandates that the SPT record timelines for each activity. This change is intended to emphasize the urgency with which organisations shall identify and satisfactorily address non-conformances. It is also intended to empower the SPT by providing the team with a productive and meaningful role in SA8000-related issues and their resolutions.

9.9 Training and Capacity Building

This revision aims to create more informed, effective and accountable training and capacity building functions than had previously been required. The results of risk assessments developed pursuant to criterion 9.3 must inform organisations’ formulation of an effective training plan. It also adds a metric evaluation function, and requires that organisation periodically measure the effectiveness of their trainings.

9.10 Management of Suppliers and Contractors

9.10.1 This criterion was revised in order to clarify that is *not* expected that an organisation facilitate the SA8000 certification of its suppliers/subcontractors, private employment agencies and sub-suppliers.

Instead, SA8000: 2014 increases the organisation’s social accountability responsibilities in managing its supply chain. The organisation must now “conduct due diligence” of its suppliers/subcontractors, private employment agencies and sub-suppliers’ *adherence* to SA8000 and consider the results of such due diligence when selecting new supply chain members or evaluating current ones.

This provision lists the elements that an organisation’s due diligence *shall* include, such as effective communication about SA8000’s requirements to suppliers/subcontractors, private employment agencies and sub-suppliers senior leadership. Organisations are also now required to assess supply chain members’ “significant risks of non-conformance” and make “reasonable

efforts” to ensure that they effectively address identified risks. It explicitly states that in some cases the organisation itself may be involved in providing or assisting in providing resolutions of the “serious risks of non-conformance.” The organisation should prioritise its involvement in addressing risks, based upon its “ability and resources to influence” its supply chain members.

The organisation’s duty to monitor the resolution of “significant risks of non-conformance” in its supply chain has only been changed slightly. Organisations are now also required to institute a tracking system “to ensure that these risks are effectively addressed.”

These new requirements do not fundamentally alter the organisation/supply chain relationship. However, they are more explicit with regards to some SA8000 compliance activities that had previously been desired but were left unstated. For example, the concept of applying “due diligence” to this relationship is intended to strengthen organisations’ vetting processes for the selection of new supply chain members and evaluation of current members. There is also a new provision that recognizes the role of the SA8000 organisation in supporting or leading supply chain members’ activities to adequately address its non-conformances.

The revisions to organisations’ supply chain management processes have been made in response to reports of increased health and safety and other risks to workers in the work environment, particularly at the facilities of suppliers.