‘HOW TO’ POLICY GUIDES

3. Forced, bonded and indentured Prison labour Policy
WHAT is a Forced Labour Policy?

A Forced, Bonded & Indentured Prison Labour Policy is a statement of intent stating that employment with your business will be voluntary and no form / practice that could result in bonded labour will be allowed.

WHY is a Forced Labour Policy necessary?

A Policy on the restriction of use of any form of Forced, Bonded or Indentured Prison Labour will provide assurance that workers’ rights with regard to this principle are guaranteed by the business.

What is the SIZA Standard requirement?

The business must ensure that employment is freely chosen, that workers have the right to terminate their employment and that workers are not required to lodge deposits; their identity documents or any other form of a bond in order to obtain work.

1. All work must be conducted on a voluntary basis, and not under threat of any penalty or sanction.

2. The use of forced or compulsory labour in all its forms is prohibited.

3. Suppliers shall not require employees to make deposits/financial guarantees and shall not retain identity documents (such as passports, identity cards, etc.).

4. Bonded labour is prohibited. Suppliers shall not use any form of bonded labour nor permit or encourage employees to incur debt through Recruitment fees, fines, or other means.

5. Suppliers shall respect the right of employees to terminate their employment after reasonable notice. Suppliers shall respect the right of employees to leave the workplace after their shift.

WHO needs to know about the policy?

Internally – Employees, contractors, service providers and suppliers need to know about your organizations Forced, Bonded and Indentured Prison Labour policy. You are responsible for ensuring they are complying with your company policy.

Externally – Customers, government, auditors and standard setting organizations should know about your company policy.

Content Guidance:

1) SIZA STANDARD (S 3)
2) BILL OF RIGHTS, CHAPTER 2(13)
3) CORRECTIONAL SERVICES ACT, 1998, ACT 111, CHAPTER 4(405)
4) SECTORAL DETERMINATION 13 (SD13): PART F (25)-5-6
5) ESTA
Title: FORCED, BONDED & INDENTURED PRISON LABOUR POLICY

PURPOSE
To provide employment to employees that is freely chosen; to ensure that workers have the right to terminate their employment; and to ensure that workers are not required to lodge deposits, identity documents or any other form of bond.

SCOPE
Employees, Management, Visitors, Contractors, Suppliers, Labour Service Providers

POLICY STATEMENT
Company XX will provide employment that is freely chosen by employees, and not make use of any form of bonded or prison labour.

POLICY
WHAT is the statement of intent that your business commits to in this policy? e.g.
COMPANY XX commits to:
- give employees the freedom to choose their employment
- ensuring a fair recruitment policy is in place and that it is communicated to employees to prevent forced or bonded labour
- make the terms and conditions of employment available to all employees before their employment is started
  - no forced or coerced labour shall be tolerated as part of disciplinary measures
  - not to use any form of prison labour

WHY is it important for your business to have this policy? e.g.
With this policy we ensure:
- that there are clear procedure for termination of employment for all staff
- no identity documents, travel documents or any other personal documentation for an extended period of time; other than for administrative reasons
- procedures are in place for all deductions; and they will be approved by employees
  - no fee will be levied against a workers for the recruitment process
  - no employment of any individual will be linked to that of a spouse
- have clear housing agreements signed by all individuals with the right to live on the farm

Give an indication in the main text of HOW it will be implemented and WHEN the policy will apply e.g.
Herewith company xx commits to apply this policy at all times, to all activities within the business we operate. During our recruitment process this policy will be most effective and will be reviewed on an annual basis.