

**Appendix B**  
**Fair Wear Foundation**  
**Auditing Guidance Grid**

<b>Situation</b> (note: this does not deal specifically with countries where the FOA or Right to Collective Bargaining is legally restricted)	<b>CAP</b>
The 'ideal' situation regarding FOA and RCB would be more or less like this:	
<ol style="list-style-type: none"> <li>1. There is or there are one or more trade unions that represent the workers, and bargain on behalf of them. The right of all employees to form and join trade unions is recognised. Workers' representatives are not subjected to discrimination and have access to all workplaces necessary to enable them to carry out their representation functions.</li> <li>2. The union/worker committee have the right to meet regularly during working hours, at least once per month for 2 hours. Its members have sufficient time to visit the different areas of work. There are regular meetings between the union committee and management.</li> <li>3. Complaints regarding labour and working conditions can be forwarded, free of charge, to the workers' representatives or to an external independent body accepted by all parties involved.</li> </ol>	Not needed
Different grades of non-compliance occur in practice. We have ranked them in order of mounting magnitude. <i>Open for discussion!</i>	
There is no trade union, but some committee(s) exists, members are freely elected among the workers and the committee is functioning properly.	No CAP unless there are signals in this company or in the region or remarks from local unions that these committees are set up to keep unions out.
A trade union exists within the company, but workers do not feel represented by them. (This may occur for instance in former communist countries, or management themselves has picked one union amongst different recognised unions to organise the factory or agree a CBA)	This can only be assessed within the specific context of the country/region and should be an issue of consultations with local stakeholders. Some suggestions:  The trade union should operate in a more open, accountable and transparent way. The shop floor workers should freely elect

<p>Workers do have no real choice but to join that union.</p> <p>Management does directly deduct contribution to that union from wages without written consent from the worker</p>	<p>committee members of the trade union, so that the trade union can represent the real interests of the workers and communicate with the factory.</p> <p>A worker educational programme can be developed in this company in order to allow workers to know more about their legal rights, different kinds of ways and skills to reflect their views to the management.</p> <p>Management needs to learn and clarify what the codes require about freedom of association and collective bargaining.</p>
<p>The company has an official trade union. This trade union has a company committee, but no worker members. The factory manager is the chairman of the trade union. This union has no activity in the factory.</p>	<p>The company should allow a real worker representative committee/ trade union for which workers elect their representatives through open democratic elections. In this way workers can collectively negotiate with the company and the industrial relations in the company can be further improved.</p> <p>The elections' time schedule of the committee should be provided and the elections' results should be registered.</p> <p>Workers should be allowed to elect their representatives by following a democratic process without any interference. They should be informed about the election's time procedure.</p> <p>Decisions taken at the committee meeting which directly concerns the workers should be made public to all the workers, e.g. on the notice boards.</p> <p>A worker educational programme can be developed in this company in order to allow workers to know more about their legal rights to organise and different kinds of ways and skills to reflect their views to the managements.</p>
<p>There is no trade union, but some committee(s) exists, but they are not functioning properly or they are not elected democratically.</p>	<p>If these kind of structures exist they should be properly functioning otherwise they might give rise to the suspicion that they are meant to keep unions out:</p> <ol style="list-style-type: none"> <li>a. Workers should be allowed to elect their representatives by following a democratic process without any interference.</li> </ol>

	<ul style="list-style-type: none"> <li>b. They should be informed about the election's time procedure.</li> <li>c. Workers representatives in committees should be empowered to execute their function properly. This means at least meeting on a monthly basis, without interference from management, be free to talk to workers inside the factory and be consulted by management.</li> <li>d. These committees should receive training.</li> <li>e. These committees should make public to the workers what they are doing.</li> </ul>
<p>No trade union, or any other formal channel to communicate with workers, but a relatively good relation between workers and management exists.</p>	<p>In a small company this may be acceptable. In a larger company it could be recommended to set up more formal structures. This would also depend on the outcomes of the workers interviews.</p> <p>A grievance box may be kept, and a committee may be formed to address issues related to grievances, safety, health and environment. Due to the lack of any workers' organisation many workers do not have an idea about the rights. Some training might be organised to fill this gap.</p> <p>Trade unions officers should be allowed on their request to meet with the workers during lunch break or after working hours, in the canteen or any other appropriate place.</p>
<p>Due to the lack of any workers' organisation many workers do not have an idea about the rights, for instance concerning social security.</p>	<p>Some training might be organised to fill this gap.</p>
<p>No trade union, no channel to communicate with workers, relatively bad relation between workers and management / a climate of fear can be observed on the shop floor/ many complaints by workers.</p> <p>Employees are afraid to address issues to the management because they fear that this might cost them their employment;</p>	<p>Set up a complaints committee consisting of 3 members who are elected by the shop floor workers. This committee should be able to address any grievances in an open and constructive way with management. These committees would need some training on how to translate personal grievances into issues for constructive social dialogue.</p> <p>Management of the company should guarantee that workers who launch a complaint nor committee members will not be retaliated.</p>

	<p>Management needs to learn and clarify what the codes require about freedom of association and collective bargaining.</p> <p>Trade unions officers should be allowed on their request to meet with the workers during lunch break or after working hours, in the canteen or any other appropriate place.</p>
<p>Indications of an active anti-union policy by the company.</p>	<p>The management must recognize the principle right for all workers to join a trade union and collective bargaining and management must stop these activities immediately.</p> <p>Trade unions officers should be allowed on their request to meet with the workers during lunch break or after working hours, in the canteen or any other appropriate place.</p> <p>Management needs to learn and clarify what the codes require about freedom of association and collective bargaining.</p>
<p><i>for discussion: a union attempts to organise the factory, or workers attempt to form a union. Management argues against unionisation via a message on the notice board that does not contain any threats, nor runs against legal provisions.</i></p>	