



LABOR COMPLIANCE QUESTIONNAIRE

Section 1 Purpose

The purpose of this questionnaire is to help public entities assess vendors' knowledge of applicable labor standards and compliance levels in factories that produce goods under an existing or pending public contract. The questionnaire is not a substitute for factory monitoring and in-person investigations and cannot yield conclusive findings of compliance or violations. However, vendors' awareness of standards and their knowledge of actual wages, hours, benefits, and conditions in a factory is an important benchmark toward compliance. The questionnaire can help public entities assess risks of non-compliance and may indicate areas that need further investigation.

Section 2 Instructions

Public entities should enter applicable information in Section 3, Contract Information, and may customize the questionnaire to meet their particular needs by directing vendors to provide answers to questions in all sections below or only in certain sections.

Vendors must fill out Sections 4-5 and Section 11. In addition, vendors should respond to the questions in the sections indicated with a check-mark below.

Public entity: please check applicable box or boxes.

- ☐ All sections
- ☐ Section 6
- ☐ Section 7
- ☐ Section 8
- ☐ Section 9
- ☐ Section 10

Section 3 Contract Information (to be filled out by public entity)

Request for proposal, invitation for bid, or quotation number:

Contract or purchase order number:

Value of contract in \$US:

Name of public entity:

Name of procurement officer:

Procurement officer phone:

Procurement officer email:

Section 4 Vendor Information

Name of company:

Address Line 1:

Address Line 2:

City:

State/Province:

Zip:

Country:

Contact person:

Title of contact person:

Phone of contact person:

Email of contact person:

Person responsible for verifying accuracy of information in this questionnaire:

Title:

Section 5 Source of Products

Please list only the factories for which you provide labor compliance information in the sections that follow. If the standards and compliance levels are identical for two or more factories that furnish goods under an existing or pending public contract you may use one questionnaire for both or all factories. If you use different factories located in different jurisdictions or with different compliance levels you must fill out separate questionnaires.

Factory name:

Address Line 1:

Address Line 2:

City:

State/Province:

Zip:

Country:

Contact person:

Title of contact person:

Phone of contact person:

Email of contact person:

Products made in the factory to be furnished to the public entity:

Value of those products in \$US:

Factory name:

Address Line 1:

Address Line 2:

City:

State/Province:

Zip:
Country:
Contact person:
Title of contact person:
Phone of contact person:
Email of contact person:
Products made in the factory to be furnished to the public entity:
Value of those products in \$US:

Section 6 Compliance with International Labor Organization Conventions

The International Labor Organization (ILO) has identified the following eight ILO conventions as fundamental to the rights of human beings at work, irrespective of countries' levels of development.

Do the factories listed in the Source of Products section comply with these conventions?

Convention No. 138: Minimum Age

☐ yes ☐ no

No person employed is younger than the age of completion of compulsory schooling and, in any case, not less than 15 years.

Convention No. 182: Worst Forms of Child Labor

☐ yes ☐ no

There is no child slavery, debt bondage, serfdom or forced labor and no children are involved in work likely to harm their health, safety or morals.

Convention No. 29: Forced Labor

☐ yes ☐ no

There is no forced or compulsory labor: that is, no work or service is exacted under the menace of any penalty and there is no work or service where the workers have not offered themselves voluntarily.

Convention No. 105: Abolition of Forced Labor

☐ yes ☐ no

There is no forced or compulsory labor a) as a means of political coercion or education or as a punishment; b) for purposes of economic development; c) as a means of labor discipline; d) as a punishment for having participated in strikes; e) as a means of racial, social, national or religious discrimination.

Convention No. 87: Freedom of Association

☐ yes ☐ no

Workers have the right to establish and join organizations of their own choosing, draw up their constitutions and rules, elect their representatives in full freedom, organize their administration and activities, and formulate their programs.

Convention 98: Protection of the Right to Organize

☐ yes ☐ no

Employers do not make employment subject to the condition that workers shall not join a union and do not dismiss workers because of participation in union activities. In addition, employers allow workers' organizations to operate freely and do not promote workers' organizations under the domination of the employers or employers' organizations.

Convention No. 100: Equal Remuneration

☐ yes ☐ no

Men and women receive equal remuneration for work of equal value.

Convention No. 111: Discrimination (Employment and Occupation)☐ yes ☐ no

All workers receive equal opportunity and treatment in employment and occupation regardless of race, color, sex, religion, political opinion, national extraction or social origin, or other distinguishing characteristics.

Section 7 Compliance with Workplace Laws

Do the factories listed in the Source of Products section comply with applicable national and regional laws and regulations regarding:

- | | | |
|---|------------------------------|-----------------------------|
| 1. Minimum wages? | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| 2. Working hour limitations for a standard workweek and overtime? | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| 3. Overtime rates of pay? | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| 4. Non-wage benefits, including, as applicable, employer contribution to a social security or insurance plan, paid public holidays, vacation, sick leave, and year-end Christmas bonuses? | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| 5. Maternity leave? | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| 6. Health and safety? | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| 7. The environment, including limitations on pollution of land, water, and air? | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| 8. Building and fire codes? | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| 9. Discrimination in hiring, promotion and compensation? | <input type="checkbox"/> yes | <input type="checkbox"/> no |

Have any complaints been filed against any of the factories listed in the Source of Products section with any government agency or human rights organization within the last five years regarding:

- | | | |
|---|------------------------------|-----------------------------|
| 1. Violations of applicable national or regional law? | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| 2. Violations of ILO conventions? | <input type="checkbox"/> yes | <input type="checkbox"/> no |
| 3. Code of Conduct violations? | <input type="checkbox"/> yes | <input type="checkbox"/> no |

If you answered yes to any question, please provide a full explanation of the complaint, any investigation undertaken, the outcome of the investigation, and any remedial action taken.

Section 8 Wages, Hours, Benefits, and Leaves

For the following questions, state the legal requirements in Part A and provide information about the wages, hours, benefits, and leaves at the factories listed in the Source of Products section in Part B.

Wages

Part A: The minimum wage required by law is _____ (local currency) per _____ (hour, day, week, etc.) excluding benefits.

Part B: The lowest-paid full-time non-supervisory worker at the factories listed in Source of

Products section makes _____ (local currency) per _____ (hour, day, week, etc.) excluding benefits. If workers are paid for piece work, please calculate the wage rate based on the number of pieces produced within the applicable time frame.

Please list the amount and reason for any deductions (other than legally-mandated deductions and those already included in the computation of the wage) from full-time non-supervisory workers' pay for such things as food, housing, uniforms, and equipment.

Hours and Overtime Policy

Part A: The maximum number of hours permitted by law is _____ per day, _____ per week, and _____ per month excluding overtime hours. The maximum number of daytime overtime hours permitted by law is _____ per day, _____ per week, and _____ per month. The maximum number of nighttime overtime hours permitted by law is _____ per day, _____ per week, and _____ per month.

Part B: Full-time non-supervisory workers at the factories listed in Source of Products section work at most: _____ per day, _____ per week, and _____ per month excluding overtime hours. Full-time non-supervisory workers at the factories listed in Source of Products section work at most _____ per day, _____ per week, and _____ per month in overtime during the day. Full-time non-supervisory workers at the factories listed in Source of Products section work at most _____ per day, _____ per week, and _____ per month in overtime at night.

Part A: The legal overtime compensation pay rate is: _____

Part B: The pay-rate for overtime compensation at the factories listed in the Source of Products section is: _____

Benefits

Part A: The following benefits are required by law for full-time non-supervisory workers:

_____ (y/n) health insurance with _____ % of the premium paid by the employer
_____ (y/n) social security payments by the employer equivalent to _____ % of wages
_____ (y/n) retirement
_____ (y/n) disability
_____ weeks of _____ paid or _____ non-paid maternity leave
_____ days of _____ paid or _____ non-paid sick leave per year
_____ number of paid holidays per year
_____ number of paid vacation days per year
_____ (y/n) other leaves (specify): _____
_____ (y/n) other monetary benefits (specify): _____

Part B: Full-time non-supervisory workers at the factories listed in the Source of Products section receive the following benefits:

_____ (y/n) health insurance with _____% of the premium paid by the employer
_____ (y/n) social security payments by the employer equivalent to _____ % of the wages
_____ (y/n) retirement
_____ (y/n) disability
_____ weeks of _____paid or _____non-paid maternity leave
_____ days of _____paid or _____non-paid sick leave per year
_____ number of paid holidays per year
_____ number of paid vacation days per year
_____ (y/n) other leaves (specify): _____
_____ (y/n) other monetary benefits (specify): _____

Section 9 Women's Rights

1. Are pregnancy tests a condition of employment, or are they demanded of employees? ☐ yes ☐ no
2. Do the factories listed in the Source of Products section have a maternity leave policy? ☐ yes ☐ no

Please explain:

3. Does the factories listed in the Source of Products section enforce a policy against sexual harassment? ☐ yes ☐ no

Please explain:

Section 10 Health and Environmental Measures

1. Is there a joint management/worker health and safety committee in the factories listed in the Source of Products section? ☐ yes ☐ no

2. What protective gear is needed to operate the machines used to manufacture the applicable product(s)?

3. What protective gear is provided to workers?

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4. What measures are the factories listed in the Source of Products section taking to prevent repetitive stress injuries and respiratory illnesses?

5. Please explain any concerns you have regarding chemical exposure, protective equipment, heat, air quality, noise, sanitation, health and safety training and information, and safe and health issues at the factories listed in the Source of Products section.

Section 11 Monitoring Methodology

1. Are the factories listed in the Source of Products section monitored ☐ yes ☐ no
for code of conduct compliance by a third party organization?

2. If yes, who conducts the monitoring? Please provide the name and contact information to the monitoring organization.

3. Please check all boxes below that describe the monitoring methodology:

☐ The monitoring organization has no relationship with the companies being monitored beyond the monitoring work itself.

☐ The monitoring organization works with local non-governmental organizations and human rights organizations for worker interviews.

☐ The monitoring organization's staff and/or its partners in the producer country know the local language and culture, financial auditing practices, applicable health and safety standards, international labor conventions, and applicable local laws and regulations.

☐ The monitoring organization conducts unannounced visits to the factories.

☐ The monitoring organization conducts confidential and thorough worker interviews in their local language off-site, such as in workers' homes or in local gathering places.

Section 11 Verification

I hereby affirm that the information provided on this form is true and complete.

Signature

Date

Printed Name

Title

DRAFT