

# Electronics Watch Code of Labour Standards

## Introduction

This Code sets out standards for the production of Goods. To be in compliance with this Code Goods must be produced under conditions that comply with all the listed standards. This means:

- where the standards relate to the rights and conditions of workers, the Goods must be produced by workers who benefit from all of those rights and conditions;
- where the standards relate to workplaces, the Goods must be produced in workplaces that meet all of these standards.

Workers are involved in the production of Goods, for the purposes of this Code, if they have any involvement, however slight, in the assembly of the Goods or the production of the electrical components from which the Goods are assembled.

## Standards

### 1. Domestic Labour Standards

Goods must be produced in compliance with all applicable domestic labour law. Domestic labour law includes international standards that are applicable to employers under domestic law. Relevant applicable domestic labour law includes (but is not limited to) laws regulating:

- Health and safety;
- Wages and benefits, including overtime compensation;
- Hours of work, public holidays and leave;
- Discipline, violence, harassment and abuse;
- Contracts for both short-term and long-term workers;
- Freedom of association and collective bargaining;
- Prohibition of forced labour;
- Prohibition of child labour;
- Prohibition of discrimination;
- Social security; and
- Environmental protections.

### 2. International Labour Standards

Goods must be produced in compliance with the following international labour standards:

- ILO Core Conventions (ILO No. 29, 105, 87, 98, 100, 111, 138 and 182);
- ILO Conventions No. 1, 95, 102, 115, 119, 121, 131, 135, 136, 139, 148, 155, 158, 161, 162,

- 170, 174, 183, 187;
- ILO Recommendations No. 35, 90, 111, 131, 135, and 143;
- Articles 23 of the United Nations Universal Declaration of Human Rights
- Article 32 of the United Nations Convention on Rights of the Child

### 3. Conflict between domestic and international standards

Whenever international and domestic standards differ the standard that affords the greater protection for workers shall apply, except that this Code does not require the performance of an act that violates a domestic law in a country of production. In particular, international standards must be honoured by:

- permitting all activities related to freedom of association that are not prohibited by domestic law, and
- avoiding practices that violate international standards unless a practice is mandated by domestic law.

## Examples of Violations

### 4. Employment is freely chosen

(Relevant ILO Conventions: No. 29<sup>1</sup> and No. 105<sup>2</sup>; Relevant ILO Recommendation: No. 35)

The production of the Goods must not involve:

- 4.1. Use of bonded labour. Examples of non-compliance include, but are not limited to requiring payment of a debt to the employer or a third party in order to leave employment.
- 4.2. Abuse of prison labourers. Examples of violations include, but are not limited to:
  - 4.2.1. Using a prisoner for work without that prisoner's consent.
  - 4.2.2. Treating prisoners less favourably than non-prisoners with respect to wages, hours of work, or health and safety protections.
- 4.3. Prevention of a worker from freely leaving employment or a workplace. Examples of non-compliance include, but are not limited to:
  - 4.3.1. Preventing a worker from voluntarily leaving a workplace, including dormitories or industrial areas.
  - 4.3.2. Locking any exits of a workplace or dormitory.
  - 4.3.3. Refusing to return any personal document to a worker upon request.

<sup>1</sup>C029 - Forced Labour Convention, 1930 (No. 29), Convention concerning Forced or Compulsory Labour (Entry into force: 01 May 1932), cf.

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C029](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C029)

<sup>2</sup>C105 - Abolition of Forced Labour Convention, 1957 (No. 105), Convention concerning the Abolition of Forced Labour (Entry into force: 17 Jan 1959), cf.

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C105](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C105)



4.3.4. Using or threatening to use violence, deportation, visa cancellation, immigration action or arrest to force a worker to work.

4.4. Use of economic coercion in conjunction with forced overtime. Examples of non-compliance include, but are not limited to:

4.4.1. Requiring overtime work in order for a worker to make a legally mandated minimum wage.

4.4.2. Compelling a worker to work hours beyond legal limits by threatening to terminate employment or eliminate overtime hours.

## **5. Freedom of association and the right to collective bargaining**

(Relevant ILO Conventions: No. 87<sup>3</sup>, No. 98<sup>4</sup> and No. 135<sup>5</sup>; Relevant ILO Recommendation: No. 143<sup>6</sup>)

The workers involved in the production of the Goods must enjoy freedom of association and the right to collective bargaining. Examples of violations include, but are not limited to the following.

5.1. Interference with a workers' organization or its efforts to organize workers. Examples of non-compliance include, but are not limited to:

5.1.1. Promoting the formation of a workers' organization to compete against an existing workers' organization.

5.1.2. Interfering with, manipulating or controlling a workers' organization.

5.1.3. Limiting the freedom of workers to meet without management present.

5.1.4. Restricting access of workers' representatives to workers in the workplace.

5.2. Discrimination against a member of a workers' organization. Examples of non-compliance include, but are not limited to:

5.2.1. Using membership in, or activities with, a workers' organization as a factor when making hiring decisions.

5.2.2. Using a blacklist of members of a workers' organization to ensure that they are not employed.

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<sup>3</sup>C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98), Convention concerning the Application of the Principles of the Right to Organise and to Bargain Collectively (Entry into force: 18 Jul 1951), df. [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C098](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C098)

<sup>4</sup>C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98), Convention concerning the Application of the Principles of the Right to Organise and to Bargain Collectively (Entry into force: 18 Jul 1951), df. [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C098](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C098)

<sup>5</sup>C135 - Workers' Representatives Convention, 1971 (No. 135), Convention concerning Protection and Facilities to be Afforded to Workers' Representatives in the Undertaking (Entry into force: 30 Jun 1973), [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C135](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C135)

<sup>6</sup>R143 - Workers' Representatives Recommendation, 1971 (No. 143), Recommendation concerning Protection and Facilities to be Afforded to Workers' Representatives in the Undertaking, [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:R143](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R143)

- 5.2.3. Offering or providing any incentive to workers to keep them from joining, or participating in the activities of, a workers' organization.
- 5.2.4. Threatening, intimidating or harassing workers who join, or participate in the activities of, a workers' organization.

5.3. Refusal to bargain collectively in good faith on any issue or fail to implement any term in a collective bargaining agreement. Examples of non-compliance include, but are not limited to:

- 5.3.1. Refusing to bargain collectively.
- 5.3.2. Limiting the issues that can be negotiated during collective bargaining.
- 5.3.3. Failing to implement any provision of a collective bargaining agreement in force.
- 5.3.4. Employer "protection contracts" that do not provide workers with significant monetary and non-monetary benefits beyond those already required by law and prevent workers from benefitting from collective bargaining.

5.4. Interference with a strike by workers or retaliate against any worker for striking.

Examples of non-compliance include, but are not limited to:

- 5.4.1. Hiring new workers to replace striking workers.
- 5.4.2. Punishing any worker for participating in a strike.
- 5.4.3. Failing to reinstate all eligible workers after a strike.
- 5.4.4. Using security guards, the police or armed forces to break up a peaceful strike or to arrest any striking worker.

## 6. No discrimination in employment

(Relevant ILO Conventions: 100<sup>7</sup> 111<sup>8</sup> and 183<sup>9</sup> and Article 68 of Convention 102<sup>10</sup>; Relevant ILO Recommendations: No. 90<sup>11</sup> and 111<sup>12</sup>)

Discrimination must not be used in the selection of the workforce involved in the production of

<sup>7</sup>C100 - Equal Remuneration Convention, 1951 (No. 100), (Entry into force: 23 May 1953), cf. [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C100](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C100)

<sup>8</sup>C111 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111), Convention concerning Discrimination in Respect of Employment and Occupation (Entry into force: 15 Jun 1960), cf. [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C111](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C111)

<sup>9</sup>C183 - Maternity Protection Convention, 2000 (No. 183), Convention concerning the revision of the Maternity Protection Convention (Revised), 1952 (Entry into force: 07 Feb 2002), [www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C183](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C183)

<sup>10</sup>C102 - Social Security (Minimum Standards) Convention, 1952 (No. 102), Convention concerning Minimum Standards of Social Security (Entry into force: 27 Apr 1955), cf. [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C102](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C102)

<sup>11</sup>R090 - Equal Remuneration Recommendation, 1951 (No. 90), Recommendation concerning Equal Remuneration for Men and Women Workers for Work of Equal Value, [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:R090](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R090)

<sup>12</sup>R111 - Discrimination (Employment and Occupation) Recommendation, 1958 (No. 111), Recommendation concerning Discrimination in Respect of Employment and Occupation, [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:R111](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R111)

the Goods. The workers involved in the production of the Goods should not be discriminated against.

6.1. Examples of violations include, but are not limited to the following.

6.1.1. Recruiting in a way that expresses a discriminatory preference.

6.1.2. Discrimination in a decision regarding: hiring, conditions of work, pay, benefits, opportunities for promotion, access to training, retirement, termination, or any other aspect of the employment relationship.

6.1.3. Harassing a worker in a way that discriminates, including sexual harassment.

6.1.4. Requiring a worker to undergo a pregnancy test or to use contraception.

6.1.5. Paying migrant workers lower wages or less benefits or otherwise discriminate against migrant workers.

6.1.6. Using student workers, interns, and apprentices and thereby avoiding obligations of labour and social security laws and regulations arising from regular employment relationships and paying less than the entry level wage for regular workers.

6.2. For purposes of this section, “discriminate” means to treat a worker differently based on that worker’s age, gender, race, colour, origin, religious affiliation, political affiliation, sexual orientation, union membership, nationality, social origin, pregnancy, or handicaps during any phase of employment.

## **7. No exploitation of child labour**

(Relevant ILO Conventions: No. 138<sup>13</sup> and No. 182<sup>14</sup>; Art. 32 UN Convention on the Rights of the Child<sup>15</sup>)

Child labour must not be exploited in the production of the Goods. Examples of violations include, but are not limited to the following.

7.1. Failure to keep adequate records of workers under 18 years of age. Examples of non-compliance include, but are not limited to:

7.1.1. Failing to verify the age of a worker appearing to be under 18 years of age with available documentation.

7.1.2. Failing to keep a registry of all workers under 18 years of age.

7.2. Employing a worker under 18 years of age in a way that is hazardous to health, safety or morals. Examples of non-compliance include, but are not limited to:

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<sup>13</sup>C138 - Minimum Age Convention, 1973 (No. 138), Convention concerning Minimum Age for Admission to Employment (Entry into force: 19 Jun 1976), cf.

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C138](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C138)

<sup>14</sup>C182 - Worst Forms of Child Labour Convention, 1999 (No. 182), Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Entry into force: 19 Nov 2000), cf.

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C182](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182)

<sup>15</sup><http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

- 7.2.1. Allowing a worker under 18 years of age to work overtime or at night.
- 7.2.2. Allowing a worker under 16 years of age to do physically hazardous work.
- 7.2.3. Allowing a worker between 16 and 18 years of age to do physically hazardous work without adequate safety training.
- 7.2.4. Frequently shouting at, insulting, or hitting a worker under 18 years of age.
- 7.2.5. Employ any worker under 15 years of age or the age of completion of compulsory schooling, except as allowed by domestic law.

## 8. No excessive working hours

(Relevant ILO Convention: No. 1<sup>16</sup>)

Workers involved in the production of the Goods must not be required to undertake excessive working hours.

- 8.1. Examples of violations include, but are not limited to the following.
  - 8.1.1. Requiring workers to work in excess of 48 hours per week on a regular basis.
  - 8.1.2. Requiring workers to work seven days in a row without at least one day off.
  - 8.1.3. Compelling non-voluntary overtime work.
  - 8.1.4. Allowing voluntary overtime work in excess of 12 hours per week.
  - 8.1.5. Failure to compensate overtime at a premium rate.

## 9. Safe and healthy working conditions

(Relevant ILO Conventions: No. 115<sup>17</sup>, No. 119<sup>18</sup>, No. 121<sup>19</sup>, No. 136<sup>20</sup>, No. 139<sup>21</sup>, No. 148<sup>22</sup>, No.

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<sup>16</sup> C001 - Hours of Work (Industry) Convention, 1919 (No. 1),

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C001](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C001)

<sup>17</sup> Radiation Protection Convention, 1960 (No. 115), Convention concerning the Protection of Workers against Ionising Radiations (Entry into force: 17 Jun 1962), cf.

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C115](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C115)

<sup>18</sup> C119 - [Guarding of Machinery Convention, 1963 \(No. 119\)](#),

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO:11300:P11300\\_INSTRUMENT\\_ID:312264:NO](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO:11300:P11300_INSTRUMENT_ID:312264:NO)

<sup>19</sup> C120 - [Hygiene \(Commerce and Offices\) Convention, 1964 \(No. 120\)](#),

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100\\_INSTRUMENT\\_ID:312265:NO](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312265:NO)

<sup>20</sup> C136 - [Benzene Convention, 1971 \(No. 136\)](#),

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100\\_INSTRUMENT\\_ID:312281:NO](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312281:NO)

<sup>21</sup> C139 - [Occupational Cancer Convention, 1974 \(No. 139\)](#),

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100\\_INSTRUMENT\\_ID:312284:NO](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312284:NO)

<sup>22</sup> C148 - [Working Environment \(Air Pollution, Noise and Vibration\) Convention, 1977 \(No. 148\)](#),

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100\\_INSTRUMENT\\_ID:312293:NO](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312293:NO)

155<sup>23</sup> No. 161<sup>24</sup>, No. 162<sup>25</sup>, No. 170<sup>26</sup>, No. 174<sup>27</sup>, No. 183<sup>28</sup>, and No. 187<sup>29</sup>)

The Goods must be produced under safe and healthy working conditions, in compliance with domestic and international labour standards. The Goods must be produced in Factories that maintain effective occupational health and safety (OSH) programs in the following three areas: comprehensive OHS programs; identification, evaluation, and control of health and safety hazards; and worker participation in the development, implementation, and verification of OHS programs.

9.1. Examples of violations include, but are not limited to the following.

- 9.1.1. Failing to maintain a written occupational health and safety management system;
- 9.1.2. Failing to maintain an effective emergency action plan to respond to natural disasters and industrial incidents, including explosions and fires;
- 9.1.3. Failing to evaluate and control specific health and safety hazards for women;
- 9.1.4. Failing to maintain accurate statistics of occupational injuries, illnesses, and fatalities at the facility;
- 9.1.5. Failing to evaluate and control hazards from factory buildings, machinery, equipment, tools, and production processes;
- 9.1.6. Failing to evaluate and control hazards from electrical equipment and installations;
- 9.1.7. Failing to evaluate and control hazards from chemical, physical, and biological agents;
- 9.1.8. Failing to safely store, treat, and dispose of chemicals and other hazardous materials;
- 9.1.9. Failing to ensure that each chemical used or stored in the facility that appears on

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<sup>23</sup>C155 - Occupational Safety and Health Convention, 1981 (No. 155), Convention concerning Occupational Safety and Health and the Working Environment (Entry into force: 11 Aug 1983), cf.

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C155](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C155)

<sup>24</sup>C161 - [Occupational Health Services Convention, 1985 \(No. 161\)](#),

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100\\_INSTRUMENT\\_ID:312306:NO](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312306:NO)

<sup>25</sup>C162 - [Asbestos Convention, 1986 \(No. 162\)](#),

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100\\_INSTRUMENT\\_ID:312307:NO](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312307:NO)

<sup>26</sup>C170 - Chemicals Convention, 1990 (No. 170) Convention concerning Safety in the use of Chemicals at Work (Entry into force: 04 Nov 1993),

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C170](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C170)

<sup>27</sup>C174 - [Prevention of Major Industrial Accidents Convention, 1993 \(No. 174\)](#),

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100\\_INSTRUMENT\\_ID:312319:NO](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312319:NO)

<sup>28</sup>C183 - [Maternity Protection Convention, 2000 \(No. 183\)](#),

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100\\_INSTRUMENT\\_ID:312328:NO](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312328:NO)

<sup>29</sup>C187 - [Promotional Framework for Occupational Safety and Health Convention, 2006 \(No. 187\)](#),

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100\\_INSTRUMENT\\_ID:312332:NO](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312332:NO)

- a hazardous substances inventory list, has an individual Safety Data Sheet with hazard information, and providing this information to all exposed workers;
- 9.1.10. Failing to ensure that buildings and structures are safe and healthful facilities, including required lighting, ventilation and air conditioning.
- 9.1.11. Failing to ensure that required personal protective equipment is provided and used when hazards cannot be controlled by engineering and administrative controls.
- 9.1.12. Failing to ensure that workers are provided with understandable information, and participate in regular comprehensive trainings related to the specific hazards to which they are exposed;
- 9.1.13. Failing to ensure that workers participate in factory-level health and safety committees, and are provided with the training, authority and paid release time necessary for them to effectively perform assigned committee tasks;
- 9.1.14. Failing to ensure that workers are able to exercise their right to refuse dangerous and unhealthy work without reprisal or discrimination by their employer.

## **10. No abusive termination of employment**

(Relevant ILO Convention: 158<sup>30</sup>)

The workers involved in the production of the Goods must not have their employment terminated unless there is a valid reason for such termination based on the capacity or conduct of the worker or on the operational requirements of the Factory.

- 10.1. Examples of violations include, but are not limited to the following. A worker's employment must not be terminated because the worker:
- 10.1.1. Is a member of a union, participates in union activities outside working hours or, with the consent of the employer, within working hours;
- 10.1.2. Seeks office as, or acts or has acted in the capacity of, a workers' representative;
- 10.1.3. Files a complaint or participates in proceedings against an employer involving alleged violations of laws or regulations or recourse to competent administrative authorities;
- 10.1.4. Identifies as a particular race, colour, sex, sexual orientation, marital status, religion, political persuasion, national extraction or social origin
- 10.1.5. Is pregnant or has certain family responsibilities;
- 10.1.6. Is absent from work during maternity leave;
- 10.1.7. Is temporarily absent from work because of illness or injury.

## **11. Legal wages**

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<sup>30</sup>C158 - Termination of Employment Convention, 1982 (No. 158), Convention concerning Termination of Employment at the Initiative of the Employer (Entry into force: 23 Nov 1985), [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C158](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C158)

(Relevant ILO Conventions :No. 95<sup>31</sup>, No. 131<sup>32</sup>; ILO Recommendations 131<sup>33</sup> and 135<sup>34</sup>)

The Goods must be produced by workers who receive the remuneration to which they are legally entitled.

11.1. Examples of non-compliances include but are not limited to:

11.1.1. Payment of wages and benefits to workers that are less than those defined in applicable domestic laws, including those relating to minimum wages, overtime hours and benefits.

11.1.2. The use of wage deductions as a disciplinary measure or for reasons not provided for by domestic law without the express permission of the worker concerned

11.1.3. Failure to provide a worker complete and accurate written information about employment conditions in respect to wages before beginning of employment.

11.1.4. Failure to provide pay slips with all legally required information, including details of the gross wages for the pay period and the taxes and any other deductions for the pay period concerned.

11.1.5. Failure to provide a worker with a legally required permanent contract.

## 12. Living wages

(Art. 23 Universal Declaration of Human Rights<sup>35</sup>)

The Goods must be produced by workers who receive a living wage.

12.1. For the purposes of the Code a “living wage” means a “take home” or “net” wage (excluding any taxes, bonuses, allowances, or overtime wages) earned during a country’s legal maximum work-week (not exceeding 48 hours), which is sufficient to pay for the basic needs (housing, energy, nutrition, clothing, health care, education, potable water, childcare, and transportation) of a family of four people, and includes an additional 10% of the cost of basic needs as discretionary income.

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<sup>31</sup>C095 - Protection of Wages Convention, 1949 (No. 95), Convention concerning the Protection of Wages (Entry into force: 24 Sep 1952),

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C095](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C095)

<sup>32</sup>C131 - Minimum Wage Fixing Convention, 1970 (No. 131), Convention concerning Minimum Wage Fixing, with Special Reference to Developing Countries (Entry into force: 29 Apr 1972),

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C131](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C131)

<sup>33</sup>R131 - Recommendation concerning Invalidity, Old-Age and Survivors' Benefits,

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100\\_INSTRUMENT\\_ID:312469:NO](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312469:NO)

<sup>34</sup>R135 - Minimum Wage Fixing Recommendation, 1970 (No. 135),

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100\\_INSTRUMENT\\_ID:312473:NO](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312473:NO)

<sup>35</sup> The Universal Declaration of Human Rights, <http://www.un.org/en/documents/udhr/>