



ALL YOU NEED TO KNOW ABOUT

GRASP



GRASP is the GLOBALG.A.P. Risk Assessment on Social Practice. It is an employment and worker rights management tool designed for global supply chains to assess, improve, and demonstrate responsible social practices. The kiwifruit industry supports working environments that promote the health, safety, and welfare of the people that work in it. We want to be the horticultural industry of choice for people looking for employment. To ensure our workers receive the highest level of protection, the GRASP assessment is mandatory for all Growers, MSOs and Contractors who employ people, whether they are permanent, fixed-term or casual.

GRASP

WORKERS VOICE

Right of Association and Representation (section 1)

Worker Representation (section 2)

Complaint Process (section 3)

HUMAN AND LABOUR RIGHTS INFORMATION

Human Rights Policies (section 4)

Access to Labour Regulations Information (section 5)

Disciplinary Procedures (section 13)

HUMAN AND LABOUR RIGHTS INDICATORS

Terms of Employment Documents and Forced Labour Indicators (section 6)

Payments (section 7)

Wages (section 8)

Time Recording Systems (section 11)

Working Hours and Breaks (section 12)

CHILD AND YOUNG WORKERS PROTECTION

Working Age, Child Labour and Young Workers (section 9)

Compulsory School Age and School Access (section 10)

Each section aligns with the sections in the GRASP checklist.

NOTE: For more information refer to Zespri GAP Grower Manual Part C.

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WHY IS GRASP SO IMPORTANT?

- ✓ Protects worker health, safety and welfare.
- ✓ Helps to identify, assess and reduce the risk of labour exploitation and modern slavery.
- ✓ Builds trust in our industry.
- ✓ Ensures we are an industry of choice for employment.
- ✓ New Zealand is not immune to exploitation cases and a number of these cases have been highlighted within the horticulture industry in recent years.
- ✓ You have the ability to affect the working conditions on the orchard/s in a positive way. You also have a moral, and in some cases a legal obligation, to ensure you do everything possible to protect the health, safety and welfare of everyone that works on orchard.
- ✓ Social responsibility is not just one person's job, it's something that we should all collectively contribute to.
- ✓ GRASP is assessed annually. For Growers/MSOs it can be completed at the same time as your annual Zespri GAP inspection or it may be required to be completed separately, i.e. at a time when you begin to recruit workers. Similarly for contractors, GRASP is a part of your annual CAV inspection or required when you begin to recruit workers.
- ✓ We encourage you to use the resources and other training tools available year-round to foster a safe, healthy and productive working environment for all.

WHY WE GO FURTHER THAN NZ LAW

- Provide the highest protection to the workers in our industry.
- Requirements from the markets/customers – around the world there is an increase in legislation globally to demonstrate supply chain due diligence to mitigate labour exploitation and modern slavery.
- To provide assurance to our customers that our industry meets their expectations and requirements.


KEY ROLES

Below is an explanation of different roles noted within GRASP that, if needed, can be assigned for your organisation.

ROLE	WHO	GRASP - RESPONSIBLE FOR/MUST KNOW
Worker Representation (WR)	This could be: <ul style="list-style-type: none"> • A person or group of people. • A representative of a collective labour organisation e.g., a union. • Any other form of organised group that provides opportunity for workers to raise their voice e.g., dispute resolution clause allows for workers to represent themselves. 	<ul style="list-style-type: none"> • The go to person for workers to raise issues and suggest improvements to health and safety at work. • Providing a voice for workers who might not otherwise speak up about health and safety matters. • Providing a link between workers and management. • Helping in situations where it's not practical for the business to engage one-to-one with its entire workforce. • Providing a different perspective on the business' day to day processes. • Must be present for relevant GRASP sections (1, 2, 3, 5, 6, 7, 8, 11, 12) of the inspection.
Management GRASP Liaison (MGL)	A designated person from management who workers can go to for guidance on GRASP.	<ul style="list-style-type: none"> • If workers decide on self-representation, or there are five workers or fewer, then a Management GRASP Liaison will be chosen by management. • Understand their role, duties and rights within GRASP. • Instructed on role in complaints process. • Meet with workers monthly to discuss GRASP related issues. • Share information from/to management. • Facilitate contact with labour unions. • Best practice to complete Employment New Zealand learning modules. • Must attend the inspection.
Supervisor	Any staff in contact with workers or with supervisory duties. If the grower does not use supervisory staff, they are considered the supervisor for GRASP.	<ul style="list-style-type: none"> • Informed about contents of GRASP & Human Rights Policy. • Informed of legal requirements of working age and a remediation plan detailing what happens if a person under 18 is identified on orchard. • Instructed about safeguards in place to protect workers' health and safety, specifically when working over the regular working time. • <i>Note: Where there is Worker Representation, the complaint process must provide a channel that's independent of supervisory staff.</i>
Management System Owner (MSO)	All growers assign a "Management System Owner" who has the overall responsibility for meeting all the components of the Zespri Grower Manual, ensuring on-going implementation of Zespri production requirements and maintaining compliance.	<ul style="list-style-type: none"> • Where there is no worker representation, the MSO/Contractor holds regular/monthly meetings to discuss GRASP issues. • If there are complaints, they will notify WR of complaints and outcomes. • <i>Note: Growers/MSOs must include in their orchard services agreements a clause that allows them to view any documentation at any time, that provides evidence that the Contractor is adhering to GRASP requirements.</i>
CAV Contractor	Engaged by a Grower/MSO or Contractor to perform services under a contract for services.	<ul style="list-style-type: none"> • If providing spray, fertiliser application or vine-work (including harvest), be registered to the Zespri GLOBALG.A.P. Contractor Program and hold a valid CAV with GRASP in the scope. • All sections of GRASP are required to be completed. • Have a valid orchard services agreement in place. • A Grower/MSO can ask to view any documentation at any time to provide evidence that you are complying with GRASP.
Non CAV Contractor	Engaged by a Grower/MSO to perform services under a contractor for services.	<ul style="list-style-type: none"> • Orchard services agreement needs to be in place. • A Grower/MSO can ask to view any documentation at any time to provide evidence that you are complying with GRASP.

KEY

Sections in the GRASP checklist and manual match the section numbers below.

 - Refers to the key action you need to take to meet requirements.

"TIPS" - Refers to can dos/tips.


 - Refers to resources and where to go for further information on each section.



SECTION 1: RIGHTS OF ASSOCIATION AND REPRESENTATION



Workers have the right to join or form unions or other worker organisations without discrimination.

 Not discriminate or penalise worker representation, members of unions or other worker organisations.

TIPS:

- Use a meeting template to record union visits.
- Create a display resource with relevant union information.
- Add 'Respect employees' right to freedom of association and collective bargaining" to your Human Rights Policy.







- <https://www.employment.govt.nz/starting-employment/unions-and-bargaining/unions/>
- <https://www.nzkgi.org.nz/what-we-do/environmental-and-policy/policy-and-compliance/>




SECTION 2: WORKER REPRESENTATION

Workers have decided upon appropriate representation to help assess, communicate and monitor their interests.

-  Have some form of worker representation whether it is nominated, voted or self-representation.
-  If workers decide not to have collective representation and/or there are five or fewer workers, a person from management is appointed as the 'Management GRASP Liaison'.
-  If employees decide on self-representation, this is detailed in their employment agreement.

 Ensure the Worker Representation/MGL is trained on their role, duties and rights within GRASP.

 Hold monthly gatherings regarding GRASP.

 Let the representative know, and communicate to the workers, a GRASP inspection will be taking place at least two days before it does.

TIPS:

- Use a meeting template to show monthly GRASP meetings.
- Use an induction/training form to demonstrate Worker Representation has received training.



SECTION 3: COMPLAINT PROCESS

Workers understand the process to raise complaints. Complaints could be:

1. **Within the scope of the commercial contract (e.g., conditions or hours of work at the orchard are not as indicated).**
2. **Outside of the scope of the commercial contract (e.g., harassment and/or bullying between workers).**

- ✓ Ensure there is one or more places to file complaints - at least one should be independent of supervisory staff and be publicly available.
- ✓ The process shall indicate how and where to file the complaint information, time for resolution, who will answer, and a clear statement that the process will be confidential without prejudice to workers' right to go to court and that there is no retaliation or penalty for using the process.
- ✓ Ensure complaints are managed in a fair and timely manner and appropriately documented with records kept for 24 months.

TIPS:

- Ensure employment agreements include a complaint resolution clause.
- Include "how to use the complaint process" in the worker and worker representation induction and training records form.
- Display the 'See Something, Say Something' resource.
- Share the speak up line or Zespri compliance email address or phone number with your team.



- <https://industry.zespri.com/contractors/reporting-issues>
- 'See Something Say Something': Resource available on Canopy.
- Speak-Up Line: <https://secure.ethicspoint.eu/domain/media/en/gui/102184/index.html>
- <https://www.employment.govt.nz/resolving-problems/steps-to-resolve/personal-grievance/the-personal-grievance-process/>



SECTION 4: HUMAN RIGHTS POLICIES

You must have a Human Rights Policy and communicate this policy to workers.

- ✓ The Policy must, at a minimum include:
 1. Follow all local laws and regulations.
 2. Respect the workers' rights included in the International Labour Organisation (ILO) Core Labour Conventions.
 3. Commit to respecting human rights as indicated in the United Nations (UN) Guiding Principles on Business and Human Rights.
 4. Avoid and do not engage in, support, or tolerate discrimination in employment practices.
 5. Not support or tolerate the use of or threats of corporal punishment, mental or physical coercion, bullying, harassment, or abuse of any kind.
 6. Check that no worker is held in debt bondage or forced to work for an employer, labour recruiter, or other entity to pay off debt.
 7. Prohibit any involvement in any act of corruption, extortion, embezzlement, as well as in any form of bribery, whether directly or indirectly.

- ✓ Communicate the contents of the policy in plain English to workers.
- ✓ Review the policy every 3 years.

TIPS:

- Add a clause to employment agreements that ensures compliance with all company policies.
- Cover this policy in the induction/training for workers and worker representative.
- Print the policy and display it on a notice board/shared space or provide a copy of the policy with employment agreements.



- For more information: <https://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang--en/index.htm>



SECTION 5: ACCESS TO LABOUR REGULATIONS INFORMATION

Workers are provided with information on New Zealand employment rights.

- ✓ Ensure provided information on NZ employment rights is easy-to-understand.
- ✓ Required roles must complete the Employment NZ Employer modules.

TIPS:

- Encourage employees to complete the Employment NZ modules.
- Print out and provide the 'Employee Rights' resource (available in various languages) to workers as part of their induction.



- Employment Legislation: <https://www.employment.govt.nz/about/employment-law/legislation/>
- E-Learning You Can Complete to Learn More: <https://employment.elearning.ac.nz/>
- Resources on Employee Rights (in various languages): <https://www.employment.govt.nz/assets/Uploads/tools-and-resources/publications/employment-rights-new-zealand.pdf>



SECTION 6: TERMS OF EMPLOYMENT DOCUMENTS AND FORCED LABOUR INDICATORS

Workers are eligible to work in NZ and have agreed to employment freely and voluntarily.

- ✓ Have employment processes that ensure workers have the legal right to work in New Zealand.
- ✓ Ensure workers have signed an employment agreement prior to starting work and have not been pressured, forced, intimidated, required to pay (directly or indirectly) a fee or related cost for being recruited, or making monetary deposits, financial guarantees or deposits of personal possessions to be employed.
- ✓ Ensure workers understand and freely agree to an employment agreement that complies with New Zealand legislation and if applicable collective bargaining.
- ✓ Ensure any variations to the employment agreement are documented and agreed to by the employee.

TIPS:

- Use a 'Pre-employment Information' form to ensure workers are eligible to work.
- Cover off forced labour indicator in the Human Rights Policy.
- If you are using a contractor to provide labour ensure you:
 1. Ask to see a copy of their CAV and ensure GRASP is included in the scope.

2. Cross check the CAV against the list: <https://industry.zespri.com/contractors/gap-grasp-contractor-list>.
3. Check the companies register to ensure that the individual you are dealing with is affiliated with the company presenting the CAV.
4. Ensure you have a signed Orchard Services Agreement.



- NZKGI Employment Agreement: <https://www.nzkgi.org.nz/sample-employment-agreements/#article>
- Employment Agreement Info: <https://www.employment.govt.nz/starting-employment/employment-agreements/things-an-agreement-must-contain/>
- Employee Agreement Builder: <https://eab.business.govt.nz/employmentagreementbuilder/startscreen/>
- Check Employee Visa Status: <https://www.immigration.govt.nz/about-us/our-online-systems/visaview>
- Accreditation: <https://www.immigration.govt.nz/employ-migrants/new-employer-accreditation-and-work-visa>



SECTION 7: PAYMENTS

Ensure you have a suitable system in place to record payments.

- ✓ Have a suitable system and person to administer employee remuneration.
- ✓ Ensure payments to workers are made in accordance with employment agreements.
- ✓ Ensure workers are notified of when payments are made by providing a payslip.
- ✓ Provide a register of all workers employed and those present on the day of inspection.
- ✓ Securely store payment records for seven years and provide access to worker's, individual payment information when requested.

TIP:

- Include payroll training in relevant role induction.



- Keeping Accurate Records: <https://www.employment.govt.nz/hours-and-wages/keeping-accurate-records/>
- Record Keeping: <https://www.ird.govt.nz/managing-my-tax/record-keeping>



SECTION 8: WAGES

Workers must earn at least the minimum wage and receive a payslip.

- ✓ All workers must earn at least the minimum wage.
- ✓ Payslips or registers show the hours worked, breaks, amount paid for regular and overtime. Any deductions are legally justified and must be included in the employment agreement or schedule indicating the worker has agreed to these.
- ✓ Securely store all wage records for seven years.



- Otherwise Working Day: <https://www.employment.govt.nz/leave-and-holidays/otherwise-working-day/>
- Employment New Zealand: <https://www.employment.govt.nz/tools-and-resources>
- Leave and Holidays: <https://www.employment.govt.nz/leave-and-holidays/>
- Minimum Wage: <https://www.employment.govt.nz/hours-and-wages/pay/minimum-wage/minimum-wage-rates/>



SECTION 9: WORKING AGE, CHILD LABOUR AND YOUNG WORKERS

Children and young people only work in environments that keep them safe and protect their development.

- ✓ Ensure compliance with national legislation regarding minimum age of employment.

- ✓ No worker under the age of 18 is engaged in night work (10pm-6am) or tasks that are hazardous in nature.

- ✓ Supervisors have been informed on the requirements of legal ages and are aware of the plan if workers are under the age of 18 and found working.

TIPS:

AGE	MUST NOT
Under 18	Be engaged to do night work or hazardous tasks. The definition of night work depends on the age and can be found out by following the link in the resource box in Section 10.
School-age children (<16y)	<ul style="list-style-type: none"> • Drive any tractor or any vehicle (other than a car, truck, motorcycle or machinery that weighs 700kg or less). • Ride on any vehicle when it's towing or is attached to anything, nor ride on anything towed by or attached to any vehicle. • When working with minors traditionally you need a Vulnerable Persons Policy - which also means all their supervisors may need to be Police Vet Checked. <p><i>Note: An exception exists within the agricultural sector, permitting individuals aged 12 and over to operate tractors for farm-related tasks. This provision applies only if these individuals are fully trained, undergoing training or residing on the property where the work is being done.</i></p>
School-age children (15 years or younger)	<p>Work:</p> <ul style="list-style-type: none"> • In any area where goods or hazardous substances are being manufactured. • In any area where the work requires lifting heavy weights. • In any area where the work being done is likely to harm the worker. • With any machinery or assist work with any machinery.

NOTES FOR GROWERS:

- Children on family orchards are only to be employed by the core family (i.e., parents or guardians).
- Supervisors need to be informed of the requirements of legal ages and are aware of the plan if the workers are under the age of 18 and found working.



- <https://www.employment.govt.nz/starting-employment/rights-and-responsibilities/young-employees/>



SECTION 10: COMPULSORY SCHOOL AGE AND SCHOOL ACCESS

Children and young workers have access to education.

- ✓ Children or young workers on orchard must attend school until they are 16 years old.
- ✓ Any child working on orchard must have access to compulsory school education.



- <https://www.ilo.org/ipec/Action/Education/lang--en/index.htm>
- <https://www.education.govt.nz/our-work/our-role-and-our-people/education-in-nz/>



SECTION 11: TIME RECORDING SYSTEM & SECTION 12: WORKING HOURS AND BREAKS

Have an appropriate time recording system to document work hours and breaks.

- ✓ Records show the date, hours worked (including overtime), daily breaks, rest days and holidays for each worker.
- ✓ Provide access to worker's individual records on request.
- ✓ Supervisors are instructed about safeguards in place to protect worker health & safety (i.e., having breaks and not working excessive overtime).
- ✓ Regular weekly working hours do not exceed 48 hours, and during peak season this does not exceed an average of 60 hours.

TIP:

- Encourage supervisors to complete Employment NZ online learning modules.



- Work Hours/Leave Entitlement Guidelines: <https://canopy.zespri.com/EN/grow/ZPR/Documents/Work-Hours-and-Leave-Entitlement-Guidelines.pdf>
- Leave and Holidays: <https://www.employment.govt.nz/leave-and-holidays/>
- Rest and Meal Breaks: <https://www.employment.govt.nz/hours-and-wages/breaks/rest-and-meal-breaks/>
- Hours of Work: <https://www.employment.govt.nz/hours-and-wages/hours-of-work/>
- Keeping Accurate Records: <https://www.employment.govt.nz/hours-and-wages/keeping-accurate-records/>



SECTION 13: DISCIPLINARY PROCEDURES

Workers must be informed about the disciplinary procedures.

- ✓ Have a written disciplinary procedure that as a minimum includes:
 1. Disciplinary hearing
 2. Decision
 3. Appeal or revision
 4. Final decision (corrective measures)
- ✓ Disciplinary procedure is explained to workers, including that no wage deductions will be made as a disciplinary measure.
- ✓ Records are kept of any disciplinary action taken in the last 24 months.

TIPS:

- Use the 'Disciplinary Procedure' resource on page 12 for a kiwifruit specific process that aligns with GRASP and NZ employment law.
- Add 'Disciplinary Procedure' to worker and Worker Representation induction/training record forms.
- Add as an attachment to employment agreements.
- Print the 'Disciplinary Procedure' and use it as a display resource.



- <https://www.employment.govt.nz/resolving-problems/steps-to-resolve/disciplinary-action/disciplinary-process/>

DISCIPLINARY PROCEDURES

The parties will deal with each other in good faith, with good reason and be subject to a fair process. The employee will be given the opportunity to have support and/or representation.

IS THE ISSUE ABOUT: PERFORMANCE?

1. IDENTIFY THE ISSUE

- What does the job description say about the agreed performance standard?
- Where is the employee failing, meeting and exceeding expectations?
- What training has the employee had to meet performance standards?
- What training/support could be provided to improve performance?

2. ORGANISE A MEETING

- A meeting request will be in writing, stating the purpose is to discuss performance and that the employee can bring a support person (e.g., worker representative or Management GRASP Liaison) to the meeting.

3. MEETING

- Discuss overall performance and areas of concern.
- Employee will have opportunity to respond and consider any contributing factors.
- Parties will agree upon acceptable standard going forward and what needs to happen for the employee to achieve this.

- Organise a time to review performance and discuss the impact if standard is not met.
- Document performance agreement and give a copy to the employee for their reference.

4. TRACK PROGRESS

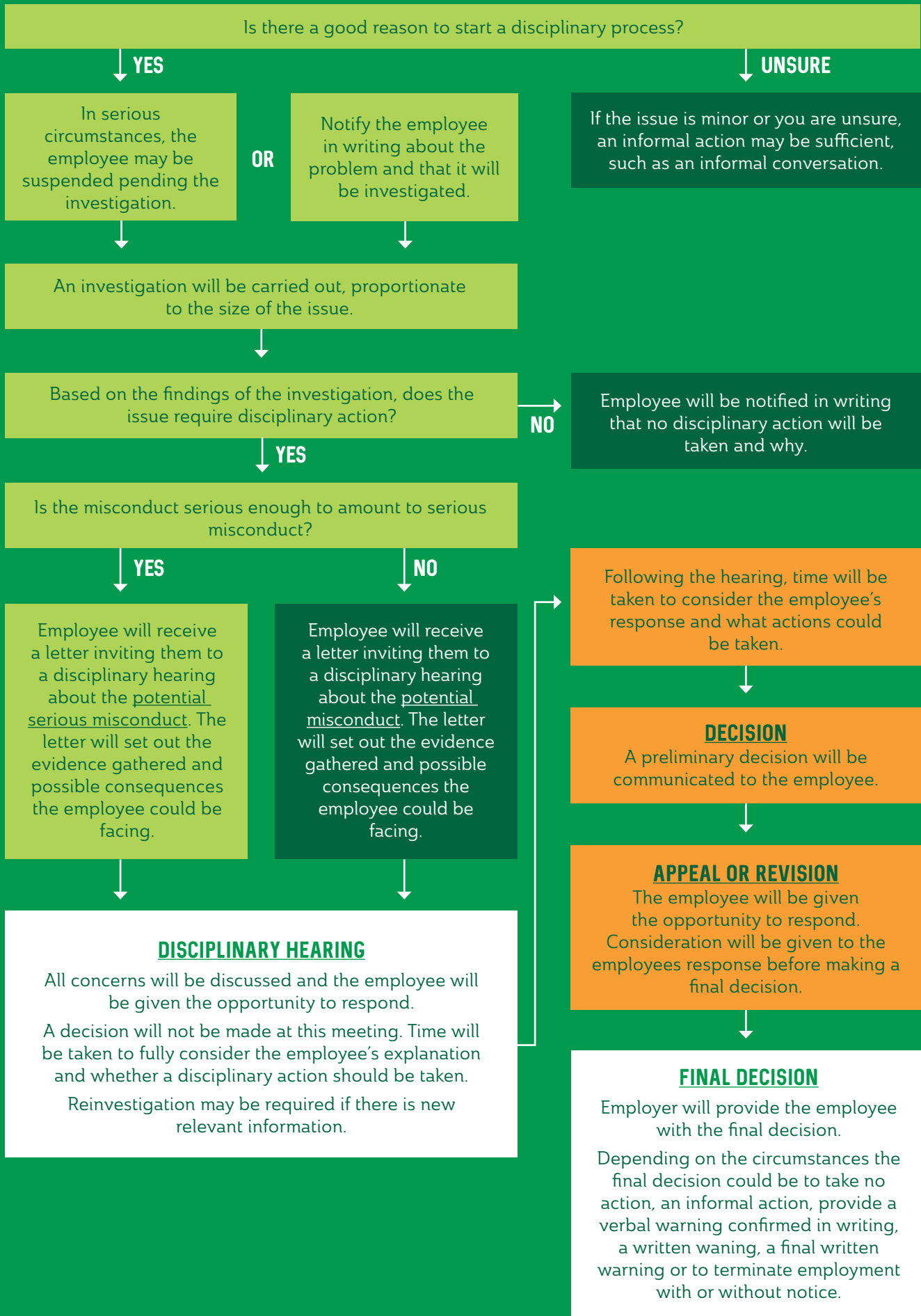
- Performance will be tracked and documented from initial meeting to the review.

5. MEETING TO REVIEW

- Meeting request will be sent in writing, stating the purpose is to review performance and that the employee can bring a support person.
- Will discuss whether performance standards have been met, areas of improvement and the significance of areas still needing to improve.
- Based on the review, next steps could be:
 - Agree performance has improved and no further action required.
 - Repeat performance management process until performance is acceptable.
 - Issue a formal warning in line with the following process.



IS THE ISSUE ABOUT: POSSIBLE MISCONDUCT?



WHEN YOU HIRE EMPLOYEES – REMINDERS OF WHAT TO INCLUDE:

The new employee pathway:

- ✓ Pre-employment checks.
- ✓ Employment agreement.
- ✓ Induction:
 - Complaints process.
 - Disciplinary procedures.
 - Human Rights Policy and other company policies.
 - The form of worker representation, and if applicable their role and the role of Management GRASP Liaison.

✓ Be sure to:

- Add employee to payroll system.
- Complete and document induction.
- Document all variations to employment agreements.
- Have a suitable time recording system.
- Store records securely and ensure they are readily available for inspection or upon employees request.

FOR MORE DETAIL ON GAP

GROWERS: link to the grower manual – link to the grower manual is available on Canopy.

CONTRACTORS: see the industry website – <https://industry.zespri.com/gap-units/all-units>

PRIVACY ACT 2020 REQUIREMENTS FOR ALL EMPLOYEE RECORDS

- Under New Zealand’s Privacy Act, all employers must develop a Privacy Policy and make this available to all workers. It is recommended that additional communications (e.g. posters) are used to raise awareness of the policy.
- Under the Act, the worker is entitled to request access to and correction of the personal information held by the employer (Principle 6).
- It is recommended that in the policy the worker understands and agrees that the employer may disclose personal information about the worker to a third party, such as government agencies, industry bodies including Zespri International Limited and related entities, to facilitate due diligence checks, audits, inspections, investigations or otherwise as permitted under the Act (Principle 11).
- Further information about your rights under the Act is available at www.privacy.org.nz, including free online learning modules at <https://www.privacy.org.nz/tools/online-privacy-training-free/>.





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