



Employee's Representative(s)

Checklist

Control Point	Description	Tick Appropriate Box	Option
3 GRASP – Employee's Representative(s)			
3.1 There is an appropriate employee's representation to decide upon, communicate and monitor the interests of the employees before the management	<p>This control point can be met in one of two ways: 1) An employees' representative is elected or nominated. 2) Individual employment agreements include a clause that states employees have the right to represent themselves and explain what the dispute resolution process is.</p> <p>The employees' representative cannot be management. Must be selected and recognised by employees. The representative must clearly represent the interest of employees.</p> <p>If there is no employee's representative elected or nominated and there is no detail in the employment contracts as per above, then the control point is not met and the answer No to all sub-control points.</p> <p>This control point does not over-ride the right of NZ employees to first approach their employer to resolve any employment issues (i.e. they do not have to go through the representative if there is one).</p> <p>If there is an appointed employees' representative then they must be present for at least part of the assessment (they must be present for the control points relevant to employee representation, which are 1, 2, 3, 4, 8, 9, 10 and 11). If they are not present then control point cannot be met.</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
3.1.1 Is there a dispute resolution clause in the employment agreement and state the fact that they can represent themselves?	<p>The Employment Agreement must state; "Due to the transient nature of the workforce, the employee representative can be nominated" and "Employees can represent themselves".</p> <p>If the above is not met then the control point is NO.</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO	MANDATORY
3.2 The election or nomination takes place in the ongoing year or production period and is communicated to all employees	The election/nomination procedure has been defined and communicated to all employees.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
3.3 Votes were carried out fairly and openly	<p>Documentation shows that the election and the counting of votes were carried out fairly and openly. In case of representative(s) not elected but nominated, there is a document justifying why elections could not take place (see 3.1.1).</p> <p>Evidence shows that employees decided on the representation during an employees' meeting, free of management influence, by their own decision and in a transparent way where all opinions were heard.</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
3.4 The results of the election were communicated to all employees	The results of the election (name of the employee's representative) were communicated to all employees.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
3.5 The election/nomination has taken place in the ongoing year and the representative is still employed by the business	<p>The employees' meeting to decide on the representation took place in the ongoing year or production period during the time with the most presence of workers based on agricultural activities. The representation is current (all employees involved are still being employed).</p> <p>NOTE: For meetings, there should be evidence that every time that a meeting had taken place, all employees were present.</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY



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3 GRASP – Employee's Representative(s)			
3.6 The representative is aware of their role and rights and this is included in a JD	This employees' representative(s) shall be aware of his/her/their role and rights and be able to discuss complaints and suggestions with the management.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
3.7 There are regular meetings between the employees representative and the management, where social practice issues are addressed	Meetings between employees' representative(s) and management occurs at accurate frequencies. The dialogue taking place in such meetings is duly documented.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY



Self-Declaration on Good Social Practices

Checklist

Control Point	Description	Tick Appropriate Box	Option
4 GRASP – Self-Declaration on Good Social Practices			
4.1 There is a declaration on social practice that contains at least all points referred to in the ILO core labour conventions	<p>Does the contractor's Good Social Practice Policy contain the core labour standards are a set of four fundamental, universal and indivisible human rights:</p> <ul style="list-style-type: none"> • Freedom from forced labour • Freedom from child labour • Freedom from discrimination at work • Freedom to form and join a union, and to bargain collectively <p>There are two main New Zealand laws that specifically promote and protect human rights. One is the Human Rights Act 1993, and the other is the Bill of Rights Act 1990.</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
4.2 The declaration has been signed by management and by the employees' representative	Management and the employees' representative (when applicable) have signed and displayed a self-declaration assuring good social practice and human rights of all employees.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
4.3 The declaration is actively communicated to the employees	The declaration is actively communicated to the employees during the employees meetings (with the representation, where applicable) and also is displayed in the orchard, in the different working instructions languages (where applicable).	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
4.4 During meetings between the management and the employee representation, the responsible person for the implementation of GRASP and the employees' representation informs and check how the policies of the declaration are put into practice	<p>During all the meetings between the management and the employee representation, the responsible person for the implementation of GRASP and the employees' representation informs and checks how the policies of the declaration are put into practice.</p> <p>NOTE: As Best Practice have the Employees' Representative complete the Employment NZ employee module "An Introduction to Your Employment Rights"</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
4.5 There is no contradiction of core labour standards to the self-declaration on good social practice in the employment agreement contract	Contradiction to the ILO stated in 4.1	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	BEST PRACTICE
4.6 The declaration is checked and revised at least every 3 years	The declaration is checked by management and revised at least every 3 years, or whenever necessary and then explained to the employees before being signed again by employees' representation.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	BEST PRACTICE



Access to National Labour Regulations



Checklist

Control Point	Description	Tick Appropriate Box	Option
5 GRASP – Access to National Labour Regulations			
5.1 Those responsible are fully aware of their legal obligations and know where to access information on New Zealand labour law to ensure that these obligations are met and provides the employees representative with the information	<p>If there is an employees’ representative then they must have knowledge of the relevant legislation to meet this control point. If there is no representative then the contractor themselves or the person responsible for worker welfare must have this knowledge.</p> <p>NOTE: Under NZ law the Person Conducting Business or Undertaking (PCBU) has the primary duty to ensure health and safety. So the PCBU would be the same person as the person responsible for GRASP. This must be a different person from the employee representative if there is one.</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
5.2 The person(s) responsible for worker welfare has completed the Employment NZ employer modules. knowledge about or access to regulations on gross and minimum wages and deductions from wages	<p>If there is an employees’ representative the responsible person must provide them with the knowledge of the relevant legislation to meet this control point.</p> <p>NOTE Best Practice is for the ER to complete Employee Rights module.</p> <p>If there is no representative then the person responsible for worker welfare must have this knowledge and completed all the modules. Also, if employees are representing themselves then they must all have knowledge of the regulations.</p> <p>NOTE: Best Practice is to use the employee rights module factsheet as a handout.</p> <p>If the contractor has not completed the modules – this control point has not been met and is NO. https://www.employment.govt.nz/about/employment-law/legislation/</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO	MANDATORY



Non-Employment of Minors

Checklist

Control Point	Description	Tick Appropriate Box	Option
9 GRASP – Non-Employment of Minors			
9.1 Records indicate compliance with national legislation regarding minimum age of employment	Records reviewed must indicate compliance with national legislation regarding minimum age of employment. If not covered by national legislation, children below the age of 15 are not employed. If children – as core family members – are working on the farm, they are not engaged in work that is dangerous to their health and safety, jeopardizes their development or prevents them from finishing their compulsory school education	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
9.2 If children are working they are not engaged in work that is dangerous to their health and safety, jeopardises their development or prevents them from school education	No child under the age of 16 is employed during school hours. No child under the age of 15 is employed to do work at or with machinery at the workplace.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY



Access to Compulsory School Education



Checklist

Control Point	Description	Tick Appropriate Box	Option
10 GRASP – Access to Compulsory School Education			
10.1 Children of employees living on the company's sites have access to compulsory school education	There is documented evidence that children of employees at compulsory schooling age (according to national legislation) living on the farm have access to compulsory school education, either through provided transport to a public school or through on-site schooling.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	MANDATORY
10.2 There is a list all children in the age of compulsory schooling age living on the company's sites	There is a list all children in the age of compulsory schooling age living on the company's sites, with sufficient indications on name, name of parents, date of birth, school attendance, etc. Children of management may be excluded. There should be no children (aged 6 to 16) present in the workplace during school hours without justification.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	BEST PRACTICE
10.3 There is transport facilities available if children cannot reach school within acceptable walking distance	Detail if transport is provided where applicable.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	BEST PRACTICE
10.4 There is on-site schooling system when access to schools is not available	Are any children working on the orchard who are also home schooled? If so, check schooling is available and meets NZ requirements.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	BEST PRACTICE