

Myths and Truths About Protecting Workers



Myth:

Collecting data on human rights is the same process as collecting environmental data

Truth:

Understanding people is different than understanding products

- Tracing people and tracing products are distinct matters, requiring different tools and expertise.
- There's no one single point that can identify whether forced labor is occurring.
 - In fact, the ILO (International Labour Organization) actually has 11 [indicators of forced labor](#). It is noteworthy that some of these, for example "retention of identity documents," are more straightforward to observe than others, such as "deception" or "abuse of vulnerability", which inherently rely on worker testimony to verify.
- Social information does not travel with the product like some environmental data points do, and must be collected and verified through processes that involve workers.
- Different sources of social data may conflict, requiring a trusting relationship with workers to verify and validate. Unions, associations, and worker organizations are trusted worker representatives that can read and speak the languages of employers and workers and understand local and national laws.

Myth:

Workers' rights to form unions, self-organize, and bargain collectively is extraneous to company due diligence efforts

Truth:

Collective bargaining and freedom of association are critical tools for workers to prevent and address potential labor exploitation

- Freedom of association and collective bargaining enable workers and employers to join together to protect better not only their own economic interests but also their civil freedoms such as the right to life, to security, to integrity, and to personal and collective freedom.
 - Freedom of association is the right of workers to individually and collectively come together to organize without government interference.
 - Collective bargaining is a process for workers and employers to negotiate terms and reach agreement and conditions of work.
- Establishing genuine dialogue with freely chosen workers' representatives enables both workers and employers to understand each other's problems better and find ways to resolve them.
- Companies can support and partner with local and regional organizations working to have a direct impact on improving workers' lives by removing workers from trafficking situations, promoting workers' rights to unionize and bargain collectively, and other forms of support.

Myth:

Risk of experiencing human and labor rights violations begins on fishing boats and at processing facilities

Truth:

Workers can be exposed to risk long before they enter a processing facility or board a vessel

- Workers' risk of exploitation often begins during the recruitment process, long before they even get a job.
- This situation is sometimes called the "first mile" because workers accrue the debt that makes them vulnerable to exploitation, debt bondage, and threats early in the recruitment process - even before they've stepped foot in a processing facility or arrived on a vessel.
- No worker should pay exploitative fees to secure a job, and companies should ensure that workers are recruited into their supply chains through legal and ethical processes, with worker safeguards and transparency built into the hiring process.
- By establishing responsible recruitment policies and practices through supply chains, companies help prevent the conditions that contribute to abuse.

Myth:

Social auditors always confirm how vessel-based workers are experiencing their working conditions

Truth:

Due to fear of reprisal, or lack of trust with auditors, workers may not disclose truth. **Workers need other channels** for communicating about their working conditions

- Workers should always have a way to be heard by their employers - and employers should value honest feedback from their employees about how the business could improve.
 - Worker feedback allows employers to resolve issues on an ongoing basis, rather than escalation and detection of issues via formal audit.
- Even with the best training of interviewers, it is critical that companies also conduct verification through worker engagement channels that are credible, independent, and linked to remediation.
- Independent parties, such as NGOs or worker rights groups that workers trust, can help ensure that company mechanisms are well functioning and effective.
- Company-led worker engagement is particularly powerful in supply chains where workers have little or no access to protections or systems of justice in the country of employment.
- Today, worker engagement includes worker led unionization and collective bargaining, workplace grievance mechanisms, worker surveys, and worker feedback mechanisms - and companies must develop policies and procedures for protecting workers who report issues.

Myth:

Social audits on vessels can indicate that fishers and workers are safe from risk and a company's due diligence is complete

Truth:

Audits should be used as one component of any company's due diligence program, which should also include mechanisms like worker voice and responsible recruitment practices

- Audits present a snapshot of the moment and do not represent the consistent long-term conditions faced by workers.
 - Audits provide information about a particular point in time, and social data can change quickly. If an environmental audit confirms that a fish was caught legally today, the legality of the catch probably won't change tomorrow. However, if a social audit does not detect harassment or abuse today, that information may still change tomorrow.
- Workers may choose not to disclose labor rights violations for fear of retaliation from management in the form of job loss, deducted wages, withheld documents, being blacklisted on the job market, and threat of physical violence.
- Even the most rigorous social audits may be limited by the challenges of verification and validation - including rigor, uniformity, and comprehensiveness of standards and variability in the quality of auditors' training.
- Omission of workers' voices from an audit threatens the validity and comprehensiveness of the audit, potentially masking existing human rights risks from being surfaced through the audit process.
- Audits may not capture embedded company values and can fail to determine the depth or breadth of a company's social responsibility commitment.
- Companies should adopt a multi-pronged approach to assessing working conditions on vessels, including worker voice channels and robust, safe, and effective grievance mechanisms which are free from reprisal for workers.

Benefits for Businesses



Effective due diligence programs that include workers help businesses to:

- Obtain the most accurate insights into supply chain working conditions
- Protect workers from risks of forced labor and modern slavery
- Support workers' rights to actively uphold their human and labor rights

By implementing RISE guidance, companies can demonstrate leadership and drive the adoption of safeguards and well-being for workers throughout seafood supply chains.