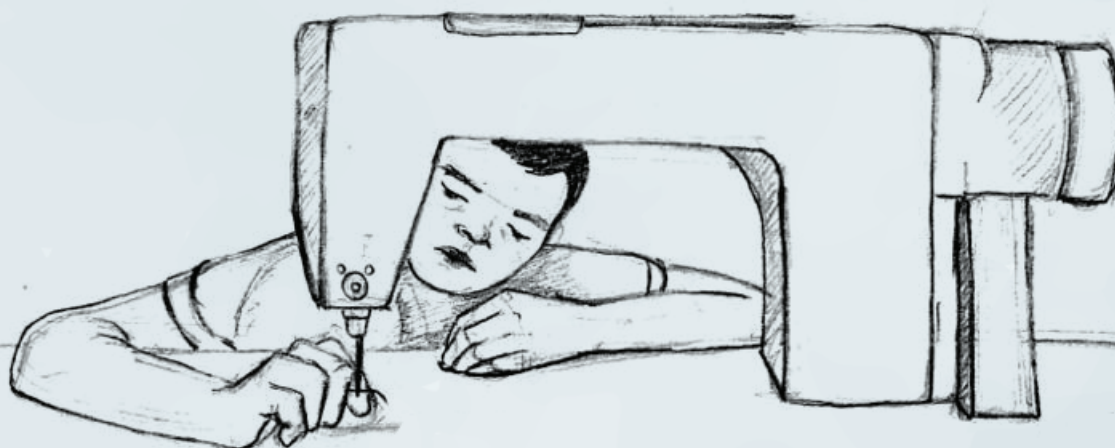


Monitoring Fair Working Conditions in Business to Prevent Child Labour

for
Children
in Business

10 **+** **1**
INDICATORS



Self-Assessment Guide for **Companies**

Monitoring Fair Working Conditions in Business to Prevent Child Labour

for
Children
in Business



Self-Assessment Guide for **Companies**

for Children in Business



Guide for **NGOs**

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ACRONYMS

CESCR	UN Covenant on Economic, Social and Cultural Rights
CRC	UN Convention on the Rights of the Child
CSO	Civil Society Organization
CSR	Corporate Social Responsibility
ESC	European Social Charter (revised)
ETI	Ethical Trading Initiative
EU	European Union
FAO	Food and Agriculture Organization
GRI	Global Reporting Initiative
ILO	International Labour Organization
IOE	International Organisation of Employers
IPEC	International Programme on the Elimination of Child Labour
ISO	International Organization for Standardization
OECD	Organization for Economic Cooperation and Development
SGK	Social Security Agency
TÜİK	Turkish Statistical Institute
UN	United Nations
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund





The problem of child labour and its exploitation which had become widespread towards the end of the 19th century along with industrialization and urbanization still persists today despite significant efforts of prevention starting with the second half of the 20th century. While many steps have been taken including prohibitive legislative arrangements, age limitations for admission to employment and introduction of sanctions for breaches children today still have to work in many parts of the world to the detriment of their full development.

Along with these arrangements to prevent child labour, children may also move to illicit or weakly supervised informal sectors of employment or, when they are not employed in any way, are exposed to very low standards of life unable to provide for their basic needs with their families already in poverty.

This situation begets questioning the nature and appropriateness of efforts to combat child labour. In other words, it is necessary to go beyond prohibitions and sanctions in preventing child labour; going deeper into the root causes of the problem; finding methods for fairer sharing of resources; and asking for the application of these methods. The present guide is an outcome of this search...



INTRODUCTION





The objective of this study is to adapt the call of the United Nations (UN) and many international organizations on the actors of global economy to respect human rights in production processes to the prevention of child labour. This adaptation is intended to provide both a roadmap for the business world that is expected to have respect to human rights for steps to be taken in preventing child labour, and also a guide for civil society organizations as they monitor whether the business world acts in accordance with the principle of respect to human rights.

The present guide is one of the two prepared for this purpose and serves as a self-assessment guide for companies in fulfilling their responsibilities to prevent child labour. It has been prepared to guide companies in the preparation and assessment of policies aimed at preventing child labour. With its similar perspective with the second guide prepared for NGOs, it is expected to strengthen dialogue between two areas and facilitate cooperation in efforts to attain the common objective of preventing child labour.

The obligation of business world to respect human rights covers all the rights of the child. The idea behind focusing on the prevention of child labour is not to reduce this overall responsibility to a specific area but to ensure focus on it. The reason for selecting this focus area stems from the fact that child labour is in relation with business world not only in terms of its effects but also causes. Indeed, children's employment in ways that harm their development and lead to economic exploitation as well as working poverty and unemployment as the causes of child labour are both associated with business world.

The protection of the children against economic exploitation is a child right according to the UN Convention on the Rights of the Child (CRC) Article 32 and a human right according to the UN Covenant on Economic, Social and Cultural Rights (CESCR) Article 10. Article 7 in the European Social Charter (ECS- revised) merges these two approaches and provides for the right to protection of children and youth as a social right. The child's right to protection also envisages adequate standard of living under CRC Article 27. Meanwhile, ESC Article 4 recognizes *"the right of workers to a remuneration such as will give them and their families a decent standard of living."* This legislative framework lays the basis for the responsibility of business world to prevent child labour. This means that there is a double tract to be pursued: Guaranteeing that children are not employed in such ways that harm their development

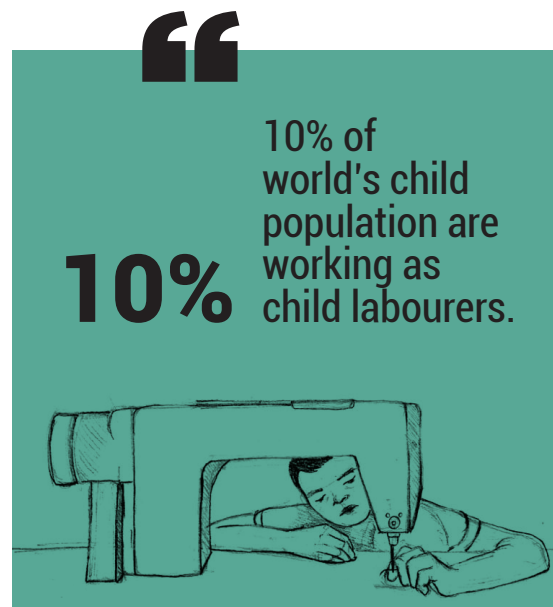
and lead to economic exploitation and eliminating working poverty and unemployment in general to eliminate child poverty.

According to the report *"Child Labour – Global Estimates 2020"*¹ published by the International Labour Organization (ILO) in 2021 under the International Programme on the Elimination of Child Labour (IPEC), 160 million children in the age group 5-17 which corresponds to 10 percent of world's child population are working as *child labourers*² About 50 percent of these children (79 million) are engaged in worst forms of child labour that jeopardize their health, safety and moral development³.

¹ Child Labour – Global Estimates 2020, Trends and the Road Forward, https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipec/documents/publication/wcms_797515.pdf (Accessed 05.09.2021)

² ILO defines "child labour" as work that is mentally, physically, socially or morally dangerous and harmful to children (<https://www.ilo.org/ipec/facts/lang--en/index.htm>) (Accessed 13.06.2021). Together with the term "child labour", "working children" is also used as a broader term that also covers work that children can legally do. According to the "Child Labour – Global Estimates 2020" report, there are globally 222 million working children in the age group 5-17.

³ The ILO Convention 182 defines "worst forms of child la-



Within the same age group (5-17) in Turkey, 720,000 children (4.4 percent of total child population in the age group) were engaged in economic activities⁴ in 2019. 34 percent of these working children is out of education. The outcomes of the “*Child Labour Force Survey*”⁵ conducted by the Turkish Statistical Institute (TÜİK) reveal another important fact: 65 percent of working children work for “economic” reasons (helping economic activities of their households, contribute to household income or providing for their own needs). Only one in every three working children does this for some other reasons such as learning a trade and building an occupation. This shows that child labour is in fact a “must” for a large part of children and families.

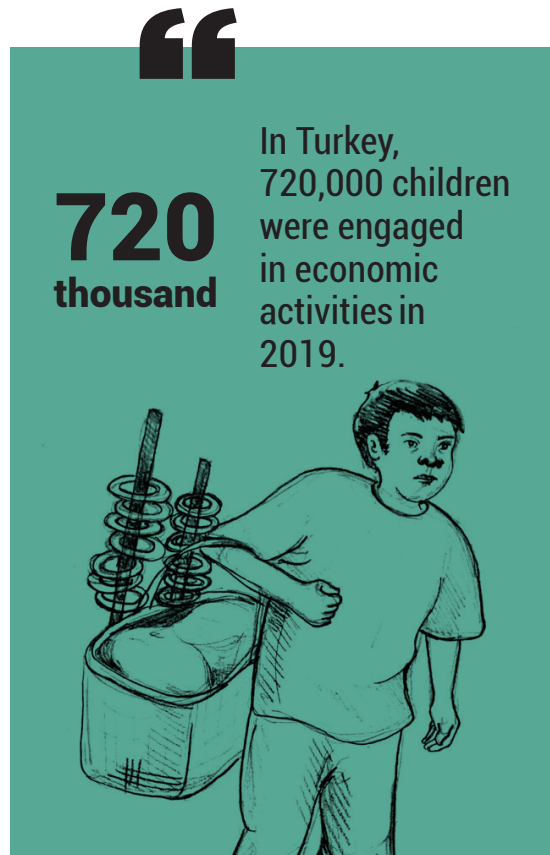
Child labour deprives children of their childhood, curbs their potential and dignity and harms their physical and mental development.⁶ Numerous studies have been conducted within the last quarter of a century on negative effects of child labour on children, and spiritual, physical, social and moral hazards of children’s employment in works that are not appropriate for their age have been confirmed over and over clearly and on the basis of evidence.

bour” as: “all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict; the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances; the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties; work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.”

⁴ TÜİK, defines “children engaged in economic activities” as those who during the reference week, work at least 1 hour on any day for wage, profit or as unpaid in family enterprises as well as others who maintain their jobs although may not have been at work for various reasons during the reference week. Comparing with the ILO definition, it can be said that this definition by TÜİK is similar to the ILO definition of “working children” that also includes “child labour”.

⁵ TÜİK Child Labour Force Survey Results (2019), <https://data.tuik.gov.tr/Bulten/Index?p=Child-Labour-Force-Survey-2019-33807> (Accessed 13.06.2021)

⁶ <https://www.ilo.org/ipcc/facts/lang--en/index.htm> (Accessed 13.06.2021)



Child labour is the result of poverty in general and child poverty in particular. UNICEF reports that 356 million children around the world are exposed to extreme poverty and lack access to basic services in education, health, housing and safe water.⁷ It is also found that two in every three children remain out of social protection system.⁸ Since there are about 4 million children in the world this means that 2.5 million children have no social protection.

The Global Multidimensional Poverty Index (2019) exposes that the main reason for poverty is *unequal resource distribution*.⁹ The report “Child Poverty

⁷ Extreme poverty denotes having to live on less than 1.90 dollars a day. <https://www.unicef.org/social-policy/child-poverty> (Accessed 05.05.2021)

⁸ <https://www.unicef.org/stories/five-things-you-should-know-about-social-protection-children> (Accessed 05.05.2021)

⁹ <http://humanistburo.org/dosyalar/humdosya/Illuminating%20Inequalities%20-%20Global%20Multidimen>

and Social Exclusion in Europe” by Save the Children says 27 million children are under risk in Europe and draws attention to relationship between inequality and poverty.¹⁰ The Euro Child data too shows that the rate of child poverty in Eastern European countries exceeds 40 percent and even in Northern European countries with high levels of welfare one in each five children is in poverty.¹¹

These data suggest that prohibiting children’s employment in works harmful to their development is not sufficient to safeguard their right to development and that it still leaves children unprotected from many hazards, and thus, any strategy based only on preventing children’s employment will fall short. The data also indicate that the real solution lies in policies geared to eliminating child poverty.

In recent years, under the pressure of civil society organizations, trade unions and consumers as well as various arrangements introduced by governments and international organizations as a result of these pressures¹² multinational enterprises had to adopt the principle of not employing child workers in their production processes. Local companies

too encounter the same pressure deriving from growing consumer pressures in their export goods first and also goods produced for domestic markets: *The exploitation of child labour must be stopped*. However, this principle should not be understood simply as demonstrating the absence of child labour in the goods of a company; it is necessary to raise the demand for pursuing a road that would fully eliminate child labour. Otherwise, child labour shifts to other areas where the possibility of inspection is weak and child poverty keeps growing, which deprives children of adequate means of nutrition, development and education and locks them in the cycle of poverty. Hence, this guide is developed through an approach that does not consider the absence of child labour in the supply chain of a company sufficient and also demands company policies that are fit for combating the root causes of child labour.

The European Commission suggestions adopted in 2013 under “Investing in Children: Breaking the Cycle of Disadvantage”¹³ are important precisely in this context. The Commission draws attention to the strong relationship between parents’ participation to labour market and living conditions of children and stresses the importance of supporting families as primary caregivers. In this context, it suggests that discouraging factors that parents face in entering and remaining in labour market should be identified and it should be made sure that they get what they deserve in return.

Also to be taken into account is the call made by the report titled “Road to Dignity by 2030: Ending Poverty, Transforming All Lives and Protecting the Planet”¹⁴ presented to the General Assembly by the UN Secretary-General on 4 December 2014:

sional%20Poverty%20Index%202019.pdf sf.2 (Accessed 05.05.2021)

¹⁰ <https://resourcecentre.savethechildren.net/sites/default/files/documents/child-poverty-and-social-exclusion-in-europe-low-res.pdf> (Accessed 05.05.2021)

¹¹ <https://infogram.com/child-poverty-2019-1hzj4o9wo7x34pw?live> (Accessed 05.05.2021)

¹² Also as a response to guiding principles and agreements announced by international institutions, companies have started to develop non-binding “corporate ethical rules”. The objective is to show that companies attach importance to activities to observe social, economic and environmental concerns and values. These developments led to increased pressure for activities and reports in the context of “corporate social responsibility” (CSR), a term widely used by civil society organizations, politicians and consumer associations (CSR activities are those that are based on codes of conduct and principles that companies voluntarily adopt to respond to social and environmental expectations of society). Indeed, some European countries like Denmark, France and UK supported these initiatives to pass legislation that envisages CSR reports by companies. Some other countries like Germany are engaged in activities in cooperation with the private sector to ensure the observance of human rights by multinational companies.

¹³ <http://humanistburo.org/dosyalar/humdosya/European%20Commission%20Recommendation%20-%20Investing%20in%20Children%20-%20Breaking%20the%20Cycle%20of%20Disadvantage.pdf> (Accessed 05.05.2021)

¹⁴ <http://humanistburo.org/dosyalar/humdosya/Road%20to%20Dignity%20by%202030%20-%20Report%20of%20the%20Secretary%20General.pdf> (Accessed 05.05.2021)



“

Economic growth should lead to shared prosperity. The strength of an economy must be measured by the degree to which it meets the needs of people, and on how sustainably and equitably it does so. We need inclusive growth, built on decent jobs, livelihoods and rising real incomes for all and measured in ways that go beyond GDP and account for human well-being, sustainability and equity. Ensuring that all people, including women, persons with disabilities, youth, aged, and migrants have decent employment, social protection, and access to financial services, will be a hallmark of our economic success.”

”

As a response to this call, the UN Guiding Principles on Business and Human Rights brings forth the principle “business enterprises should respect human rights” (art.11). The principle defines “respect” as avoidance of infringing on the human rights and addressing adverse impacts with which they are involved”. States are expected to ensure that business enterprises fulfil these responsibilities. Responsibilities defined by guiding principles set forth that “business world” too must assume its role together with states and families in combat against child poverty and child labour.

Combating child labour requires combating the “need” for child labour. The need for child labour often stems from economic conditions of families. Studies suggest that unemployment and lack of job security and adequate income for unqualified

adult workers are all indispensable for market economy. In the world of business and work where this indispensability is in effect it becomes almost a must for all members of a family to work in order to subsist. The first condition for eliminating the need for child labour is to provide adults who are responsible for their children “*standard of living adequate for children’s physical, mental, spiritual, moral and social development*”¹⁵ and “*fair working conditions*”¹⁶ An adult with a job must have means to provide adequate care to his/her child in terms of both income earned¹⁷ and working conditions and hours.¹⁸ This approach is expressed as follows in the Constitution of ILO:¹⁹

“Whereas universal and lasting peace can be established only if it is based upon social justice;

And whereas conditions of labour exist involving such injustice, hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled; and an improvement of those conditions is urgently required; as, for example, by the regulation of the hours of work, including the establishment of a maximum working day and week, the regulation of the labour supply, the prevention of unemployment, the provision of an adequate living wage, the protection of the worker against sickness, disease and injury arising out of his employment, the protection of children, young persons and women, provision for old age and injury, protection

of the interests of workers when employed in countries other than their own, recognition of the principle of equal remuneration for work of equal value, recognition of the principle of freedom of association, the organization of vocational and technical education and other measures;

Whereas also the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries;

The High Contracting Parties, moved by sentiments of justice and humanity as well as by the desire to secure the permanent peace of the world, and with a view to attaining the objectives set forth in this Preamble, agree to the following Constitution of the International Labour Organization.”

The following human rights principles are taken as basis in this framework in the preparation of the present guide:

- *Right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts* (CESCR art.6; ESC art.1): Measures to be adopted for the protection of this right include technical and vocational guidance, training, policies to ensure full and productive employment.
- *Right to just and favourable conditions of work* (CESCR art.7; ESC art. 2, 3 and 4): Measures to be adopted for the protection of this right include fair wages and equal remuneration for work of equal value that will enable all workers to attain a decent living for themselves and their families and safe and healthy working conditions including opportunities of professional career and reasonable working hours.
- *Right of children to protection from employment that may be harmful to their development and ensuring fair work when they need to work as a part of their training* (CESCR art.10; ESC art.7; CRC art.32): Measures to be adopted

¹⁵ UN Convention on the Rights of the Child, art.27

¹⁶ UN Covenant on Economic, Social and Cultural Rights, art.6; European Social Charter (revised), art.2

¹⁷ ILO Convention no. 131 on Minimum Wage Fixing, https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-yangon/documents/publication/wcms_763783.pdf (Accessed 13.06.2021); https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/generic-document/wcms_483736.pdf (Accessed 13.06.2021)

¹⁸ Immervoll, H. (2009) Minimum-Income Benefits in OECD Countries: Policy Design, Effectiveness and Challenges. <http://ftp.iza.org/dp4627.pdf> (Accessed 13.06.2021)

¹⁹ https://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---ilo-ankara/documents/publication/wcms_412382.pdf (Accessed 13.06.2021)

for the protection of this right include setting minimum age for employment as 15 in works that have no harm to child development and as 18 in other works; ensuring fair remuneration and safe working conditions for children and youth employed and services for protection from negative consequences of working.

In short, to speak about the existence of a business world claiming to have undertaken responsibility in preventing child labour, it is not sufficient for enterprises to have no “child labour” within and in their supply chains²⁰ they should also avoid causing working poverty, take account of childcare responsibilities of their employees and even undertake to support their caregiving capacity.²¹

This principle is also adopted by the *Children’s Rights and Business Principles*²² which was prepared by UNICEF, Global Compact and Save the Children. The document states that employment should take place in conditions that support the parental roles of employees and, beyond legislative imperatives, special importance should be given to wage rates, working hours, leaves and additional support to childcare.

As the state regulates working life along these lines, the society to must have its demands in this respect and an effective monitoring. Consumers as one of the lead supervisors of market economy and thus civil society have increasingly been undertaking more active responsibility in preventing child labour. Dialogue between business and civil society will need to be strengthened as society’s control

over goods and services consumed increases. The business world will not only have to understand the consumption needs of the society, but will also need to take into account their demands and expectations of the production conditions. The present guide aims to strengthen this dialogue with a compatible content with the monitoring guide prepared for NGOs.

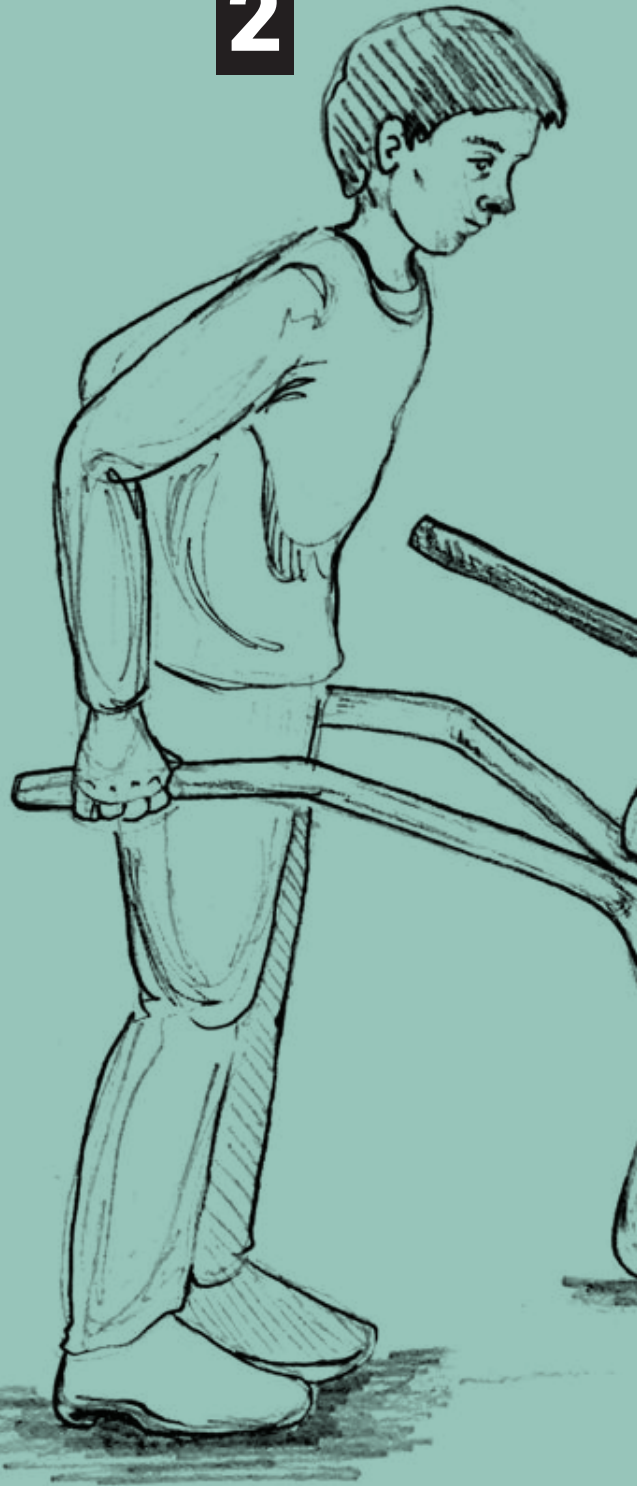
²⁰ The term “supply chain” denotes the movement(s) of good(s) or service(s) from the very start of production up to the final consumer and covers all organizations, people, technology, activities and resources involved in this process.

²¹ Haider, A. (2021). The Basic Facts About Children in Poverty. https://cdn.americanprogress.org/content/uploads/2021/01/11140934/ChildPovertyPrimer-report1.pdf?_ga=2.13750263.1103343288.1610679325-1759904887.1605153379 (Accessed 13.06.2021)

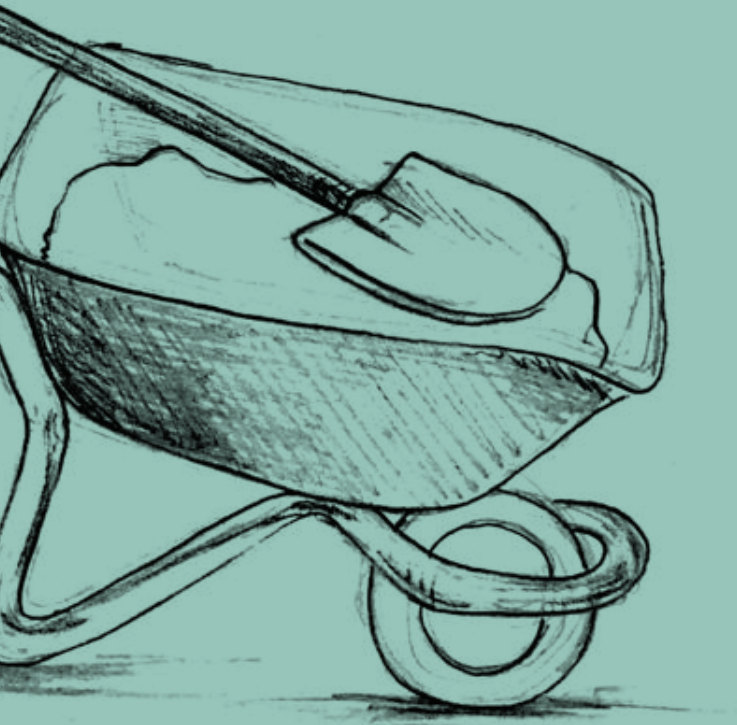
²² https://d306pr3pise04h.cloudfront.net/docs/issues_doc%2Fhuman_rights%2FCRBP%2FChildrens_Rights_and_Business_Principles.pdf (Accessed 13.06.2021)

2

BACKGROUND



The issue of protecting human rights in business world became an important item on the agenda at international level starting from the 1970s. As the production of goods and services moved from industrialized countries to developing countries where labour is cheaper along with the process of globalization, human rights violations in the world of business started to come to the fore and relevant parties including international organizations such as the Organization for Economic Cooperation and Development (OECD), International Labour Organization (ILO), United Nations and European Commission found themselves in an important struggle which is yet to deliver its effective results.



In 1976, the OECD developed the Guidelines for Multinational Enterprises¹ for the observance of human rights in the activities of multinational companies, expanded its scope in 2000 and in 2011 developed a follow-up/complaint mechanism and monitoring system by revising the guide.

In 1977 the ILO released the *Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy*² as a guide with regards to employment, education, working and living conditions and industrial relations for governments, workers' and employers' organizations, multinational companies and national enterprises. The Tripartite Declaration was updated in 2000 so as to include the *Fundamental Principles and Rights at Work*³ which was adopted by ILO in 1998 envisaging effective recognition of the right to associate and collective bargaining and elimination of all forms of forced or mandatory work, child labour and discrimination in employment and occupations. The ILO updated the Tripartite Declaration again in 2006 and 2018 and in 2008 it adopted the *Declaration Social Justice for a Fair Globalization*⁴ This declaration sets the objectives of responding to the expectation of universal social justice, full employment, ensuring the sustainability of open societies and global economy, social cohesion and combating poverty and increasing inequalities. In 2019, the ILO further adopted the *Centenary Declaration for the Future of Work*⁵ which brings obligation



¹ <https://www.oecd.org/daf/inv/mne/48004323.pdf> (Accessed 13.06.2021)

² https://www.ilo.org/wcmsp5/groups/public/---ed_emp/--emp_ent/---multi/documents/publication/wcms_094386.pdf (Accessed 13.06.2021)

³ https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_467653.pdf (Accessed 13.06.2021)

⁴ https://www.ilo.org/ankara/about-us/WCMS_412373/lang--tr/index.htm (Accessed 13.06.2021)

⁵ https://www.ilo.org/ankara/publications/WCMS_712848/lang--tr/index.htm (Accessed 13.06.2021)

to business world in such issues as lifelong learning and quality education opportunities, full-coverage and sustainable social protection and gender equality.

During the World Economic Forum in 1999, the United Nations also called on the world of business to support improvements in social, economic, cultural and environmental issues as a contribution to the sustainability of global economy. This call named as Global Compact⁶ gained an official character in 2000. The Global Compact calls on private sector institutions to comply with 10 fundamental principles related to human rights, employment indicators, environment and fighting corruption. Later in 2011, the Guiding Principles for Business and Human Rights⁷ that lays down principles for enterprises in respecting human rights was adopted.

The European Commission, on the other hand, adopted in 2011 the CSR Strategy 2011-2014⁸ which introduced a new approach to the issue of corporate social responsibility in many respects. In the document released in 2015 as the Trade Strategy for All⁹ the Commission announced a trade and investment strategy build on effectiveness, transparency and European Union values. In 2021 came the Recommendation On an Effective Active Support to Employment following the COVID-19 Crisis (C2021 (1372))¹⁰ which sets objectives for the year 2030 including “employment for all population at working ages, increasing the provision of early

childhood education and care to contribute to better reconciliation of professional and family life, supporting women’s stronger participation to labour market and improving employment opportunities for youth¹¹. More recently, CoE’s Porto Declaration¹² of May 2021 reaffirms the will in expanding and protecting social rights by stating “We are committed to reducing inequalities, defending fair wages, fighting social exclusion and tackling poverty, taking on the objective of fighting child poverty and addressing the risks of exclusion for particularly vulnerable social groups such as the long-term unemployed, the elderly, persons with disabilities and the homeless.” (Article 9).

This historical course shows the progress in the approach that envisages active responsibility on the part of business world in protecting social rights. Meanwhile, the scope of these responsibilities is determined by international legal instruments that these documents are based on.

In the preparation of this guide, 37 documents in total were examined including the ones mentioned above as well as guides, declarations and conventions related to the monitoring of human rights in business world (Tablo-1); all principles, indicators and criteria related to the prevention of child labour and provision of fair working conditions in these sources were compiled and used to guide to develop the indicators, criteria and checking questions in this guide.

⁶ <https://www.unglobalcompact.org/what-is-gc/mission/principles> (Accessed 13.06.2021)

⁷ https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr_en.pdf (Accessed 13.06.2021)

⁸ <https://eur-lex.europa.eu/legal-content/EN/TEXT/PDF/?uri=CELEX:52011DC0681&from=EN> (Accessed 13.06.2021)

⁹ <https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/trade-all-towards-more-responsible-trade-and-investment-policy> (Accessed 13.06.2021)

¹⁰ https://ec.europa.eu/info/strategy/priorities-2019-2024/economy-works-people/jobs-growth-and-investment/european-pillar-social-rights_en (Accessed 13.06.2021)

¹¹ <https://ec.europa.eu/social/BlobServlet?docId=23699&langId=en> (Accessed 13.06.2021)

¹² <https://www.consilium.europa.eu/en/press/press-releases/2021/05/08/the-porto-declaration/> (Accessed 13.06.2021)

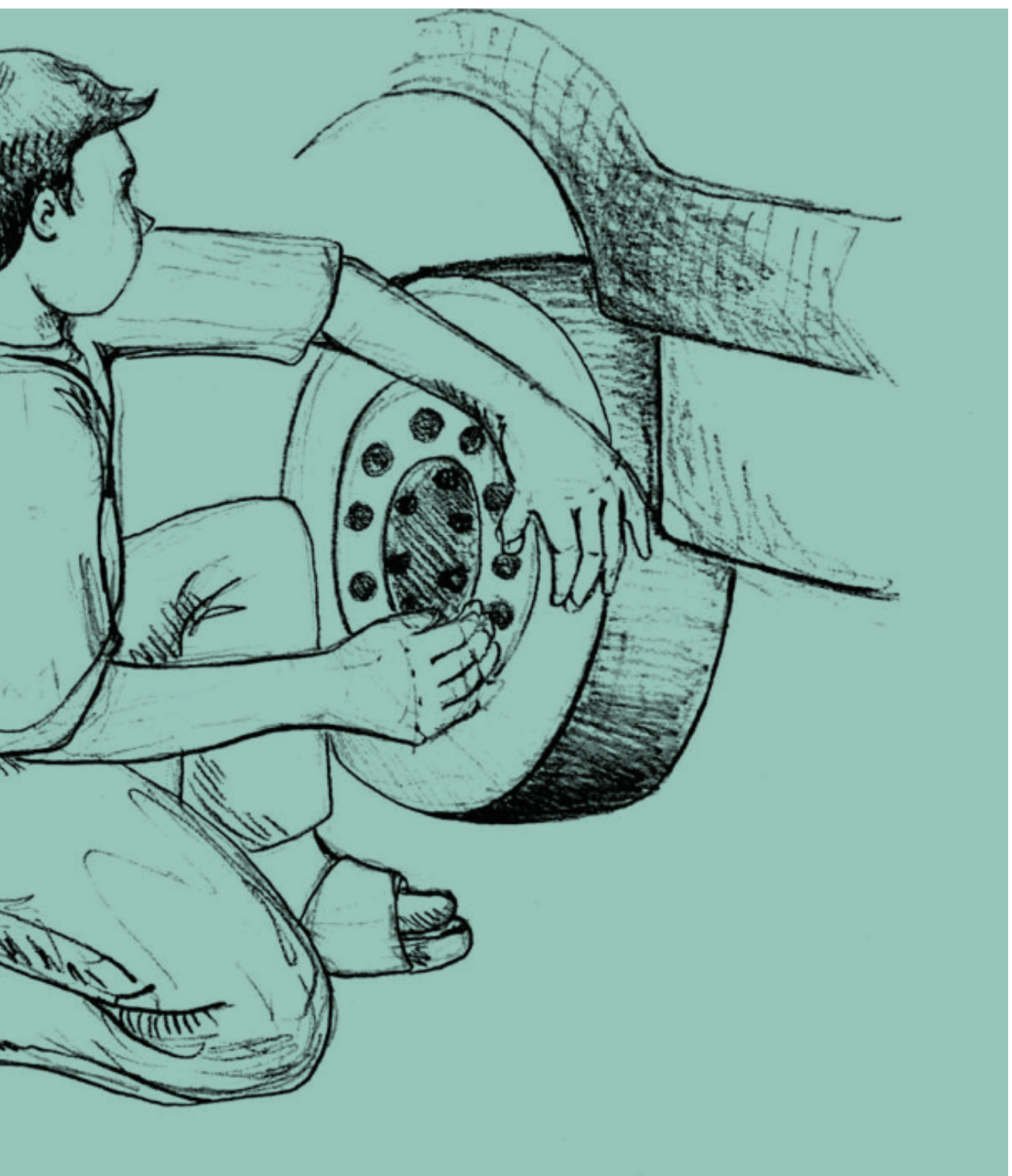
Table 1. Sources examined in the preparation of the guide

	Source	Institution
1	Tripartite Declaration of Principles concerning MNEs and Social Policy	ILO
2	Declaration on Fundamental Principles and Rights at Work	ILO
3	Declaration on Social Justice for a Fair Globalization	ILO
4	ILO Centenary Declaration for the Future of Work	ILO
5	Conclusions Concerning the Promotion of Sustainable Enterprises	ILO
6	Guidelines for Developing Child Labour Monitoring Processes	ILO
7	Child Labour Guidance Tool for Business: How to Do Business with Respect for Children's Right to be Free from Child Labour	ILO, IOE
8	Eliminating Child Labour Guides for Employers – Guide 2: How Employers Can Eliminate Child Labour	ILO
9	Guidelines for Multinational Enterprises	OECD
10	Due Diligence Guidance for Responsible Supply Chains in the Garment and Footwear Sector	OECD
11	Due Diligence Guidance for Responsible Business Conduct	OECD
12	Practical Actions for Companies to Identify and Address the Worst Forms of Child Labour in Mineral Supply Chains	OECD
13	Guidance for Responsible Agricultural Supply Chains	OECD, FAO
14	Global Compact	BM
15	Guiding Principles on Business and Human Rights	BM
16	Global Compact Self-Assessment Tool	BM
17	Human Rights Due Diligence and Covid-19: Rapid Self Assessment for Business	UNDP, ILO, Global Compact
18	Children's Rights and Business Principles	UNICEF, Global Compact, Save the Children
19	Children are Everyone's Business – Workbook 2.0: A Guide for Integrating Children's Rights into Policies, Impact Assessments and Sustainability Reporting	UNICEF
20	Children's Rights in Impact Assessments: A guide for Integrating Children's Rights into Impact Assessments and Taking Action for Children	Danish Institute for Human Rights, UNICEF
21	Children's Rights in Policies and Codes of Conduct - A Tool for Companies	Save the Children, UNICEF
22	Children's Rights in Sustainability Reporting: A Guide for Incorporating Children's Rights Into GRI-Based Reporting	UNICEF
23	Handbook for Monitoring and Evaluation of Child Labour in Agriculture Measuring the Impacts of Agricultural and Food Security Programmes on Child Labour in Family-based Agriculture	FAO
24	EU Strategy 2011-14 for Corporate Social Responsibility	Avrupa Komisyonu

	Source	Institution
25	Trade for All: Towards a More Responsible Trade and Investment Policy	Avrupa Komisyonu
26	European Pillar of Social Rights	Avrupa Komisyonu
27	Recommendation on An Effective Active Support to Employment Following the COVID-19 Crisis	Avrupa Komisyonu
28	The Porto Declaration	Avrupa Komisyonu
29	My Business and Human Rights: A Guide to Human Rights for Small and Medium-Sized Enterprises	Avrupa Komisyonu, Global CSR, BBI International
30	Human Rights Principles for Companies	Uluslararası Af Örgütü
31	The Hague Rules on Business and Human Rights Arbitration	Center for International Legal Cooperation
32	ISO 26000 Guidance on social responsibility	ISO
33	GRI standards	Global Reporting Initiative (GRI)
34	BSCI code of conduct	Business Social Compliance Initiative
35	Fair Labour A. Workplace Code of Conduct	Fair Labor Association
36	ETI Base Code	Ethical Trade Initiative (ETI)
37	Rainforest Alliance-UTZ -standards	RA-UTZ Certified

METHODOLOGY





This guide includes 10 + 1 indicators, 26 criteria and checking questions for each indicator (Table-2), developed in light of the sources given in Table-1, for **“monitoring fair working conditions in business world for the prevention of child labour.”** The first 10 indicators in the guide are directly related to companies’ own activities while the last indicator sets forth that preceding 10 indicators should be met also by all suppliers of the company concerned.

Indicators define standards that a company must observe in the prevention of child labour and provides a framework for monitoring work to be conducted in this field. **Criteria** describe the elements that an indicator must cover. The extent to which an indicator is fulfilled is grasped by evaluating the criteria associated with that indicator. **Checking questions** denote characteristics that each criterion must have. Here, extent to which a criterion is fulfilled is determined by responses given to checking questions. Positive marks in checking questions denote the existence of characteristics sought while negative marks point out what is missing and needs to be developed.

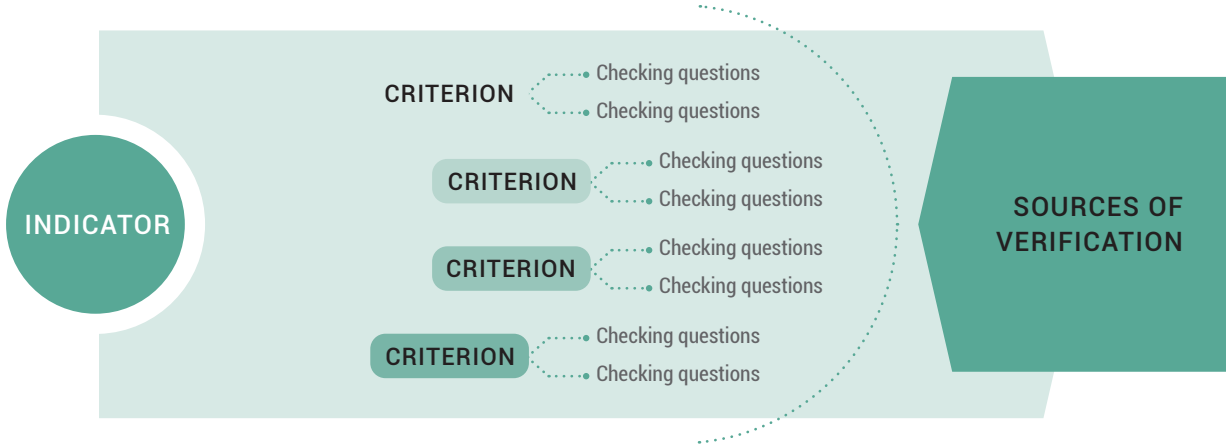
For example, one of the key indicators of the will of a company to combat child labour is the existence of a policy reflecting this will. To evidence of such a policy is a formal document

and programme for the implementation of the policy which are known by all relevant parties. These are the criteria to be addressed in checking whether the company concerned has a policy for preventing child labour. The company gives effect to indicators to the extent that it fulfils these criteria. While evaluating the fitness of the written policy document which is the first criterion, characteristics that are sought are gathered under the heading *checking questions* (e.g. approval of the document by the top management, whether it is designed through participatory methods, etc.).

Another important indicator demonstrating the will of companies in combating child labour is their openness to internal and external auditing. In monitoring their policies to prevent child labour, civil society organizations will be in need of sources where they can find answers to their checking questions. These are the **sources of verification** for civil society organizations in their monitoring work. Below are documents that can be used as sources of verification and that companies are expected to make available to all:

- Policy document and implementation programme for the prevention of child labour and budget allocated to this work
- Reports on participatory processes (questionnaires, meetings, etc.) used in

Table 2. Relationship among indicator, criteria, checking questions and sources of verification



preparing the policy document on the prevention of child labour

- Company activity reports
- Bulletins, guides, information and awareness building materials produced by the company on the following issues:
 - Child labour
 - Right to association
 - Complaint mechanism
- Guides/instructions prepared by the company describing procedures related to the following:
 - Child labour identification and intervention guide
 - Child labour impact monitoring guide
 - Monitoring-evaluation guide
 - Monitoring-evaluation indicators
 - Supplier assessment/inspection guide
 - Written document on the working of the complaint mechanism
 - Complaint mechanism evaluation instructions
 - Work safety and health inspection criteria
- Following reports prepared by or about the company:
 - Work safety and health inspection reports
 - Monitoring-evaluation / internal auditing reports
 - External auditing reports
 - Child labour identification and intervention reports
 - Preliminary evaluation (current situation) report on child labour in the field of production
 - Child labour impact assessment reports
 - Child labour impact monitoring reports
 - Supplier evaluation/inspection reports

- Evaluation reports by the certification institution

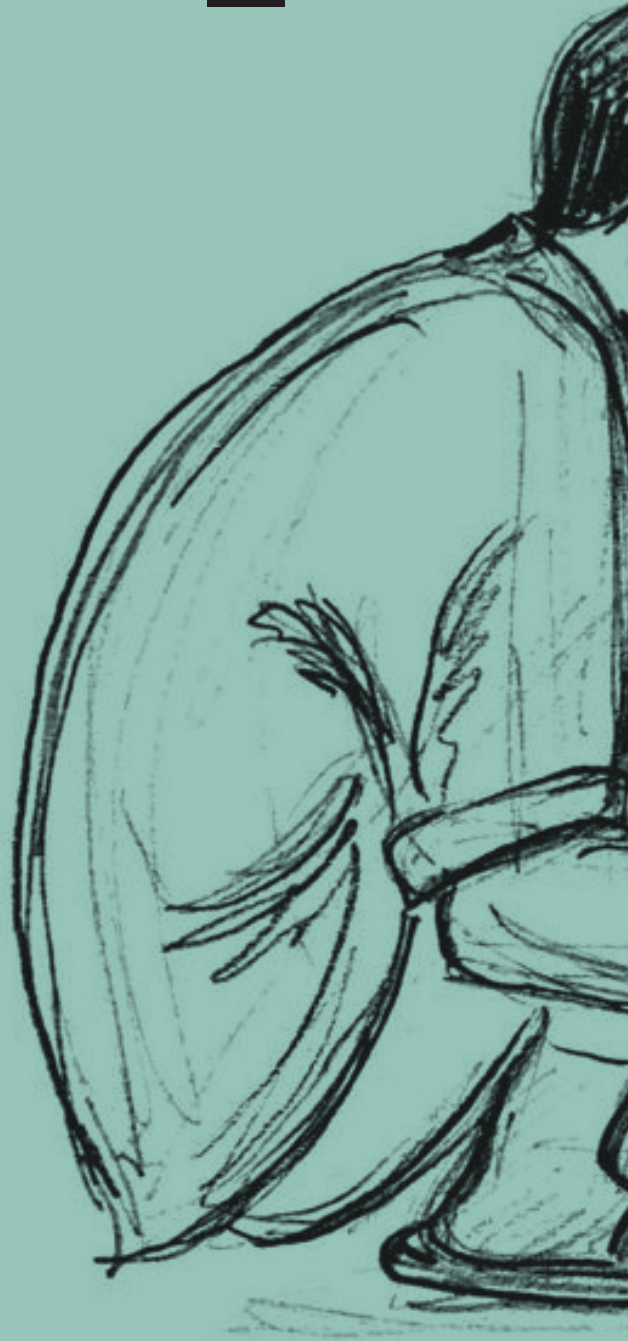
- Reports on complaints

- Personnel training programmes and materials
- List of works that children can be employed and risk analysis report
- List of protective equipment that must be provided to children
- Assignment list indicating the person and the team in charge of detection and intervention
- Records related to the method of wage fixing
- Child labour risk management plan
- Supply chain map
- Company code of conduct

Reports must further include sources given below or they must be made available to civil society organizations engaged in monitoring upon their request:

- List of training participants
- Samples of contracts with employees and suppliers
- Agreement with the agency providing services in job recruitments
- Payment records
- Work shift records
- SGK (social security agency) records
- Up-to-date records of work performed by children and overall work shift records
- List giving the number of journeymen, apprentices and interns
- Work accident records
- Files of court cases

INDICATORS, CRITERIA, CHECKING QUESTIONS AND SOURCES OF VERIFICATION





Company has an effective child labour prevention policy.

Commentary: A company's policy to prevent child labour in the production processes and supply chain of goods and services is a set of principles that express how that company assesses child labour and defines its responsibility to prevent it. Every company with a responsibility to combat child labour should also have a policy to prevent child labour in its area of responsibility, which would also serve as a safeguard for the realization of all other indicators.

Criterion 1

Company has a well-prepared and comprehensive child labour prevention policy document envisaging combat against child labour in production and/or services and in supply chains in its domain.

Commentary: About the preparation of child labour prevention policy document:

The first and foremost indicator in assessing the efforts and performance of a company in preventing child labour in its production of goods and services and in supply chain is the presence of a child labour prevention policy document which is endorsed by its top-level management. This is the strongest guarantee for the fulfilment of all other indicators.

Preparation by participatory measures is a guarantee for child labour prevention policy document to contain realistic needs and solutions. Entering into an effective process of counselling with employees and their children, organizations engaged in child labour prevention activities and institutions to be cooperated with in implementation is necessary in both obtaining information about the living conditions of people, state of labour markets and its impact on children in the area where production takes place and in forming cooperation for the implementation of policy document.

The process of consulting to all parties itself makes it necessary to have expert support from within or without the company. Whether from within the company or from without, this expertise in child rights and combat against child labour is necessary in formulating questions to identify needs, defining the responsibilities of the company in responding to these needs and describing steps to be taken forward.

About the scope of child labour prevention policy document:

The policy document must, before all, target prohibiting the employment of children under legal age for employment by taking as reference any national or international legislation which has more favourable provisions for children.

The policy document must also make clear that it adopts the principle that all employees should have economic and social rights sufficient for them for not having to let their children work.

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The policy document must also specify responsibilities that employees are expected to assume in protecting the rights of children. Major responsibilities in this respect include preventing the exploitation of child labour, assuming active role in detection and intervention and observing the best interest of the child when they are allowed to work.

Criterion 1 / Checking questions

1. Does your company have a policy document for the prevention of child labour?

☐ Yes ☐ No

If yes:

2. Did you ensure the participation of the following to the preparation stage?

- ☐ Your employees
- ☐ Children
- ☐ Suppliers
- ☐ Relevant parties in your sector (other companies in the same sector or region, professional organizations, public institutions, etc.)

3. Did you receive expert support in preparation?

☐ Yes ☐ No

4. Does it include the following?

- ☐ Prohibition of child employment under legally specified age
- ☐ Information about ages and conditions that children can be employed (in accordance with Criterion 4)
- ☐ A principle of granting necessary economic and social rights to company personnel so that they don't have to let their children work (in accordance with Criteria 4 and 5)
- ☐ Obligations of personnel in preventing child labour
- ☐ Expectations from suppliers in the context of combat against child labour
- ☐ Your expectations from organizations that you are / will be cooperating with in preventing child labour

Criterion 2

Company has a comprehensive and monitorable implementation programme to execute its policy to prevent child labour in its area of responsibility.

Commentary: The precondition for the company to implement its policy to prevent child labour in its field of activity is to have an implementation programme. Implementation programme is an important tool for both adopting appropriate strategies in preventing child labour and monitoring. An implementation plan must include methods to follow in reaching the objective, a timeline and responsibilities, a budget and methods of monitoring and evaluation.

Prevention of child labour requires stakeholder cooperation that will ensure the working of the market as a whole in line with this objective. To attain objectives, it will be necessary to have stakeholders assume their roles and responsibilities and to cooperate with related institutions. "Stakeholders" mean all parties in the process of production and service delivery as well as all institutions and agencies having their roles and responsibilities in the prevention of child labour. It includes other companies in the sector and region, consumers and the media.

The implementation plan must also cover cooperation with stakeholders and related responsibilities. An example may be cooperation with local governments in establishing preschool education or day care institutions for children of employees.

Criterion 2 / Checking questions

1. Does your company have an implementation plan for its child labour prevention policy?

☐ Yes ☐ No

If yes:

2. Does it include the following?

- ☐ Company personnel in charge of implementing company policy for preventing child labour
- ☐ Activities for the objective specified in the policy document
- ☐ Time plan
- ☐ Budget
- ☐ Monitoring method
- ☐ Partners in implementation and their responsibilities

3. Did you ensure the participation of relevant stakeholders to the preparation stage?

☐ Yes ☐ No

Criterion 3

Company's child labour prevention policy is known by all relevant parties.

Commentary: To guarantee the implementation of company policy to prevent child labour, it is necessary to include in work contracts and in codes of conduct both the rights (what employees can demand from the company in the context of the company policy to prevent child labour) and obligations (rules that employees must observe under the company policy) of personnel. Employees must be regularly given training about these rights and obligations and the child labour prevention policy of the company must be widely publicized.

The rights and obligations of personnel must be considered as a guarantee for the fulfilment of commitments made by the company in its policy to prevent child labour. For example, company personnel must be granted the right to leave on some special days of their children to help them fulfil their parental responsibilities. The obligation of reporting the cases of child employment must also be formally established among their rights and obligations so that they have no worry while doing this. These will make the perspective and objectives of the policy document a corporate culture.

The primary precondition for company's attainment of objectives set by its policy document is to ensure that its employees regard combat against child labour as a part of their job and are adequately equipped in this regard. This will also bring about transformation in communities that employees live in and expand the scope of influence. When policy document against child labour is shared with stakeholders other than company employees and with the public, there will be changes in perspective in many areas that are related to the goods/services of the company. Expectations of society from the company and how it looks at it will be a guarantee for the sustenance of this culture.

Criterion 3 / Checking questions

1. Does your company have a written principle concerning prevention of child labour?

☐ Yes ☐ No

2. Do work contracts of your employees include rights and obligations in combating child labour?

☐ Yes ☐ No

3. Do you organize trainings for your employees in your company's child labour prevention policy?

☐ Yes ☐ No

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If yes:

4. Do these trainings meet the following conditions?

- ☐ Ensuring the participation of all employees
- ☐ Inclusion of all components in child labour prevention policy
- ☐ Regular update / revision
- ☐ Regular repetition (refreshment)

5. Do you make sure that your company's child labour prevention policy is widely known by your personnel, suppliers, sector stakeholders and the public (e.g. through website, bulletins, etc.)?

- ☐ Yes ☐ No

6. Do you release your company's child labour prevention policy document and programme as accessible to all?

- ☐ Yes ☐ No



Children are employed by the company only at legally permitted ages and conditions.

Commentary: Employment of a child can be accepted only in compliance with law, in cases where it is to the benefit of the child and in the context of vocational training. Hence, besides preventing children's employment at inappropriate ages and in inappropriate works, it is also necessary to allow them to work when it is necessary. In this latter case priority is to be given to the best interest of the child.

Criterion 4

Works that children can be employed in the company are determined in a way not to harm their development and interfere with their education.

Commentary: Children must be employed only in works that are fit for their occupational development and supportive to their education. To ensure this, the company must have prepared a list explicitly specifying in which works children can be employed and taken all necessary measures for its fulfilment.

What is meant here is not a list that directly repeats legislative arrangements. The list mentioned here must first build on international conventions and legislative arrangements that are more in favour of children. Also, works covering the entire production chain of the company must be specified, risks of these works to child development and protection must be assessed and, as a result of this assessment, a list of works that children may be employed in must be developed with respect to age groups. The development of this list requires the support of a person or team with expertise in the prevention of child labour.

In case the company procures services in human resources while identifying and recruiting its employees, this must take place within the framework of a contract with criteria relating to child employment.

Criterion 4 / Checking questions

1. Does your company have its specifications on what kind of works children can be employed?

☐ Yes ☐ No

If yes:

2. Did you use the following as basis while identifying works that children may be employed in?

- ☐ Relevant legislation
☐ An assessment of works in production that may pose risks for child development and protection

☐ Expert support in effects of working on child health

3. Are works that children can be employed detailed with respect to the following?

☐ Type of work ☐ Age

4. (If you procure services in human resources) Does your contract with service provider cover works that children may be allowed to do as a criterion for job recruitment?

☐ Yes ☐ No

Criterion 5

All children employed by the company are provided working conditions that are in compliance with the rights of children and workers.

Commentary: Production of goods and services often represent a complex process. Works that children may do and should not do mostly exist together. Therefore, just identifying works or areas that children may be employed is not sufficient; it is necessary to monitor what is going on in practice. This requires formal contracts for all children employed and record of their daily work must be kept in a way to allow for effective supervision.

When production of goods and/or services is fully or almost fully based on child labour, if it is not for vocational training, carries the risk of exploitation of child labour. Indeed there can be no mention of vocational training or occupation building in cases where all or large part of workers are children. Employment without adequate guidance and supervision just because child labour is cheaper is therefore a risk. It is not possible here to give an overall ratio or number. The Law on Vocational Training envisages, for enterprises employing 10 or more persons, to offer skills training, internship and complementary training to vocational and technical training students to constitute at least 5 percent of their total personnel. But there is no ratio or number as to what percentage of total labour force can be composed of apprentices. It is expected that the maximum number of children that can be employed in an enterprise is determined by considering supervision that this employment requires and possibilities of on-the-job training and guidance.

It is the right of children too as all other working people to be covered by social protection. The protection of this right is important for the protection of the right to health and other rights as it is for work safety.

It is also the right of children to be protected against any discrimination, particularly gender-based discrimination at workplaces. This right must be guaranteed in contracts and also become one of the key topics in personnel training.

Criterion 5 / Checking questions

Note: This criterion is not to be assessed in case there is no child employed by the company.

1. Do you provide the following for all children employed by your company?

- ☐ Formal contract
- ☐ Social security

2. Do you keep in your company the record all children employed and works they perform?

- ☐ Yes ☐ No

3. If your company is employing journeymen, apprentices or interns do you consider the following in determining their numbers?

- ☐ Supervision required by the nature of work performed
- ☐ Training opportunities
- ☐ Opportunities of guidance

4. Have you adopted necessary measures to ensure the application of same standards in working conditions, wages and other issues to your male and female child employees?

- ☐ Yes ☐ No

Criterion 6

All measures are taken and observed in ensuring work safety and health for all children employed by the company.

Commentary: To ensure the safety and health of working children, there must be regular risk assessment in work safety and health considering working conditions and characteristics of the workplace and by using tools of assessment developed specially for children.

Given the outcomes of risk assessment in work safety and health, protective equipment adjusted to children and their work must be supplied to all working children.

It is among measures that must be adopted by enterprises employing children to have all employees trained in issues related to work safety and health of children.

Another important criteria in ensuring compliance with measures adopted for work safety and health of children and monitoring outcomes is to keep the record of safety and health problems (e.g. accident, disease, etc.) by gender and to evaluate these records regularly.

Criterion 6 / Checking questions

Not: This criterion is not to be assessed in case there is no child employed by the company.

1. Do you conduct risk assessment regarding work safety and health of children you employ?

☐ Yes ☐ No

If yes:

2. Does this assessment meet the following conditions?

☐ Use of assessment tools developed as specific to children

☐ Regular repetition

3. Do you have a list of protective equipment to be provided to working children commensurate with what they do?

☐ Yes ☐ No

4. Do you provide protective equipment to children commensurate with their age and what they do?

☐ Yes ☐ No

5. Do you deliver training to all employees including children in work safety and health for working children?

☐ Yes ☐ No

6. Do you keep the record of work safety and health problems (accidents, diseases) as disaggregated by age groups and gender?

☐ Yes ☐ No

Company has an effective monitoring system in identifying and protecting children employed at illicit ages and conditions.

Commentary: When it is aimed to prevent child labour, the first thing to do is to develop a system of detection to identify whether children are employed in any stage of production at ages and in conditions that they should not be allowed to work. However, an intervention limited to the identification of the child and removing him or her out of the system is not sufficient. It is because this limited intervention does not eliminate the risk for the child. Hence, an indispensable part of this indicator is the existence of an additional intervention to further protect the child withdrawn from work.

Criterion 7

There is a well-defined and effective mechanism in the company in identifying children that are employed at illicit ages and conditions.

Commentary: There must be a detailed method of identification of child employment in entire production process. This method must be formally laid down in written together with a unit or a person (persons) in charge of its implementation. The presence of such authorized units/persons in the company is important in ensuring accountability. This authorization is also necessary for a standard implementation, for ensuring coordination among team members, identifying needs, and strengthening the team accordingly. Assignment of a competent team commensurate with the extensive and complex nature of production processes is important in that it demonstrates the will and good faith in fulfilling this indicator. For identification and effective intervention, it is expected that persons to be assigned to this task are experienced in combat against child labour and child protection issues and well-trained in company's policy to prevent child labour.

In identifying the method of identification, characteristics of the trade and enterprise must be taken into account and there must absolutely be more than one method in use (internal and external auditing, possibilities of reporting and complaint, field visits, interviews with employees, etc.). For example, different methods of identification must be used for production processes where there is outsourcing at certain stages and others where entire process of production takes place in a single plant. Similarly, methods will be different in agricultural production on scattered plots and others on a single smooth space where workers can easily be observed.

The method of identification must also envisage at which stages of production the use of child labour is more probable including the supply chain and contain appropriate methods to inspect these stages. For example, the team in charge of identification must be able to identify risk areas by resorting to methods such as comparisons in production capacity, number of employees and working times.

Criterion 7 / Checking questions

1. Do you have a method for identification of children employed in conditions and at ages not in compliance with legislation?

☐ Yes ☐ No

If yes:

2. Is the method of identification designed so as to cover fundamental principles and workflows?

☐ Yes ☐ No

3. Does the method of identification meet the following conditions?

- ☐ Presence of a team in charge of identification
- ☐ Presence of a person responsible for identification
- ☐ Persons assigned are experienced and trained in child protection
- ☐ Use of multiple methods for identification
- ☐ Assessment geared to identifying where child labour may emerge in company activities

Criterion 8

There is an effective and relevant intervention system for protecting children identified as employed at illicit ages and conditions.

Commentary: The intervention system should have defined principles and implementation procedures in written to ensure that it complies with a specific minimum standard.

The main objective of the intervention must be to protect the child. The key to ensure this is to design the intervention so that it does not leave the child in a position to have to work in another job. In other words, adequate economic and psychosocial support must be provided to the child and the family so that the child does not have to continue working or placed under protection.

In this context it is crucial to identify needs that may lead the child to start working again and to respond to these needs systematically. The intervention, therefore, must also include this assessment and planning. Primary interventions for prevention include child's return to education, social integration and compensating the family for income loss deriving from the withdrawal of their child from work.

To guarantee the development of the child, intervention must also encompass a process of monitoring to guide and accompany the child. Here, the criterion in the first indicator which is about expectations from cooperation partners becomes important. To be more specific, it is important to enter into cooperation

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for protective intervention with such institutions as provincial directorates of Family and Social Services and National Education and also with NGOs active in humanitarian assistance issues.

Boys and girls are both at risk when it comes to child labour due to perceptions concerning gender roles. It is therefore necessary to be aware of attitudes towards both sexes, to provide gender-tuned protection and to envisage equal standards for both in terms of protective approach. In other words, the method of intervention must consider that children need equal approach in protection while taking into account specificity of prevailing risks.

Further, if a detected case points out to an offence committed against the child, the method of intervention must also provide for reporting this offence. For example, keeping children in a closed space without letting them out or transporting them from one place to another for employment constitutes the act of trafficking in human beings which is established as a crime under article 80 of the Turkish Penal Code. Protective intervention for this child victim concerned is not enough; there must also be denunciation for finding and punishing its perpetrators. The method of intervention, therefore, must also tell what is to be done in cases of a suspected offence.

As in identification, in intervention too there must be a person in charge in the company and a team to carry out necessary procedures in order to ensure both accountability and specialization. (Note: There may be a single unit in charge of both identification and intervention). Here too it is expected that persons to be assigned to this task are experienced in combat against child labour and child protection issues and well-trained in company's policy to prevent child labour.

Criterion 8 / Checking questions

1. Do you have a system of intervention for the protection of children identified as being employed at ages and in conditions in contrast with the law?

☐ Yes ☐ No

If yes:

2. Is the method of intervention is formally laid down in written to include fundamental principles and workflows?

☐ Yes ☐ No

3. Does the method of intervention include the following?

- ☐ An assessment of the needs of the child, including interviews with the child, his/her family and school
- ☐ Assessment of health problems that the child may have and offering relevant treatment
- ☐ Measures to ensure child's school retention

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- ☐ Measures to remedy the material loss of the child and the family (e.g. finding jobs for the parent or elder siblings, keeping the child paid so long as he/she keeps attending school, supporting the family in cooperation with NGOs, job guarantee after schooling)
- ☐ Strategies to ensure child's integration with social life
- ☐ Process of training to ensure that the child is not employed elsewhere after having been identified and withdrawn from work
- ☐ Steps to be taken in case the situation detected constitutes a breach

Does the method of intervention envisage same methods for boys and girls?

- ☐ Yes ☐ No

Are steps to be taken identified in case what is identified constitutes a breach?

- ☐ Yes ☐ No

Does the method of intervention meet the following conditions?

- ☐ Presence of a team in charge of intervention
- ☐ Presence of a person responsible for intervention
- ☐ Persons assigned are experienced and trained in child protection

Company has a wage policy providing a decent standard of life to all its workers and their families.

Commentary: This is the most distinctive indicator showing the will of the company to prevent child labour in its area of responsibility. It is because in cases where the earning of an adult worker remains under the poverty line in spite of full time work it becomes mandatory for family subsistence to have other family members working too. It is therefore recognized as an important right of the child in Article 18 of the convention on the Rights of the Child that appropriate assistance is rendered to parents to perform their responsibility for the upbringing and development of the child. Hence the state must guarantee adequate standard of living for the child (CRC art. 27). The European Social Charter and the UN Covenant on Economic, Social and Cultural Rights too recognize the right of all to work and to income that assures adequate standard of life for those who work and their dependants.

Criterion 9

The lowest wage paid by the company is sufficient to ensure a decent life for workers and their families.

Commentary: It is expected that the lowest wage offered by the company must guarantee a decent life where a wage earner can provide for his/her basic needs in nutrition, health, housing and education without any external assistance. The term "family" must be understood as to include the wage earner and his/her dependents.

The poverty line may be used as a concrete indicator with respect to the level of income. For a more qualified assessment, however, conditions to be provided to each child for their "well-being" must be considered (in defining these conditions the UNICEF-Turkey report "Defining and Evaluating Child Well Being Domains and Indicators Through Eyes of Children in Turkey" may be used as a guide. Thus, the sufficiency of wage rates must be assessed by taking these conditions into account.

It must also be considered that income sufficient to provide a decent living may vary according to the conditions of the region concerned, price levels, specific periods (e.g. periods of social or economic crisis) and similar factors.

Another important point related to wage policy is to avoid any gender distinction in wage fixing. When women are paid lower than men, women's participation to working life is discouraged and families become more prone to let their children work due to insufficient income. Hence, the company policy related to the adult employment constitutes one of the criteria in efforts to prevent the exploitation of child labour.

The presence of written contracts covering wages for all employees is both a guarantee for rights in working conditions and wage rates and also for the supervision of these conditions.

Keeping the record of all payments and having these records open to both internal and external auditing is also an important criterion in monitoring whether all contract provisions are fulfilled.

Criterion 9 / Checking questions

1. Does your company have a written principle concerning having wage policy that provides a decent standard of life for its employees and their families?
☐ Yes ☐ No
2. Do you have any assessment on the amount of income that your employees need to provide for their basic needs and that of their dependants and decent standard of living (a study made or used by your company)?
☐ Yes ☐ No
3. Do you pay all your employees enough to meet these needs or at least above the line of poverty determined for the country (or for the region if there is)?
☐ Yes ☐ No
4. Are your male and female employees paid equally for similar works they do?
☐ Yes ☐ No
5. Do all your employees have their work contracts that also cover wages?
☐ Yes ☐ No
6. Do you keep the record of all payments made?
☐ Yes ☐ No

Criterion 10

Company provides its employees job and income security sufficient to ensure sustained and regular earning.

Commentary: Sustained nature of earnings of adults is important in enabling parents to fulfil their responsibilities of childcare. Studies¹ suggest that job and income insecurity has its important implications on children's school performance and mental health. Employees must therefore have opportunities of on-contract employment, job security and social protection.

The absence of discrimination on any basis in recruitment and dismissal is also important to guarantee the right of all to work and thus their childcare capacity. Not making any deduction from wage as a disciplinary sanction is a requirement of providing income security.

Criterion 10 / Checking questions

1. Is it specified in your company in which cases there will be fixed term and part time work contracts with employees?
☐ Yes ☐ No
2. Do you use fixed term and part time work contracts in cases where they are mandatory?
☐ Yes ☐ No
3. Are all your employees covered by social security scheme?
☐ Yes ☐ No
4. Have you adopted a measure to ensure that no discrimination is made for any reason in job recruitment and in dismissals? (e.g. existence of a principle related to this in company policy, inclusion of this issue in trainings, etc.)
☐ Yes ☐ No
5. Did you ensure that there will be no wage cut as a part of disciplinary sanctions?
☐ Yes ☐ No

¹ Sümer, N., Solak, N. and Harma, M. (2013). İşsiz Yaşam - İşsizliğin ve İş Güvencesizliğinin Birey ve Aile Üzerine Etkileri. Koç University Publication, p. 71.

Working conditions offered by the company are favourable for employees in ensuring a sustainable balance of working life, family life and social life.

Commentary: This indicator is an extension of Indicator 4. Besides wages, working conditions as a whole must be arranged in a way to allow all adult employees to fully perform their parental roles.

Criterion 11

Company arranges working time and hours in a way to enable its employees to fulfil their parental responsibilities.

Commentary: As much as job and income security, employees also need time in fulfilling their parental responsibilities.² Thus, working hours, overtime work and leave conditions must be arranged by keeping in mind parental roles of adult employees. The minimum requirement here is the arrangement of working hours, overtime work and leaves in line with relevant legislation. Besides compliance with legislation, it is also expected that these arrangements provide best possible standards supportive of parental roles and upheld by national and international organizations specialized in child protection. For example, while the legislation in Turkey provides maternity leave for 16 weeks, ILO Recommendation no. 191 envisages this leave for 18 weeks, the shortest. The target should be providing the most favourable standard which may be beyond what is provided by domestic legislation.

Contractual arrangements of the rights of employees regarding working hours, overtime work and leaves is an important guarantee enabling employees to maintain a sustained balance between their work and family/social life. For example, if employee leave during working hours for a parent-teacher meeting or a school ceremony is not formally recognized as a right, there can be no mention of a guarantee for an employee to fulfil one of his/her parental roles.

The presence of a formal contract is critical in assessing all other criteria including the right to maternity and paternity leaves and return to work after such leaves.

² “Re-commodification means longer labour process which reverses a trend having its long past. In the US holidays shortened as working hours increased. Americans have the right to 16 days of holiday a year on average, but they use only 14 of these days. Adults at working ages spare shorter time for sleep, get up earlier to shop before going to work, study or for child care.” Edited by: Buğra, A. ve Ağartan, K. (2016). 21. Yüzyılda Karl Polanyi’yi Okumak, (reading Karl Polanyi in the 21st Century), p.133.

Criterion 11 / Checking questions

1. Are working hours of your employees arranged in compliance with the following?

- ☐ Arrangement of working hours, overtime work and leaves in compliance with legislation
- ☐ Maternity leave for at least 18 weeks in line with the ILO Recommendation no. 191
- ☐ At least 2 weeks of paternity leave for fathers

2. Can your employees return to their work without any problem and loss of any right after maternity leave?

- ☐ Yes ☐ No

3. Are terms related to working hours, overtime work and leave included in work contracts?

- ☐ Yes ☐ No

4. Does your company's child labour prevention policy include a principle providing for a flexible arrangement of working hours, overtime work and leaves with due account of parental responsibilities?

- ☐ Yes ☐ No



Criterion 12

Company employees are provided support in fulfilling their parental roles and meeting their needs (e.g. subsidized care, support in participation to social and cultural activities, etc.)

Commentary: Parents must be able to enjoy support in childcare for complying with specified working time and hours. Care and education support to start right after birth is directly related to prevention of child labour since it facilitates childcare and child's school retention. This make take the form of covering the cost of childcare, education support, and services like social and cultural activities organized in spaces near the workplace.

Other important conditions for this indicator include provision of decent boarding facilities especially for those who have to travel to places distant to home to work, nutrition support to employees and their dependents, and access to health services. For evaluating this criterion there must be minimum standards relating to these support services.

One of the most important criteria is assessing services to be provided in this context is addressing the issue not in the context of social responsibility but the right of the worker.³

Criterion 12 / Checking questions

1. Do you extend the following forms of support to working parents?

- ☐ Childcare support responding to their needs
- ☐ Support to the education of their children

2. Do you have your minimum standards relating to the scope and conditions of additional support extended to your employees like boarding facilities, health services or meals?

- ☐ Yes ☐ No

3. Does your company's child labour prevention policy include a principle stating that support extended to employees is a part of their rights?

- ☐ Yes ☐ No

³ "Health outcomes contribute to populist corporate responsibility programmes that are sweeping the whole word. While helping the legitimization of companies, these programmes may not have lasting effects on labour activities since what is actually needed is not methods ensuring obedience to labour intensification but an institutional opposition to commodification." Edited by: Buğra, A. and Ağartan, K. (2016). 21. Yüzyılda Karl Polanyi'yi Okumak, sf.135.

All employees of the company have the right to associate.

Commentary: Association of employees is necessary for acquiring the capacity to protect their rights vis a vis employers who are in a stronger position. As the company grows larger, the association of employees becomes more important. The right to associate is guaranteed by the Constitution (art.51). At least seven employees or employers can get together to establish a union in a branch of trade.⁴ All employees above age 15 have the right to join unions.⁵

The form of association laid down by laws is trade unions. It is known, however, that there are some barriers to unionization.⁶ Thus, this form of organization may not be appropriate in combat against child labour.

Other options in association must be considered as well. In this context, it is not possible for the time being to speak about forms of association other than trade unions in Turkey. Nevertheless, it is still important to include this as a crucial indicator as it serves as a precondition for realization of other indicators.

Criterion 13

Company employees can exercise their legally recognized right to associate.

Commentary: The most important guarantee for all employees of the company in using their right to associate is to have this right covered in employment contracts.

Trainings and information materials play an important role in the exercise of this right by employees.

Another important condition for employees' exercise of this right is that they are not subjected to any punishment or discrimination in working conditions for this.

⁴ 6Law no.6356 on Trade Unions and Collective Agreement, art.2.1.ğ

⁵ 6Law no.6356 on Trade Unions and Collective Agreement, art.17.1

⁶ Molina, O. ve Guardiancich, I. Örgütlenmesinde Güçlük Çekilen Çalışanların Örgütlenmesi ve Temsili: Türkiye İçin Çıkarımlar. CFCU, ILO ve ÇSGB. https://www.ailevecalisma.gov.tr/media/53622/calisan_orgutlenmesi.pdf (Accessed 13.06.2021)

Criterion 13 / Checking questions

1. Do work contracts of your employees provide for the right to associate and join associations?
☐ Yes ☐ No
2. Do you include the right to associate as a topic in your in-service trainings?
☐ Yes ☐ No
3. Are there information materials you developed in relation to the right to associate? (brochures, etc.)
☐ Yes ☐ No
4. Do you have a principle or decision adopted to prevent any punitive act against employees exercising their right to associate? (e.g. exclusion, termination of work contract, restriction of social rights, etc.)
☐ Yes ☐ No

Criterion 14

Employees can develop alternative organization models or join existing organizations (civil society organizations) or platforms and similar formations that enable them to remain organized.

Commentary: Although trade unions are the common form of association for employees, there is need to work on new forms of association responding to current working conditions and needs⁷ In this respect, monitoring organizations must investigate opportunities of association that will bring employees together to protect their rights.

⁷ “To sum up: It appears that nobody holds control. What is worse, it is not clear what “holding control” would look like under these circumstances. As it used to be, all initiatives and actions to ensure order are still at local level and related to single issues; but now there is no solemn locality that can raise its voice for humanity as a whole or listened and obeyed to when it does. Neither is there a single problem that can grasp and epitomize the total of global issues and on which all can agree.” Bauman, Z. (2020). Küreselleşme (Globalization), p.74.

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The function rather than the form of this opportunity is important. With respect to the employees of global companies in particular, there must be a model linking the local to the global⁸ and also monitoring work to ensure that organizations with global responsibility play an active role in the solution of local problems. This requires both employees and those in monitoring work to dwell on some new methods.⁹

Criterion 14 / Checking questions

1. Are there organizations like associations/platforms, etc. in your branch, enterprise or region active in protecting the rights of employees that your employees can join?

☐ Yes ☐ No

2. Do you have employees with membership to such organizations?

☐ Yes ☐ No

3. Among your employees, was there any who claims that their membership to such organizations is prevented or they faced punitive measures?

☐ Yes ☐ No

⁸ “Opposition movement of future requires a universalist voice. One of the challenges to respond is to develop a voice in the name of flexible workers and ‘feminized’ labour force in the context of commodified services. As trade unions and social democrat policies lose their strength it becomes necessary to create new institutions for workers and communities to have their say.” Edited by: Buğra, A. and Ağartan, K. (2016). 21. Yüzyılda Karl Polanyi’yi Okumak, pp.131-7.

⁹ “This term says: Yes, our actions may have their global effects and they frequently do; but besides lacking instruments to plan and execute these actions globally, we don’t know much how to get these tools.”” Bauman, Z. (2020). Küreselleşme, p.76.

Company has a functional and effective complaint mechanism.

Commentary: One of the guarantees for the implementation of company policy to prevent child labour is effective monitoring of related practices and reporting of breaches. For this indicator, informing the public about the policy document to prevent child labour, which is mentioned in Indicator 1, is a precondition. The criterion on the use of different methods in identification of child labour, which is mentioned in Indicator 3, is also associated with this indicator. Hence, the presence of an effective complaint mechanism in the company is related both to the implementation of policies in general and detection of cases of child employment in particular.

Criterion 15

Company has an effective (legitimate, accessible, predictable, fair and transparent) complaint mechanism.

Commentary: The company must first of all formally have a method to be informed about any case contrasting the standards that it has committed to. This formal nature or having a written document is important, as in earlier issues, in both developing a company culture and becoming monitorable. It ensures predictability as one of the indicators of the presence of an effective mechanism.

This mechanism must also be legitimate, i.e. in compliance with the law and human rights. For example, there must be no room for such practices as secret recording or instigating persons to false reports for some financial gain.

The complaint mechanism envisaged must be easily accessible by all who witness any violation in relation to child labour and, despite this ease, all procedures must be described in detail. This information must include not only how to lodge a complaint but also the procedures to be followed after and the need to notify both the complainant and the public about the outcome. In ensuring accessibility, factors as the age of children and those who cannot speak the official language of the country must be considered. For the same reason, the mechanism must also include various methods to enable access by persons with special needs. For example, audial information and notification opportunities must be available for illiterate persons or persons with visual disabilities. Considering the age of children, programmes that are clearly understandable must be used and, when necessary, a third person must be able to lodge a complaint in the name of the child.

It must also be ensured that no discrimination or exclusion is made in using the complaints mechanism.

Transparency is one of the most important guarantees for all these. Information reaching the complaint mechanism and measures taken after must be shared with the public or at least with the parties to the child labour prevention policy document. Meanwhile, the party lodging the complaint must receive feedback.

Criterion 15 / Checking questions

1. Does your company have a mechanism for complaints?

☐ Yes ☐ No

If yes:

2. Is the procedure for this mechanism formally laid down?

☐ Yes ☐ No

3. Is it possible to reach this mechanism in different languages and methods?

☐ Yes ☐ No

4. Can this mechanism be used by the following?

☐ All persons working for the company

☐ Children

☐ Persons from without the company

☐ Third persons in the name of children in complaints involving children (e.g. NGOs working in this area)

5. Can complaints cover all issues without any limitation?

☐ Yes ☐ No

6. Are the following steps taken after a complaint?

☐ Informing the complainant about the process going on

☐ Informing the public about the process going on after complaint

Criterion 16

Measures are taken to increase the use and effectiveness of complaint mechanism.

Commentary: A precondition for effective use of complaint mechanism is to make sure that complainants are not treated differently. One way is not to make identity disclosure mandatory for complainants or persons filing complaints. Anonymous complaints should be possible and there should be no room for doubts that the identity of the complainant may be disclosed. Anonymity is important particularly in cases where the complainant is a company employee.

It is not sufficient in this respect to keep the identity anonymous; it should also be known by employees that even when identity is known the person concerned will not be subject to any discriminatory act or penalty (exclusion, termination of work contract, restrictions of social rights, etc.). This is an indicator that can be followed particularly in practices such as dismissal.

Another measure to enhance the effective use of complaint mechanism is to have employees and other relevant parties informed on this issue. This information building can be made through trainings and other materials such as brochures. This must be accompanied by a method that ensures regular access to this information (e.g. posters in working areas, easy access to the website).

It must also be ensured that there is a unit out of company management in charge of receiving complaints and supervising relevant procedures and that persons assigned to this unit have no administrative position and not related to issues that constitute the subject matter of the complaint.

The effectiveness of a complaint mechanism in place must be regularly assessed and it must be revised if found not responsive to needs. If a mechanism is not used at all, this does not mean there is no ground for any complaint. There may be more than one way to assess whether a mechanism is actually functional or not. For example, court cases, work accidents and inspection reports are some of these. If the way of complaint is not used at all despite the presence of facts about violations it must be concluded that either the mechanism is not accessible or there is a barrier to potential complainants in using this mechanism. It is therefore an important criterion checking whether there is a method envisaging the regular review of the mechanism.

Criterion 16 / Checking questions

If your company has a complaint mechanism:

1. Have the following measures been taken to increase the effectiveness of the complaint mechanism?

- ☐ Complaint can be lodged anonymously
- ☐ A principle or decision adopted to prevent any punitive action against employees using the mechanism
- ☐ The unit in charge of receiving complaints is out of company management system
- ☐ Persons in the unit receiving complaints have no administrative responsibility in issues that may be the subject of complaint

2. Are the following done in order to increase information and awareness relating to the presence and working of complaint mechanism?

- ☐ In-service trainings cover the working of complaint mechanism as a topic
- ☐ Information materials produced for employees to inform them about the mechanism
- ☐ Awareness building activities about the complaint mechanism for persons out of the company

3. Are the following present to increase the effectiveness of complaint mechanism?

- ☐ A method for impact assessment that is well defined with its instructions
- ☐ Regularly conducted assessments

Company has an effective monitoring-evaluation system for ensuring the compliance of company activities with standards and indicators of child labour prevention policy.

Commentary: Though complaint mechanism is an effective method in allowing for an effective public supervision, it is still not sufficient since public opinion is not binding in many respects. Hence, the presence of an institutionalized monitoring-evaluation system is important in demonstrating the will to execute policies. To be functional in preventing child labour the monitoring-evaluation system envisaged must have a special approach focusing on the interest of the child.

Criterion 17

Company has an effective internal monitoring-evaluation system for its child labour prevention policy in its process of production of goods and services.

Commentary: The most important indicator of having an effective policy is regular monitoring and evaluation of appropriateness of objectives and strategies. The level of commitment of a company in attaining an objective can be assessed by the distance between the present state and the objective and how effective the methods used are. Therefore, companies must have their internal systems of monitoring and evaluation. This system must have its written document and officials in charge, the policy followed must have its qualitative and quantitative indicators, information coming from the complaint mechanism must be covered; it must be structured together with all relevant parties and there must be the support of experts in child rights and child labour in developing indicators and evaluating outcomes. Monitoring-evaluation work must be conducted on periodic basis and its conclusions must be reported.

Criterion 17 / Checking questions

1. Does your company have a monitoring-evaluation system?

☐ Yes ☐ No

If yes:

2. Do you have your monitoring-evaluation indicators for combating child labour?

☐ Yes ☐ No

3. Does your company's monitoring-evaluation process cover the following?

☐ Information coming from complaint mechanism

☐ Opinions of related parties including children, their families and sector stakeholders

4. Does your company's monitoring-evaluation process meet the following conditions?

- ☐ Presence of a person or unit in charge
- ☐ Done regularly (at least once a year)
- ☐ Done with expert support
- ☐ Reporting of outcomes

Criterion 18

Company has an effective external auditing mechanism for its internal monitoring-evaluation system.

Commentary: Another dimension of monitoring-evaluation is external auditing. This may take the form of a legal supervision or auditing required by procedures of accreditation or certification. Since accreditation and certification is one of the most important tools in supervising company policies relating to child labour, it is important that companies are involved in an accreditation process.

The cost of certification and accreditation services are covered by client companies of certification institutions. Yet, it is actually consumers who undertake this cost and the purpose of external auditing is to inform the public besides guiding the company in its way. Therefore, civil society organizations engaged in monitoring work must also monitor external auditing and have information about the reliability of data used by external monitoring institutions.

Criterion 18 / Checking questions

1. Does your company have an external auditing system?

- ☐ Yes ☐ No

If yes:

2. Does external audit cover all indicators related to child labour combat work?

- ☐ Yes ☐ No

3. Is external auditing performed periodically?

- ☐ Yes ☐ No

4. Does the company have a publicly known fair production certificate declaring the prevention of child labour exploitation? Or is the company a part of a reliable certification programme in this respect?

- ☐ Yes ☐ No

Criterion 19

Outcomes of monitoring-evaluation and auditing are fully and regularly shared with all relevant parties.

Commentary: If a company informs the public about the methods of monitoring-evaluation and auditing and its transparency in terms of sharing internal and external auditing reports with the public in easily accessible ways (e.g. through website) indicate that it is getting nearer to its objective. It is therefore important for monitoring institutions to request these reports for a quality monitoring. Considering, in particular, that accreditation and certification also brings in some commercial benefits and the cost of these are ultimately born by consumers, it is not acceptable to suffice with leaving the whole process to certification/accreditation institutions and having a logo signifying the outcome of this process. Instead, an evaluation report covering the whole policy document must be shared with the public which will also provide the ground for effective monitoring.

The transparency in monitoring-evaluation work must give no harm to children who are to be protected and their parents. To ensure this, identity of information sources must be kept confidential and complaint procedures must be designed in a way to keep complainants and information sources immune from any discrimination or penalization.

Finally, for monitoring-evaluation work to yield positive outcomes, evaluation reports must be receptive to feedback from all including children and their parents and specialized agencies. This way, the process conducted with inspection work, complaint mechanisms and internal and external auditing will be completed by soliciting opinions about evaluations made.

Criterion 19 / Checking questions

If your company has its monitoring-evaluation or external auditing system:

1. Are outcomes openly shared with the public including assessments related to combat against child labour?

- ☐ Outcomes of monitoring and evaluation are shared
☐ Outcomes of external audit are shared

2. While sharing these outcomes with the public, are measures in place to prevent any harm to children and families?

- ☐ Yes ☐ No

3. Is it possible for relevant parties to give feedback on monitoring-evaluation outcomes that are shared?

- ☐ Yes ☐ No

Company has a regular assessment system and an effective risk management plan on actual and potential effects of its activities on children.

Commentary: Companies are expected to conduct impact assessment of their regular activities and to have a risk management plan for activities that may pose risks in order to avoid any indirect encouragement of child labour. For example in cases where there will be slowdown in production for any reason and employees are to be on unpaid leave, families may let their children work for family subsistence; companies are expected to investigate such possibilities and how to manage this risk.

Criterion 20

The company has a regular assessment system regarding actual and potential negative effects of company activities on child labour.

Commentary: Besides monitoring-evaluation of its activities, the company is also expected to envisage an impact assessment on the state of child labour in the area of production that it is active. Not only activities specific to the company but also the impact of cooperative activities that the company is a part of must be assessed in this context. Impact assessment must first of all be wide-ranging to cover all policies specific to this area. This must start with the description of the current situation and show what is to be monitored and by which method.

This monitoring work must cover not only improvements taking place but also negative effects. The company must keep track not only of outcomes of its child labour prevention policy but those of company policies as a whole. What is meant here is alterations that the company plans to make in its way of production, in wages or social rights. It includes cases where the company is to start producing in some place while abandoning another. There must be an assessment of risks that may emerge in the context of child labour as a result of alterations to be made accompanied by a plan to prevent these risks. An example may be the discharge of some employees as the company is in transition to automation.

In risk assessment, the method employed must take into account differences stemming from gender. Hence, while making an assessment in regard to this criterion it is necessary to check whether the company envisages this kind of monitoring and, if it does, whether risks are addressed separately for female and male children.

Impact assessment must not remain limited to a quantitative examination only. It is because the number of children working may not give us correct information about the actual situation. For example, while there are areas where no child worker is detected, stakeholders and children may tell the opposite. Hence, opinions of stakeholders must be solicited to understand causes and effects in conducting

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impact assessment. These stakeholders must include all relevant parties including children, adults, professional organizations, and relevant NGOs.

Criterion 20 / Checking questions

1. In the following cases, have you conducted/are you conducting assessments concerning the effects of company activities on child labour?

- ☐ Before starting your activities
- ☐ Before changes relating to such issues as employment, wages and social rights have taken place
- ☐ In regular intervals as activities are going on (at least once a year)

2. If you conduct risk or impact assessment, does this assessment meet the following conditions?

- ☐ Done with expert support
- ☐ Risks for girls and boys are addressed separately
- ☐ Taking the opinion of all parties including children, families, professional organizations and relevant NGOs

Criterion 21

There is an effective risk management plan for actual and potential negative effects of company activities on child labour.

Commentary: Assessments on real and potential effects of company activities on child labour must be concluded with a risk plan and data concerning the scope and principles of cooperation envisaged in the first indicator must be obtained from this plan. Thus, while making assessment related to Indicator 10, it is necessary to check whether there is a risk management plan based on impact and risk assessment and whether this plan is transformed into a cooperation plan.

A method in making the plan fit for its purpose is to receive feedback. Feedback received from public or private institutions in charge of or working for preventing child labour will be guiding in checking whether the plan is fit for purpose.

The risk management plan must be functional and regularly monitored.

Criterion 21 / Checking questions

1. Do you have your risk management plan on actual and potential negative effects of company activities on child labour?

☐ Yes ☐ No

If yes:

2. Did you conduct risk analysis on the effects of your activities on child labour?

☐ Yes ☐ No

3. Did you prepare a written plan for risk management?

☐ Yes ☐ No

4. Does your risk management plan cover feedback from public institutions, professional organizations and NGOs active in work to prevent child labour?

☐ Yes ☐ No

5. Did you determine a method to follow the effectiveness of interventions envisaged by your risk management plan?

☐ Yes ☐ No

Company conducts capacity building activities to enhance social and sectorial capacity in combating child labour.

Commentary: Measures that the company may adopt in its own production process can serve the ultimate objective of preventing child labour only if complemented with activities to strengthen social and sectorial capacity. Hence, companies' combat against child labour should not remain limited to identification and intervention but also include activities to improve social and sectorial capacity to ensure that no gap is left. This indicator provides a guarantee for indicators 2, 3, 4 and 5 as well. Identification of what needs to be done to improve sectorial and social capacity, cooperative action to realize this and sharing of relevant costs is a precondition in eliminating the need for child labour and implementing measures to prevent child employment.

Criterion 22

Company is engaged in awareness building activities in combating child labour that covers the sector as a whole and its stakeholders in production process.

Commentary: Combat against child labour requires all parties involved to have high level of awareness about its risks for children and ways of protecting children against these risks. It is important to supply data-based information to the public, in line with the policy document, about the roles and responsibilities of the sector, public institutions and actors in the supply chain in combat against child labour.

While evaluating this indicator, checking whether there are awareness building activities (e.g. meetings, campaigns, posters, dissemination of brochures) must be accompanied by how these activities are organized and carried out. Data production and sharing is the most important way of building and strengthening awareness. Data obtained by the company in its monitoring-evaluation process (Indicator 8) must be compiled and shared for building public awareness. Data collection and sharing is also important in observing the state of affairs in general besides the activities of the company. Data collection is the manifestation of will in understanding the problem and identifying needs. Sharing this data gives an idea about determinedness in solving the problem.

In this context, information and data-based work is necessary not only for understanding the problems, but also for solving them. This is also necessary for effective use of resources and time allocated and loyalty to the cause. Companies are therefore expected to allocate adequate resources (budget, human resources, etc.) to the development and promotion of good practices.

Criterion 22 / Checking questions

1. Do you organize awareness building activities in combat against child labour for relevant parties and society at large?

☐ Yes ☐ No

2. Do you share with the public data-based information about activities in your sector and the problem of child labour in your region?

☐ Yes ☐ No

3. Do you allocate resources to developing sector-based good practices in combat against child labour?

☐ Yes ☐ No



Criterion 23

Company is engaged in activities to strengthen cooperation with responsible institutions and others in the sector in combating child labour.

Commentary: The prevention of child labour is not an objective that any institution can attain by itself. One of the lead indicators whether the company is operating as focused on supply chain or prevention of child labour is the presence of a comprehensive and effective cooperation plan and its implementation. Cooperation must cover both planning and implementation stages. Companies must first identify forms of cooperation that already exist or needed in the prevention of child labour, clearly describe the role they will assume and become a part of local/national or international schemes of cooperation to fulfil this role (as envisaged in Indicator 1).

Criterion 23 / Checking questions

1. Do you have any initiative to identify existing or prospective cooperation opportunities in preventing child labour in your production or services?

☐ Yes ☐ No

2. Are there local/national/international level forms of cooperation that you are a part of for the prevention of child labour?

☐ Yes ☐ No

3. Do you allocate resources to activities to be carried out in the context of this cooperation?

☐ Yes ☐ No

Criterion 24

Company is engaged in activities to strengthen capacity for developing protective interventions in combat against child labour.

Commentary: To fulfil the obligation of developing a method for protective intervention as envisaged in Indicator 3 as well as to fulfil indicators 4 and 5, it is necessary to ensure that education, training and social protection services as the most important components of combat against child labour are adequate. This too has its cost. Unless these services are strengthened it is impossible to obtain any protective outcome for children from identification and intervention efforts. This may lead to frustration and exhaustion in persons working in this field.

In other words, if social capacity in intervention remains weak, neither company personnel in charge of detection and intervention nor others out of company expected to detect and report cases will be willing to undertake active responsibility. Building social capacity for interventions is therefore a must in combating child labour.

It will therefore be necessary to have planning to respond to needs identified in needs analysis related to protective interventions. This may include, for example, improving school/classroom capacity in the area to provide equal quality education to children regardless of their parents' economic means; strengthening teacher capacity; and extending support to protect the children of unemployed parents in an inclusive education system. The primary responsibility in this regard rests with the State. What is expected from companies is to consider these needs of their region in their activities and cooperate with responsible institutions in implementing solutions.

The child labour prevention policy document of the company must therefore also include a strategy to improve services so as to make any intervention effective. One of the major criteria in checking the existence of this strategy is whether resources necessary for this improvement are envisaged in the implementation plan.

Criterion 24 / Checking questions

1. Do you have a plan that is based on needs analysis indicating how you will contribute to social capacity building in preventive interventions against child labour?

☐ Yes ☐ No

2. Do you have a budget allocated to combating child labour in your supply chain?

☐ Yes ☐ No

3. Do you allocate budget to preventive interventions in the region where you are active?

☐ Yes ☐ No

Company supports all its suppliers to ensure their compliance with 10 key indicators identified for combating child labour.

Commentary: Production often requires a long and complex chain of supply. For example, there may be no child employed in a chocolate factory in Switzerland, but it is mostly unknown what forms of labour are involved in enterprises that produce equipment or raw materials necessary for chocolate production such as sugar, cacao, oil, milk, hazelnut, etc. Yet, production conditions prevailing in these enterprises affect the production costs of the main factory and the product itself. Hence, when it comes to prevention of child labour, there is need to take a look at the supply chain in full, not only the factory producing the final good. This in turn is a process which is often too complex and difficult to monitor. Particularly in some sectors like garments, actors involved in the supply chain increase as one moves down to early stages and relations become hard to discern. Towards the end of the supply chain relations are formal and based on contracts; but on the opposite end of the chain, more informal actors may take part in the process with their informal relations. This is a factor that makes it more difficult to monitor and supervise some negative aspects of working life including child labour in the first place. Therefore, one of the standards that companies must observe is to assume responsibility for the supply chain. Besides conveying standards to suppliers as their obligations, this also requires fair sharing of the cost of improvements desired considering that weaker and more fragile actors are involved in lower parts of the supply chain. Given that suppliers in this part of the chain are mostly small enterprises and individuals, this will also be an approach to combating child labour.

Criterion 25

All suppliers of the company in its supply chain are effectively monitored and evaluated in the context of child labour prevention policy.

Commentary: The precondition for an effective monitoring is to have full information about the supply chain. The company must therefore have a supply chain map covering all inputs (including those from home-based workshops). Besides the entire production process, this map must also cover address information relating to each point in the chain. It is often impossible to have this map in sectors with too many inputs like the garments sector. As one goes deeper into details long-term production relations leave their place to informal production and short-term cooperation. It is therefore important to make all production processes monitorable including home-based protection activities. This requires a formal-written method for mapping and monitoring work.

Monitoring must be carried out in regular intervals given the dynamic and variable nature of supply chains. Conducting annual monitoring must be set as a minimum standard. What is essential is to have an implementation plan that provides for intervals responsive to needs identified in the map.

As in all other areas, in this area too there must be expert support in child rights and prevention of child labour.

This assessment must cover all indicators since all indicators are closely interrelated until the 10th. Non-fulfilment or insufficient fulfilment of any indicator affects all others.

Effective monitoring in supply chain is expected to use methods that will ensure collecting information from a variety of sources including visits to suppliers and taking opinions of relevant stakeholders (all employees including children, institutions in charge of preventing child labour, NGOs and others). This must cover enterprise practices of suppliers as well. Besides partners in the process and stakeholders, persons and institutions having their roles and responsibilities in the system must also be covered.

Standards to be fulfilled by suppliers must cover all indicators and the procedure to be followed for suppliers not fulfilling these standards must be explicitly specified and included in contracts with suppliers.

Another important criterion in this context is to have a regular risk assessment specific to the supply chain taken as basis. It is a step necessary for prevention efforts. Since supervision of the entire chain at each stage is not possible especially in processes where there are informal production activities, case-specific risk assessment is important in identifying hazards and resorting to preventive measures.

Criterion 25 / Checking questions

1. Does your company have a written document describing its expectations from your suppliers regarding prevention of child labour?
☐ Yes ☐ No
2. Do you have an up-to-date map of supply chain covering the process of production from top to down?
☐ Yes ☐ No
3. Do you share your supply chain with the public?
☐ Yes ☐ No
4. Do your supplier assessments related to child labour meet the following conditions?
☐ Have a formal-written method
☐ Done in regular intervals (at least once a year)
☐ Done with expert support
☐ Covers all 10 indicators
☐ Includes supplier visits as well
☐ Includes interviews with relevant stakeholders
5. Do you have a procedure to follow in case of suppliers not complying with indicators that is guaranteed by a contract?
☐ Yes ☐ No
6. Do you conduct child labour risk assessment regularly for your supply chain (at least once a year)?
☐ Yes ☐ No

Criterion 26

Company extends source and information support to its suppliers in complying with indicators in child labour prevention policy in supply chains.

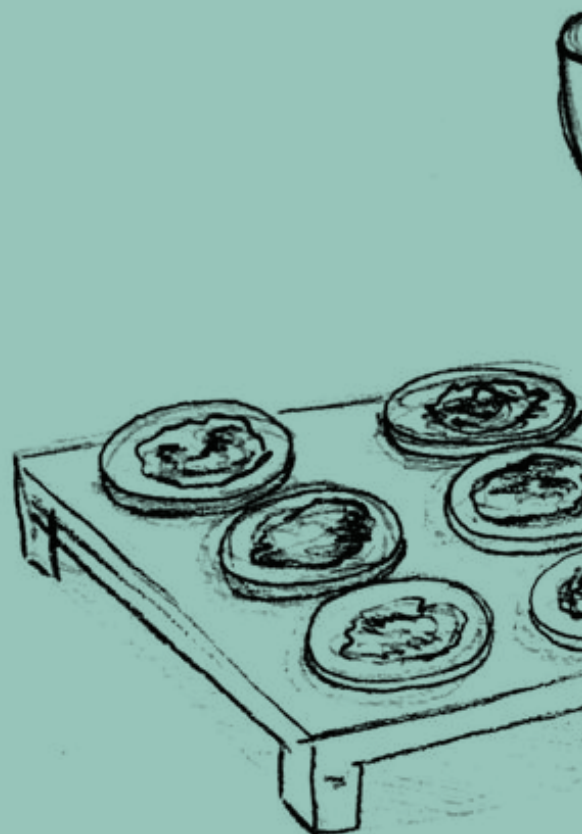
Commentary: For having company indicators fulfilled at all stages of supply, contracts with suppliers must cover obligations for their fulfilment. This is necessary, but not sufficient. If the cost of fulfilling indicators is not reflected on procurement and/or other support schemes this cost will be reflected on the next one in each step to continue until the final step where there are employees as parents and their children. The most important criterion here is therefore the responsibility that the company undertakes in bearing the cost of fulfilling indicators. This responsibility may take the form of providing support in terms of training and materials or manifest itself in purchasing policy to be pursued in setting the price of the major product. Risk analyses expected to be made until this stage will also guide the company in this respect. In cases where the cost of indicators is not reflected on price it must be admitted that there is the risk of child labour exploitation or violation of the rights of the child.

Further, the company must avoid extremely short-term orders which may cause the use of child labour in supply chain or put time pressure upon suppliers that eliminate the possibility of checking whether indicators are fulfilled or not. The company must also pursue a purchasing policy that facilitates suppliers' compliance with standards.

Criterion 26 / Checking questions

1. Do your contracts with suppliers include the following?
 - ☐ Minimum age in employment
 - ☐ Conditions for employing children
 - ☐ Economic and social rights that adult employees must have
2. Did you make a cost analysis concerning the fulfilment of expected standards in supply chain?
 - ☐ Yes ☐ No
3. Do you consider the cost of ensuring standards expected from the supply chain during procurement activities?
 - ☐ Yes ☐ No
4. Are there support schemes for your suppliers to ensure their compliance with indicators? (training, tools, etc.)
 - ☐ Yes ☐ No
5. Are minimum time periods for orders specified as covering your entire supply chain?
 - ☐ Yes ☐ No
6. Do you oversee compliance with minimum time periods for orders in your supply chain?
 - ☐ Yes ☐ No

IMPLEMENTATION OF INDICATORS AND CRITERIA





As explained in Background, a wide range of available conventions, guides, declarations and other sources related to monitoring human rights in business were used in developing indicators and criteria in this guide. Hence, observance of these indicators and criteria by companies will also contribute to the fulfilment of relevant standards, criteria or indicators in these other sources. Table-3 below shows the relationship between indicators and criteria in the present guide and some other key monitoring tools as a guide.

Table 3. Relations of indicators and criteria in this guide with international monitoring tools








INDICATORS	RELATED MONITORING TOOLS
INDICATOR 1 Company has an effective child labour prevention policy.	<ul style="list-style-type: none"> ▪ ILO Conclusions Concerning the Promotion of Sustainable Enterprises (enterprise- level principle #3) ▪ OECD Guidelines for Multinational Enterprises (general policies #A8; human rights #4; employment and industrial relations #1c) ▪ Guiding Principles on Business and Human Rights (#16) ▪ Children's Rights and Business Principles (#1, 4) ▪ Amnesty International Human Rights Principles for Companies (#1)
INDICATOR 2 Children are employed by the company only at legally permitted ages and conditions.	<ul style="list-style-type: none"> ▪ ILO Conclusions Concerning the Promotion of Sustainable Enterprises (enterprise- level principle #3) ▪ OECD Guidelines for Multinational Enterprises (employment and industrial relations #1c, 4c) ▪ Global Compact (#5) ▪ Children's Rights and Business Principles (#2, 3) ▪ ISO 26000 (6.4.1, 6.4.2, 6.4.6) ▪ GRI Standard (GRI 408-1 child labour) ▪ FLA Workplace Code of Conduct (I.4, V.1-8) ▪ ETI Base Code (#4.1, 4.3)
INDICATOR 3 Company has an effective monitoring system in identifying and protecting children employed at illicit ages and conditions.	<ul style="list-style-type: none"> ▪ OECD Guidelines for Multinational Enterprises (employment and industrial relations #1c) ▪ Children's Rights and Business Principles (#2) ▪ ETI Base Code (#4.2)
INDICATOR 4 Company has a wage policy providing a decent standard of life to all its workers and their families.	<ul style="list-style-type: none"> ▪ OECD Guidelines for Multinational Enterprises (employment and industrial relations #1e, 4b) ▪ European Pillar of Social Rights (principles #2, 5, 6, 14) ▪ Amnesty International Human Rights Principles for Companies (#8) ▪ ISO 26000 (6.4.4) ▪ GRI Standard (GRI 405-2 ratio of basic salary and remuneration of women to men) ▪ FLA Workplace Code of Conduct (II.3, IX.1, IX.2) ▪ ETI Base Code (#5.1, 5.3, 8.1, 8.2)

INDICATORS	RELATED MONITORING TOOLS
INDICATOR 5 Working conditions offered by the company are favourable for employees in ensuring a sustainable balance of working life, family life and social life.	<ul style="list-style-type: none"> ▪ ILO Conclusions Concerning the Promotion of Sustainable Enterprises (enterprise- level principle #3) ▪ Children's Rights and Business Principles (#3) ▪ European Pillar of Social Rights (#9, 11, 12) ▪ GRI Standard (GRI 401-3 parental leave) ▪ FLA Workplace Code of Conduct (II.8)
INDICATOR 6 All employees of the company have the right to associate.	<ul style="list-style-type: none"> ▪ OECD Guidelines for Multinational Enterprises (employment and industrial relations #1a) ▪ Global Compact (#3) ▪ Amnesty International Human Rights Principles for Companies (#7) ▪ GRI Standard (GRI 407-1 freedom of association) ▪ FLA Workplace Code of Conduct (VI.2) ▪ ETI Base Code (#2.1)
INDICATOR 7 Company has a functional and effective complaint mechanism.	<ul style="list-style-type: none"> ▪ OECD Guidelines for Multinational Enterprises (general policies #A9) ▪ Children's Rights and Business Principles (#1) ▪ ISO 26000 (6.3.6)
INDICATOR 8 Company has an effective monitoring-evaluation system for ensuring the compliance of company activities with standards and indicators of child labour prevention policy.	<ul style="list-style-type: none"> ▪ Children's Rights and Business Principles (#1) ▪ Amnesty International Human Rights Principles for Companies (#9)
INDICATOR 9 Company has a regular assessment system and an effective risk management plan on actual and potential effects of its activities on children.	<ul style="list-style-type: none"> ▪ ILO Conclusions Concerning the Promotion of Sustainable Enterprises (enterprise- level principle #6) ▪ OECD Guidelines for Multinational Enterprises (general policies #A2, A10, A11, A12; human rights #1, 2, 3, 5) ▪ Global Compact (#1) ▪ Guiding Principles on Business and Human Rights (#17-21) ▪ Children's Rights and Business Principles (#1) ▪ ISO 26000 (6.3.3) ▪ GRI Standard (GRI 203-2 significant indirect economic impacts; GRI 413 local communities)

INDICATORS	RELATED MONITORING TOOLS
INDICATOR 10 Company conducts capacity building activities to enhance social and sectorial capacity in combating child labour.	<ul style="list-style-type: none"> ▪ ILO Conclusions Concerning the Promotion of Sustainable Enterprises (enterprise- level principle #5) ▪ OECD Guidelines for Multinational Enterprises (general policies #A1, A3) ▪ Children's Rights and Business Principles (#2, 10) ▪ Amnesty International Human Rights Principles for Companies (#3) ▪ ISO 26000 (6.8.3)
INDICATOR 10*1 Company supports all its suppliers to ensure their compliance with 10 key indicators identified for combating child labour.	<ul style="list-style-type: none"> ▪ ILO Conclusions Concerning the Promotion of Sustainable Enterprises (enterprise- level principle #6) ▪ OECD Guidelines for Multinational Enterprises (general policies #A13) ▪ ISO 26000 (6.6.6) ▪ GRI Standard (GRI 414 supplier social assessment)

It cannot be expected to have indicators in this guide fulfilled simultaneously by all companies. Expectation from any company is shaped by the type of the company, its size and priority assigned to indicators. The ultimate goal is of course to have all companies fulfil all indicators regardless of their size. Nevertheless, making a classification in regard to time required for preparation by taking into account the scope of the indicator and size of the company will be useful in including all companies gradually in time. In this context, Tablo-4 below offers a prioritization plan in terms of the scope of indicators.

Table 4. Prioritization in the fulfilment of indicators

<p>Yakın        Uzak</p>		
INDICATOR 1 Company has an effective child labour prevention policy.	Criterion 1 Company has a well-prepared and comprehensive child labour prevention policy document envisaging combat against child labour in production and/or services and in supply chains in its domain.	
	Criterion 2 Company has a comprehensive and monitorable implementation programme to execute its policy to prevent child labour in its area of responsibility.	
	Criterion 3 Company's child labour prevention policy is known by all relevant parties.	



INDICATOR 2 Children are employed by the company only at legally permitted ages and conditions.	Criterion 4 Works that children can be employed in the company are determined in a way not to harm their development and interfere with their education.
	Criterion 5 All children employed by the company are provided working conditions that are in compliance with the rights of children and workers
	Criterion 6 All measures are taken and observed in ensuring work safety and health for all children employed by the company
INDICATOR 3 Company has an effective monitoring system in identifying and protecting children employed at illicit ages and conditions.	Criterion 7 There is a well-defined and effective mechanism in the company in identifying children that are employed at illicit ages and conditions.
	Criterion 8 There is an effective and relevant intervention system for protecting children identified as employed at illicit ages and conditions.
INDICATOR 4 Company has a wage policy providing a decent standard of life to all its workers and their families.	Criterion 9 The lowest wage paid by the company is sufficient to ensure a decent life for workers and their families
	Criterion 10 Company provides its employees job and income security sufficient to ensure sustained and regular earning.
INDICATOR 5 Working conditions offered by the company are favourable for employees in ensuring a sustainable balance of working life, family life and social life.	Criterion 11 Company arranges working time and hours in a way to enable its employees to fulfil their parental responsibilities.
	Criterion 12 Company employees are provided support in fulfilling their parental roles and meeting their needs (e.g. subsidized care, support in participation to social and cultural activities, etc.)
INDICATOR 6 All employees of the company have the right to associate.	Criterion 13 Company employees can exercise their legally recognized right to organize.
	Criterion 14 Employees can develop alternative organization models or join existing organizations (civil society organizations) or platforms and similar formations that enable them to remain organized.

Yakın



Uzak

INDICATOR 7 Company has a functional and effective complaint mechanism.	Criterion 15 Company has an effective (legitimate, accessible, predictable, fair and transparent) complaint mechanism.
	Criterion 16 Measures are taken to increase the use and effectiveness of complaint mechanism.
INDICATOR 8 Company has an effective monitoring-evaluation system for ensuring the compliance of company activities with standards and indicators of child labour prevention policy.	Criterion 17 Company has an effective internal monitoring-evaluation system for its child labour prevention policy in its process of production of goods and services.
	Criterion 18 Company has an effective external auditing mechanism for its internal monitoring-evaluation system.
	Criterion 19 Outcomes of monitoring-evaluation and auditing are fully and regularly shared with all relevant parties.
INDICATOR 9 Company has a regular assessment system and an effective risk management plan on actual and potential effects of its activities on children.	Criterion 20 The company has a regular assessment system regarding actual and potential negative effects of company activities on child labour.
	Criterion 21 There is an effective risk management plan for actual and potential negative effects of company activities on child labour.
INDICATOR 10 Company conducts capacity building activities to enhance social and sectorial capacity in combating child labour.	Criterion 22 Company is engaged in awareness building activities in combating child labour that covers the sector as a whole and its stakeholders in production process.
	Criterion 23 Company is engaged in activities to strengthen cooperation with responsible institutions and others in the sector in combating child labour.
	Criterion 24 Company is engaged in activities to strengthen capacity for developing protective interventions in combat against child labour.
INDICATOR 10⁺ Company supports all its suppliers to ensure their compliance with 10 key indicators identified for combating child labour.	Criterion 25 All suppliers of the company in its supply chain are effectively monitored and evaluated in the context of child labour prevention policy.
	Criterion 26 Company extends source and information support to its suppliers in complying with indicators in child labour prevention policy in supply chains.

As explained above, the size of companies too must be used as a criterion in defining responsibilities with respect to indicators. Multinational or foreign enterprises and national companies engaged in exporting goods and services are obliged to fulfil all of these standards. They are expected to do this as soon as possible. For companies engaged in local-level production or service provision, on the other hand, there is need for a new criterion. Responsibilities to be undertaken and plans for their fulfilment may have different time-schedules depending on the size of enterprises.

The commonly used criterion in defining the size is the number of persons employed.¹ According to this, entities employing 250 and more persons can be considered as “large” and others employing less than 250 persons as “small and medium size” (SME). SMEs in turn can be classified within as micro enterprises (employing less than 10 persons), small enterprises (10-49), and medium size enterprises (50-49). Since it is a current practice to register some employees with the payroll of another company in order to avoid some obligations deriving from size, this classification must be based not on what is shown in the payroll but the number persons actually working for the company.

By using this classification, Table-5 offers a plan for indicators that companies should be responsible for and time to be allocated for their fulfilment with respect to their size.

Table 5. Responsibilities for indicators by company size

	Micro (<10 workers)	Small (10-49 workers)	Medium (50-249 workers)	Large (>250 workers)	Exporting	Multi- national / Foreign
INDICATOR 1 Company has an effective child labour prevention policy.	✓	✓	✓	✓	✓	✓
INDICATOR 2 Children are employed by the company only at legally permitted ages and conditions.	✓	✓	✓	✓	✓	✓
INDICATOR 3 Company has an effective monitoring system in identifying and protecting children employed at illicit ages and conditions.	✓	✓	✓	✓	✓	✓

¹ <https://data.oecd.org/entrepreneur/enterprises-by-business-size.htm> (Accessed 07.07.2021)

INDICATOR 4 Company has a wage policy providing a decent standard of life to all its workers and their families.	5 years	3 years	1 year	✓	✓	✓
INDICATOR 5 Working conditions offered by the company are favourable for employees in ensuring a sustainable balance of working life, family life and social life.	5 years	3 years	1 year	✓	✓	✓
INDICATOR 6 All employees of the company have the right to associate.	5 years	3 years	1 year	✓	✓	✓
INDICATOR 7 Company has a functional and effective complaint mechanism.	✓	✓	✓	✓	✓	✓
INDICATOR 8 Company has an effective monitoring-evaluation system for ensuring the compliance of company activities with standards and indicators of child labour prevention policy.	---	3 years	1 year	✓	✓	✓
INDICATOR 9 Company has a regular assessment system and an effective risk management plan on actual and potential effects of its activities on children.	---	---	3 years	✓	✓	✓
INDICATOR 10 Company conducts capacity building activities to enhance social and sectorial capacity in combating child labour.	---	---	3 years	✓	✓	✓
INDICATOR 10¹ Company supports all its suppliers to ensure their compliance with 10 key indicators identified for combating child labour.	---	---	---	✓	✓	✓



Kingdom of the Netherlands

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