AN ETHICAL FRAMEWORK FOR CROSS-BORDER LABOR RECRUITMENT:
An Industry/Stakeholder Collaboration to Reduce the Risks of Forced Labor and Human Trafficking
APPENDIX 3

Sources of Information to be Sought in the Verification Process
INFORMATION FROM RECRUITMENT — COMPANY MANAGEMENT

Information should be obtained from: General Managers (or their representatives); general counsel/legal affairs staff; corporate responsibility/investor relations/stakeholder relations departments; and parties specifically responsible for ethical code compliance (if such a code exists). Information may also be supplied via links to the Company's financial or other reporting systems. Company representatives should be asked to describe:

• **Company History and Background** – Describe the Company’s business history; how long has the Company been in operation? How has it expanded/changed since (e.g., scope of services provided, geographical reach, business size (volume, $)).

• **Ownership and Leadership Structure** – Where and how (public, private, family-owned?) is the Company's business registered? Who are the owners? Is the ownership structure in compliance with law?

• **Organizational Structure** – Describe how work is organized (by functional area, by industry, by geographic area); describe reporting structure and accountabilities for different functional areas; staff sizes per functional area/geographic location; staff recruitment and retention processes; staff development and training processes, etc. How are business partners/agents/sub-agents selected?

• **Engagement with Agents or Business Partners (Domestic and Abroad)** – Nature and length of relationships; functions, roles and accountabilities of agents and partners; selection process (any due diligence done? describe process); contractual requirements, including any ethical/legal requirements that bear on CIETT Code; presence/absence (and description) of systems for performance management.

• **Nature of Services** – Description of all services provided to employer-clients—what services are provided to what industries? Countries of operation; worker-focused services (e.g., provision of vocational or language/cultural training, other services provided to workers or jobseekers); number of clients; volume of business.

• **Culture and Values** – Guiding principles, company values, ways of working, how the Company measures success and good performance.

• **Client Engagement** – Marketing strategies, relationship history, services provided.

• **Engagement with Governments** – Describe any engagement with governments, including government accreditation programs, etc.

• **Business Processes** – Describe a typical recruitment, selection and hiring cycle – who does what, where and how? Issues and constraints/challenges faced; turnaround times.
• **Code Awareness and Implementation** – What has the Company done to implement the Code? Who is accountable for Code Performance? Have there been changes in the way the Company has been managing the business to better meet the Code? What are they?

• **Controls** – What measures or internal controls (both management and operational controls) has the Company developed to ensure that it meets the Standards of Ethical Practice for each Code Principle?
  - Formal Incorporation of Principles
  - Legal Compliance
  - Transparency and Equal Access to Information
  - No Fees for Job Seekers
  - Worker Safety
  - Respect for Diversity
  - Workers’ Rights and Decent Work
  - Confidentiality
  - Avoidance of Corruption and Conflict of Interest

• **Application of Contingency Measures** – What policies and practices are in place to deal with common contingent events that may alter the conditions and timeline of planned recruitment and hiring processes? What evidence can be gathered about the level of planning that may exist for routine contingencies, how contingencies are communicated to recruits, what financial and other measures are in place to handle contingencies, etc.?

• **Code Implementation Issues and Challenges** – How does the company identify and articulate the various challenges that routinely emerge in establishing and enforcing new standards? What management and organizational initiatives are undertaken to meet these challenges and continuously improve performance? Do internal perceptions of challenge, response, and improvement correspond with those of the independent reviewer?

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**INFORMATION FROM JOB-SEEKERS AND EMPLOYEES**

Gathering information from workers requires that the inquiries be done in a location and setting that communicates security and confidentiality to workers, and gives them confidence that negative information will not result in reprisals. Workers should be asked for:

• **Personal Background Information**
  - Name, age, educational attainment, occupation, employer (if currently employed), home town, civil status

• **Nondiscrimination**
  - How did they learn about the job?
- How were they recruited?
- How were they selected?
- How were they hired?
- How were they deployed?

**Pre-Employment Fees**
- Did the worker pay fees at any point in the recruitment, selection and hiring process to get the job? If yes, list all fee amounts, what they were for, and to whom they were paid.
- Did the worker get receipts of payment?
- What other expenses did the worker have to pay for in the process of applying for and getting hired for this job? The verifier should nature of expenses, amounts, and to whom they were paid. Did the worker receive receipts for these payments?
- Did the worker have to borrow money to pay for any of these expenses? If yes, how much, from whom, and at what rates of interest?
- If the worker did not have to borrow money, how did the worker finance these fees?
- If the worker borrowed from a private lending agency, did the employment Company recommended the lending agency? If yes, was borrowing from the Company a requirement of getting the job?
- Did the worker pay for transportation from their home country to the country of employment? If yes, how much? Who will pay for worker’s return airfare?

**Bond**
- Did the worker have to place a bond prior to getting the job/beings deployed? If yes, how much, to whom, and what are the terms of the bond?
- Is the bond a legal requirement?

**Documentation**
- If the worker moved from one country to work in another, does the worker have a visa or work permit to work in the country of employment?
- If yes, did the worker have it before being deployed? Is the permit renewed on time? Who processes renewal?
- If no, where and when was the permit processed? How long did it take to process? What travel documents did the worker have while waiting for the documents to be processed?

**Transparency of Terms of Employment**
- What information about the job did the Company provide at the time of recruitment? At the time of contract signing? Upon entrance to the job? Were there any changes in these terms at any time? If so, what were the changes? Were all changes made with the worker’s prior knowledge and voluntary consent?

**Employment Contracts**
- Including details such as base wage (regular and overtime), hours of work, holidays,
days off in a week, benefits, health insurance, worker’s compensation, disciplinary and termination procedures, freedom of association. Are the workers satisfied that they are receiving all contractually agreed compensation and benefits?

**• Housing**
- Does the worker live in Employer-provided housing? Eat in Employer-provided cafeterias or mess halls? Does the worker pay for housing or food? If yes, how much? Can they choose to live/eat elsewhere?

**• Documents Management**
- Does the Company or the Employer keep the worker’s passport? Any other personal documents? What documents? If yes to either, is this legal? Can the worker get the documents back when they want them?

**• Pay Practices**
- Are there deductions made from worker’s pay? What are they for and how much? Are they all legal deductions? Do workers receive all benefits that they pay for?

**• Freedom of Movement**
- Under what circumstances can the worker leave his or her present employment? What would keep the worker from leaving this employment if he/she wanted to do so?

### INFORMATION FROM BUSINESS DOCUMENTS

Documents will be important to corroborate, verify, and validate information obtained from both employer and worker interviews.

- **Business Registration documents of the Company**, including permits and licenses to operate
- **Business Registration documents of any agents or sub-agents**, including permits and licenses to operate
- **List of owners, investors, directors**
- **List of other companies and businesses** owned by owners, investors and directors
- **Current Client list**
- **Copy of the Company’s Code of Ethical and Professional Conduct**, including evidence of conformance thereto by Company’s officers, owners, investors, employees, agents and sub-agents
- **Employment Contracts** (employees)
• **Service Contracts** (with clients) – including sample contracts from both the Company and a sample of its clients (separately)

• **Service Contracts** (with agents, business partners)

• **Sample Employment Contracts** (for workers placed in jobs); if different for different industries, countries, including samples for each. Sample contracts from the Company, as well as actual contracts from workers (separately)

• **Payroll Documents** – for the Company’s employees and agents

• **Payroll Documents** (company-placed workers) – if the Company manages wage and benefits payments for workers it places in jobs these documents should include timekeeping documents, payrolls, pay slips, receipts of remittance of deductions made from workers for benefits, and other documentation required to demonstrate compliance

• **Written Procedures** for the conduct of recruitment, selection, hiring and contracting—including handbooks, manuals, and guidelines used by staff in the performance of their functions, application forms and list of requirements issued to job-seekers, interview tools, selection criteria and tools, evaluation forms, performance appraisal forms

• **Written Procedures** for job safety risk assessment; risk assessment profiles

• **Written Procedures** for meeting confidentiality requirements, including employees’ NDAs

• **Discipline and Termination procedures** – for Companies that administer these procedures on behalf of their clients for workers that they place

• **Written Policies and Procedures** relevant to Code Principles and policies and controls for meeting them

• **Requirements for Clients** – including communications, memos and/or other documents given to Clients relevant to meeting Code Principles

• **Training plans, modules, reports relevant to Code Principles**, including training provided to successful jobseekers prior to and during employment

• **Investigation and Resolution Reports** of complaints made by jobseekers, workers, employers, relevant to Code Principles (Non-Discrimination)

• **Samples of job advertisements**

• **Samples of job orders**

• **Minutes of Annual Management Reviews** relevant to Code compliance

• **Medical and health insurance premiums**
INFORMATION FROM EMPLOYER—CLIENTS AND OTHER STAKEHOLDERS

As refined through a process of stakeholder engagement, the verification and certification process may also include interviews with employers/clients of the assessed firm, trade unions, and regulators with relevant authority.