

Our Supplier Code of Conduct: Frequently Asked Questions

OVERVIEW

As our Suppliers, you are a vital part of our business and we value our relationships with you.

We have developed this Frequently Asked Question (FAQ) document to support you to understand and comply with our Supplier Code of Conduct (the Code).

This FAQ aims to explain the requirements of the Code, including helping to unpack key terms, providing more information about international standards mentioned in the Code and giving suggestions about how we would encourage you to progress your implementation of the Code. The FAQ itself is not legally binding and does not form part of the Code.

If you have questions about your obligations under the Code, please read this FAQ. If your query is not clearly covered, please contact us at risk@tandg.global.

Part 1: Key frameworks

This section explains why we've developed the Code. It also outlines the key external frameworks we've used to inform the requirements set out in the Code.

Question 1: Why have we developed a Supplier Code of Conduct?

Central to T&G Global is the Māori value of Kaitiakitanga, which to us means treating the land, people, produce, resources and community with the greatest of respect and care, as guardians of their future.

Our commitment to kaitiakitanga is supported by our commitment to respect human rights. Human rights are the basic rights and freedoms enjoyed by all human beings. The concept of human rights recognises the inherent value of each person, regardless of background, where they live, what they look like, and what they think or believe. Like kaitiakitanga, human rights require us to treat people with care and respect and support their wellbeing, and are based on principles of dignity, equality and mutual respect.

It's important to us that our Suppliers share these beliefs and values and seek to make a genuine, lasting and positive impact, supporting these beliefs and values, through their business practices.

The Code sets out what we expect from all of our Suppliers and aims to help you understand the steps you need to take to do business with us.

We will work with you to help you understand the Code so that you can apply it to your own operations and supply chains. We will also work with you to manage any instances where you may not comply with requirements in the Code, though in some cases we may decide to stop working with you if we do not see appropriate progress in complying with the Code.

Question 2: What are the United Nations Guiding Principles on Business and Human Rights and why are they relevant to the Code?

The [United Nations Guiding Principles on Business and Human Rights](#) (UNGPs) are the authoritative global standard for how businesses should manage their risk of involvement in human rights harm. Human rights are the basic rights and freedoms enjoyed by all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Many human rights are relevant to businesses, such as the right to life, right to freedom from slavery, right to just and favourable conditions of work and the right to freedom from discrimination.

The UNGPs are not legally binding on companies. However, many laws and regulations around the world are grounded in the UNGPs (for example, Germany's *Supply Chain Due Diligence Act* and Australia's *Modern Slavery Act*). It is also increasingly common for companies to refer to the UNGPs in their policies, including in their Supplier Codes of Conduct.

The UNGPs make it clear that all businesses have a responsibility to respect human rights. This means you should work to avoid harming people through your business activities and relationships and address any harm that does occur in line with the UNGPs. Our people, customers, communities, investors, consumers as well as other stakeholders we engage with, expect that we and our Suppliers will meet this responsibility.

Following the requirements in our Code (such as treating workers with respect and dignity) will help you to show that you respect human rights in line with the UNGPs.

Questions 3: What is the Ethical Trading Initiative Base Code?

The [Ethical Trading Initiative \(ETI\) Base Code](#) is an internationally recognised code of good labour practice. It is a common global reference standard and is often used in social audits.

The ETI Base Code includes nine focus areas, which we have used to inform our Code:

- Employment is freely chosen
- Freedom of association
- Working conditions are safe and hygienic
- Child labour shall not be used
- Living wages are paid
- Working hours are not excessive
- No discrimination is practiced
- Regular employment is provided

Question 4: What is the International Labour Organization?

The [International Labour Organization \(ILO\)](#) is a United Nations body that brings together governments, employers and workers to help promote decent work.

One of the ILO's key areas of work is to set international labour standards which deal with issues such as forced and child labour.

The requirements in our Code relating to forced and child labour and other key topics like working hours, health and safety, and freedom of association, align with these standards set by the ILO.

Part 2: Implementing T&G's Supplier Code of Conduct

Question 5: What must I do to comply with the Code?

The Code is an integral part of our terms and conditions of trade and therefore the requirements, set out in the Code, need to be complied with.

These requirements explain the minimum standards we expect from our Suppliers. In many cases, you should already have policies and processes in place that meet or exceed these requirements (such as protections to keep your workers safe).

If there are parts of the Code you do not think you can meet, it's important that you contact us. We will work with you to understand any challenges and help you identify what you need to do to comply. We encourage Suppliers to go beyond and exceed the obligations set out in the Code and welcome examples of how you've exceeded these standards.

We may verify your compliance with the Code at any time, including by asking you for information about how you comply or requiring you to complete a social audit.

Question 6: What do I do if the requirements of the Code directly conflict with the laws or regulations where my business operates?

The Code is based on internationally recognised standards and frameworks which are commonly understood and accepted (see Part one).

In some cases, the requirements in the Code may be more or less strict than the minimum standards set by the law where you operate. In these cases, you must follow the stricter requirement. For example, you must follow the requirements in the Code about minimum working hours even if the local law does not set limits for working hours.

In some limited cases, you may not be able to meet specific requirements in the Code because these requirements directly conflict with the law where you operate. In these cases, you should respect human rights and standards to the greatest extent possible while complying with the applicable law. If you identify a direct conflict between this Code and an applicable law and are unsure about how to respond, you can contact us for guidance about how you can also work to respect human rights in this context.

Question 7: Who needs to read, understand and comply with the obligations in this Code?

You need to ensure that you understand all the requirements in the Code and how they apply to you.

We also expect you to make sure that your workers understand and follow the requirements in the Code. This means you should explain the requirements in the Code to any supervisors and managers in your business, as well as to your workers. For example, training on this Code could be included in existing mandatory training for supervisors and managers. Smaller businesses that do not have formal training programs could discuss the requirement of the Code during team meetings or at the beginning of key work periods, such as harvest time.

You should also check that any policies and processes you have in place align with the requirements in the Code. For example, you may need to review and update policies relating to health and safety or working hours.

Question 8: Do I need to share the requirements of this Code with my suppliers?

It is important that everyone in our supply chain acts in a way that respects workers, our communities and our planet.

The requirements in the Code apply directly to your business. However, we need you to also promote principles consistent with the Code with your contractors and sub-suppliers. A contractor is any person or company directly contracted by you to supply goods or services, such as temporary workers engaged to help you harvest produce. A sub-supplier is any person or company that supplies goods or services to you, such as fertiliser or off-site maintenance services.

This can include setting clear standards for your contractors and sub-suppliers in relation to issues such as modern slavery, child labour and safe and healthy working conditions.

Question 9: What do I do if I suspect a breach or potential non-compliance with this Code?

We expect you to promptly and honestly disclose to us any incidents in your operations that may breach the requirements of the Code. You must also advise us if you identify any contractor or sub-supplier, directly linked to the provision of goods or services to us, who has acted inconsistently with the principles set out in this Code. This includes situations where you become aware of a credible allegation (including where evidence of the breach is provided). You can contact us by email at risk@tandg.global. Anonymous reports can also be made via Speak Up, our confidential whistleblowing system (www.speakup-tandg.com).

We will seek to work with you to address any actual or potential breaches of the Code. This may include developing a corrective action plan that we ask you to implement. We will generally only consider termination as a last resort in circumstances, where a Supplier is unwilling or unable to address the issues identified or deliberately provides us with false, incomplete or misleading information.

Part Three: Understanding key requirements in the Code

Question 10: What is modern slavery?

The Code requires you to not engage in modern slavery practices, such as forced labour, debt bondage and child labour.

Modern slavery practices involve situations where coercion, threats or deception are used to take away a person's freedom so they can be exploited. Modern slavery can happen in any industry and any country, and victims are often vulnerable to exploitation due to their background, migration status, or factors like poverty.

Modern slavery is used to describe the most severe forms of exploitation. Modern slavery is different from comparatively less serious forms of exploitation, such as underpayment or excessive working hours. However, these practices are also illegal and can escalate into modern slavery if not addressed.

Question 11: What is child labour?

The Code requires you not to engage in child labour, including by verifying the age of workers present on your sites (even if not directly employed by you). Child labour refers to work that:

- is mentally, physically, socially or morally dangerous and harmful to children; and/or
- interferes with their compulsory schooling.

Children can be particularly vulnerable to harm because their bodies and minds are still developing. Whether or not particular forms of 'work' are considered 'child labour' depends on the child's age, the type and hours of work performed and the conditions under which it is completed.

To avoid child labour, it's important that you:

- do not employ workers younger than 15 or under the applicable legal minimum working age (whichever is higher), and
- ensure that any workers under the age of 18 are not required to do work that interferes with their compulsory schooling, or is mentally, physically, socially or morally dangerous, harmful, or hazardous. This includes work that involves lifting heavy weights, using toxic chemicals, operating heavy machinery, or is carried out at night-time.

If legally permitted, you may engage workers between the ages of 13 and 15. However, these workers can only undertake light work outside of night-time hours which is suitable for their age, skill and ability, and does not harm their health, safety or school attendance. This work should always be appropriately supervised and only done for limited hours.

Question 12: What do I suspect modern slavery or child labour is occurring?

Modern slavery and child labour are serious crimes and can involve significant harm to victims.

If you suspect modern slavery or child labour is occurring at your site and/or with your contractors or sub-suppliers, you should notify us as soon as possible by emailing risk@tandg.global. You should provide us with as much information as possible about the situation and how you are responding. We are committed to working constructively with Suppliers to address any actual or potential issues relating to compliance with the Code. We would generally only consider terminating the business relationship as a last resort where a Supplier is unwilling or unable to address the issues identified.

Question 13: Can workers work more than 60 hours in a week (including overtime)?

Working excessive hours can pose a danger to workers' health and safety and that of their colleagues and families. This is why the Code requires you to ensure workers' hours do not exceed the limits set by applicable laws or 60 hours per week (whichever is lower).

You may only permit workers to work more than this limit in exceptional circumstances, with their informed consent and where appropriate safeguards are in place. This can include situations where workers legitimately agree to undertake additional hours due to seasonal production peaks or to undertake urgent repair work.

Any additional hours must be permissible under applicable law and be freely agreed by the workers involved without threat of retaliation or disciplinary action.

You must also ensure that appropriate safeguards are in place to protect the workers' health and safety, including by managing fatigue. These safeguards may include:

- a) short breaks during working hours, especially when the work is strenuous, dangerous or monotonous;
- b) sufficient breaks for regular meals;
- c) daily or nightly rest of not less than ten hours within a 24-hour period; and
- d) weekly rest of at least a full calendar day.

Question 14: What does the Code require me to do if I use seasonal workers?

Seasonal workers, particularly migrant seasonal workers, can be particularly vulnerable to labour and broader human rights abuses.

All of the requirements set out in the Code apply in full and without limit to seasonal workers. This means you cannot set different standards for the treatment of your regular employees and seasonal workers. For example, seasonal workers must be paid fair wages and treated with respect and dignity at all times.

You must also ensure that seasonal workers (including those engaged through third party agents) are provided with clear written information about their employment terms and entitlements in a form they understand. This may include translating information into their native language where appropriate and using graphic formats if workers have literacy challenges.

There may also be specific laws and regulations that set requirements for the treatment of seasonal workers, which you must comply with. For example, New Zealand Suppliers who are approved to recruit under the Recognised Seasonal Employer (RSE) scheme must comply with the Government's set requirements.

Seasonal workers provided through third party agents such as labour hire providers can be particularly vulnerable to exploitation. You can help to manage these risks by confirming:

- The labour-hire provider is legally registered under any relevant national or local registration schemes.
- Workers understand their workplace rights and conditions and have a written contract in a language they understand.
- Workers have access to and control over their identity documents, such as passports.
- Workers are being paid appropriately.
- Workers have not paid excessive or illegal recruitment, accommodation or meal fees that result in debts to their employer.

Question 15: Do I need to provide a way for workers to raise concerns about the issues in the Code?

Yes. The Code requires you to provide a way for your employees, contractors, sub-suppliers and other workers to safely and anonymously raise concerns about any of the issues covered by the Code.

You can do this in two ways. The first option is to promote our T&G Global Speak Up line to your workers (this will be most relevant for small suppliers who may not have the capacity to establish other reporting mechanisms). The second option is for you to establish your own reporting mechanism.

If you establish your own reporting mechanism, you must ensure that as a minimum, it is trusted by and accessible to workers. This includes ensuring workers know about the mechanism and understand they will not be retaliated against or exposed to fear of retaliation for making a complaint. This may involve allowing complaints to be made anonymously.

For example, you should not have a complaints box where the complaints require a worker's name or can otherwise be attributed to a worker and are visible to other workers.

The UNGPs outline eight characteristics of an effective grievance process which we encourage Suppliers to consider when developing or reviewing their own reporting mechanisms. According to these criteria, any mechanism should be:

- **Legitimate:** enabling trust from the stakeholders for whose use the mechanism is intended and being accountable for the fair conduct of the process;
- **Accessible:** being known to all affected stakeholder groups, providing assistance where relevant;
- **Predictable:** clear and known procedure with an indicative time frame, clarity on types of processes and outcomes they offer;
- **Equitable:** seeking to ensure that aggrieved parties have reasonable access to sources of information, advice and expertise;
- **Transparent:** keeping parties informed about progress and providing information on the mechanism's performance;
- **Rights-compatible:** outcomes and remedies accord with internationally recognised human rights;
- **A source of continuous learning:** identifying lessons for improving the mechanism and preventing future harms; and
- **Based on engagement and dialogue:** consulting with stakeholder groups for whose use the mechanism is intended on design / performance, and focusing on dialogue to resolve grievances.

Links to helpful tools and resources

To help you, detailed below are some resources on key international standards and guidance

Resources to support responsible business conduct

- The [United Nations Guiding Principles on Business and Human Rights \(UNGPs\)](#): Use these principles and accompanying [Interpretative Guide](#) to learn more about your company's responsibility to respect human rights.
- [OECD sector guidance on responsible business conduct](#): You can use these guides to help you understand how to identify and manage human rights issues in key sectors, including agriculture.
- [Ethical Trading Initiative - Human Rights Due Diligence Framework](#): Use this guide to help you identify ways to protect labour rights in your business and supply chains.
- [Walk Free Business and Investor Toolkit](#): Use this Toolkit to help understand the actions you can take to improve human rights standards in your supply chains, including combatting forced labour, human trafficking and other forms of modern slavery.
- [The Dhaka Principles Quick Guide](#): Use this guide to learn more about how to protect migrant workers in your operations and supply chains.
- [UN Global Compact Network Australia – Guidance Note on Implementing Effective Modern Slavery Grievance Mechanisms](#): Use this guidance for practical advice on designing and implementing effective business-led grievance mechanisms to hear and address complaints about human rights in your operations and supply chains

Resources to help understand your human rights risks, including modern slavery

- [Human Rights Watch World Report](#): Use this report to help you understand potential human rights issues in countries you operate in or source from.
- [Business and Human Rights Resource Centre](#): Use this website to learn more about business and human rights issues (including the issues covered in the Code) and identify helpful resources.
- [Responsible Sourcing Tool](#): Use this website to help visualise and understand the human rights risks in your supply chains.
- [Global Slavery Index](#): Use this resource to learn more about the country-level prevalence of modern slavery, how modern slavery impacts specific countries, and what governments are doing to respond.

Resources on child labour

- [Children's Rights and Business Principles](#) (UNICEF, the UN Global Compact and Save the Children): Use this tool to understand the actions you can take to respect and support children's rights, including in the workplace.
- [ILO Supplier Guidance on Preventing, Identifying and Addressing Child Labour](#): Use this guidance to understand how to prevent child labour through effective age verification and the protection of young workers, and to effectively respond to it if it does occur.

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