

FSC Core Labour Requirements Webinar Q&A

FSC Core Labour Requirements Webinar Q&A - 8 December 2021		
Question #	Question	Answer
1	When will the Canadian Self-Assessment will be available?	As of December 15, 2021, FSC Canada has developed a pre-filled out self-assessment specific to Canada. Please use the link to Download the self-assessment here.
2	Do policies need to cover all aspects of the core labour requirements?	<p>All policies need to cover the following:</p> <ul style="list-style-type: none"> • Child labour • Force and compulsory labour • Discrimination in employment and occupation • Freedom of association and right to collective bargaining <p>However, whether your policy needs to detail specific FSC core labour requirement conventions in detail depends on the scope and complexity of your operations. A large, complex organization may need to specifically identify some or all the FSC core labour requirements in the policy statement. This is detailed directly in the FSC core labour Requirements Q&A – FSC Policy Statement(s), Questions 1 and 4. Available here: https://fsc.org/en/newsfeed/fsc-core-labour-requirements-question-and-answer-document-available</p>
3	For a multi-site certification – How do we ensure compliance with the core labour requirements?	<p>For Multi-site/Group certifications, the Central Office/Group Manager is ultimately responsible for ensuring compliance with the core labour requirements across all participating sites and group members.</p> <p>Regarding the policy statement, the Group Manager/Central Office is responsible for developing and implementing the policy statements, and ensuring each group members has the policy statements, it is implemented and made available to stakeholders. This is detailed directly in the FSC core labour requirements Q&A – FSC Policy Statement(s), Question 6. Available here: https://fsc.org/en/newsfeed/fsc-core-labour-requirements-question-and-answer-document-available</p> <p>The self-assessment shall be completed by the Group Manager/Central Office. See Annex D in FSC-STD-40-004 V3-1 for more information. Available here: https://fsc.org/en/document-centre/documents/resource/302</p>

		<p>The Central Office/Group manager is required to audit their group members in internal audits for compliance to FSC requirements this means all requirements including core labour requirements. This is detailed directly in the FSC core labour requirements Q&A – FSC Policy Statement(s), Question 6. Available here: https://fsc.org/en/newsfeed/fsc-core-labour-requirements-question-and-answer-document-available</p>
4	<p>The slide says that all group members must have their self-assessment by December 31, 2022, however we have an audit in Spring 2022. How can we ensure compliance?</p>	<p>As noted in the webinar, (25-minute mark, see question 16, below, for link), all group members <i>sampled by the certification body</i> must have their self-assessments available by the audit date. All group members must have their self-assessment filled out by 31 December 2022.</p>
5	<p>Some examples of supporting documents listed on slides may be considered private and confidential. How do we reconcile using such documentation?</p>	<p>It is between the certification body to determine the documentary evidence needed to ensure compliance with the core labour requirements. As such, there are signed agreements between the certification body and the certificate holder that ensure the confidentiality of such records outside of the audit. FSC has addressed this concern in their guidance document, FSC core labour requirements Q&A – Application of the core labour requirements, Question 9. Available here: https://fsc.org/en/newsfeed/fsc-core-labour-requirements-question-and-answer-document-available</p>
6	<p>How does the core labour requirements apply to subcontractors?</p>	<p>This answer is taken directly from the guidance document, FSC core labour Requirements Q&A – Application of the core labour requirements, Question 2. Available here: https://fsc.org/en/newsfeed/fsc-core-labour-requirements-question-and-answer-document-available</p> <p>“Yes, the requirements apply to companies who act as outsourcers and subcontractors to FSC-CoC-certified organizations, see the definition for workers below. Activities that are contracted out to outsourcers and subcontractors are under the scope of the organization’s CoC certificate are included in the evaluation by certification bodies, see relevant clauses from the Chain of Custody Standard (FSC-STD-40-004) below: For example, an organization who is only outsourcing activity that they would have done normally does not remove their responsibility to conform to the core labour requirements as long as legal ownership stays with the organization. All entities involved in the production or processing of FSC products or materials, (in-house or contractual) are covered by the scope of the certificate.”</p>

		The Organization must ensure that subcontractors are following the core labour requirements including having a signed outsourcing agreement attesting so. The subcontractors should also be made aware of what the core labour requirements are. See recorded webinar (22 minute mark, see question 16, below, for link) for further information.
7	We currently use subcontractors for pulp storage/warehousing. No production happens here. How do I ensure compliance?	See answer for Question 6, regarding how the core labour requirements apply to subcontractors. The certificate holder must ensure the outsourced activity/subcontractor complies with the core labour requirements.
8	We currently using trucking firms for transportation of goods. Are these companies included in the outsourcing requirements?	As noted in the standard, subcontractors that are part of the transportation process are exempt from outsourcing agreements, and so the certificate holder does not need to provide an outsourcing agreement or the core labour requirements to these subcontractors. See standard here https://fsc.org/en/document-centre/documents/resource/302 (page 23).
9	How does the core labour requirements apply to FSC-certified subcontractors?	FSC-Certified subcontractors will be audited by their own certification body against the core labour requirements.
10	If we don't comply with all the requirements during the 2022 audit, will we receive an NCR? What will the grading of the NCR be?	If the certificate holder is audited to the FSC-STD-40-004 V3-1 and the auditor cannot find conformity with all applicable requirements (including the core labour requirements), then an NCR will be issued. We do not currently have any guidance on whether core labour requirement NCR's will automatically be graded as Major NCR's, or not, but it will rather be based on a risk using FSC-STD-20-011 V4-0 guidance, found here https://fsc.org/en/document-centre/documents/resource/280 (page 30).
11	If the Organization does not provide any documents to support the self-assessment, will that be considered a Major or Minor NCR?	The certificate holder must provide documentary evidence to support the self-assessment findings as part of the audit. If this supplementary evidence is not able to be provided, the certificate holder will not be able to meet all standard requirements and an NCR will be issued by the auditor. See answer for question 11 regarding how NCR grading will be determined.

12	Will Preferred by Nature provide an outsourcing agreement template that includes the core labour requirement verbiage.	Yes – we have one available to download here: https://preferredbynature.org/sites/default/files/Guide%20to%20outsourcing%20of%20FSC%20production%20activities%2013Dec21%20ENG.docx
13	Is there a list from FSC clarifying which countries are high risk versus low risk.	This will be up to the certification body.
14	Can other third-party audit programs show conformity <i>instead</i> off filling out the FSC self-assessment.	No, filling out the FSC self-assessment is a requirement for all certification bodies. However, the third-party audit may be used within the self-assessment to help demonstrate the certificate holder’s compliance with the core labour requirements.
15	How does the union language within the ILO requirements reconcile with national laws in the US?	FSC US has addressed the ‘right to work’ laws on their webpage. See https://us.fsc.org/en-us/certification/chain-of-custody-certification/fsc-core-labor-requirements .
16	Will the slides and a recording be shared after the webinar?	https://www.youtube.com/watch?v=7xrsDuLSIvc

FSC Core Labour Requirements Webinar Q&A – 16 December 2021		
Question #	Question	Answer
1	If the producer has the external FSC audits in January would it be required to change to v3.1 in January 2022 or can it also be done in January 2023?	The effective date of the standard is September 1, 2021, this is when the standard may begin to be used. The transition period goes from September 1, 2021 – December 31, 2022, by the end of this period all certificate holders and applicants for certification shall have been evaluated to the new standard. There is 6 months from the end of this transition period for certified companies to have a certificate issued to the new standard, which allows a buffer in case of any open nonconformities preventing certificate issuance to the new standard and report finalization for those audits that occur in the final months of the transition period.
2	Is there a plan to release any additional national self-assessment?	<p>FSC is working on providing national adaptations of the FSC core labour requirements self-assessment template. Right now, adaptations for Australia, Balkans (Bosnia and Herzegovina, Croatia, Serbia), Chile, Denmark, Indonesia, Italy, Japan, Portugal, South Africa, Spain, UK and United States are available.</p> <p>Adaptations that will become available in 2021 or early 2022: Canada, China, France, Germany, Netherlands and New Zealand.</p> <p>You can find more information and download national self-assessment in FSC webpage: https://fsc.org/en/newsfeed/fsc-core-labour-requirements-update-0</p> <p>FSC will announce about new adaptation in their webpage.</p>
3	Can you share us self-assessment template?	The template can be found within Annex D of Version 3-1 of the Chain of Custody Certification Standard. You can find fillable versions on the chain of custody page on the FSC International and in Preferred by nature webpage under "Section Changes announced by FSC 2021": https://preferredbynature.org/certification/fsc-chain-custody/fsc-coc-standards
4	If I understand it correctly then Estonia is in ILO system with our legislation, therefore the proving is fairly simple as long as we abide Estonian	<p>This answer is taken directly from the guidance document, FSC core labour Requirements Q&A – ational law and ILO conventions, Question 1. Available here: https://fsc.org/en/newsfeed/fsc-core-labour-requirements-question-and-answer-document-available</p> <p>"When national law already covers all the FSC core labour requirements or your country has ratified the ILO conventions, you still must demonstrate conformity to the requirements. In the self-assessment, organizations</p>

	Work Law standards?	should first mention which laws govern these requirements and how they are implemented, and what is the proof of compliance. If you are already governed by national laws, proof of compliance with national laws can be used to prove conformity to the requirements.”
5	There is no self-assessment labor requirement for KSA (Kingdom of Saudi Arabia)?	No, there is not. You can find more information and download national self-assessment in FSC webpage: https://fsc.org/en/newsfeed/fsc-core-labour-requirements-update-0



About us

Preferred by Nature (formerly known as NEPCon) is an international non-profit organisation working to support better land management and business practices that benefit people, nature and the climate. We do this through a unique combination of sustainability certification services, projects supporting awareness raising, and capacity building.

For more than 25 years, we have worked to develop practical solutions to drive positive impacts in production landscapes and supply chains in 100+ countries. We focus on land use, primarily through forest, agriculture and climate impact commodities, and related sectors such as tourism and conservation. Learn more at www.preferredbynature.org

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