



Freedom of Association Protocol

agreed by the
[Fairtrade certified Company]
hereinafter referred as “**the Company**”

1. The company agrees to respect the human rights of the workers concerned and, in particular, the human right of all workers to form or join trade unions and to collectively bargain the conditions under which their work is performed. The Fairtrade Standard includes requirements for how certified companies shall respect rights under the Freedom of Association.
2. The Company will not do anything that would have the effect of discouraging workers from forming or joining a trade union. The Company will not refuse any genuine opportunity to bargain collectively with workers even where it is not legally obligated to do so. The Company agrees to allow representatives of trade union organizations that represent workers in the sector or in the region to meet with workers on company premises at agreed times and for these meetings to be conducted without any interference or surveillance. The Company must not interfere in any way with the election by workers of their representatives. This includes conducting or monitoring or certifying elections.
3. The Company will offer the representatives necessary facilities and, within reason, time off to carry out their functions, without requiring them to work overtime. Representatives can be expected to balance these functions with operational requirements, but not to the extent that they are unable to adequately represent workers.
4. The Company agrees to promote labour relations based on mutual respect, frequent dialogue and procedural fairness between the employer, on one hand, and workers and their trade unions on the other.
5. The Company agrees that capacity building of workers is essential for them to exercise their rights. The Company agrees to provide the facilities and the time off for workers so that all workers can be made aware of their rights. The Company also agrees to provide facilities and time off for union representatives and other elected representatives to improve their negotiation skills and knowledge of labour legislation.
6. The Company agrees to give due care to promote the empowerment of women by means of adequate training, capacity building, guidance, encouragement and assistance as necessary.
7. Given the importance of protecting trade union rights the Company agrees to communicate its commitment to Freedom of Association by posting a Right to Unionise Guarantee in the workplace in places that are visible for all workers. The Right to Unionise Guarantee shall be communicated to all workers, including temporary, seasonal and sub-contracted workers in their own language.

8. The Right to Unionise Guarantee shall be worded as follows:

[Company], in accordance with international human rights and Fairtrade requirements governing freedom of association, hereby guarantees all employees of [Company] the right to join or to form a union of their choice for the purposes of bargaining collectively with [Company] on working terms and conditions.

[Company] will not discriminate against any employee nor victimise any employee for exercising this right. Furthermore, [Company] will adopt a positive attitude towards any trade union organizers granted access for the purposes of talking about the benefits of trade union membership.

[Company] also will ensure that the formation of an organizing committee in the workplace is free of hindrance or interference or victimisation of the members of such a committee.

[Managing Director's name], Managing Director, [Company], Date

9. Fairtrade will designate one or more local points of contact that can inform workers about their rights and provide them with support to establish and operate trade unions in the workplace. The point(s) of contact will include contact information of one or more established trade union organization and will be made available by Fairtrade producer service teams. The Ministry of Labour or a workers' rights advocacy organization may serve as a point of contact in addition to or instead of a trade union organization. By signing of this protocol, companies commit to communicating the goal of the points of contact and posting relevant contact information in the workplace in a format and language accessible to workers.. The point of contact information is not required to be posted in workplaces where workers have been given the choice to join a trade union and have chosen not to be unionised, or if the majority of workers are already unionised.
10. Nothing in this Protocol shall set aside national legislation or the Fairtrade Standard for Hired Labour.

This Protocol was signed

Date:

Name:

On behalf of [Company]