

Migrant and Contract Worker Policy - Guidance

Version 3.0 Updated August 2020

The below checks and remedial actions are provided to support the principles provided in Superdry's [Migrant and Contract Worker Policy](#).

1. **There must be zero tolerance of exploitation, forced or compulsory labour through all levels of the Supply Chain.**
 - a. All cases or suspected cases must be reported immediately to Superdry;
 - b. Agencies/Labour Providers implicated in such cases must be investigated;
 - c. Commercial relationships must be terminated if offences are hidden or not dealt with in a timely manner.

2. **All workers must have the freedom to individually leave employment with reasonable notice.**
 - a. Migrant and contract Workers must always retain their passport or identification papers and work permits. Only photocopies of passports and/or identity papers should be kept on file. Where Workers ask that these are held for safekeeping, documents must be made available to the concerned Worker within 24 hours. A written record of the Worker's agreement to this must be kept;
 - b. Safe return is guaranteed. The employer must pay the cost of a flight or alternative safe transport home at the end of a migrant worker's contract, and also pay travel costs for compassionate leave.
 - c. See Section 5 for more detail.

3. **Migrant workers must have a legal right to work in the destination country.**
 - a. Become familiar with immigration legislation and legally required work permits.
 - b. Where the law limits the number or proportion of foreign or contract workers operating in any one business, this requirement must be respected.
 - c. Carefully check that all workers have a legitimate right to work, ideally before they arrive.
 - d. Be aware of the expiry date of passports and temporary work permits/visas and ensure that migrant workers obtain renewal of permits before their expiry.
 - e. Help migrant workers enrol in obligatory state social security and taxation systems, including helping to set up bank accounts.

4. **Employers are accountable for only using recruitment agencies that are legally recognised, reputable and responsible.**
 - a. Send a copy of the Superdry's Migrant and Contract Worker Policy to all recruitment agencies or labour providers.

- b. All workers must have clear and transparent contracts available in their native language.
 - c. Fully understand how migrant and contract workers are recruited, what fees they have paid, what loans they need to repay and how they have travelled to the destination country.
 - d. Limit the number of recruitment agencies used. Only employ migrant or contract workers who have been recruited through a reputable agency. If a certification systems exists, only use certified agencies.
 - e. Communicate standards to recruitment agencies and, where possible, check that professional recruitment practices are being followed.
- 5. Migrant and Contract workers must not be bonded using mechanisms or schemes including rehabilitation, apprenticeship programmes, loans or fees to obtain work. Any such loans or fees associated with recruitment or transportation of workers must be borne by the employer.**
- a. Migrant and contract workers must have the same freedom as local workers to leave employment, or seek work elsewhere. Do not withhold any money from any employee or introduce any other form of restriction that may restrict this freedom.
 - b. When budgeting for employment costs relating to migrant Workers, ensure that this includes recruitment fees, renewal fees, transportation and other costs associated with the recruitment and use of migrant Workers
 - c. Migrant and contract Workers should not have to pay a deposit to obtain employment;
 - d. Set up systems to pay recruitment agencies directly for migrant Workers' agency/recruitment fees and travel costs, avoiding the need for the migrant worker to make a payment;
 - e. All wages should be paid directly to the Worker and not through a third party;
 - f. Pay the cost of a flight or alternative safe transport home at the end of a migrant Worker's contract, and also pay travel costs for bona-fide compassionate leave;
 - g. Wages owing must be paid in full at completion of contract, before the migrant Worker returns home (exceptions may apply in the event of a sudden departure e.g. for compassionate leave);
 - h. Agree how to pay a migrant worker any outstanding wages if they need to leave suddenly to travel home.
- 6. The responsibility for training Migrant and Contract Workers must be well-defined. Training must be adequate and in a language that is understood;**
- a. Ensure that training is given by the manufacturer in a language that migrant workers understand.
 - b. Ensure that essential safety training is given and that migrant and contract workers understand safety procedures such as alarms, evacuations etc.

- c. Appoint an on-site migrant and/or contract worker coordinator who can communicate fluently in the languages of the migrant workers and factory management.
 - d. Ensure that migrant and contract workers are represented on workplace committees, and in workplace communications. Ideally contracts and worker handbooks should be translated when necessary.
 - e. Migrant and contract workers must have the same freedom as local workers to join unions and to participate in collective bargaining processes.
- 7. Working and living conditions must safeguard Migrant and Contract Workers' safety, dignity, welfare and rights.**
- a. Terms of Employment:
 - i. Employ migrant Workers through direct employment contracts, even if they have been recruited through an agency. This employment contract must be legally enforceable in the country of employment (destination country/territory);
 - ii. The employment contract should be signed with each Worker in the Worker's source country/territory;
 - iii. All policies must be inclusive: Provide migrant workers with the same opportunities and employment conditions as domestic workers, including the same rates of pay for comparable job roles. Create equal opportunities.
 - iv. Ensure migrant workers are made fully aware of terms of employment, living conditions, job role and length of employment contract before accepting the job, and before leaving their home country or region.
 - v. Ensure that the contract and terms of employment are fully understood by the migrant or contract worker.
 - vi. Explain basic employment rights to migrant and contract workers. In particular make them aware of how to raise a concern or grievance and how to obtain medical, financial or personal advice.
 - vii. Issue a separate employment contract for migrant workers that include repayment of fees and travel (as applicable). Include provisions for migrant workers who are injured at work, become ill or pregnant.
 - b. Accommodation:
 - i. Help workers find suitable accommodation and to access local healthcare facilities
 - ii. Check that accommodation used by migrant and contract workers is clean, safe and does not negatively impact workers' rights (e.g. freedom of movement, freedom from harassment) or any other principle summarised in our Code of Practice.
 - iii. Lockable storage must be provided in Workers accommodation to facilitate Worker's safe retention of their papers;

8. Migrant and Contract Workers must be protected in cases where exploitation is suspected or identified - and remedy provided.

- a. Protect the identity and welfare of vulnerable people, including the person or people who reported the case.
- b. Inform Superdry as soon as possible.
- c. Work with Superdry and necessary independent international agencies to investigate and document any outcomes. Seek professional help where an independent view is required or in complex or sensitive cases.
- d. Provide suitable remedy to the impacted workers.

Ownership and Contact Details

Please contact your local Ethical Trading Manager with any questions relating to the Implementation of this guidance.

Superdry's Head Office Sustainability and Ethical Trading team is contactable through: - ethical.trading@superdry.com.