



Grievance Mechanisms Training Toolkit

Facilitated by Labor Solutions

Initial meeting with management

Initial Meeting Objectives

1. What are grievance mechanisms and why are they important?
2. What is the RA Grievance Mechanism standard and what will the training cover?
3. Discuss and agree the training plan



Case study / temperature check

Case study 1



You live above a very annoying coffee shop:

- Loud music
- Smelly rubbish bins
- Staff won't help

But some of your neighbors go there all the time and like it.

What can you do?

Case study 2



Waste stops being picked up in your area and smelly piles of bags start piling up in front of your house. It's been 2 weeks and you are worried about your family's health.

What can you do?

What is the first thing that comes to your mind when you hear the term grievance mechanism?



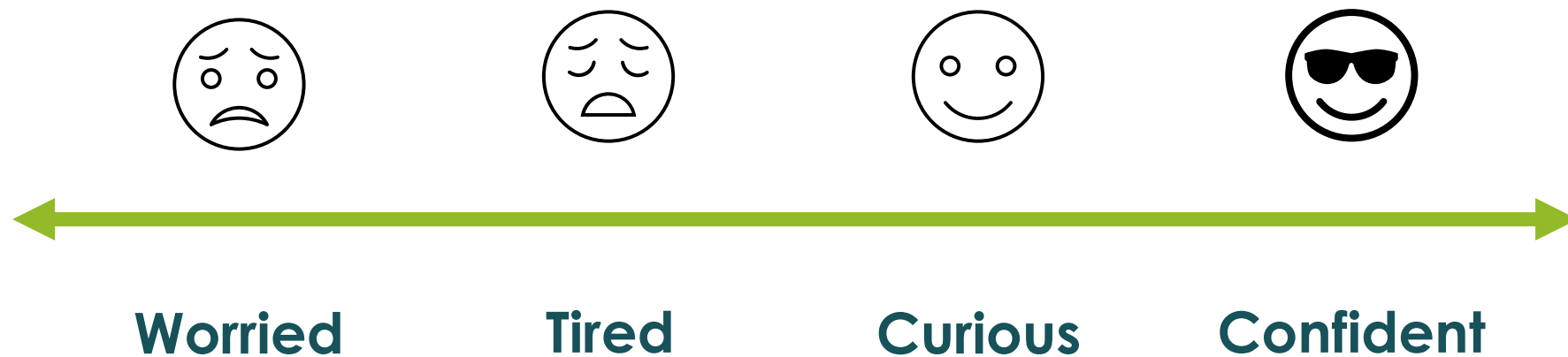
Confusion?



Confidence?

Something else? Why?

How do you feel when you hear the term grievance mechanism?



Why?

What are grievance mechanisms?

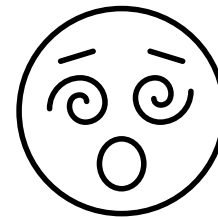
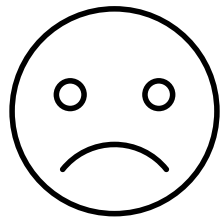
What is a grievance?

“A grievance is **a complaint or concern** by any person about another person’s or organization’s actions or about its rules and policies that have or might negatively affected the complainant. “

Grievances must be:

- Taken seriously
- Investigated
- Where needed, remedy must be provided.

What can workplace grievances look like?



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Simple requests:

“I have not been provided with the equipment I was requested to use. Can it be provided?”

Raising alarm on something potentially dangerous:

“A pesticide containers are not stored properly being a hazard to people at the farm and the environment.”

Allegations and reports of mistreatment:

“My supervisor sexually assaulted me and keeps threatening me if I tell someone”.

What is a grievance mechanism?

“**A process** through which individuals, workers, communities, and/or civil society organizations (including whistle-blowers) can raise their complaints of being negatively affected by specific farm or business activities and/or operations and get remedy.”

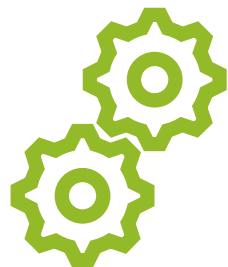


Different Types of grievance mechanisms



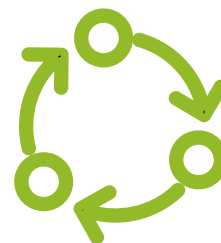
What do grievance mechanisms consist of?

All grievance mechanism need the following:



CHANNEL

What enables the communication to happen and flow in both directions?



PROCESS

What are the steps that are taken after a grievance is submitted?



GOVERNANCE

Who owns the mechanism and who is responsible for what? Who is responsible for reviewing and updating to improve effectiveness?

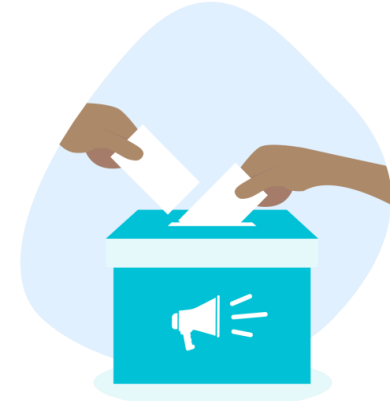
What might grievance channels look like?



Conversation



Hotline or an app



Complaints box



Letter or an email

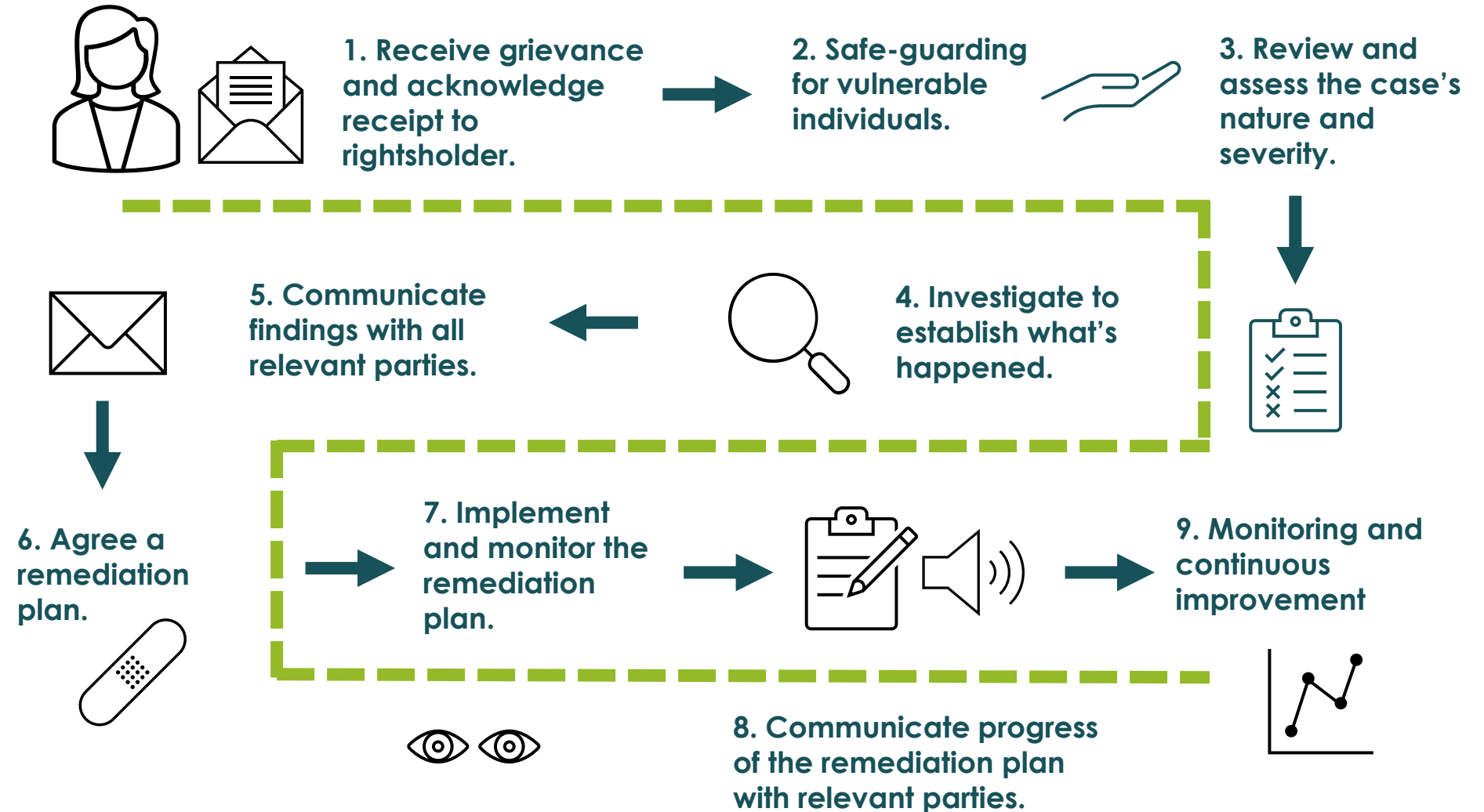


Phone call

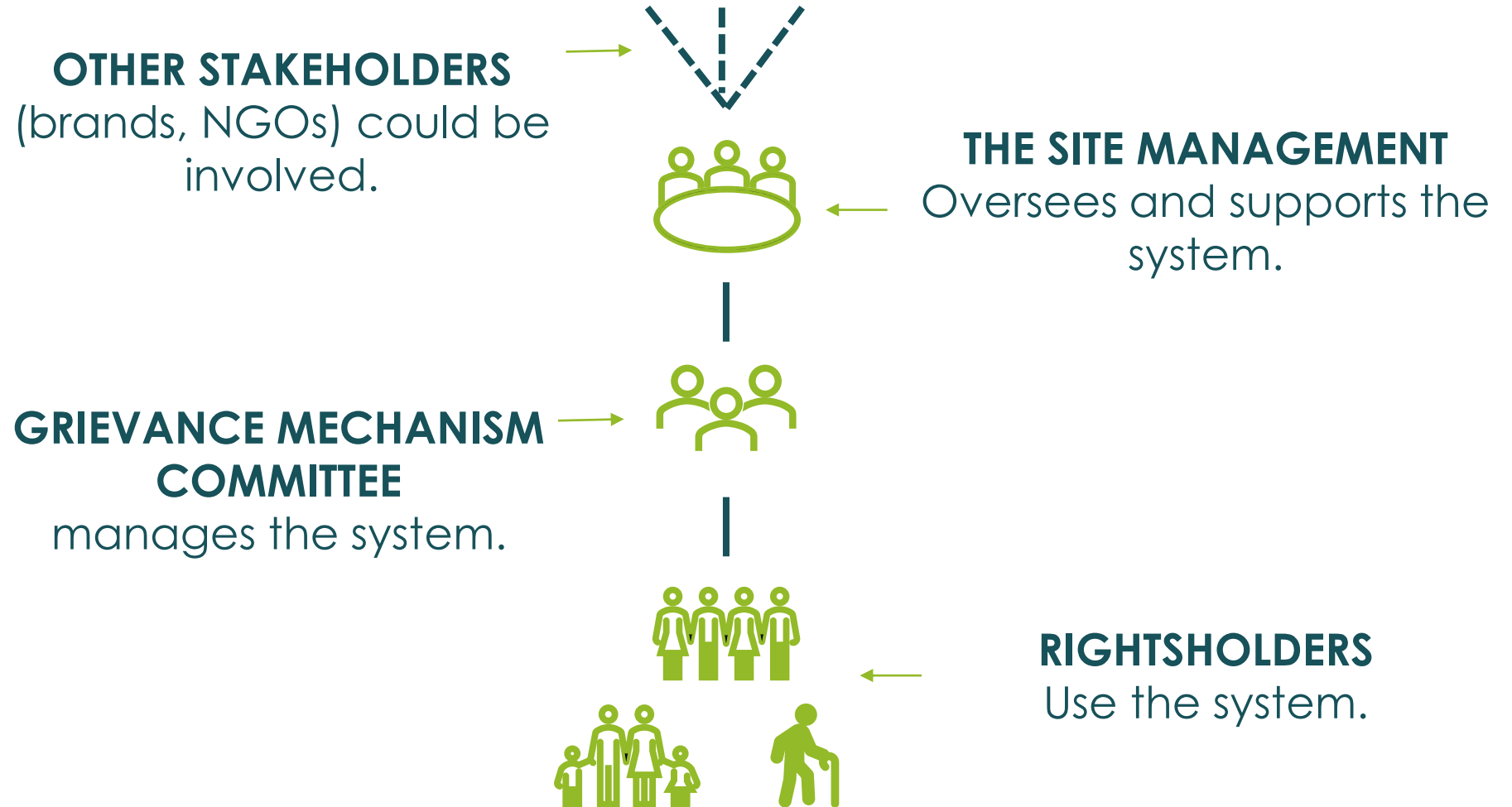


Trade Unions

The RA grievance mechanism process



Recommended governance for a certificate holder level grievance mechanism



Myth busting quiz

Quiz – true or false?

You don't need to have a grievance mechanism if you don't have any grievances.

FALSE

It is the grievance mechanism that enables grievances to reach you and be resolved.

Quiz – true or false?

Small workplaces don't need grievance mechanisms because everyone knows everyone.

FALSE

Even small workplaces need grievance mechanisms to resolve sensitive or complex issues formally.

Quiz – true or false?

Receiving many grievances looks like bad performance to management, investors and buyers.

FALSE

Quite the opposite! Demonstrating you know how to manage grievances effectively shows maturity and reliability to your business partners.

Quiz – true or false?

Grievance mechanisms can improve worker retention and decrease absenteeism.

TRUE

If grievance mechanisms are implemented and used well, they can bring many other benefits by resolving issues early and stopping them from getting worse.

Quiz – true or false?

Addressing grievances is expensive.

FALSE

Grievance mechanisms can be operated completely for free and they usually save you money by catching issues early and avoiding accidents, fines or legal fees which result from escalation.

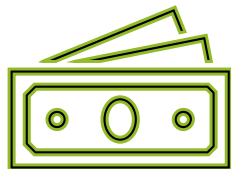
Why are grievance mechanisms important?

Why are grievance mechanism important?

For affected rightsholder(s):

To access a remedy - reinstating something to the state it was in before a harm occurred.

For example:



Swift payment of delayed wages as well as any accumulated debt as a result of said delay



Providing safety equipment where it wasn't provided and making sure it is always available

Why are grievance mechanism important?

For workplaces / employers / business owners:

1. **Early alarm system** - Identifying problems before they become bigger or avoiding issues altogether.
2. **Better reputation and more stable relationships** – as a result of better trust and engagement with your stakeholders (employees, workers, buyers, etc.).
3. **Avoiding cost** – which might result from not complying with laws and leading to fines or litigation.

Grievance mechanisms are important for business

“We value the labor stability that comes with having a working grievance mechanism, because workers are satisfied with their salaries and happy workers are productive.”

Operations manager

Why is there so much focus on grievance mechanisms now?



What is the Rainforest Alliance Grievance Mechanism Standard?

Requirement 1.5 of the Rainforest Alliance's Sustainable Agriculture Standard

Core Requirement

Applicable to: *Large farms part of a group, Group management, Individual certificates holders, Supply Chain Certificates holders*

1.5.1 A grievance mechanism is in place that enables individuals, workers, communities, and/or civil society, including whistle-blowers to raise their complaints of being negatively affected by specific business activities and/or operations of any nature, including technical, social, or economic nature. The grievance mechanism may be provided directly through collaboration with other companies, or through an industry program or institutionalized mechanism and in accordance with the UNGPs. The grievance mechanism should be accessible, in local languages and also for those who cannot read or do not have access to internet. The grievance mechanism should include at least the following elements:

- A grievance committee with decision making power, with knowledge about the grievances, that is impartial, accessible, and gender sensitive.
- Grievance committee is formed by at least one member/worker representative
- The grievance mechanism has appropriate submission channels, for internal and external stakeholders, including workers, members, staff, buyers, suppliers, indigenous peoples, and communities
- Anonymous grievances are accepted and confidentiality is respected
- Human and labor rights grievances are remediated in accordance with the Remediation Protocol, and collaboration with the Assess-and-Address Committee and/or the Gender Committee/Person as appropriate, depending on the case
- Grievances and agreed follow up actions are documented, and shared with the persons involved within a reasonable timeframe
- Submitters of grievances are protected against employment/membership termination, retribution, or threats as a consequence of utilizing the grievance mechanism
- Assess-and-Address Committee (if applicable): see 5.1.1 Gender Committee/Person: see 1.6.1

What are the key elements of Requirement 1.5?

- A grievance mechanism must be in place and must:
- Be accessible to all rightsholders
- Be governed by a grievance committee
- Have appropriate submission channels and accept anonymous grievances
- Provide remedy
- Document all grievances
- Protect those who use it from retaliation



What is the rationale behind the RA Grievance mechanism requirement?

- Operating a functional grievance mechanism is **Core Requirement** 1.5.1 in the 2020 Sustainable Agricultural Standard.
- It is also **central to the Assess-and-Address process** of remediation, set out in Core Requirement 5.1.4 and in the Remediation Protocol.
- **Result of new guidelines and laws** which recognize continuous improvement cannot be achieved without effective grievance mechanisms.

What will the training cover?

What will the training cover?



- What grievance mechanisms are and why are they important
- How to design and implement a grievance mechanism for your site's needs and meet the RA Requirement 1.5
- Roles and responsibilities of different stakeholders
- What to do if a grievance mechanism is already in place
- How to handle grievances and carry out remediation
- What do effective grievance mechanisms look like

What is the training agenda?

DAY 1:

Understanding grievance mechanisms

- Grievances: what they are, what they can look like and who can raise them
- Grievance mechanisms: what are they and what they consist of, why are they needed and what benefits do they bring
- Different types of grievance mechanisms
- How to assess effectiveness

DAY 2:

Implementing and operating a grievance mechanism

- What is in the RA standard 1.5
- How to set up a grievance committee
- Stakeholder engagement
- Assessing your needs and designing your mechanism
- Grievance Procedure
- Remedy
- Promotion strategies

Full of case studies, opportunities for discussion, tools and interactive learning.

What if a grievance system is already in place?

The training is suitable for every RA certified site, because:

Sites which don't have a grievance mechanism yet will:

- Understand what grievance mechanisms are
- Learn how to design a grievance mechanism
- Implement a grievance mechanism

Sites which already have a grievance mechanism and a GM committee in place will:

- Learn how to use multiple grievance mechanisms
- Learn to assess effectiveness of existing grievance mechanisms

All types of sites with any level of grievance mechanism maturity will:

- Understand and learn how to meet the RA Grievance mechanism requirement
- Have an improved and functional mechanism in place

Who should participate in the training?

Grievance committee members

If a **grievance committee** is already in place, all members should participate.

In addition, at least one representative from each of the below departments should take part:

- **Management**
- **Human Resources (if applicable)**
- **Worker representative**
- **Trade union representative (If applicable)**

What materials and preparation are required to deliver a successful training?

Copies of Grievance Guide for participants (group work)

Paper and writing utensils

Posters and promotional material

Setting up a Grievance Committee

At minimum, the Grievance Committee should be composed of:

- 1) An appointed member(s) of management
- 2) A worker representative(s) selected by the workers



Management representative



Worker representative

Grievance Committee Selection Criteria



KNOWLEDGEABLE



COMPLETED
RELEVANT
TRAINING



IMPARTIAL, NON-
POLITICAL, FAIR
& UNBIASED



APPROACHABLE,
VALUED & ACCEPTED
BY THE WORKERS



GENDER-SENSITIVE



HAS APPROPRIATE
ADMINISTRATIVE SKILLS



Thank you



A BETTER FUTURE FOR PEOPLE AND NATURE

**RAINFOREST
ALLIANCE**

Grievance Mechanism Training

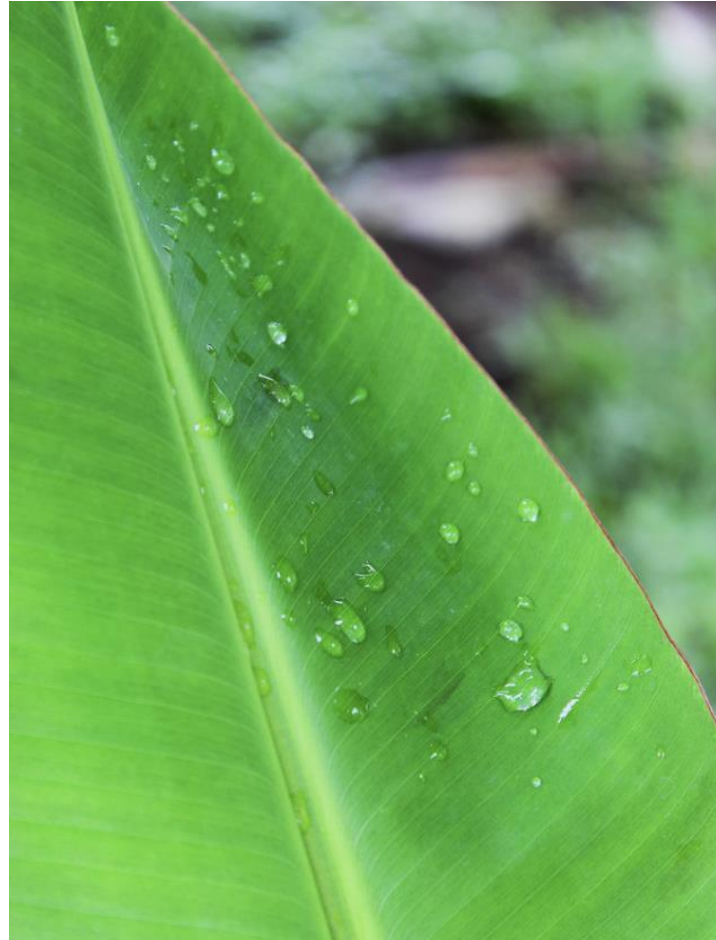
DAY 1 - Understanding Grievance Mechanisms

Objectives

Today, we will focus on understanding everything about grievance mechanisms:

- Grievances: what they are, what they can look like and who can raise them
- Grievance mechanisms: what are they and what they consist of, why are they needed and what benefits do they bring
- Different types of grievance mechanisms
- How to assess effectiveness

Plan of the day



Start at 9.00am

Break 1

10.30– 10.45am

Break 2

13.00– 14.00pm

Break 3

15.30 – 15.45pm

Finish by 5pm

Introductions and expectations

Round of introductions with:

- Your name
- Position
- First word that comes to mind when you hear grievance mechanisms
- Anything specific you hope to learn or understand today?



Myth busting quiz

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FALSE

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Grievances

- What are they (and what they are not)
- What they can look like
- Who can raise them

What is a grievance?

“A grievance is **a complaint or concern** by any person about another person’s or organization’s actions or about its rules and policies that have or might negatively affected the complainant. “

Grievances must be:

- Taken seriously
- Investigated
- Where needed, remedy must be provided.

Examples of grievances from different areas of life:

Patients might complain to their hospital about inadequate treatment resulting in long-term side effects.

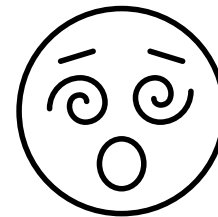
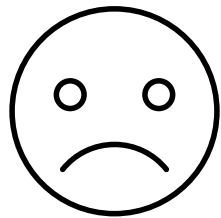


A community might complain to a chemical company for polluting their environment and causing health issues to their families.

Indigenous people might complain to the government about being forcibly removed from the land they lived on.



What can workplace grievances look like?



What can workplace grievances look like?

Simple requests:

“I have not been provided with the equipment I was requested to use. Can it be provided?”

Raising alarm on something potentially dangerous:

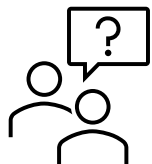
“A pesticide containers are not stored properly being a hazard to people at the farm and the environment.”

Allegations and reports of mistreatment:

“My supervisor sexually assaulted me and keeps threatening me if I tell someone”.

Grievances can come in many formats

The same concern can be phrased in different ways as:



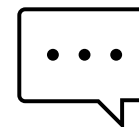
A question:

“Am I entitled to pay when I work overtime?”



An idea / suggestion

“I think it would be good to explain to everyone again how overtime is paid because it seems complicated.”



A comment:

“I don’t get paid when I do overtime.”

What sets grievances apart from regular communication?

Two criteria:

1. CONTENT

Is the message about **negative impact(s) causing potential or actual harm**? If so, it is a grievance. If not, it is a regular communication.

2. SCOPE

Is the **harm created directly or indirectly by your organization**? If so, your organization is responsible for providing remedy and you need to handle the grievance.

What do we mean by “negative effects”?



Negative effects (or impacts) include:

- **Breaches RA Sustainable Agriculture Standard** (social, environmental, management, traceability, waste,...)
- **Violations of laws and international human rights** (employment, corruption, environmental protection etc.)



Negative effects DO NOT include:

- **Personal opinions, wishes or preferences outside of the above scope** (pay raise requests, workplace improvement suggestions,...)

Exercise: Are these grievances? Why? Why not?

Situation 1:

I don't like my job. It's repetitive and it doesn't pay well. I have told my supervisor many times, but I haven't been offered another position.

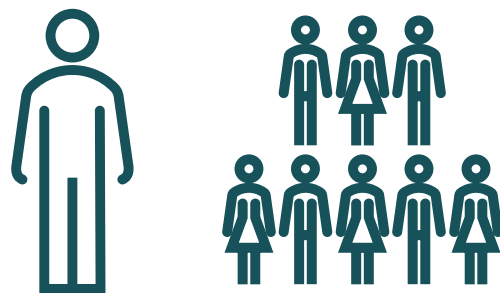
Situation 2:

I have been excluded from the cooperative membership because I have been accused of farming in protected areas, but I haven't.

Who can raise grievances?

Grievances can be raised by **any rightsholders who could be affected** by your organization or **anyone aware** of an issue, even if they are not directly affected.

Those who are affected



OR

Those aware of an issue



Who are rightsholders?



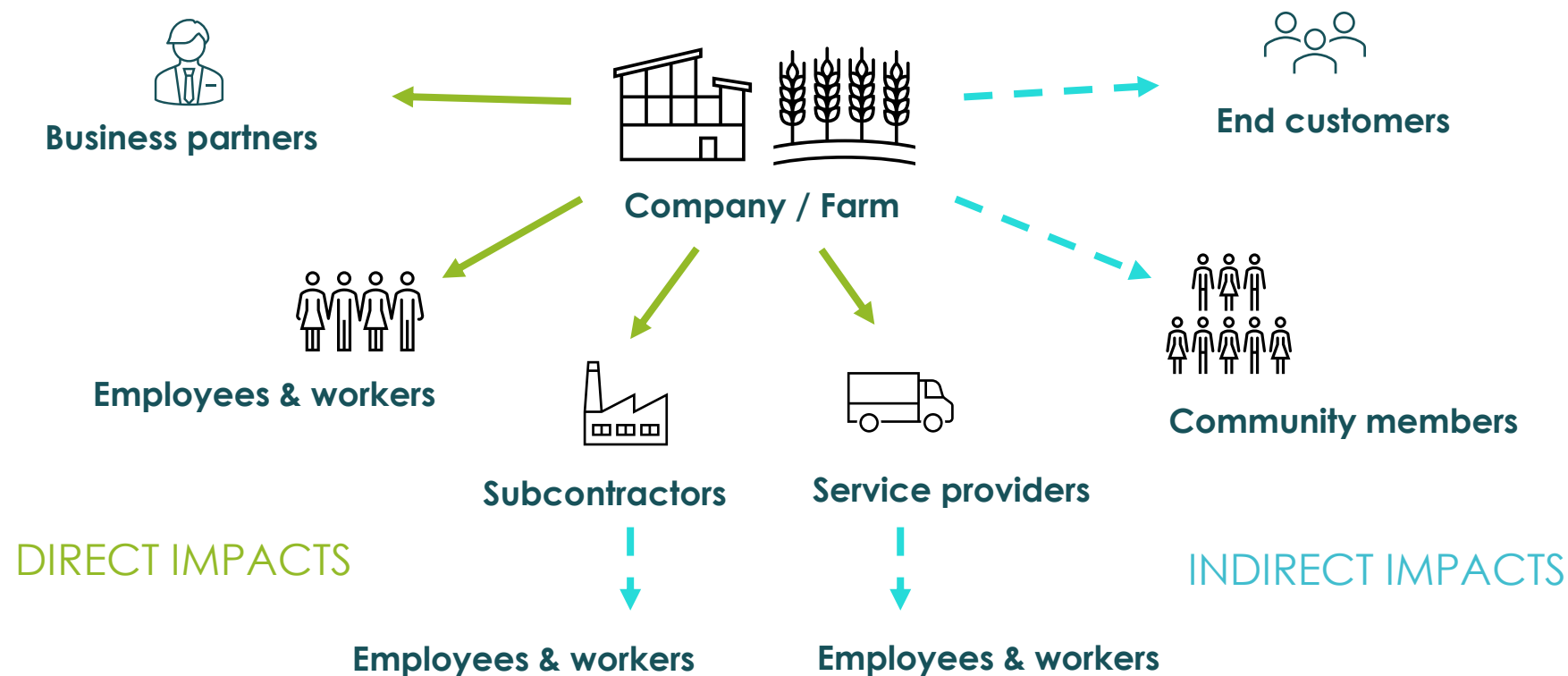
“Individuals with certain rights”

For example:

- All people have human rights
- Workers and employees have labor rights
- Indigenous persons and local communities have
- Children have children's rights

Whose grievances is your organization responsible for?

ANYONE who could be affected by your organization's policies or activities.



| Person or organization | Example grievance |
|---------------------------------|--|
| Community leadership | We have been complaining for a year about farm wastewater contaminating the river, but no one is listening or taking action. |
| Buyer | The product is never delivered on time and I keep losing money as a result – I have to hire extra workers to unload and process the delivery. I want compensation for my costs. |
| Expert stakeholder | I'm a child protection expert supporting the farm remediation process, but the Assess-and-address committee ignores all my recommendations, which means children are at risk. |
| Trade union or worker committee | Migrant workers are being kept unfairly on temporary contracts to avoid paying them a decent wage and benefits. The union has raised this with management and Human Resources three times in the last year, but nothing changes. |
| Farmers | The truck drivers that collect our certified products are not very careful about segregating certified and non-certified products. We've pointed it out to Group management so many times, but it's just the same. |
| Workers | Farm management never consults with workers on the Sustainability Differential. We complain every year through the union, but we are not involved. |
| Women farmers | We can't attend training sessions because they are held too far away and we have to look after our children. We've asked Group management to organize childcare to make it easier, but they refused. |
| Local business owner | I have a shop near the plant entrance selling fruit and vegetables. There are big trucks coming to the plant and it makes the road dusty which dirties my produce. Also, the road is quite narrow and when the trucks turn, it puts my customers at risk. I've told the plant management but they said there is nothing they can do. |
| NGO | We are concerned about how the farm's policy on pesticide and fertilizer use is affecting soil health. We've tried to collaborate with the farm so we can share expertise and work together to improve the situation, but they are not responding. |

Figure 1. A non-exhaustive list of examples of grievances.

Exercise

- 3 groups
- 3 case studies
- 10 minutes to discuss
- 10 minutes to present



Case study 1 – what is your organization's responsibility?

“The group management refused to accept the leaves I picked because I used prohibited pesticides. But the approved pesticides aren't available.”

- Is this a grievance? Why? Why not?
- What is the harmful negative effect?
- Is it a direct or indirect impact?

Case study 2 – what is your organization's responsibility?

“I was evicted from the housing provided by my employer after a row with my supervisor. I now have to rent by myself which is more expensive and I'm getting into debt. I would like to move back into the house I had previously.”

- Is this a grievance? Why?
- What is the harmful negative effect?
- Is it a direct or indirect impact?

Case study 3 – what is your organization's responsibility?

“My relationship with my wife is suffering. She was pleased when I travelled here to work on a farm because I promised her I would earn enough to build a house, but the pay is much lower than what I was promised. I don't want her to be upset but can't go back home until I have paid off what I owe to my recruiter.”

- Is this a grievance? Why?
- What is the harmful negative effect?
- Is it a direct or indirect impact?

Best practice example

A tea producer has noticed that their grievance mechanism was receiving complaints outside its scope – such as personal, non-workplace related complaints from wives of male employees. Instead of ignoring these complaints, the tea producer set up a partnership with a local women's rights NGO who these types of complaints get diverted to.



Grievance mechanisms

- What are they and what do they consist of
- Why are they needed and what benefits do they bring
- The grievance mechanism landscape and different channels

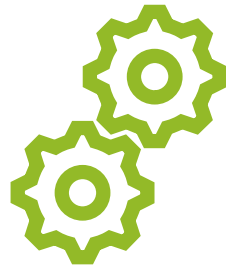
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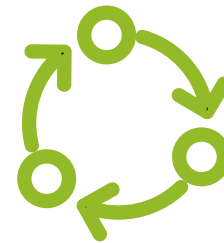
What do grievance mechanisms consist of?

All grievance mechanism need the following:



TOOL

What enables the communication to happen and flow in both directions?



PROCESS

What are the steps that are taken after a grievance is submitted?



GOVERNANCE

Who owns the mechanism and who is responsible for what?

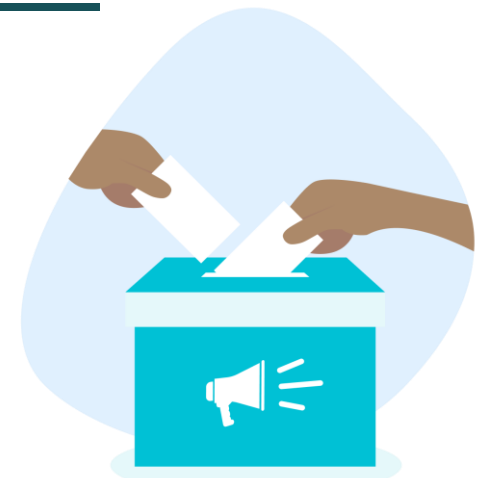
What might grievance channels look like?



Conversation



Hotline or an app



Complaints box



Letter or an email

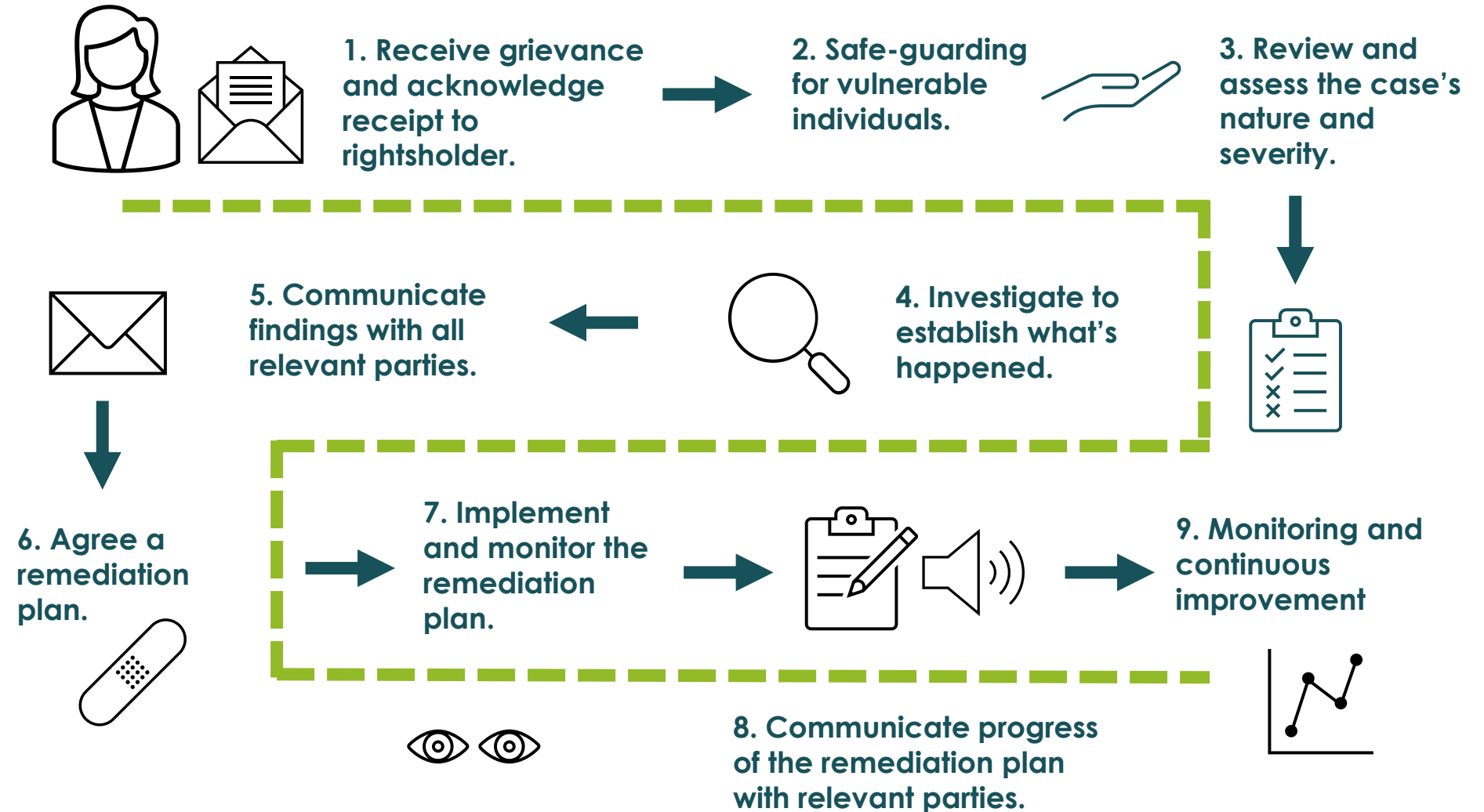


Phone call



Trade Unions

The RA grievance mechanism process



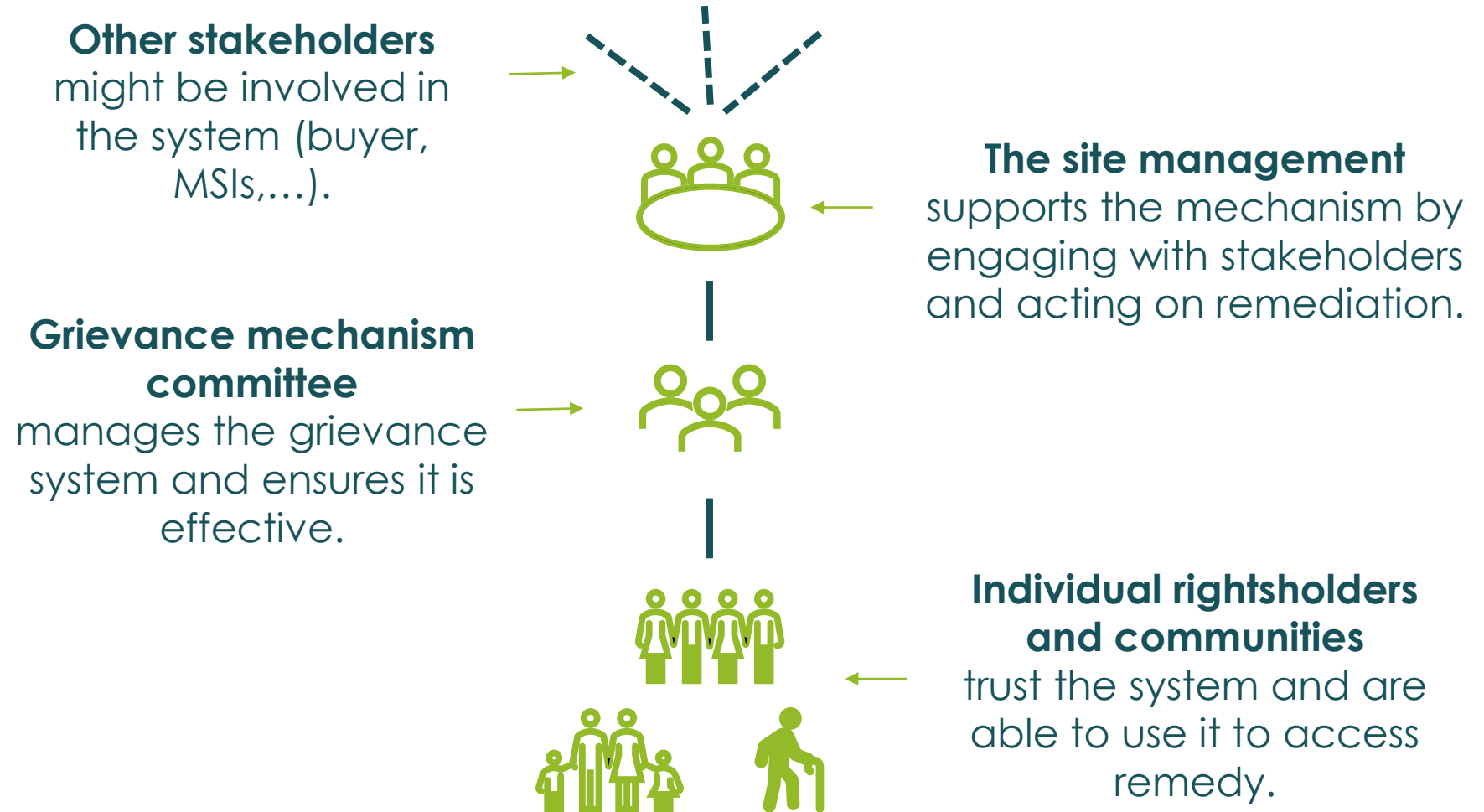
What do we mean by governance?

Roles and responsibilities of different stakeholders

- Who receives the grievances?
- Who investigates what happens?
- Who decides what the remedy should be?
- Who communicates the outcomes to the affected rightsholders?
- Who monitors that the system is working well?

The best way to manage these and other similar questions is by establishing a **Grievance Mechanism Committee**

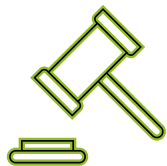
What might governance for certificate holder level grievance mechanism look like?



Why are grievance mechanisms needed?

We live in an imperfect world where things can go wrong, accidents can happen, and people's enjoyment of their human rights can be affected.

Grievance mechanisms tackle this by enabling those affected to speak up, hold the responsible party accountable and provide remedy.



**Enforcement of
laws and
standards**



**Important for
enjoyment of
human rights**



**Essential part
of fair and
just society.**

Grievance mechanisms in the world of work

Are needed for responsibility and accountability in situations when...

The organization creating negative effects is:

- Not aware
- Too busy to listen
- Not willing to act
- Not trusted to take a concern seriously
- Not experienced enough to resolve an issue

The affected rightsholder(s) is/are:

- Not comfortable to speak up openly
- Afraid of reprisal
- Not sure how to raise a concern or submit a grievance
- Not aware they are being affected at all

What benefits do grievance mechanism bring?

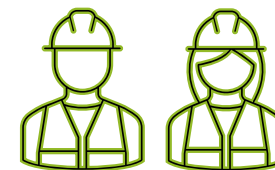
For affected rightsholder(s):

To access a remedy - remedial mechanisms should be responsive to the diverse experiences and expectations of rights holders.

For example:



**Swift payment of delayed wages
after a holiday period**



**Providing safety equipment where
it wasn't provided and making
sure it is always available**

What benefits do grievance mechanism bring?

For workplaces / employers / business owners:

1. **Early alarm system** - Identifying problems before they become bigger or avoiding issues altogether.
2. **Better reputation and more stable relationships** – as a result of better trust and engagement with your stakeholders (employees, workers, buyers, etc.).
3. **Avoiding cost** – which might result from not complying with laws and leading to fines or litigation.

Grievance mechanisms are important for business

“We value the labor stability that comes with having a working grievance mechanism, because workers are satisfied with their salaries and happy workers are productive.”

Operations manager

Why is there so much focus on grievance mechanisms now?



Grievance mechanisms as part of a good communication system

Grievance mechanisms are needed for handling serious violations, but also as part of a good regular communication system in a workplace.



Grievance mechanism as the safety net

Case study

Prior to 2021, XYZ, a cocoa buying, and sourcing company only had an informal grievance system in place – farmers could approach the XYZ company representatives and discuss issues verbally. However, this system failed to address some of the farmers complaints, and they decided not to sell their cocoa to XYZ as a result. This had a negative impact on XYZ financial targets. Learning from the experience, XYZ invested effort into implementing a more formal grievance system, including issuing a policy, setting up a grievance committee and distributing grievance boxes. This has helped build trust with the farmers and XYZ believes it contributed to increase in their membership.



Types of grievance mechanisms

Grievance mechanisms refer to a wide range of channels that enable affected rightsholders to seek a remedy, which generally fall within three main categories:

|  |  |  |
|---|---|--|
| State-based | Operational | Other |
| <p>Judicial – police, courts, tribunals..</p> <p>Non-judicial – local government bodies, ombudsmen.</p> | <p>Certificate holder level – suggestion box, discussions with individuals</p> <p>Certification Body level- CBs' own grievance mechanism</p> <p><u>Rainforest Alliance Grievance Procedure</u></p> <p>External – Brand hotline, email</p> | <p>NGO / Charity hotline</p> <p>Grassroots in person support</p> <p>Multi-stakeholder initiative grievance mechanisms, including ISEAL (of which Rainforest Alliance is a member)</p> |

Trade unions



What is a trade union?

An external membership organization composed of a group of workers or employees who are working together to maintain and / or improve working conditions for its members.

Advantages:

- Helping rightsholders access remedy is one of their key purposes
- Legal status in most countries means they can bargain, lobby and influence in significant and multiple ways
- Have expertise and resources on their own

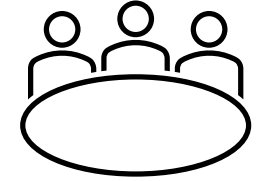
Limitations:

- Aren't active everywhere
- Usually, can't help rightsholders who are not members (such as migrant workers)
- They might not be best suited for every grievance, TUs sometimes use other grievance mechanisms themselves

Why should you involve trade unions in your grievance mechanism?

1. **Trade unions are experienced** at receiving, handling and resolving grievances and can help you design what works best.
2. **Trade unions are a great channel** for submitting grievances for workers because they can provide anonymity and impartiality.
3. **Grievance mechanisms which involve and support the work of trade unions are more trusted** by buyers and other external stakeholders.

Other Worker Organizations



What is a worker committee or organization?

Internal workplace committee composed of workers and managers which exists to consult workers on employment related matters within an organization. Complements the work of trade unions.

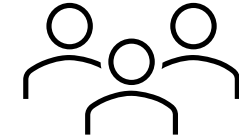
Advantages:

- Can be the quickest way to resolve grievances as worker councils know the organization inside out and might be best positioned to find and provide remedy

Limitations:

- If trust is broken, the issue is too sensitive, or if the council doesn't have the required expertise, grievances might need be escalated to other mechanisms

Grassroots initiatives and NGOs



What are they?

Any organizations working to support rightsholders with accessing their rights and seeking remedy when their rights are violated. For example, **UNICEF** protects the rights of children and could provide support individuals in a situation of child labour.

Advantages:

- Have expertise and resources which allow them to help the rightsholders access their remedy fast
- Know the landscape and are able to tackle root causes

Limitations:

- There might not be a relevant or suitable NGO or other grassroots initiative active everywhere
- Limited to their purpose and scope

Example of an NGO grievance mechanism



ATTENTION!

This web page is hosted on EthicsPoint's secure servers and is not part of the Conservation International Foundation web site or intranet.

Make a Report

Follow-up on a Report

Dear Member of the Conservation International Community,

Welcome to Conservation International's Ethics Hotline. Thank you for visiting this site and taking the time to explore this tool or file a report. This important resource supports Conservation International's efforts to operate within the framework of our core values and our Code of Ethics.

Please remember that the Ethics Hotline is anonymous (if you choose), safe, and secure. All reports are investigated. I appreciate your help ensuring Conservation International continues to live out our commitment to providing a safe workplace and being a supportive partner.

Sincerely,

M. Sanjayan
Chief Executive Officer

To File a Report

You may use either of the following two methods to submit a report:

- Call (866) 294-8674 (toll free), or
- If you are calling from outside of the United States, select the country from the menu below for a list of toll-free numbers and instructions.
- Select the "Make a Report" link at the top of this web page.

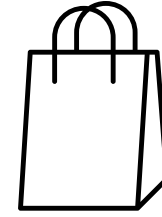
International Dialing Instructions

Select the country in which you are located.

- Select -

After you complete your report you will be assigned a unique code called a "report key." Write down your report key and password and keep them in a safe place. After 5-6 business days, use your report key and password to check your report for feedback or questions.

Brands / Buyers



What do we mean by brand / buyer grievance mechanism?

Can be any mechanism allowing grievances from rightsholders to be submitted directly to the brand or buyer, such as a letter or a hotline.

Advantages:

- Brands have a lot of negotiating and influencing power
- Might have resources that local actors don't

Limitations:

- Brands don't always have expertise on what the remedy should include or means to deliver it to the rightsholders – a local stakeholder usually needs to be involved

Example of a brand grievance mechanism

? Ask a Question

If you have an ethics or compliance question or an inquiry regarding a company policy, you can ask anonymously and confidentially.

Example Question:

Can I accept a gift from a vendor our organization is considering doing business with?

ASK A QUESTION

Report an Incident

This system makes it easy to report an incident about workplace issues like financial and auditing concerns, harassment, theft, substance abuse and unsafe conditions.

Select your location. *

Select one ▼

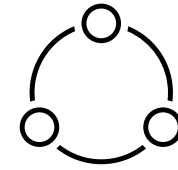
Where did the incident occur? *

Select one ▼

GET STARTED



Multi-stakeholder initiatives



What are they?

In the context of grievance mechanisms, multi-stakeholder initiatives are mechanism which combine the efforts of several actors. (For example, the Bangladesh Accord complaint mechanism.)

Advantages:

- Can be incredibly impactful as they combine the skills and resources of several actors
- Increase accountability of the involved actors

Limitations:

- Don't exist everywhere
- Require a huge amount of coordination
- Can be slow
- Need funding and might not be long-lasting

Example of an MSI grievance mechanism



New Complaint Submission Form

STEP 1 of 5

Enter Your details (Complainant)

Please fill in all required details. All required details are marked*

Salutation
-None- ▼

First Name*

Last Name*

Mobile*

Email*

Preferred language
☐ English ☐ Bahasa Malaysia ☐ Bahasa Indonesia ☐ Others

Case study

XYZ is a company engaged in cultivating and selling tea, livestock and other produce. A key driver in setting up XYZ's grievance mechanism was a court case taken to a UK court alleging serious human rights abuses by the XYZ's security guards against local communities. As a result, among other remedies, XYZ agreed to pay compensation to the victims and agreed to set up a grievance mechanism accessible for a wide range of stakeholders in order for human rights cases to be resolved quickly and without the need to go to court. XYZ believes that having an effecting operational grievance mechanism much earlier could have prevented the abuse and the victims opting to use a judicial mechanism.

Effectiveness

Effectiveness Criteria

Confidentiality and anonymity

Awareness of rights

Geographic and cultural sensitivities

Stakeholder engagement

The Effectiveness Criteria

In order to be effective, Grievance Mechanisms must be:



Legitimate



Accessible



Transparent



Predictable



Equitable



**Rights-
compatible**



**Based on
engagement**



**Lead to
learning**

The Effectiveness Criteria

Legitimate

Honest and fair

- ✓ Managed by trained and skilled personnel
- ✓ Sufficiently independent from management
- ✓ Protected from undue interference
- ✓ Minimize conflict of interest
- ✓ Manage user expectations
- ✓ Act with sensitivity to those who are vulnerable

The Effectiveness Criteria

Legitimate



“I didn’t believe the grievance channel would be any different from talking to my manager, but it works very well.”

Maintaining confidentiality and providing successful remedy ensure the system is fair and that it functions well.

The Effectiveness Criteria

Accessible

Can be used easily

- ✓ Safe, free and user-friendly access
- ✓ Rightsholders are aware of the system
- ✓ Available to rightsholders in their language
- ✓ Available to rightsholders who are illiterate, have no access to technology, poor mobile phone signal etc.
- ✓ Does not prevent from using other mechanisms

The Effectiveness Criteria

Accessible

“I know where the complaints box is located but there is no pen and paper.”

“The security guards are always at the gate, and I don’t want to be seen putting a complaint in the box.”



The Effectiveness Criteria

Transparent and Predictable

The process is clear

- Transparent about who is involved in the process
- Explain how confidentiality is protected
- Rightsholders know what to expect
- Defined and suitable timeframes
- Don't overpromise
- Updates and outcomes are shared with relevant stakeholders

The Effectiveness Criteria

Transparent and Predictable



“I’ve submitted a grievance a month ago, but nothing happened since. I won’t bother next time,”

Rightsholders must be informed about every step of the process and regularly updated.

The Effectiveness Criteria

Equitable and Rights-compatible

Inclusive and meet human rights standards

- ✓ Rightsholders are included in the process (can access information, can comment, challenge or withdraw)
- ✓ Other parties (rightsholders, buyers) are informed and can comment on information and decisions
- ✓ Rightsholders are consulted on the remedy
- ✓ Remedy is gender-sensitive

The Effectiveness Criteria

Equitable and Rights-compatible

“I don’t want time off to recover from my injury, can’t I do a simpler job sitting down temporarily just so I can still earn some money?”

It’s important to listen to and include the affected rightsholders throughout the grievance process.



The Effectiveness Criteria

Based on engagement and lead to learning

Driven by continuous improvement

- ✓ Seek feedback from and engage other stakeholders / experts
- ✓ Engage users on design and seek feedback on usefulness
- ✓ Understand local context
- ✓ Draw from best practice
- ✓ Lessons learnt are used to improve current practices and the mechanism itself.

The Effectiveness Criteria

Based on engagement and lead to learning



“We keep seeing the same issues come up over and over again.”

Lessons should be learnt from the grievances received and the best solutions often come from those who are affected.

Awareness of rights

How do you know you need to wear protective equipment when operating machinery if no-one has ever told you it is dangerous and no-one around you is using it either?

Rightsholders must know their rights in order to recognize something is wrong and raise it.



Culture and local context



“It’s rude to complain.”

“Everybody does it this way and it has never been a problem.”

Culture influences our perception and shapes our thinking about what we consider right or wrong.

Exercise

How effective are the grievance mechanisms at this site?

A coffee cooperative employs 300 small farmers. The cooperative has always operated an open-door policy as the main form of grievance raising but has recently tried to modernize the system and implemented a hotline managed by an external provider. The farmers have been informed about the hotline and hotline posters have been distributed to every farm. However, three months into using the hotline, only two grievances have been received.

- How effective is the system in your opinion?
- How could it be improved?

Grievance Mechanism Training

DAY 2 – Implementing and Operating Grievance Mechanisms

Day 2 – Objectives

Today, we will look at how to design, implement and operate a grievance mechanisms:

- What is in the Rainforest Alliance Standard 1.5?
- Setting up a Grievance Committee
- Stakeholder engagement
- Assessing your needs and designing your mechanism
- Grievance Procedure
- Remedy
- Promotion strategies

Plan of the day

Start at 9.00am

Break 1

10.30– 10.45am

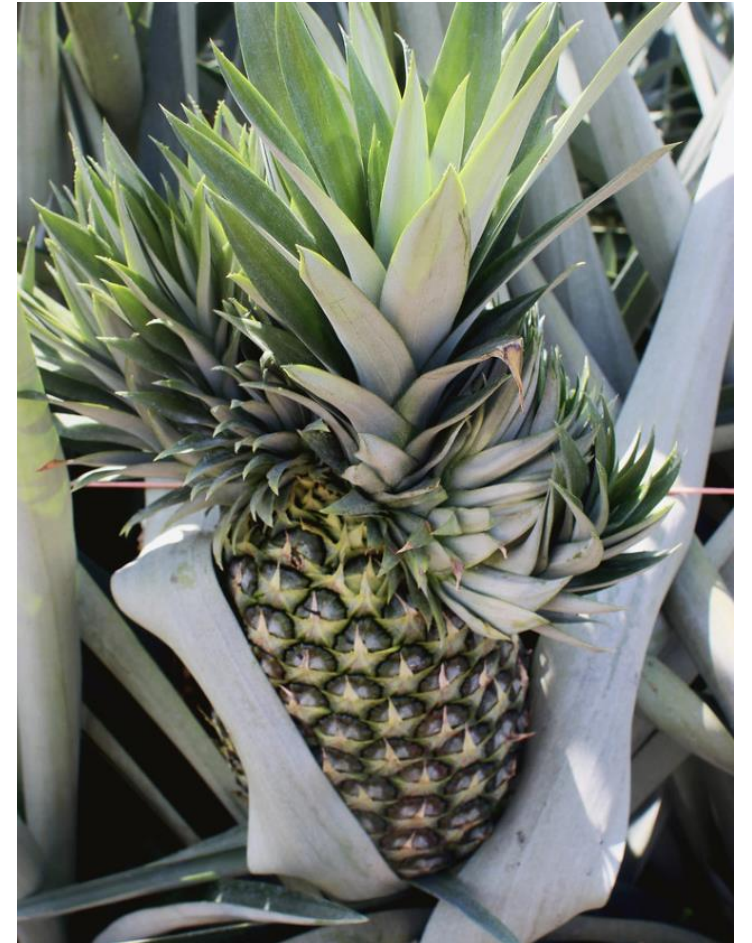
Break 2

13.00– 14.00pm

Break 3

15.30 – 15.45pm

Finish by 5pm





Warm up

Recap of Day 1

Yesterday we covered:

- Grievances: what they are, what they can look like and who can raise them
- Grievance mechanisms: what are they and what they consist of, why are they needed and what benefits do they bring
- Different types of grievance mechanisms
- How to assess effectiveness

Exercise

You will be given a printed out copy of the Rainforest Alliance Grievance Mechanism Standard 1.5 (1 page).

Activity 1:

On your own, read the RA GM Standard 1.5 highlighting any terms you don't understand or are new to you. (10 min)

Activity 2

In pairs, underline any parts of the standard which you think might be difficult to implement and discuss why. (10 min)

Grievance Committee

Why is a Grievance Committee needed?



- SKILLS
- TIME
- OWNERSHIP
- EFFICIENCY

Setting up a Grievance Committee

At minimum, the Grievance Committee should be composed of:

- 1) An appointed member of management
- 2) A worker representative elected by the workers



Management representative



Worker representative

Grievance Committee Selection Criteria



KNOWLEDGEABLE



COMPLETED
RELEVANT
TRAINING



IMPARTIAL



APPROACHABLE



GENDER-SENSITIVE



HAVE ADMINISTRATIVE
SKILLS

The Key Operating Principles of the Grievance Committee



1. DIALOGUE NOT JUDGMENT:

Investigate and resolve grievances with emphasis on mediation and dialogue.

2. CONFIDENTIALITY:

Ensure the grievances are handled confidentially to protect the rightsholders.

What is conflict of interest?

“A situation in which a person’s personal interest might affect his sound professional judgement while carrying out his duty.”

For example:

Peter is a member of the Grievance Committee who has received a complaint about his colleague, one of his old friends. Even though Peter is very good at what he does, his judgement might be affected when he is torn between his duty to be impartial and his loyalty to his friend. He has a conflict of interest and shouldn't process the grievance himself.

What to do about conflict of interest?

To manage conflict of interest in a Grievance Committee:



Note it down



Update it regularly



Divide responsibility

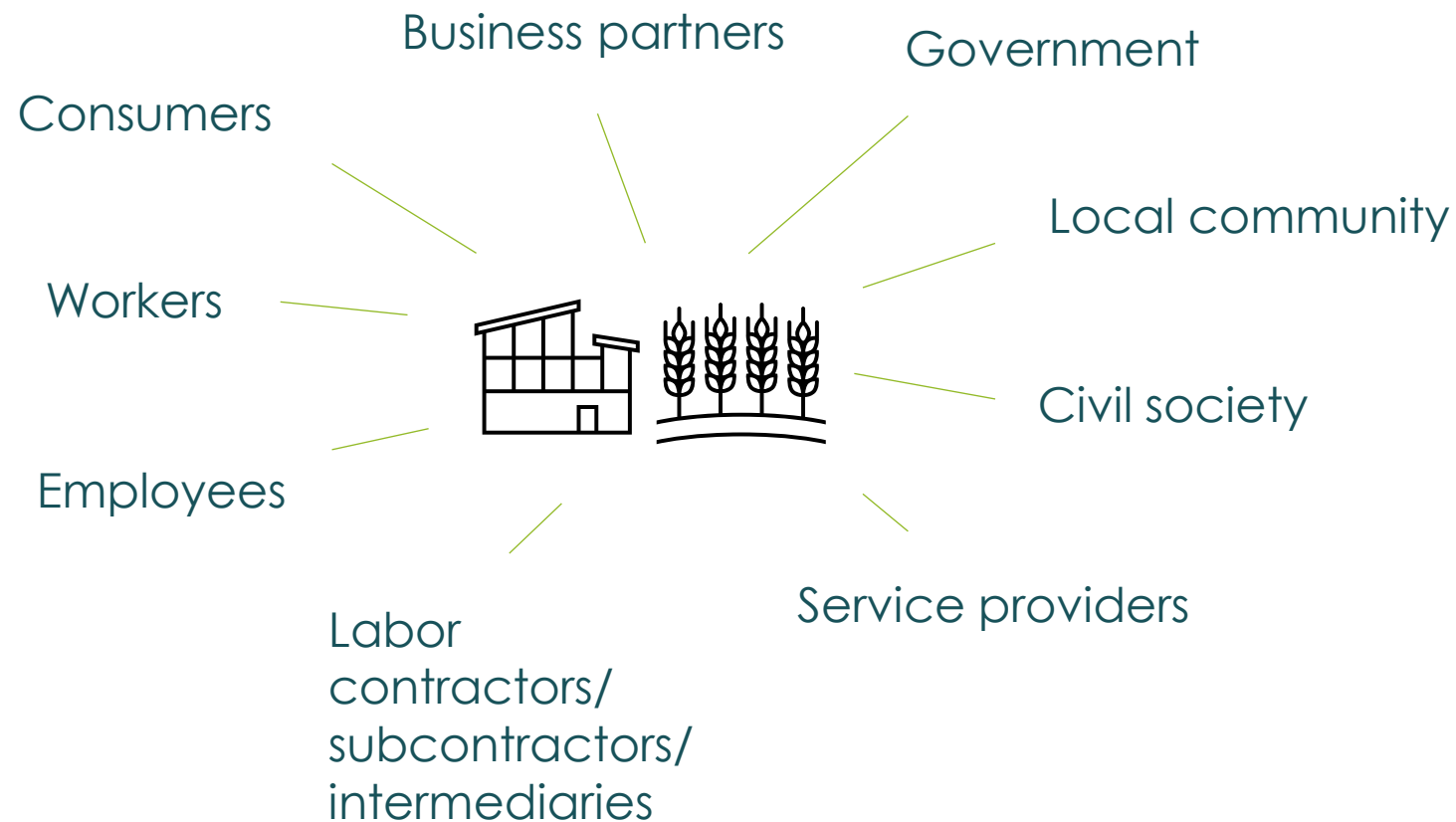


Step down temporarily

Stakeholder Engagement

Stakeholder engagement

Who are your stakeholders? Anyone who your organization's actions can affect in any way.



Stakeholder engagement

What is stakeholder engagement? Seeking feedback from your stakeholders and considering it in your decision-making.



Exercise – stakeholder engagement

Activity 1

In groups, make a list of as many of your stakeholders as you can think about.

Activity 2

Divide the stakeholders into internal and external stakeholders and then put each category in order from the easiest and most important to engage to the hardest and least important to engage.

Step 1 – map internal stakeholders

| Stakeholder group | Needs |
|-------------------|-------|
| | |
| | |
| | |
| | |
| | |
| | |

Step 2 – identify their needs

| Stakeholder group | Needs |
|------------------------|-------|
| Office employees | |
| Farm workers - local | |
| Farm workers - migrant | |
| Delivery drivers | |
| Grievance Committee | |
| | |

Step 3 – assess your site's needs

| Stakeholder group | Needs |
|------------------------|--|
| Office employees | Prefer to email / send online forms |
| Farm workers - local | Some are illiterate, can't use a computer and don't have phones |
| Farm workers - migrant | Some are illiterate, can't use a computer, don't have phones and speak a different dialect |
| Delivery drivers | Always in a rush, don't spend much time on the farm but have phones |
| Grievance Committee | Worried about time needed for recording and following up on grievances |

Consider external stakeholders too



Choosing your channels

Strengths and limitations of different tools

Most effective but
need investment



Independent experts and
community initiatives



Trade
Union

Conversations with
management



Conversation with
the committee



Phone
Apps



Hotlines



Suggestion box



Call



Email



Letter

Easy and free to
implement

Balancing different needs



- **Rightsholder diversity and needs**
(languages spoken, literacy levels, access to phone and internet network,...)
- **Site size**
- **What is already in place on site**
- **What is already available locally**
- **Budget**

Confidentiality & Anonymity

What's the difference?



Confidentiality means that the identity of the complainant is only shared with those handling the grievance and only on need-to-know basis. This is important to protect the complainant from reprisal and to instill trust in the system for everyone.



Anonymity means that grievances can be submitted without disclosing the complainant's identity and that the grievance cannot be traced back to the individual in any way.

Exercise – anonymous grievances

Case study:

You are member of a committee on a palm oil plantation with 1500 workers. You receive an anonymous complaint from a worker about issues with paid sick leave. The worker alleges that he has not been paid for days on which he was unwell and unable to work, despite the company policy offering paid sick leave. The worker further states that when he asked his manager about it in person the manager commented that maybe he doesn't want his job if he complains about it so much. The worker was uncomfortable raising the issue directly afterwards.

How would you investigate this case considering it was made anonymously? How would you maintain confidentiality?

Grievance Procedure

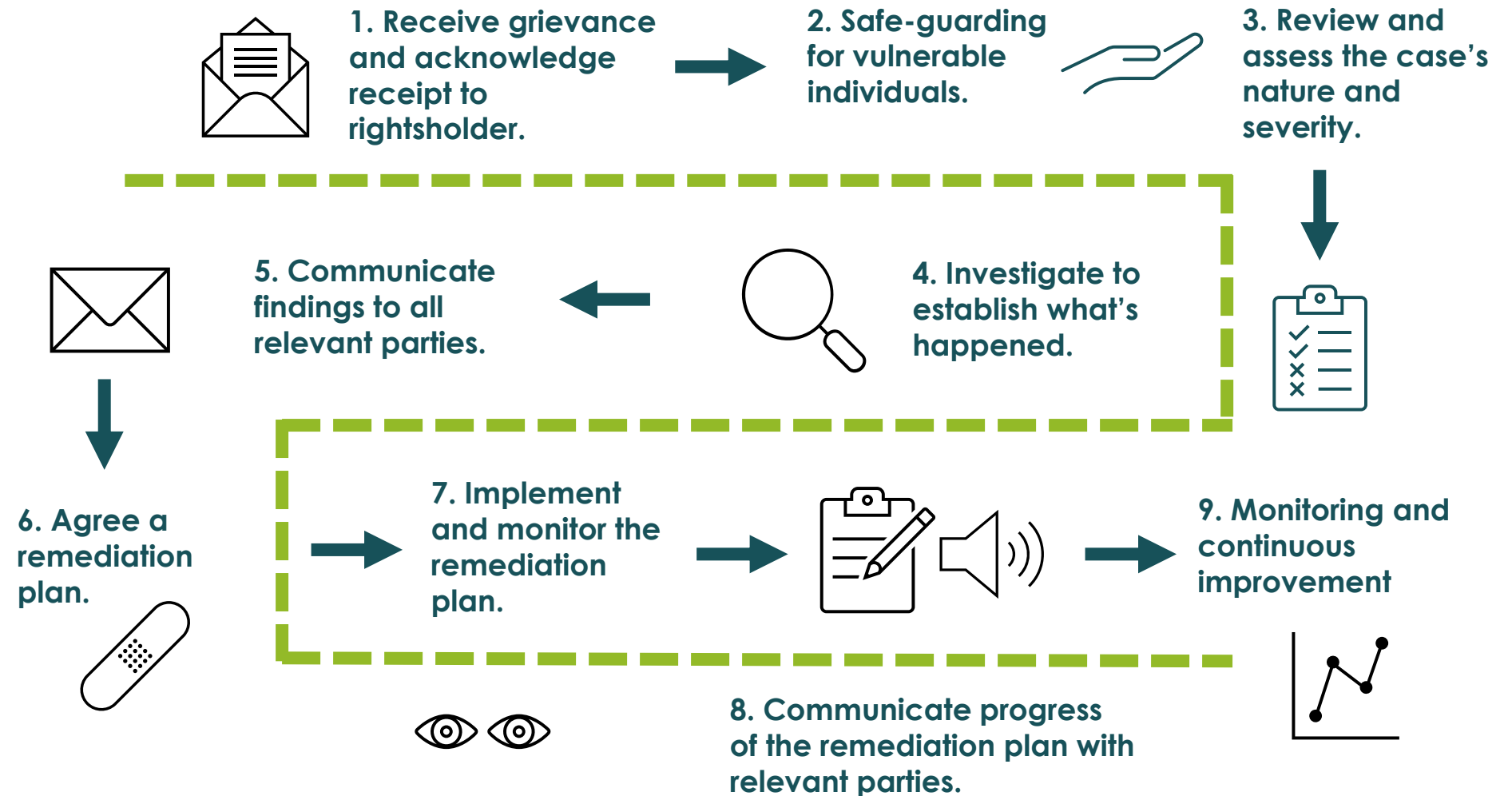
What is a Grievance Procedure?

Grievance procedure outlines how your grievance mechanism should function and what should happen when a grievance is submitted.

Key timelines:

- **2 days** – Confirm whether the message constitutes a grievance and can be processed
- **4 weeks** – Investigate the grievance and communicate findings to the complainant.
- **12 weeks** – Ensure the remediation is implemented in full (or 52 weeks under special circumstances)

Sample grievance mechanism process



1. Receive grievance and acknowledge receipt

- Create a confidential file
- Check for conflict of interest
- Assign the grievance to a member of the committee
- Reply to the complainant outlining the next steps and what to expect
- Explain to the complainant how the process is confidential and that he / she can involve a support person, such as trade union representative



Example grievance recording template

| | | | |
|------------------------------|--|---------------------------------|--|
| Grievance n | | Responsible person | |
| Grievance details: | | | |
| Date received | | Acknowledgment sent? | |
| Channel used | | Relevant teams contacted | |
| Anonymous? | | Stakeholders mapped? | |
| Category | | Stakeholders consulted? | |
| Severe case? | | Investigation findings | |
| Safeguarding needed? | | Root causes | |
| Management informed? | | Suggested remediation | |
| Conflict of interest? | | Timeline | |

2. Safeguard vulnerable individuals

Severity test:

1. Is the situation life-threatening?
2. Is this a systemic incident, with multiple cases happening?
3. Can the situation have life-long negative impacts on anyone?
4. Is there evidence that the management or staff knew about it?

- If needed, provide safeguarding (with affected rightsholders consent)
- If there are any “yes” answers to the severity test, escalate to the senior management
- If appropriate, get support from independent third parties with specialist expertise and means to provide support (such as secure and safe location with food and water for the affected individuals)

What is safeguarding?

“Removing an individual from a risky situation which may cause him / her more harm.”

By whom? A&A Committee and Grievance Committee

For example:

- In severe cases, where individuals might be in immediate danger (e.g., revenge for reporting rape, corruption etc), the at-risk individual may need to be brought to a secure and confidential location and be provided food/water as needed.

3. Review and access the case nature and severity

- If the grievance is related to human rights involve the Access and Address Committee; if it's related to gender engage the Gender Committee
- If the complaint is anonymous, publish the acknowledgment publicly
- If the complaint is not admissible, explain to the complainant why and refer her / her to relevant sources



4. Investigate to establish what has happened



- Collect information to understand the details and scale of the grievance, why it happened and root causes
- Interview the affected parties, check records and consult external experts
- Determine who is responsible and if the issue is systemic or not
- Document and file evidence

5. Communicate findings to all relevant parties

- Update all relevant stakeholders on the investigation outcomes, including the complainant
- If the case affects large groups of rightsholders, update their worker representatives or hold a public meeting
- If the affected party(ies) disagree with the findings, an appeal option is made available.



6. Agree a remediation plan



- The Grievance committee develops a remediation plan in collaboration with all stakeholders that sets out the remedy and prevention plan
- The plan has agreed timelines, budget and responsible parties and is signed off by senior management
- If the grievance is anonymous, the plan could be shared publicly.

7&8. Implement and monitor the remediation plan and communicate progress

- Hold regular meetings with the persons responsible for the corrections to oversee progress in implementation.
- Monitor effectiveness of the measures selected and adjust the plan if necessary
- Update relevant stakeholders on progress and ensure they are satisfied when the remediation is complete.



9. Monitoring and continuous improvement



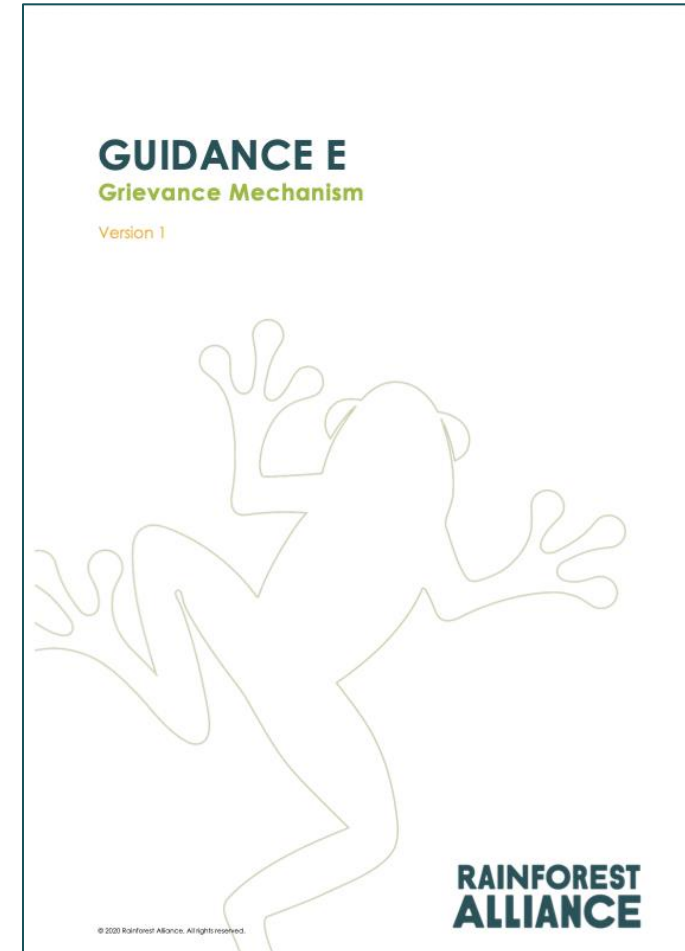
- To close the case, the Grievance Committee should meet to discuss if the procedure was followed and if anything about it should be improved.
- Consider how this case can inform preventative action to ensure the same issue doesn't happen again.
- Is there any additional measures such as training, better equipment or more time be provided to ensure similar cases are avoided?

RA Grievance Mechanism Protocol

The **Rainforest Alliance Grievance Mechanism Guidance** provides detailed guidance on how to operate a grievance mechanism in compliance with the requirement 1.5.

You can find it here:

<https://www.rainforest-alliance.org/wp-content/uploads/2020/12/guidance-e-grievance-mechanism.pdf>



Exercise: Handling a grievance

The Grievance

Two female workers have independently submitted a similar complaint about missing out on a promotion to a male colleague. They worked hard and were first praised by their supervisor and promised a promotion but then he asked them to meet him outside of work. After neither of the female workers agreed on meeting the supervisor after work, they were told by the supervisor that one of their male colleagues was promoted instead.

- Work in groups to process the grievance following the RA remediation process, referring to the full Grievance Guide (25 minutes)
- Check your plans together with the trainer

Remedy

- What is remedy?
- Types of remedy
- RA Remediation Protocol

What is a remedy?

Remedy simply means **putting a wrong right**.

Often remedy can be quite simple and includes taking action, for example:



**Providing fertilizer
where it wasn't
provided.**



**Measuring noise levels
and ensuring they are not
affecting local residents.**

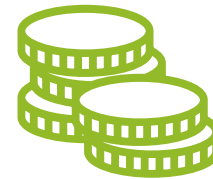
Remedy for human rights violations

Human rights violations sometimes cannot be remediated to the exact state before a harm happened and can require multiple actions.

Examples of human rights remedy include:



**Medical
treatment**



**Financial
compensation**



**Apology or
acknowledgement**

Example: Remedy

A group of farm workers decide to complain about their wages being paid late for the third month in the row. Their employer is worried about the effect this might have on the rest of the workforce so decides to "teach them a lesson" and he fires them.

To remedy this situation, the site / farm should:

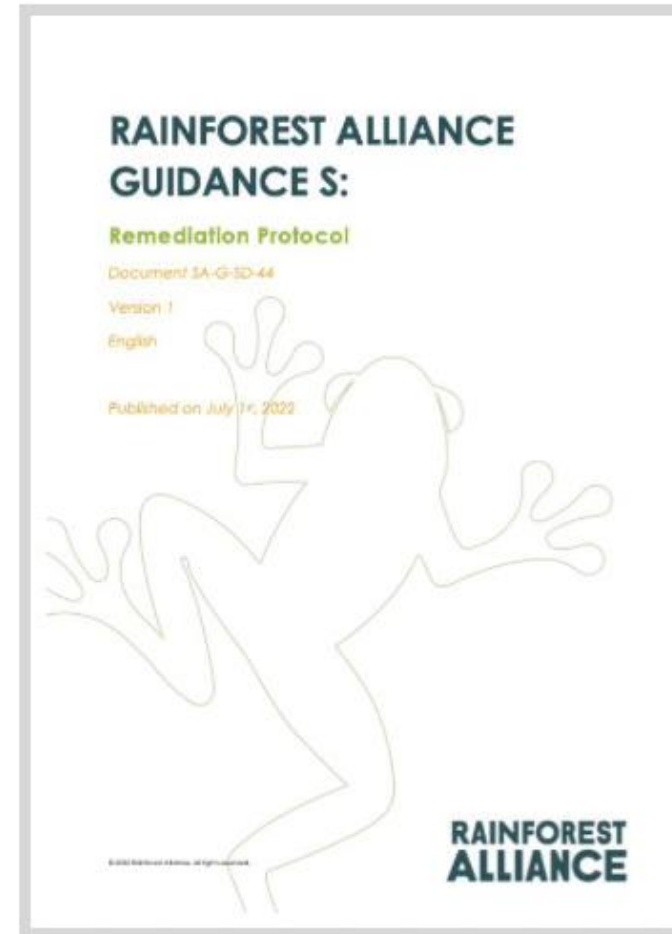
- **Reinstate** workers in their previous jobs if they want to come back
- **Compensate** the workers for the lost wages while they were fired
- **Pay** all wages on time going forward
- **Implement** a grievance mechanism
- **Encourage** workers to speak up about their grievances

RA Remediation Protocol for human rights violations

The **Rainforest Alliance Remediation Protocol** provides detailed guidance on how to complete the remediation process for labor and human rights violations.

You can find it here:

<https://www.rainforest-alliance.org/resource-item/guidance-s-remediation-protocol/>



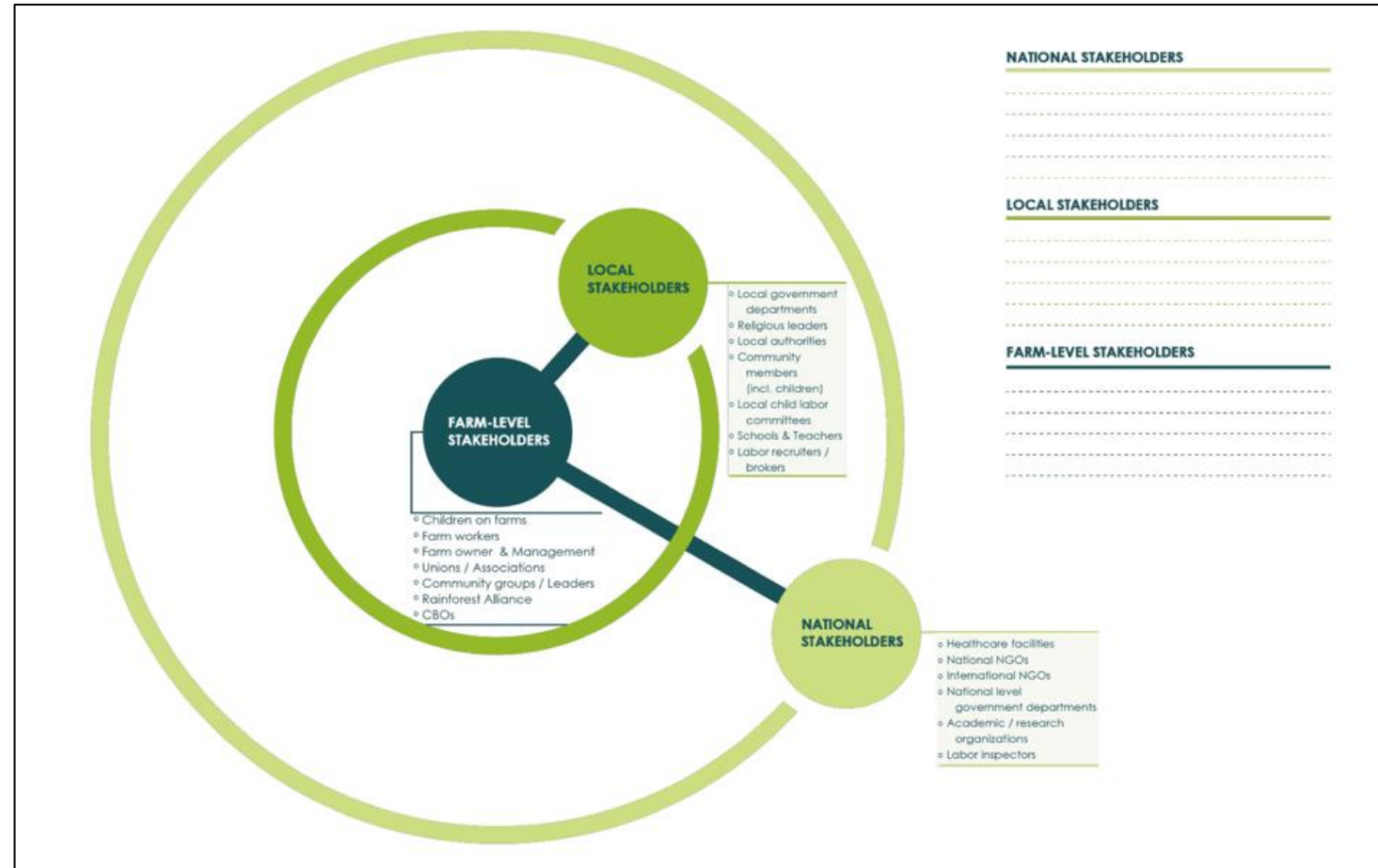
Preparing a human rights remediation plan

Even in low-risk environments for labor and human rights violations, the Rainforest Alliance requires certificate holders to be prepared to launch and implement a remediation plan quickly.

There are three steps that need to be taken:



Exercise step 1: Map remediation stakeholders and response



Exercise step 2: Develop a remediation plan

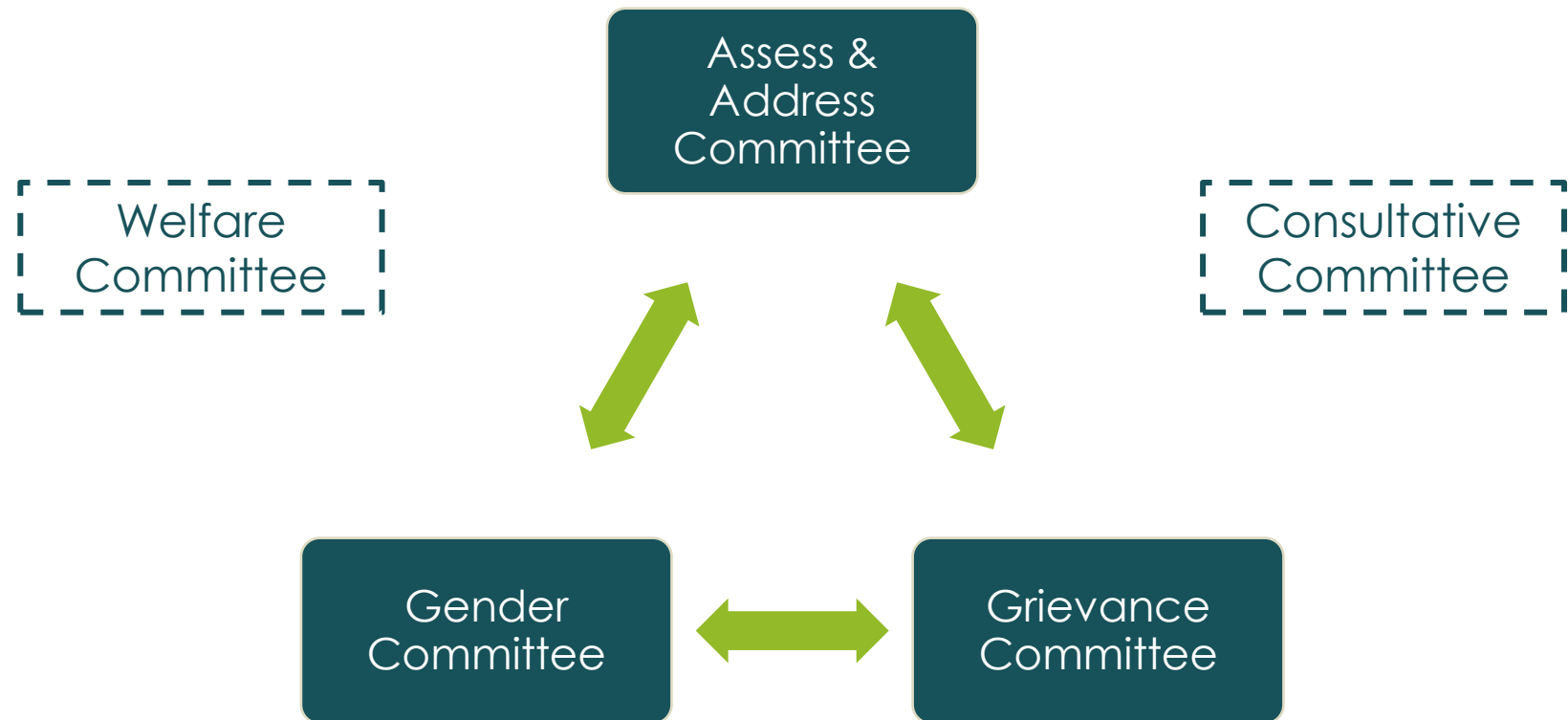
5. TEMPLATE A - Remediation Plan

Please find here a template you may use to prepare for remediation. It can be integrated in the management plan.

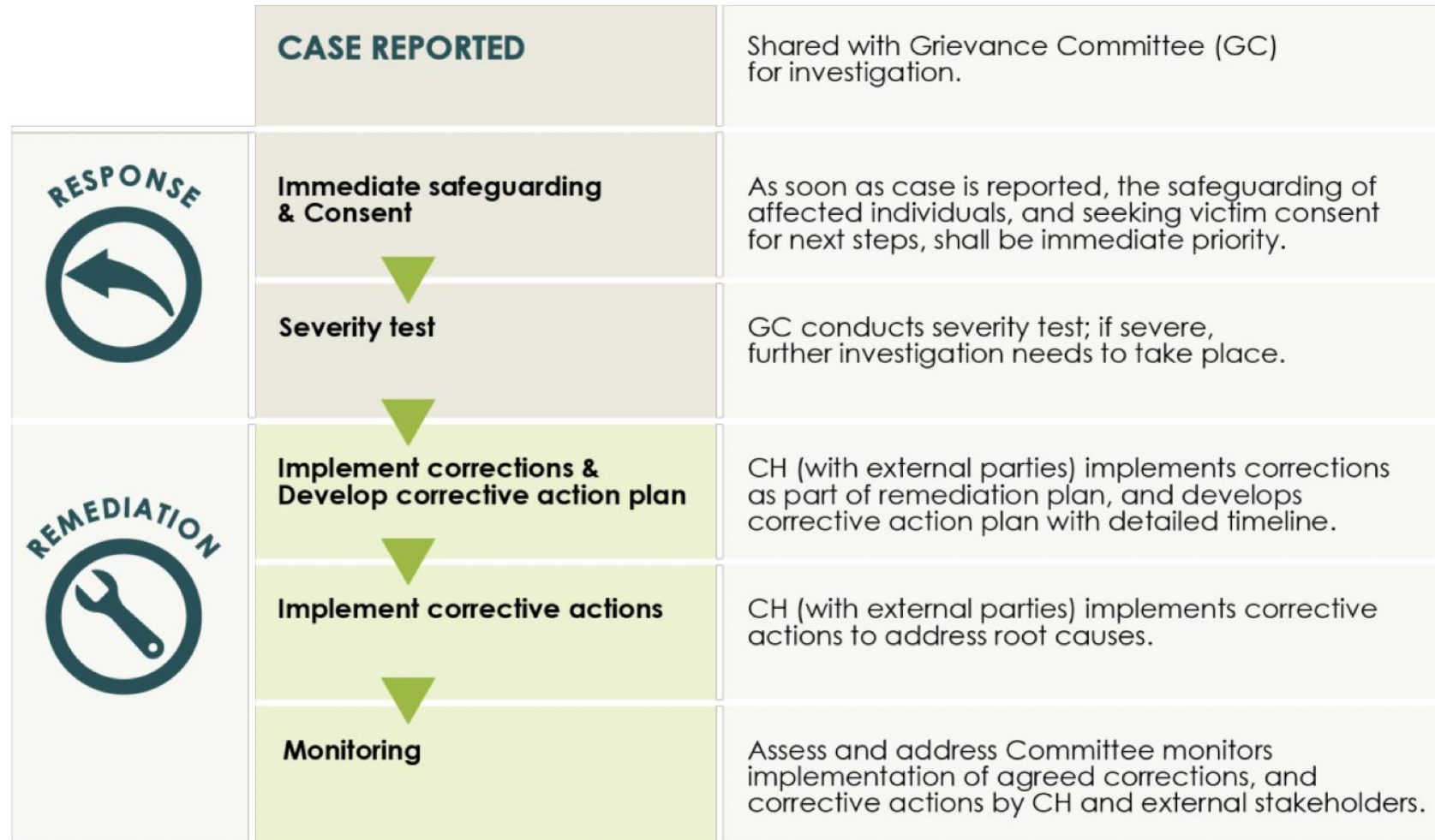
| Objective | Action | Locations | Start date, End date | Frequency | Responsible persons | Status |
|--|---|-----------|-------------------------|-----------|------------------------|--------|
| Be prepared to implement effective remediation if and when a potential violation is identified that requires remediating | Assign responsibility internally within management and the Assess-and-Address Committee for remediation including: a. Internal and external coordination about cases. b. Safeguarding needs of the affected person | | | | | |
| | Identify local authorities and support agencies who can help with immediate safeguarding needs for at risk women, children and other at-risk groups, including migrants: 1) Government offices (education, labor and social affairs, agriculture) 2) Women's organisations and safe houses 3) Child protection agencies 4) Workers' unions 5) Migrant support agencies | | | | | |
| | A training of the management team and other relevant staff shall take place focusing on everyone's role when a potential case is discovered or reported | | | | | |

Collaborating with other committees

Violations can be identified through any committee or channel. All committees must each other informed and coordinate action.



Mandatory remediation steps



Severity test

Answering 'Yes' to any of these questions results in this being a severe case and requires referral of the case to management.

1. Is the situation potentially life-threatening?

2. Is this a systemic incident (incl. multiple cases)?

3. Can the situation have lifelong, negative impacts, including physical and / or psychological damage?

4. Is there evidence that the management or staff knew, but continued / approved the practice?

Exercise: Develop a remediation plan

1. Individually read the detailed response and remediation steps in the Remediation Protocol and discuss within groups (15 min)
2. Quick Q&A with the trainer to clarify the content (5 min)
3. Read the case study and develop a response and remediation plan with your group (20 min)
4. Discuss both cases together as a room (20 min)

Exercise: scenario 1

Grievance message:

“For two days in a row now I have seen one of the temporary workers bringing two of her children to the field with her. The children are well behaved and they even help their mum with picking, but I have recently attended a training which said that is bad when children work and that we need to report it. I feel bad saying something because it’s better for the mother to keep her children close and safe, but I also feel bad staying quiet having been to the training.”

Exercise: scenario 2

Grievance message:

“My supervisor has been talking to me inappropriately at work, commenting on my body and that he would like to go on a date with me. I don’t like him and it makes me uncomfortable but telling him to stop only makes him try harder. Today he followed me to the storage room and tried to kiss me, luckily I escaped. I’m scared to come to work and I’m equally scared of losing my job.”

Exercise: scenario 3

Grievance message:

"Since your company diverted the local river into a tributary, our community land for keeping cattle has been flooded. We have approached the local administrator, but they said it is your company that needs to find a solution."

Non-human rights remediation process

There are no prescribed templates for non-human rights violations, but they still need to follow the below:

- ✓ Be documented
- ✓ Collaborate with other relevant committees
- ✓ Engage stakeholders during investigation and remediation plan development
- ✓ Consult with stakeholders on suggested remediation plan and its completion

Promotion strategies

What should promotional material cover?

Rightsholders need to know about the system and trust it in order to use it. Make sure it includes:

- Who can use the channels
- What issues can be addressed
- What channels are available and how to reach them
- Who are the members of the Grievance Committee
- How are the users protected
- Why is it important to use it / what are the benefits
- Details of the procedure (steps, timelines, etc.)

How can you disseminate the information?

Share the information in as many ways as possible, for instance through:



Training



Informal talks



**Posters /
notices**



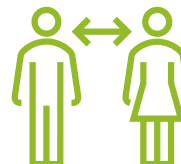
**Cards / stickers/
bracelets**



**Website,
social media**



**Local radio,
newspaper**



**Daily
contact to
build trust**



**External partners
sharing it in the
community**

Who can help you spread the information

Who should help you with your promotion strategies? Make sure you involve:

Own workforce



- Crew leaders
- Committee members

Business partners



- Subcontractors
- Labor providers

Community members



- Youth / female leaders
- Local chiefs, Pastors etc.

Be creative!



Bright colored uniforms for worker representatives.



A suggestion box outside the site / farm for the community.



Community ambassadors who spread the message.

Promotion strategies – poster examples

EL DORADO GOLD
THINK | ACT | INSPIRE
Responsible Mining for Guyana

Grievance Mechanism



STEP 1: SUBMIT YOUR COMPLAINT
• Submit your complaint to El-Dorado by Email, Letter or Telephone Call. (See contact information below)
• All information received will be treated as confidential.

STEP 2: ACKNOWLEDGE AND REVIEW
• We will respond in 5 days.
• Your submission will then be reviewed for further action.

STEP 3: RESPONSE TO COMPLAINT MADE
• After reviewing your complaint, we will contact you within 7-14 days with possible solutions.

STEP 4: RESOLVING THE PROBLEM
• We will work together to resolve the problem.

STEP 5: CLOSE OUT
• You will receive a full report on the matter after the problem is resolved.

592-227-8171 EXT 220
592-608-3252
grievances@conservation.org
98 Laluni Street, 3rd Floor, Queenstown, Guyana.
<https://conservation.org.gy/eldorado-gold-grievances/>

planetGOLD Guyana
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Led by: UN environment programme
In partnership with: CONSERVATION INTERNATIONAL, Norad

NHS
St Helens and Knowsley Teaching Hospitals NHS Trust

Do you need to raise a concern?

SPEAK UP!

Do it anonymously
Contact: Speak in Confidence
www.speakinconfidence.com/sthk

Do it confidentially
Speak to your Line Manager or call the Raising Concerns Hotline on 0151 430 1777

Contact one of our Freedom To Speak Up Guardians

| | |
|--|--|
|  Ann Marr Chief Executive 0151 430 1242 raisingconcerns.chiefexecutive@sthk.nhs.uk |  Richard Fraser Chairman 0151 430 1242 raisingconcerns.chairman@sthk.nhs.uk |
|  Rajesh Karimbath Assistant Director of Patient Safety 0151 430 1564 raisingconcerns.quality@sthk.nhs.uk |  Dr Peter Williams Deputy Medical Director 0151 430 1242 raisingconcerns.medicaldirector@sthk.nhs.uk |

Please note:
Emails to all Freedom To Speak Up Guardians (apart from Rajesh Karimbath) will be viewed by the Chief Executive's Executive Assistant on their behalf.
Telephone calls to all Freedom To Speak Up Guardians (apart from Rajesh Karimbath) will be answered by the Chief Executive's Executive Assistant on their behalf.

TUC
Changing the world of work for good

Over half of UK women have experienced sexual harassment in the workplace.



You're not alone

Don't suffer in silence.
Speak to your union rep today.

Contact:



Promotion strategies – RA poster example

RA poster template:

- Have you seen it?
- Have you used it?
- What is your experience?

Best practice and lessons learnt



- Treating every grievance with respect and bringing satisfactory remedy to rightsholders.
- Sharing information about received grievances and their outcomes with your stakeholders.
- Understand and share routes for accessing remedy for cases outside your scope to build trust with your stakeholders.



Knowledge Quiz

Quiz – true or false?

Rainforest Alliance certificate holders are free to operate any grievance mechanism that works best for their needs.

TRUE

RA certificate holders can choose the type of mechanism and channels that suit them best, but the chosen mechanism must meet the criteria set in the RA requirement.

Quiz – true or false?

Certificate holder's grievance mechanism should prioritize the needs of their own employees over other stakeholder needs.

FALSE

Company own grievance mechanisms need to be available for anyone who could be affected by the company activity and need to consider all stakeholder needs, such as members of the community.

Quiz – true or false?

Unionized workers shouldn't use grievance mechanisms, they should submit grievances to their trade union.

FALSE

Grievance mechanisms must be available to all workers and worker should always be able to choose how they raise their grievances.

Quiz – true or false?

Grievance mechanisms must always be confidential, but they don't always have to be anonymous.

TRUE

Confidentiality is essential to protect rightsholders from retaliation but sometimes, correct remedy can only be provided if the identity of the rightsholder(s) is known.

Quiz – true or false?

Grievances cannot be raised for issues that happened a long time ago.

FALSE

They might be harder to investigate but issues that happened in the past can be valid grievances.

Closing discussion

Questions

Reflections

Resources



RAINFOREST ALLIANCE