

Rainforest Alliance

Grievance Mechanism Training Toolkit

Presenter's Guide

Content

Initial Meeting (1-2 hours) with organization leaders

- Case study / temperature check
- What are grievance mechanisms?
- Myth busting quiz
- Why are grievance mechanisms important?
- What is the RA standard?
- What will the training cover?
- Who should participate in the training?

Training Day 1 – Understanding Grievance Mechanisms (8 hours)

- Objectives, introductions & expectations
- Myth busting quiz
- What are grievances
 - o Who can raise them
 - o Whose grievances is your organization responsible for
- What are grievance mechanisms?
 - o Why are they needed
 - o Different types of grievance mechanisms
- Effectiveness

Training Day 2 – Implementing & Operating a Grievance Mechanism (8 hours)

- Objectives & warm up
- Grievance committee
- Stakeholder engagement
- Choosing your channels
- Grievance procedure
- Remedy
- Promotion strategies
- Knowledge quiz

Purpose

The Rainforest Alliance Grievance Mechanism Toolkit was developed to help RA trainers deliver practical training to certified sites and farms on how to put the Standard 1.5 on Grievance Mechanism into practice. It is not to duplicate or replace any of the existing complementary resources, in fact, it is to be used in conjunction with the following existing documents developed by Rainforest Alliance for its certification holders:

- Assess and Address Guidance
- Remediation Guidance
- Grievance Mechanism Guidance

How to use this guide

This guide is part of a toolkit of resources to be used together:

Presentation Slides (in Power Point) – to provide visual content for delivering training with trainer's notes

Presenter's Guide (In word – this document) – to provide example script and detailed notes for the trainers (a copy of the Power Point to have a printer version)

Handouts - Interactive resources in a form of exercise prompts, examples, summaries, posters etc to help with training delivery

This word document is designed to accompany the power point presentation from the RA Grievance Mechanism Toolkit. It includes two types of text:

- Trainer's notes (black) – providing tips and instructions for the trainer
- **Example script (in dark teal)** which can be used to describe the PPT content

The toolkit is designed to work for trainers with varying levels of experience, providing details for those that find it helpful, but they don't have to be followed word by word. Every trainer will naturally find their own preferred words and flow to explain the content, but RA requires the trainers to relay the main messages as outlined to make sure the training is consistent.

Before You Begin

Please ensure that you are familiar with the materials included here before you start to engage with any organizations on the ground. It is important that you are particularly comfortable with:

- 1 [Rainforest Alliance Grievance Procedure](#)
- 2 [Rainforest Alliance Grievance Mechanism](#) (for certificate holders): Guidance E
- 3 [Rainforest Alliance Remediation Protocol](#) : Guidance S
- 4 [Rainforest Alliance 2020 Sustainable Agriculture Standard](#) (for farms)

Before the first visit

The initial meeting will take place between the trainer and the management only. When organising the initial meeting by phone or email, it is important for the trainer to ask three questions upfront:

1. Does the site have any grievance mechanism in place? If so, what is it? (Get a brief idea only)

If the answer is no, it is advisable to set at least 2 hours for the initial meeting to be able to explain the key concepts to the management who might be hearing it for the first time.

2. Does the site have a grievance committee in place?

If the answer is no, make sure you explain to the management before the initial meeting that to have a grievance committee in place is necessary according to RA requirement. Explain what the selection criteria for committee members are and ask them to think about the people who would be suitable for the role, as these are the people who should be available and attend the training. Make sure you emphasize that the worker representative(s) need to be chosen by the workers, not the management.

You can send the site this list:

At minimum, the grievance committee members (or likely members) should attend:

- Management representative(s) – someone from the leadership / management
- Worker representative(s) – if they are not appointed yet, this can be any worker with good communication skills who is willing to participate (see more detailed guidance on process for selecting a worker representative further down in this guidance).

You could send them the below slides to help them prepare for setting up a committee:

The image displays three presentation slides from the Rainforest Alliance, each with a logo in the top left corner.

- Slide 1: 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)
- Slide 2: 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

Below the text are two icons: a person in a suit labeled "Management representative" and a person in a hard hat labeled "Worker representative".
- Slide 3: Grievance Committee Selection Criteria**
 - Icons representing the criteria: a graduation cap for "KNOWLEDGEABLE", a person at a computer for "COMPLETED RELEVANT TRAINING", a balance scale for "IMPARTIAL", a smiley face for "APPROACHABLE", a person with a magnifying glass for "GENDER SENSITIVE", and a computer monitor for "HAVE ADMINISTRATIVE SKILLS".

In addition, the below individuals should also be encouraged to attend the training

- Relevant other committee representatives – Assess and Address Committee, Gender Committee, any other existing worker committees (at least one representative per committee)

- Other relevant departments – such as human resources or anyone else in charge of people management whose scope grievance mechanisms will also fall under (in small workplaces this could be the production manager or similar)
- Trade union representatives – if relevant

If representatives from all of these groups are not available, consider if it's better to move the date even if it means last minute changes. Having the right people in the room will make the rest of the training much easier.

3. Is there an active trade union(s) at site?

If the answer is yes, ask for their name and how many workers are covered. Conduct a quick desk-based search about the TU before the training to have some background (how big are they? How active? Are they controversial?) If the answer is no, go through the presentation slides and you can hide the slides that go into details about trade unions as it won't be as relevant for the site.

Presentation slides

INITIAL MEETING

The Initial meeting is an opportunity to set everyone up for success. The main objectives for you are:

- To explain WHY the training is happening
- Ensure the site / farm has a positive attitude towards it
- The key people are available and know how / what to prepare for the training itself

Be sympathetic to the fact some people might feel nervous because they have no experience with the topic of grievance mechanisms at all, while some might feel overwhelmed from too many grievance mechanism trainings. You may even come across people who don't believe in grievance mechanisms, but whatever the situation, don't let it discourage you – you have a unique opportunity to change their mind and offer solutions.

Initial Meeting Objectives

Initial Meeting Objectives

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



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Set expectations by explaining what the meeting will cover and introduce yourself. Briefly mention your background, your expertise and perhaps why you are interested in the topic of grievance mechanisms. Don't forget to ask all the participants to introduce themselves too so that you know who is in the room, making sure you have everyone you need.

Example script:

Today's meeting objectives are to discuss the purpose of the RA Grievance Mechanism Standard. We will discuss what grievance mechanisms are and why they are important, talk about the new standard and why it is being launched now, as well as agree a training plan. Please note today's meeting is not a training per se, we will have plenty of time for that in the following sessions. Today's meeting is for me to give you all the information you need and answer any of your questions to make you feel comfortable and prepared for the training. I will need about 1.5 hours of your time and there will be plenty of time for questions and discussion.

Does that sound good? Do you have any questions or expectations you'd like to mention now?

Great – let's dive right into it and please stop me anytime if you want to ask anything.

Case study / temperature check

The purpose of a case study / temperature check is to bring people's attention to the topic at hand and help them feel comfortable talking about it. You have several options here. As the initial meeting is short, pick one depending on who your audience is.

OPTION 1 – CASE STUDY

Case study



You live above a coffee shop from hell:

- 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?

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If your audience doesn't know much about grievance mechanisms it helps to put themselves in the position of someone needing a grievance mechanism. You could make up any case studies that you like or are relevant for the local context. If you pick a story that people know, it is usually easier to grab their attention.

Example script:

First of all, let's talk about a brief case study to demonstrate why grievance mechanisms are needed. Does anyone recognise this building? This is the building where the TV show Friends was filmed and if you have watched it there is a very famous fictional coffee shop called Central Perk. The friends spent a lot of great time in there but imagine for a moment that you live in this building and the coffee shop is being really anti-social. It plays loud music which you don't like all day long and the staff leave their rubbish bags outside the building entrance. You've tried talking to them but they say they can't do anything, it's the coffee shop owner's responsibility. But the owner is never there. You don't know who it is and how to contact him. What's more, some of your neighbours really like the coffee shop and spend a lot of time there. You don't want to upset them by complaining to them about it. What can you do?

Luckily, you have a really good landlord who has implemented a grievance mechanism for the building residents. You are able to send him an anonymous message explaining your grievance and the landlord is able to help by asking the owner to address the issues that are affecting you.

OPTION 2 – CASE STUDY

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?

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If the first case study is not relevant to your context this is another option.

However, if you have a better scenario for your local context feel free to use that. You can create a new slide or even just discuss it verbally. Think about what will your audience relate to – what is a common problem? What do people care about?

OPTION 3 & 4 – TEMPERATURE CHECK



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



Confusion? Confidence?

Something else? Why?

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



Why?

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If your audience is more familiar with the topic, you may want to gauge how they feel about it. Gauging their attitude will help you tailor the meeting content to their needs.

Example script:

Before we dive in, let's do a quick 'temperature' check - what is the first thing that comes to your mind / how do you feel when someone says grievance mechanisms?

Discuss for 5 minutes.

Ok I see the general mood in the room is (very positive which is great / mixed / apprehensive which is completely fine...)

What is a grievance?

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.

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Start with only showing the title of the slide and asking if the participants can explain it in their own words, then reveal the definition.

Example script:

So what are grievances? How would you describe them in your own words? Can anyone give me an example?

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.

What can workplace grievances look like? (Slide 1 & 2)

RAINFOREST ALLIANCE

What can workplace grievances look like?

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What can workplace grievances look like?

Simple requests:

"The female toilets on the ground floor never have any soap, can it be provided?"

Raising alarm on something potentially dangerous:

"A chemical container outside storage room has spilled and the contents are flammable."

Allegations and reports of mistreatment:

"My supervisor shouts at me for making mistakes but I am too afraid to confront him about it."

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Pick the slide that is more suitable for the audience – more senior staff and more sophisticated sites might prefer the written examples and vice versa.

Example script:

Here are some examples of grievances from the workplace. It could be

- simple requests such as “There is never any soap in the downstairs ladies’ toilet – can it be provided?”
- Raising alarm on something potentially dangerous such as “A chemical container outside storage room has spilled and the contents look flammable.”
- Allegations and reports of mistreatment such as “My supervisor shouts at me for making mistakes but I am too afraid to confront him about it.”.

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:

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9

Start with only showing the title of the slide and asking if the participants can explain it in their own words, then reveal the definition.

Example script:

So what are grievance mechanisms? How would you describe them in your own words? Can anyone give me an example?

Let the room respond, then read out the definition and the rest of the slide. If the participants get it right straight away you can just say “Exactly, you are right”, read out the rest of the slide and move on. If you find the audience is a bit lost it might help to say something like “Grievance mechanisms – sounds serious doesn’t it! But it’s really just a formal name for a complaint process.”

What do grievance mechanisms consist of?

What do grievance mechanisms consist of?

All grievance mechanism need the following:



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There are so many examples of grievance mechanisms out there that it is useful to see them through a framework, or something they all have in common.

Example script:

Every grievance mechanism will need a tool(s), or something that physically enables the communication between two parties to flow. It will also need a process, or series of steps that tell everyone how to use the tools and what happens when a grievance is submitted. Finally, a governance is needed to make it clear who is responsible for what to make the system work.

Let's look at some examples.

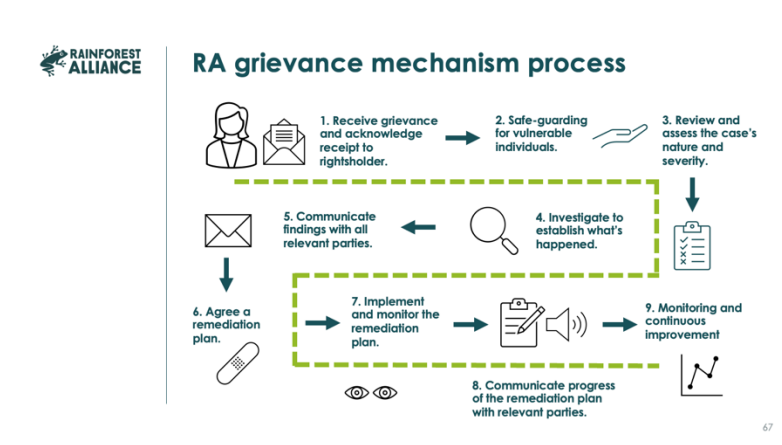
What might grievance channels look like?



Example script:

In most workplaces, grievances could be submitted verbally during a conversation or on a phone, they could be written down in an email, letter or a form, or they could be submitted through a smartphone app. There are many ways to facilitate the communications and it is recommended to have several different channels available but not so many that their use becomes confusing or too much work to keep up with.

What is the RA Grievance Process?



Example script:

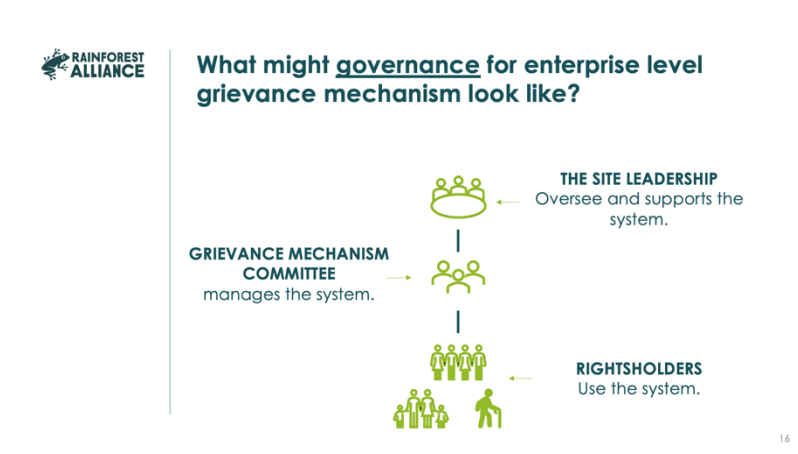
This is the summary of the process. (Read out the steps)

Having a grievance process is important for many reasons, some of which are:

- It outlines clearly what the grievance committee needs to when a grievance is submitted
- It outlines what happens to the users when they submit a grievance and helps manage their expectations
- Having the transparency increases the users trust in the system and makes it more effective
- It helps 'institutionalise the actions making them consistent for each case and reduce conflict of interest

Let's look at each step individually.

What might a governance for enterprise level grievance mechanism look like?



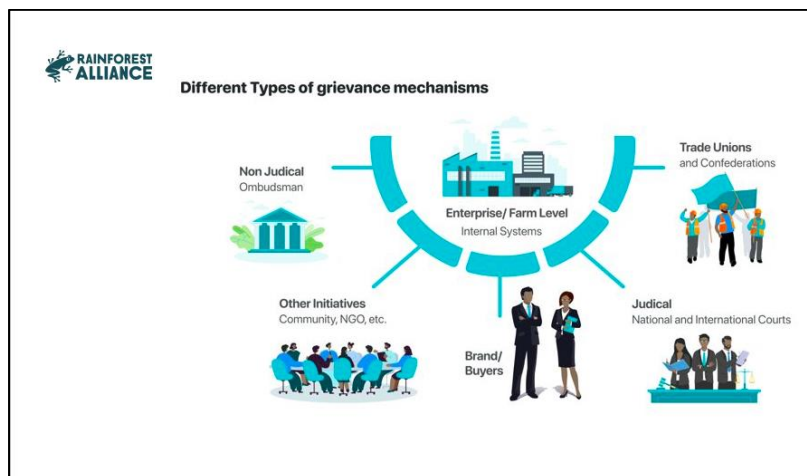
Example script:

What works best is when the management support the mechanism by sending a clear message why it is important while a grievance mechanism committee

manages the process and day to day activities, while the rightsholders use the mechanism.

The training will explain all three elements in great detail and help the participants understand how to choose the best tools, design the best process and set up a grievance committee.

Different types of grievance mechanisms



Example script:

The training will also explain what we call the grievance mechanism landscape – or what the different grievance mechanisms look like and how they co-exist together. While the main focus of the training is on understanding and implementation of the RA Standard 1.5 and therefore implementing and operating an operational grievance mechanism at your site, you will gain understanding how to make it work alongside let's say a trade union on site, a brand hotline or another channel available to the rightsholders in and around your organization.

You can mention here that while all of these mechanisms are likely to use similar tools and processes, their governance is what sets them apart most. For example, in your own organization your main governance actors are your management and your grievance committee. That's who the responsibility for operating the mechanism sits with. However, if we imagine a multi-stakeholder community initiative, apart from site grievance committee and management, there might be a local NGO overseeing the process and buyers who receive updates on how well the grievance mechanism is functioning. Some might even have government involved, for instance the Bangladesh Accord. However, in your day-to-day, 95% of your attention will be needed for your own, internal operational grievance mechanism and that is the main focus of the training.

Myth busting quiz (5 slides)

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.

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Quiz is a good way to challenge people's opinions on the topic. It engages people's thinking and attention, so it's a good way to break up a presentation which has a lot of new information in it.

On each slide, read the statement and ask the participants to first raise their hands if they think it is true, then if they think it is false. Then reveal the answer and read it out loud. This might spark a discussion – this is good, let the room discuss in between and after the quiz but don't spend more than 10 minutes here in total.

If people get it mostly wrong you can say something like "it's ok, that's exactly why we are doing this training. If people disagree with the answers, you can say something like "there is a lot more detail to these / there are some caveats that we will cover in the training and I will explain why I made these statements.

Why are grievance mechanisms important? (1/2)

Why are grievance mechanisms 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

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Example script:

The biggest reason why grievance mechanisms are needed is for the affected rightsholders to access remedy and for the wrongs to be put right. They are not filling a nice to have or add-on function, it is important to understand that their existence is based on fixing something that shouldn't be happening because people have a right to live in dignity and exercise their rights.

For example, if your wages are delayed, you need this to be fixed because it has considerable consequences on your and your family's life. But you don't need to wait for something to happen to raise a grievance. It is important that negative affects are avoided as much as possible, for instance - your health and wellbeing needs to be protected in the workplace to avoid your suffering from an accident or a long-term health impact.

Why are grievance mechanisms important? (2/2)



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.

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Example script:

However, there are other, business-related benefits too. Grievance mechanisms can alert you to something that needs your attention before they even happen or get worse. This can help avoid disruption to your business and related cost, including fines and fees, in the worst case by being taken to court. On the flip side, grievance mechanisms can be a source of new ideas and can help improve ways of working in general. Last but not least, every well-informed stakeholder knows that every organization needs a grievance mechanism. This is because there will always be things outside your control and grievance mechanisms are the only way to responsibly manage that. Having an effective grievance mechanism demonstrates maturity and responsibility to your stakeholders, leading to better reputation and more stable relationships.

Grievance mechanism testimony

Grievance mechanisms are important for business

"We value the labour stability that comes with having a working grievance mechanism, because workers are satisfied with their salaries and happy workers are productive"

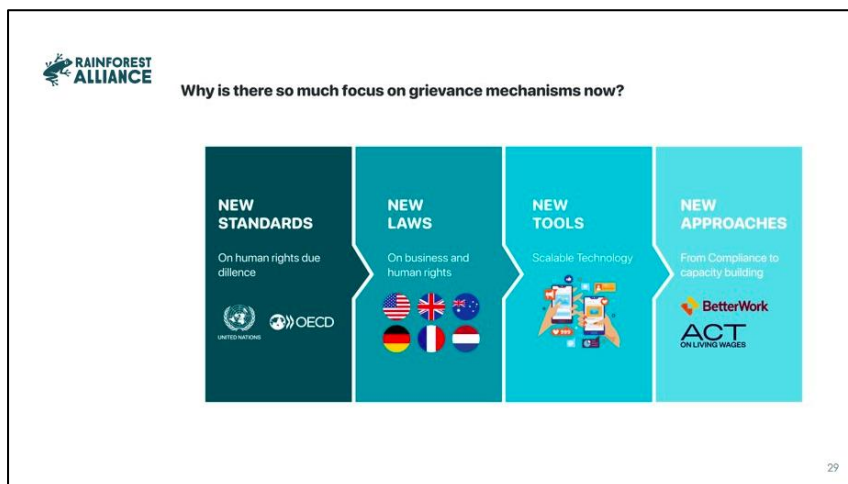
Operations manager

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Example script:

Here's a testimony from one of the RA farms who have recently implemented a grievance mechanism and are able to see the business benefits.

Why is there so much focus on grievance mechanisms now?



This slide is worth spending a bit of time on, especially with senior staff. It is expected that people question why suddenly, a requirement comes in when they existed just fine before and without grievance mechanisms.

Example script:

You might be asking - why now?

Grievance mechanisms, as well as some of these guidance documents, laws, tools and projects have been around for a long time, I am not suggesting all of it is very recent. But what is new is the depth of understanding around what GMs should look like and how they should work to be effective.

In the last few years there has been an increased focus on clarifying to the business community how to behave responsibly and respect human rights. Part of this movement are new frameworks and guidance documents such as the UN Guiding Principles on Business and Human Rights or the OECD Guidelines for different

industries and multinational enterprises, which all clarify the importance of grievance mechanisms.

In short, organizations and their value chains cannot be responsible without effective grievance mechanisms because effective GMs are the only way to ensure people can speak up proactively about issues and that issues don't fall through the cracks. These guidance documents have inspired drafting of new laws and development of new tools, especially those leveraging technology. There's also been a clear shift from a compliance approach to corporate responsibility to continuous improvement and capacity building, as demonstrated by successful industry projects such as Better Work or ACT.

Although not every single country in the world has laws requiring grievance mechanisms, the reality is that not complying with the already existing laws makes it extremely hard to operate globally. RA is a global organization and as such, it is required to ensure effective GMs are in place in their supply chain and at large farms everywhere.

Besides it being a legal requirement, we also believe that when implemented well, grievance mechanisms are one of the most powerful tools to create a thriving and successful business.

Requirement 1.5 of the Rainforest Alliance's Sustainable Agriculture 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

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The point of this slide is to show the participants that the requirement is only one page long. The actual main requirement is highlighted in yellow – showing that in it's core it is quite straightforward, the trick is in making it effective and for each and every site individually.

Definitely don't spend time here to read the requirement, reassure the participants the training will cover this in detail.

Example script:

Here is the new standard on RA grievance mechanisms – how many of you have seen it?

This is the full wording – as you can see it isn't much (only one page) but it contains a lot of detail. It is important for standards to be precise and hence their wording can often be very formal. At RA we know we need to help our members understand what our standards mean in practice and we have issued a detailed guidance on how to implement the standard.

However, we realize our members need help understanding what it means specifically for them. How you communicate with workers and which tools you use can be completely different to the farm or site next door to you and that is absolutely fine. While the freedom our standards offer means there is no one way of meeting them, it also means working out the best approach for you takes continuous learning and improvement. This is why we are offering practical training to make sure you are able to understand and implement it in your own way.

The training's ultimate objective is to put this new standard into practice at your site in a meaningful and manageable way for you specifically.

What are the key elements of the Requirement 1.5?



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



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This slide summarizes the key content of the new standard in a simpler format. Read out the requirements and ask if there are any questions. This is a good point to pause and reflect as if you get a positive reaction on this slide then you should have the openness you need for the training.

What are the key elements of the Requirement 1.5?

What is the rationale behind the new RA Grievance mechanism standard?

- 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.

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This is to explain why there is another requirement from RA and how that relates to all other requirements. This slide should demonstrate that the new standard strengthens the existing ones and helps them be more effective.

Example script:

Apart from the requirement for operating grievance mechanisms being required by laws and international standards, technically the requirement TO HAVE a grievance mechanism is also already included in the Sustainable Agriculture Standard. It is also already required as part of the Assess and Address process. But the new Standard 1.5 specifies WHAT it needs to include and HOW it needs to work.

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 and meet the new Requirement 1.5
- What to do if a grievance mechanism is already in place
- How to integrate grievance mechanisms with Assess and Address and other mechanisms
- What do effective grievance mechanisms look like
- How to provide remedy

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The training is designed to answer these questions for you. Read them out and see if the participants have any questions. Ask if anyone has any specific concerns they would like to address in the training.

What is the training agenda?

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 measure effectiveness

DAY 2:

Implementing and operating a grievance mechanism

- What does the new standard include
- How to set up a grievance committee
- Stakeholder engagement
- Assessing your needs and choosing your tools
- Promotion strategies
- Grievance Procedure
- Remedy

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

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Let the room read the plan to see how the training content is divided. Emphasize the reason it takes two days (or 2x 8 hours) is to be able to go into a lot of detail, examples, case studies and discussions.

Who should participate in the training?

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:

- **Leadership**
- **Human Resources**
- **Worker representative**
- **Trade union representative**

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Talk through this slide to understand the site's specific set up and confirm with them who should participate. The more people participate the better.

TRAINING DAY 1

Grievance Mechanism Training

DAY 1 - Understanding Grievance Mechanisms

Objectives



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 measure effectiveness

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Explain what you want the participants to have learnt by the end of the day. Mention that you will welcome any questions but some of them you might need to 'park' if they will be covered in detail on training day 2.

Example script:

The training content has been split into Understanding GMs and Implementing and Operating GMs. We want to use today to understand the rationale and the benefits behind grievance mechanisms. Within this, there are four main topics we want to cover today – grievances and grievance mechanisms (what they are, what they are not, what they look like, who can use them and so on). By the end of the day, we want to be able to say that we have learnt about all these areas of grievance mechanisms and understand them well.

Agenda



Agenda



Introductions and expectations

Break 1

Break 2

Break 3

Quiz

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This slide is to be filled by the trainer for each site individually, outlining the timings. You don't have to use it, but it is usually helpful to give the participants an idea about when breaks will be in case they have other responsibilities that day they need to manage.

Introductions and expectations

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?



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This is everyone's chance to get familiar with who is in the room and for you to get to know your audience a little. The third point about first thing that comes to mind is also your warm-up / icebreaker. You could make it more fun by asking a training non-related question – for example, “What is a one thing that made you smile today?” or “your favourite food”.

If people mention any specific questions or expectations at this point, it is useful to write them down on a board or at least note them down yourself to make sure they get answered during the training. It is useful to come back to this slide at the end of the day to check whether expectations and objectives were met.

What is a grievance?

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.

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Before you reveal the definition, ask the participants to say what they think it is in their own words. See how close to the definition you can get with everyone's help. Then reveal and read out the definition and rest of the slide.

Examples of grievances from different areas of life

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.



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Thinking about grievance mechanisms from a bigger perspective helps the participants see their purpose.

Example script:

Grievances exist in many areas of our lives – we all can get negatively affected by activities of other actors around us which can harm us. Inequality and violations of rights are unfortunately part of life but so is right to dignity, which is why grievance mechanisms are needed.

What can workplace grievance mechanisms look like?

RAINFOREST ALLIANCE

What can workplace grievances look like?

18

Use the pictures to prompt a discussion. Can the participants guess what the grievances are and how they differ from each other?

What can workplace grievances look like?

Simple requests:

"The female toilets on the ground floor never have any soap, can it be provided?"

Raising alarm on something potentially dangerous:

"A chemical container outside storage room has spilled and the contents are flammable."

Allegations and reports of mistreatment:

"My supervisor shouts at me for making mistakes but I am too afraid to confront him about it."

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Use this slide as a confirmation what was discussed on the previous one by reading out the slide or letting people read it. Ask the participants if they can think of any other examples and / or what kind of grievances they get most often (if they are already managing a system).

Grievances can come in many formats

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."

47

Example script:

As well as carrying different types of messages, the same grievance can have many formats. It is the message they carry that matters the most. Sometimes that means investigating more to fully understand what the issues is, sometimes they can be 'leads' more than clear issues.

Read out the content to provide examples.

What sets grievances apart from regular communication?

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.

48

This is an important question to answer and it might come up a lot during the training.

Example script:

Grievance mechanisms are an important part of communication system in any workplace. Information is exchanged on daily basis and can refer to problems. So what makes a grievance a grievance? There are two criteria that must be met.

What do we mean by negative effects?

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,...)

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Example script:

But what do we mean by “negative effects” or “negative Impacts”? Individually, we might perceive different things as negative, but grievances are not about personal opinions or preferences. They are firmly rooted in laws and international standards and apply the same to everyone. Remembering this should help you distinguish the two apart.

Exercise: Are these grievances? Why? Why not?

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 lost my job because I refused to do overtime. I have small children who I need to look after and cannot stay at work until late.

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Let the room read these grievances off the screen. Then ask them to pair up with a neighbour and discuss for 5 minutes. Then discuss the correct answers together.

Situation 1 is not a grievance, it is a personal preference, and the person might feel that they are being negatively affected, but their rights are not being violated.

Situation 2 is a grievance, even though the person has a specific circumstances (family responsibility). The issue is that she was unlawfully fired and her right to family was violated.

Who can raise grievances?

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



55

Example script:

Grievances can be raised by the affected rightsholders, be it individually or in a group. They can also be raised by whistle-blowers. Does everyone know the term? Whistle-blower is someone who is aware of the grievance or a concern but isn't affected directly.

Who are rightsholders?

Who are rightsholders?



"Individuals with certain rights"

For example:

- All people have human rights
- Workers and employees have labor rights
- Children have children's rights

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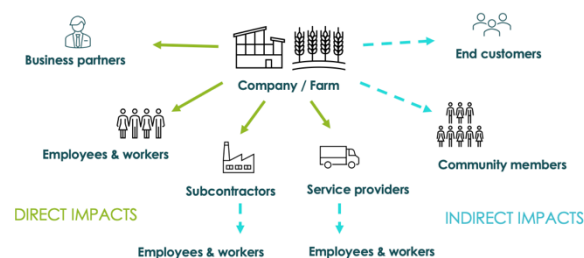
Example script:

Before we move on, let's clarify who rightsholders are because we will use the term a lot. Rightsholders are individuals who holds certain rights. For example, all of us have human rights, but women and children have specific rights due to their status. When we say rightsholders, we refer to people who your organization could affect negatively. But because they have rights, they can complain and demand a remedy.

Whose grievances is your organization responsible for?

Whose grievances is your organization responsible for?

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



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Example script:

Anyone who's complaint meets the criteria we discussed can and should raise a grievance, but the question is who should handle it? There might be many affected individuals in your organization's proximity, so who are you responsible for?

You are responsible for anyone who is affected by your organization's policies or activities in any way. Your organization can affect people it is in direct contact with, such as its employees and workers (called direct impacts) but it can also affect people who are not in direct contact, such as community members (indirect impacts). Your organization is responsible for both types of impacts.

Share the below printout with the participants and asked them to take 5 minutes to read it to get an idea of the types of grievances that might come from different stakeholders.

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



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Have these case studies printed out in advance and bring several copies. Split the room into 3 groups and give each group one scenario. Ask them to discuss in each group, answer the questions and then present their answers to the rest of the room. Give the groups 10 minutes to discuss and take another 10min to go over the case studies together.

(It is a good idea to ask the groups to self-select a time keeper and a presenter by themselves. (time keepers make sure that the discussion doesn't over-run and the group covers everything in the time that is given).

Case studies (1-3)



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?

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Use these slides while the groups present, to always have the case study talked about displayed on the screen for the other groups to see.

What is a grievance mechanism?



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 organization's activities and/or operations and get remedy."



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Start with only showing the title of the slide and asking if the participants can explain it in their own words, then reveal the definition.

Example script:

So what are grievance mechanisms? How would you describe them in your own words? Can anyone give me an example?

Let the room respond, then read out the definition and the rest of the slide. If the participants get it right straight away you can just say "Exactly, you are right", read out the rest of the slide and move on. If you find the audience is a bit lost it might help to say something like "Grievance mechanisms – sounds serious doesn't it! But it's really just a formal name for a complaint process."

What do grievance mechanisms consist of?

What do grievance mechanisms consist of?

All grievance mechanism need the following:



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There are so many examples of grievance mechanisms out there that it is useful to see them through a framework, or something they all have in common.

Example script:

Every grievance mechanism will need a tool(s), or something that physically enables the communication between two parties to flow. It will also need a process, or series of steps that tell everyone how to use the tools and what happens when a grievance is submitted. Finally, governance is needed to make it clear who is responsible for what to make the system work.

Let's look at some examples.

What are some examples of grievance tools?

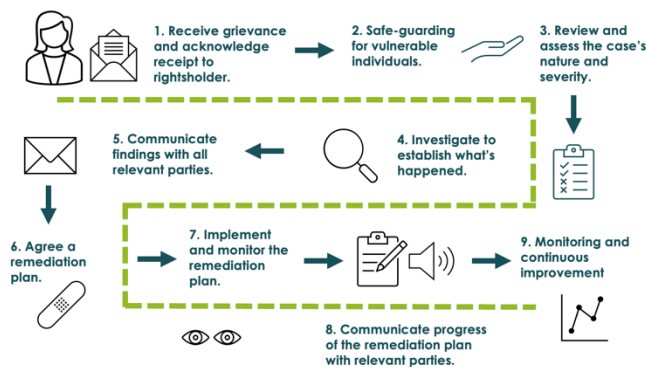


Example script:

Grievances could be submitted verbally during a conversation or on a phone, they could be written down in an email, letter or a form, or they could be submitted through a smartphone app. In the most serious cases, grievances can be filed through the legal system.

Sample grievance mechanism process

Sample grievance mechanism process



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Example script:

So what are the steps that need to be taken when handling a grievance? This is an example process (read it out one by one). There might be slight differences in how these are done at your site but you should think about all of these different actions. We will cover this in detail on day 2.

What do we mean by governance?

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**

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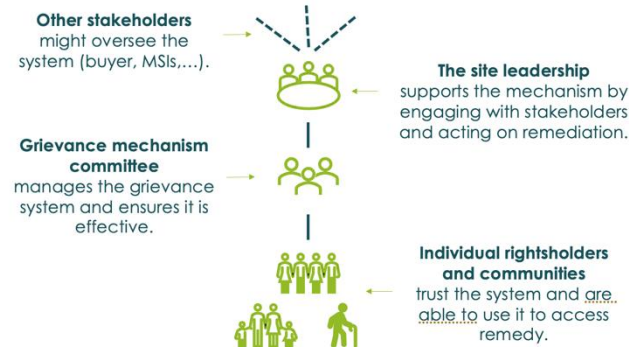
Read out the questions first.

Example script:

Governance is about who is responsible for what. This can look different depending on what type of grievance mechanism we are talking about.

What might governance for enterprise level grievance mechanism look like?

What might governance for enterprise level grievance mechanism look like?



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Example script:

For example, an enterprise level grievance mechanism (the type of grievance mechanism you would operate within your organization) available for all types of rightsholders should have a grievance committee to manage the day to day, have a supportive management overseeing the system and perhaps could have a buyer or a local expert receive regular updates on how the mechanism functions.

Why are grievance mechanisms needed?

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 labor standards



Important for enjoyment of human rights



Essential part of democratic and just society.

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This and the next are useful slides to explain why grievance mechanism even exist in the first place. A lot of the times we talk about requirements but what about the logical reason why something is needed? In case of grievance mechanisms, the shortest answer is because we don't live in a perfect world and things do go wrong.

Grievance mechanisms in the world of work

Grievance mechanisms in the world of work

Are a proof of responsibility and accountability as well as a safety net in situations when...

The organization creating negative effects:

- 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):

- Not comfortable to speak up openly
- Afraid of reprisal
- Not know how to raise a concern or submit a grievance
- Not aware he / she is being affected at all

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Example script:

If we translate this to the word of work, here are some reasons why grievance mechanisms are needed. (read out the lists)

Can you think of others?

What benefits do grievance mechanisms bring?

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

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Example script:

The single most important reason as well as benefit of grievance mechanisms is to bring remedy to affected stakeholders. It is important to remember that GMs are not filling a nice to have or ad-on function, their existence is based on fixing something that shouldn't be happening because people have a right to live in dignity and exercise their rights.

For example, if your wages are delayed, you need this to be fixed because it has considerable consequences on your and your family's life. But you don't need to wait for something to happen to raise a grievance. It is important that negative affects are avoided as much as possible, for instance - your health and wellbeing needs to be protected in the workplace to avoid your suffering from an accident or a long-term health impact, ideally BEFORE something happens.

What benefits do grievance mechanisms bring?



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.

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Example script:

However, there are other, business-related benefits too. Grievance mechanisms can alert you to something that needs your attention before they even happen or get worse. This can help avoid disruption to your business and related cost, including fines and fees, in the worst case by being taken to court. ON a flip side, grievance mechanisms can be a source of new ideas and can help improve ways of working in general. Last but not least, every well-informed stakeholder knows that every organization needs a grievance mechanism. This is because there will always be things outside your control and grievance mechanisms are the only way to responsibly manage that. Having an effective grievance mechanism demonstrates maturity and responsibility to your stakeholders, leading to better reputation and more stable relationships.

Grievance mechanism testimony



Grievance mechanisms are important for business

"We value the labour stability that comes with having a working grievance mechanism, because workers are satisfied with their salaries and happy workers are productive"

Operations manager

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Example script:

Here's a testimony from one of the RA farms who have recently implemented a grievance mechanism and are able to see the business benefits.

Why is there so much focus on grievance mechanisms now?



The content used for presenting this slide in the initial meeting with the management is too heavy, but the slide still has valuable content to mention. During the training, it is enough to say something like the below. (If you need to explain in more depth, see the script for the slide in the initial meeting section of this deck)

Example script:

Grievance mechanisms are not a new concept but are essential for building fair supply chains and workplaces. Today they are required by international standards and even some laws, because they are key for social sustainability projects and initiatives to be effective and sustainable.

Grievance mechanisms as part of good communication system



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.



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This is a long message but an important one.

Example script:

Grievance mechanisms shouldn't exist in isolation, they are an important part of a good communication system.

Grievance mechanisms shouldn't exist on their own, otherwise they will not be trusted and won't work. Similarly, good communication won't be able to be sustained without effective grievance mechanism to reinforce its existence and act as a safety net. When both exist together and one fails, the other one picks it up and vice versa. When you invest in implementing strong grievance mechanisms you are investing in much more than a complaints process.

Grievance mechanisms should be a two-way communication, meaning they should be used as an indicator of trust, as a feedback loop to check effectiveness of decisions and actions and function on every-day basic level too. The better the every-day communication is, the more trust rightsholders will have in the grievance mechanisms. On the flip side, the more effective a grievance mechanism is, the better the every-day communication will be.

Exercise



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.



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Either tell this as a story, or let the participants read it themselves on the screen and then discuss for 5 minutes. Ask them what they think about the success at XYZ.

Types of grievance mechanisms

This whole section explains the environment in which the grievance mechanism co-exist. It can be very useful for sites that have existing mechanisms implemented, and especially those that already engage with different mechanisms. It is also useful to see what their strengths and limitations are. However, it might be too detailed for smaller or less experienced sites. Adjust the time spent depending on their individual circumstances.

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
Judicial – police, courts, tribunals.. Non-judicial – local government bodies, ombudsmen.	Enterprise level – factory hotline, suggestion box External – Brand hotline, customer email	NGO / Charity hotline Grassroots in person support Multi-stakeholder initiatives

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This is to mention that there are other types of grievance mechanisms that rightsholders can use if certificate holder level mechanisms fail. This is important to be aware of as if a site fails to take grievances seriously and act, having to participate in a dispute resolution through the other mechanism can use a lot of the certificate holders resources. For example, if a group of workers led by a trade union decide to complain to the country ombudsman.

Example script:

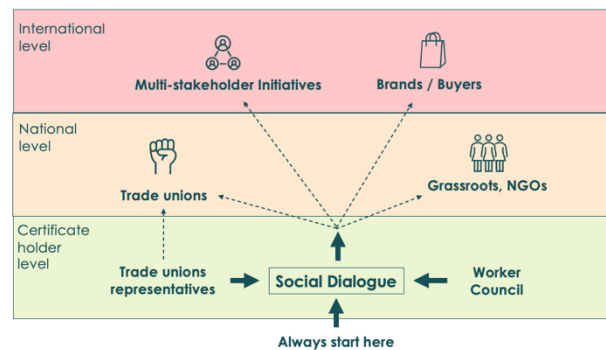
Our training focuses on certificate-holder level grievance mechanisms but it is worth being aware of the other types of mechanisms that exist, in case where your company needs to participate in a dispute resolution through other means.

There are a number of different avenues a rightsholder might decide to raise their grievance and seek remedy. The available channels can be put into three general buckets. The state based are either part of the legal system including courts and tribunals (judicial) or run by the government and their agencies such as inspectorates or ombudsman (non-judicial). The second group are called operational, this is because organizations are running them themselves in and for their supply chains. Other include all types of mechanisms where the handling party is not responsible for creating the impacts on rightsholders but is holding the responsible party accountable, such as an NGO. Then there are initiatives several actors collaborate (multi-stakeholder).

The RA requirement 1.5 asks certificate holders to have an effective mechanism in place which in most cases is the operational type, but sometimes can be a multi-stakeholder initiative.

The grievance channels landscape

The grievance mechanisms landscape



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Example script:

These mechanisms operate at different levels and have a natural hierarchy. This hierarchy is sometimes called an escalation process. This means that it's always best for rightsholders to try and get remedy through the less informal and local options and only go through the more formal routes if the less formal ones fail.

With simple grievances where solution can be agreed between parties easily, grievance committee is able to manage it by simply following the grievance process. Where this is not possible, the best and most preferred method to resolve workplace grievances is through a process called Social Dialogue. It is typically facilitated by either a worker council or trade unions and is about negotiation and finding common ground between two parties. Where Social Dialogue is not possible, grievances may need to be escalated higher. On a local and regional level, trade unions, local labour bureau or NGO and grassroots channels might be used. If the grievance is to do with local law, in extreme cases the grievance can be used to file a lawsuit. If these options aren't suitable or don't work, the grievance can be escalated to a national level, to an ombudsman, a multi-stakeholder initiative or an OECD complaints mechanism. At the highest global level, grievances can be escalated to the ILO complaints mechanism, international brands, international courts and tribunals or IndustriALL, the global union confederation. The power and mandate of these actors differs from one another and while in theory the complainant may be free to choose from several avenues, it is important to consider their strengths and limitations.

The most successful route for resolving issues isn't the same for all issues. For example, an issue with an incorrect payment of wages will be resolved quicker through an operational mechanism because the site management is who needs to correct the payment. However, if the issue is about maternity benefits not being provided to female workers, it might be necessary to escalate the issue to a mechanism at a national level, especially if the issue is systematic throughout the whole industry.

Trade unions

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

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Example script:

So let's talk about trade unions first. Trade unions are not a grievance mechanism, their role is much more than that but they can be one of the channels. Trade unions exist to represent workers and help them get remedy in cases when their rights are violated, so they are often the first receivers of grievances. They can also help with various aspects of assessing other grievance mechanisms, for example they can accompany workers during a grievance process or use other grievance mechanisms themselves to help workers get remedy.

Trade unions are an excellent grievance channel for your organization if they exist where you are. They have the resources (staff with skills and mandate) to support workers with grievances and in many cases can be the best and most effective route to remedy. Another unique thing about them is that they can negotiate collective agreements with other actors, for instance with governments (on wages) or even brands as some of the recent examples show (H&M and IndustriALL agreement) However, they are not active everywhere and can usually only support their members. This means that even if there is an active trade union at your site, there might be workers who cannot use this channel and will still need a different one.

Why should you involve

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.

83

The intention here is to motivate the participants to involve trade unions and use their expertise.

Example script:

If you have an active union at your site, they will be one of your key stakeholders to engage. This is because.....(read out the slide) On the other hand, not involving an active trade union in your GM design and operation can cause confusion among rightsholders and overall decrease the rate at which your mechanism is used.

Having said this, there might be instances where the trade union suggested course of action might be different from your organization. Remember, difference in opinion can happen but what is most important is to focus on dialogue and making sure that the course of action is always chosen based on what is best for the affected rightsholders. For example, a trade union might ask you to instruct workers to always contact them first, before using another grievance mechanism. But this might not be the best course of action for migrant workers or those who are not trade union members. It is important to explain to the trade union representatives that you need to look out for the highest good for all your rightsholders and that while you will always listen to their advice, sometimes you need them to compromise and support your decisions.

Worker Council



Worker council



What is worker council?

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

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Example script:

Workers councils fulfil a similar role to trade unions but they operate internally within workplaces. Similarly, to trade unions, they are able to support workers with raising grievances and helping remedy for workers, including informally and without escalating them higher. In some countries, worker councils are mandated by law.

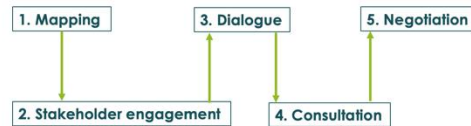
What is social dialogue?

What is social dialogue?



Social dialogue is a process of consultation, negotiation and exchange of information on issues of common interests. In the workplace, this includes finding resolving grievances.

Social dialogue should include these steps:



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Example script:

Both trade unions and worker councils use social dialogue to facilitate remedy. This includes identifying the remedy options, agreeing on the option that all sides are happy with, making sure the process is completed and so on.

Social dialogue is one of the most important and most powerful methods of resolving issues in the workplace in a collaborative and effective way. This is because when you have different stakeholders find a solution together, it is most likely to be implemented quickly and be effective.

In some countries social dialogue is protected by law, meaning that if an employer is requested to participate in it by the trade union or worker council, the employer will break a law if they refuse. The law usually mandates that the employer must participate in good faith, meaning they must be prepared to find and implement solutions, not only participate in talking, and so on.

Grassroots initiatives and NGOs

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

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Example script:

Religious organizations or charities tend to act as grievance channels by operating in the community and providing different types of support to their members / general public. While they might not advertise themselves as grievance channels, they can

be an excellent way for rightsholders to raise their grievance with someone who is impartial and who they trust.

It can be very valuable for certificate holders to have relationships with organizations in their vicinity as in addition to acting as grievance channels, they are often best suited with remediation. For example, remediation of child labour would best be supported by a child rights NGO.

Example of a charity grievance mechanism

The screenshot shows the 'Example of an NGO grievance mechanism' web page for Conservation International. The page is titled 'Example of an NGO grievance mechanism' and features the Conservation International logo. It includes a 'Make a Report' button and a 'Follow-up on a Report' button. The page contains a welcome message from M. Sanjay, Chief Executive Officer, and instructions on how to file a report. It also includes international dialing instructions and a note about the report being assigned a unique code.

Example of an NGO grievance mechanism

CONSERVATION INTERNATIONAL

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. Sanjay
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.

55

Example script:

One groups of individuals for whom often the local and enterprise level mechanisms don't work, who need to reach out elsewhere are migrant workers. Migrant workers have particular circumstances such as they speak different languages and often don't speak the local language. They are usually not protected by law to the same extent as local workers and are usually not covered by trade unions. Grassroots or charity grievance mechanisms work very well for migrant workers because these are organisations who have it in their mandate to support these groups of rightsholders, therefore tend to have some of the best expertise on their needs as well as highly skilled staff to support these people.

One example of such mechanism is run by a UK charity called Unseen who run a hotline within the UK available to anyone (including members of public) to raise a concern about someone who could be a victim of modern slavery. This mechanism works well because it offers anyone the chance to use it, it is independently run and it collaborates with other actors, for instance government (by referring victims to national protection mechanism and reporting the perpetrators to the police) as well as businesses (when brands seek advice on remediation for instance).

Buyers / Brands

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

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Example script:

Many brands nowadays operate a global grievance mechanism for their supply chain. In some countries, companies are even required to do this by law. Sometimes these are operated directly by the brand (such as an email address) and sometimes they are run by external providers (such as a hotline provider).


If your buyer asks you to make their grievance channel available to your workforce, it is important to do it. It offers a channel for rightsholders directly to the brand which while far away, are usually keen to listen and learn about their suppliers and farms. It is important for their learning as well as for the rightsholders to have a way to escalate their grievances if they cannot access remedy another way.

However, you know your site best and should feel empowered to speak up and let the buyer know if you feel there is something about their mechanism that isn't working well. For example, if a hotline isn't actually connecting you with anyone. Or, if several of your buyers ask you to offer their channels to your site, this can become confusing for the people – how are you supposed to choose between several buyer channels? Or are you supposed to use all of them?

Your role is to monitor what works best for your site and communicate back with your buyers about what is effective in your experience and what is not. This is an example of stakeholder engagement which we will talk about on Day 2. You could even use the grievance channel to communicate this type of situation to the brand!



Example of a brand / buyer grievance channel



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



57

Multi-stakeholder initiatives



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

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Example script:

Multi-stakeholder grievance channels involve several stakeholders and can take many forms and shapes. For example, they can combine the effort and participation of several buyers, local government, industry experts and other, such as in the case of the Bangladesh Accord.

On a smaller scale, multi-stakeholder initiative could involve your site, a local NGO, and Rainforest Alliance.

The effectiveness Criteria

The Effectiveness Criteria

In order to be effective, Grievance Mechanisms must be:



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Example script:

You've probably heard me say the word "effective" many times – but what does it mean?

This is one of the most important parts of the training. At the end of the day, no matter how much effort you put into implementing a grievance mechanism at your site, if it's not being effective, you won't meet the RA standard requirement.

These criteria have been defined by international standards and outline the framework for best practice. Let's look at what they mean in practice.

The following slides have two versions - each criteria has a slide with bullet points, as well as a slide with a quote. The bullet points use language which is accurate and taken from the guidance on how grievance mechanisms should operate. But the content can be heavy. The slides with quotes try to demonstrate what we mean by the criteria. You have two options to present – either go slide by slide and read out both, or if you feel the bullet points are too complex only present the slides with the quotes.

At the end of the effectiveness slides, give out a handout to the participants with an effectiveness checklist. Essentially, all the criteria have been combined in the checklist into simple questions to offer a more manageable way to a) assess effectiveness of the grievance mechanism in place b) understand where the gaps are and how to improve it.

Legitimate

The Effectiveness Criteria

Legitimate

Enable trust and fairness, protected from undue interference

- Minimize conflict of interest
- Sufficiently independent from business operations
- Manage user expectations
- Managed by trained and skilled personnel
- Act with sensitivity to those who are vulnerable

86

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.

89

Accessible

The Effectiveness Criteria

Accessible

Rightsholders are aware of the system and able to use it when THEY want to

- Safe, free and user-friendly access
- Rightsholders can access it in their language
- Consider rightsholders' limitations such as illiteracy, no access to technology, poor mobile phone signal etc.
- Continuous awareness raising about how to use the system
- Does not prevent from using other mechanisms

87

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."



91

Transparent and predictable

The Effectiveness Criteria

Transparent and Predictable

The process is clear and rightsholders know what to expect

- The procedure is shared openly with stakeholders
- Next steps and available outcomes are clearly defined
- Explain how confidentiality is protected
- Transparent about who is involved in the process
- Defined and suitable timeframes
- Avoid overpromising
- Outcomes are shared with relevant stakeholders

88

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.

93

Equitable and Rights-compatible

The Effectiveness Criteria

Equitable and Rights-compatible

The process is fair and empowers rightsholders

- The process and outcomes are in line with international human rights standards (and avoid creating further harm)
- Rightsholders are included in the process (can access information, can comment, challenge or withdraw)
- Rightsholders are consulted on the remedy
- Remedy is gender-sensitive
- Other parties (rightsholders, buyers) can comment on information and decisions

89

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.

95

Based on engagement and lead to learning

The Effectiveness Criteria

Based on engagement and lead to learning

Seek feedback and lessons learnt are used to improve current practices and the mechanism itself.

- Seek feedback from and engage other stakeholders / experts
- Engage users on design and seek feedback on usefulness
- Understand local context
- Draw from best practice

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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.

97

Awareness of rights

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.



91

Example script:

Apart from the criteria set in the UN Guiding Principles on Business and Human Rights as well as OECD Guidelines for Multinational Enterprises, there are a few more factors that should be considered when thinking about what makes grievance mechanisms effective. Awareness of rights is what helps people recognize when something is wrong. Awareness raising about people's rights should therefore be part of every workplace.

Culture and local context

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.

92

Example script:

Similarly to our knowledge of our rights, our culture shapes how we judge something as "wrong" or "right". We can't change the culture around us but by becoming aware of the biases it may instill in us, we become better able to recognize negative impacts on people even if they are considered "normal".

This is a lot of information, so RA has created a tool to help you – the Effectiveness Checklist summarized all of the questions you are encouraged to ask yourself when assessing the effectiveness of your mechanism. You can see a printout of it in front of you but you can always find it in the resource section too.

Exercise

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?

104

The intention of this case study is for the participants to think about what is working, why and why not, instead of just thinking about what is in place. In several of the case studies RA commissioned one of the learnings has been that keeping the 'old' in-person channel such as approaching the administrators or supervisors directly was very important. Trusting a new channel can take time even if it's a more anonymous one. Try lead the group into questioning how trust was being built to use the hotline in addition to informing the farmers and sharing the posters. Was there training?

What happened with the two grievances? Showing the farmers that the hotline works by resolving the two cases could be a good way of increasing use.

Before the end of the day don't forget to check with the room if their expectations were met, if you have answered / clarified anything that was on the board from the expectation discussion at the beginning of the day and if there are any questions about today's content. You can roll it into one with this exercise before you wrap up for the day.



Objectives



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 choosing your tools
- Promotion strategies
- Grievance Procedure
- Remedy
- Escalation Process

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You already know the participants well so you don't need to spend much time here today. Set expectations by explaining what the training will cover today.

Day 1 – Agenda

Introductions and expectations

Break 1

Break 2

Break 3

Quiz



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Trainer to confirm timings for the day. It is recommended there are at least three breaks – a longer lunch breaks (at least 30 minutes) and two smaller breaks (at least 15 minutes each) to give participants a chance to eat, refresh their mind, use the restroom...

Recap of day 1

Recap of Day 1

Yesterday we covered:

- What grievances are, who can raise them and who's grievances you are responsible for
- What grievance mechanisms are, why are they important and different types of mechanisms
-

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It is useful to get people to try and remember what they learnt on day 1 as a warm up and as a way to prepare them for the practical side of the training. Do this as a room discussion and type the summary on a board or directly into your ppt slides for everyone to see.

Exercise

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.

Activity 2

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

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Today is about putting learning the practical aspect of grievance mechanism and crucially, knowing how to meet the Standard 1.5. This is a good moment to ask people to read it as their minds are fresh and it will help them absorb the rest of the day. Make sure you have the printed-out copies for everyone. Once the participants complete both activities, have a room discussion – this is useful for you to gauge what parts of the standard they are struggling most with.

Why is a Grievance Committee needed?

Why is a Grievance Committee needed?



- SKILLS
- TIME
- OWNERSHIP
- EFFICIENCY

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It is expected that will be one of the questions but understanding the need for and setting up a grievance committee is the first step in the process of designing and implementing a grievance mechanism.

Example script:

Why do we need a committee? What is the benefit? Well, for things to happen it is important for them to be assigned to someone. Grievance committee has the mandate and therefore will make the time to manage the grievance system. The committee is also selected based on their skill set which means you already have the best people to deal with grievances identified. When grievances come in, you don't have to scramble around or panic and interrupt others to figure out who should do what, you already have someone in charge. Last but not least, the committee is

able to streamline response and remedy, meaning that the same grievance doesn't have to simultaneously be handled by several managers if it's affecting numerous workers. This can save an organization a lot of time, not mentioning the time saved from preventing the issue in the first place.

Setting up a Grievance Committee



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

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Example script:

Read out the requirements. It is preferable to have more than two members while maintaining a balance between management and workers representation, as well as gender. If the site is large, it might be beneficial to appoint more than one representatives for each constituency or additional members from relevant departments, for instance the human resources department.

Grievance Committee Selection Criteria



Grievance Committee Selection Criteria



KNOWLEDGEABLE



COMPLETED
RELEVANT
TRAINING



IMPARTIAL



APPROACHABLE



GENDER-SENSITIVE



HAVE ADMINISTRATIVE
SKILLS

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Example script:

The committee members should meet all of these criteria.

- Knowledgeable about certificate holder activities and about local, affected communities

- Completed, or agreed to complete before joining, the Rainforest Alliance online training on Assess-and-address, gender, and on the grievance mechanism as well as safe-guarding
- Considered impartial by management, workers, members and the community
- Approachable and easy to contact for management, workers, members and communities
- Understand the role that gender may play in the local context and do you have women as well as men on the committee?
- Understand what it means to be impartial and how a conflict of interest could affect their decision-making

The key operating principles of the grievance committee



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.

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Example script:

There are two main principles under which the committee must operate as a whole. Read out the slide.

What is conflict of interest?



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.

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What to do about conflict of interest?



What to do about conflict of interest?

To manage conflict of interest in a Grievance Committee:



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Example script:

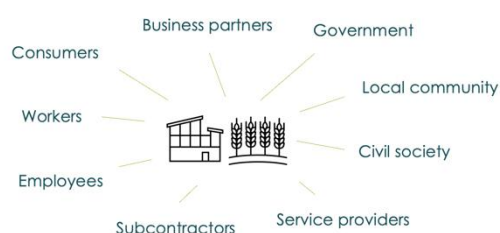
Conflict of interest is more common than we think. We all play different roles in life and can have conflicts of interest. If a member of the Grievance Committee has any conflicts of interest, they should be known and noted down before they start. Declared conflicts of interest should be regularly updated before each new grievance case is investigated. Avoid having the same person investigate a complaint as well as mediate it and decide on a remedy. If conflict of interest is too great, the committee member should step down temporarily from the committee.

Stakeholder engagement – who are your stakeholders?



Stakeholder engagement

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



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Example script:

The first thing you should do right at the beginning of designing a grievance mechanism is stakeholder engagement, which will help you understand better what you need and what will make your grievance mechanism successful.

Stakeholders are any individuals or groups who can be in any way affected by your organization's activity. Some stakeholders are likely to be affected more than others, such as your employees, while some are less likely to be affected, such as a one-off business partner. Stakeholder engagement is crucial in anything you do when it

comes to effectiveness and grievance mechanisms are no exception. The way you engage, or rather what on, depends from stakeholder to stakeholder.

For example, to make your grievance mechanism effective, it is important to understand upfront what the rightsholders in your stakeholder pool need, what they prefer, check with the rightsholders if they are able to use your mechanism and if it is bringing them the expected benefits. However, when engaging with experts the nature of your engagement is likely to be about them giving you advice about best practice and providing constructive feedback on your plans.

Stakeholder engagement – what is stakeholder engagement?



Stakeholder engagement

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



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Example script:

At the beginning of the process, you need to know who your stakeholders are, this is called stakeholder mapping. Once you know who they are, you should contact the most relevant ones to get help with your planning. Some stakeholders such as workers will be able to tell you practically what they need to be able to use the mechanism. Other stakeholders, such as local experts will be able to tell you what kind of issues, they see the most and hence the most successful reporting routes. Other businesses in the area might be able to tell you about their experience when setting up their mechanism and what their lessons learnt.

Make decisions about your grievance mechanism design only after you have heard from your stakeholders. What's important is that you continue that engagement, this shouldn't be a one-off exercise. After the initial round continue asking stakeholders for their feedback and experience with your mechanism. Also don't forget to re-map your stakeholders regularly as they might change over time (different groups of workers, new initiatives in the area etc.)

Exercise – stakeholder engagement

Exercise – stakeholder engagement

Activity 1

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

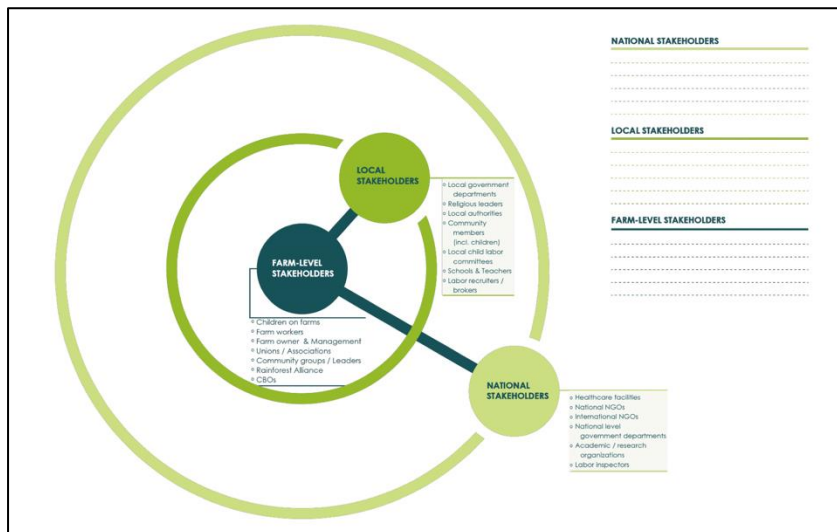
Activity 2

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.

Internal stakeholders are those directly connected with your organization, such as your employees, workers, contractors working on site, investors and so on.

External stakeholders are those not directly linked to your organization, such as the community, customers, buyers, government, civil society and so on.

If the groups struggle, give them this print out from the Remediation guide to help them:



Exercise – internal stakeholder needs

The objective of this exercise is to practice your ability to identify the most relevant stakeholders and consider their needs for designing a grievance mechanism. Who needs to have their say? Who can provide you with the most needed information to make your decision?

It's best for participants to work in groups. There are several ways to use this template. Print this table in advance to hand out to participants so they can write directly in it or ask them to create the table in their notepad before you start. Alternatively, do this exercise all together and you can reveal the answers on the

screen. Whatever way you choose, make sure the original template is empty, like this:



Exercise – internal stakeholder needs

Stakeholder group	Needs

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At first, ask the participants to fill the column on the left and name all the stakeholder groups they can. It will look like this:



Exercise – internal stakeholder needs

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

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Once the stakeholders are identified, ask the groups to think about their needs. Ask them to imagine they have interviewed them saying they are designing a new grievance mechanism for their workplace, what should they consider? And brainstorm the answers. The filled in template should look something like this:



Exercise – internal stakeholder 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

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Check and compare the outcomes from each group together.

External stakeholders



External stakeholders



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Example script:

Now let's think briefly about your external stakeholders. You don't need to go into such detail with your external stakeholders and you will probably not be able to consult them all, but you should still consider their needs. They are much further away from you and might not have a direct connection with you but they need to be able to raise an issue to you too. Their main needs are being able to find information about your grievance mechanism and being able to use it from far away. What could that be? (Online form, email or hotline number advertised on your website for instance?)

Strengths and limitations of different tools



Strengths and limitations of different tools



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Example script:

There is no right or wrong answer when it comes to choosing your grievance mechanism tool(s) but there is no denying there are more effective solutions and less effective ones. The trick is to find a balance and make it work for you. It is better to have more than one tool, but it is not useful to have too many, it is the quality that counts. The most crucial thing is that the rightsholders can realistically use it and get remedy. But it is not enough that they can use it sometimes or for certain grievances

only. The best grievance mechanisms that truly fulfil their purpose allow rightsholders to raise ANY grievances ANYTIME they choose, WHEN they choose to do it.


If they can use it and if it brings them remedy, they will start to trust it. You might not get it right the first time and that is fine too. Keep reviewing how your system works and if you need to, change it! But keep in mind you must keep the rightsholders involved, that way they will understand why things are changing and will continue being engaged.

This slide tries to show how some of the available tools compare in terms of their ease and effectiveness. As many things in life, the best things take time and effort. Probably the most common tools used for grievances is a suggestion or a complaints box. There is nothing wrong with having one, but evidence shows that its effectiveness is very low. Sure, it is free and easy to set up, but in reality, it doesn't make people comfortable to use it or offer a truly anonymous solution and it is very clunky to operate. You shouldn't rely on it solely. In contrast, the most effective solutions require time and effort, but not necessarily in a form of money. Multi-stakeholder and community initiatives have the highest success rate because they are trusted and crucially, they are sustainable (if a local NGO is involved it is likely to continue supporting the rightsholders for a long time, even if your business moved to a different area). You can see from this graph that the more collaboration there is on a grievance mechanism the better its success rate.

Balancing different needs



Balancing different needs



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

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Example script:

So what has your engagement with stakeholders told you? How has it helped to identify the tools and their functionality you need? If you combine and categorize all the needs you found out about during your stakeholder engagement, you can see the strongest needs and trends more clearly.

Remember, you are unlikely to find one tool that does it all if your stakeholders needs are very different and that is fine. It is best to have more than one tool to make sure rightsholders have more than one option, but not too many that it becomes confusing and creates double work. What online solution you go for depends on how sophisticated you want it to be and what your budget is. There are some very smart dashboards and phone apps or specialized hotline operators but equally, you can use simple and free of charge tools, such as survey monkey. Your

offline solution needs to meet very specific need of the illiterate workers who might speak different languages. They are most likely to interact with someone who they know and trust. It would be beneficial for them to select a representative who could join the committee to be their voice. This could be supported by an independent external expert, for example a migrant worker or women's NGO (whatever is most relevant) who would be able to support the on-site solution.

Confidentiality & Anonymity



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.

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Example script:

All grievance mechanisms must be confidential, meaning that the identity of the complainant is protected. Anonymity means that the identity of the complainant isn't known.

The Requirement 1.5 specifies that anonymous grievances must be accepted. But they can only be accepted if you enable anonymous grievances to be submitted, so you need to think about whether any of your stakeholders has the ability to submit anonymous grievances.

It is also important to acknowledge that sometimes anonymous grievance tools are seen as best. However, you need to enable submission of both. In most cases, knowing the complainant's identity is needed to provide the quickest remedy. However, this must be delicately balanced with the risk of the individual suffering more harm as a result of raising the grievance, in a form of reprisal. It is recommended an anonymous grievance option is always here but it isn't the only one, the complainant should always have the option to choose.

Ask the room whether they can think of any examples for each.

Exercise – anonymous case study

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?

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This is to demonstrate the strengths and weaknesses of both approaches – open and anonymous. Both are important but are more suitable for different scenarios and need a different investigation strategy. The grievance committee members need to be aware of this and comfortable dealing with both.

Split the room into two groups and ask them to discuss and write down a plan (15min). Then take a further 15 min to discuss the group's plans together. Make sure you emphasize that confidentiality is required AT ALL TIMES, no matter what channel or mechanism is used.

What is a 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)

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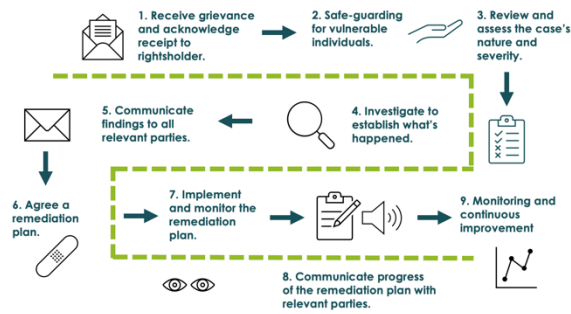
Example script:

Grievance procedure is simply a set of agreed rules and steps that are followed once a grievance is received. It is important so that the grievance mechanism users know what to expect and for the grievance committee to know how to act in a reliable and consistent way.

It is important to work to timelines set by the procedure, according to RA these are the recommended key timelines.

Sample grievance mechanism process

Sample grievance mechanism process



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Example script:

This is the summary of the process. (Read out the steps)

Having a grievance process is important for many reasons, some of which are:

- It outlines clearly what the grievance committee needs to when a grievance is submitted
- It outlines what happens to the users when they submit a grievance and helps manage their expectations
- Having the transparency increases the users trust in the system and makes it more effective
- It helps 'institutionalise the actions making them consistent for each case and reduce conflict of interest

Let's look at each step individually.

Receive grievance and acknowledge receipt

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



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Example script:

Assign a secretary responsible for monitoring new incoming grievances. This responsibility can be shared but someone should always be in charge at any time and be able to respond. Check if method of communication needs to be adjusted (if worker is illiterate for instance)

Example of grievance recording template

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	

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Example script:

There is not one prescribed way to record grievances, but it is useful to record all grievances no matter what channel they came from in one format and one place. It is useful to give each grievance a unique number, record the date it was received, what type of grievance it was, how severe and so on.

Also note this is not a full template, these are the details you are likely to record at this stage of the grievance process. As you collect more details, you should add those to the record.

Safeguard vulnerable individuals

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)

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Example script:

Determining the severity of the case is essential to be able to provide safeguarding for anyone that might need it. This severity test has been designed by RA to help you determine if a case is severe. Ask yourself these four questions and if the answer to ANY of them is "yes", you should report the case to senior management and provide safeguarding for the vulnerable individuals involved.

What is safeguarding?

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

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.

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Example script:

How many of you are familiar with the term safeguarding?

In severe cases, it might be necessary to remove an individual or several individuals from a situation they are in on order to ensure they don't continue suffering harm.

For example...

Review and assess the case nature and severity

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



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Investigate to establish what has happened

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

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Communicate findings to all relevant parties

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.



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Agree a remediation plan

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 is shared publicly.

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Example script:

We will look at remediation in more detail in just a minute. This is just to give you an idea of this particular step in the process.

Implement and monitor the remediation plan and communicate progress

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

- Hold weekly 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.



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Monitoring and continuous improvement

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?

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RA Grievance Mechanism Protocol

RA Grievance Mechanism Protocol

The **Rainforest Alliance Grievance Mechanism Protocol** 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>



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Example script:

Please make sure you familiarise yourself and refer to the full guidance explaining these steps in more detail.

Exercise: Handling a grievance

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

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Make sure to bring a few copies of the Grievance Guide for the groups to be able to refer to.

What is a remedy?

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.

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Remedy for human rights violations

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

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Example: Remedy

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.

1 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

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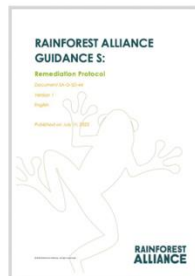
Remediation Protocol for Human Rights

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/>



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Preparing a human rights remediation plan

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.

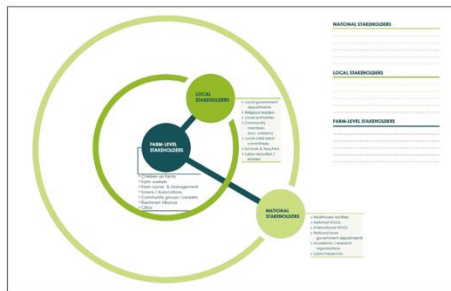
There are three steps that need to be taken:



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Exercise step 1: Map remediation stakeholders and response

Exercise step 1: Map remediation stakeholders and response



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Exercise step 2: Develop a remediation plan

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 remediation requires	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 organizations 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					

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Collaborating with other committees

Collaborating with other committees

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



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Mandatory remediation steps

Mandatory remediation steps



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When a case happens – response and remediation

When a case happens – response and remediation

Timeframe	Action needed	Responsible parties
48 hours	<ul style="list-style-type: none"> Case received and shared with other relevant committees (A&A). Safeguarding and seeking victim's consent for taking action. 	Assess & Address and Grievance Committee
4 weeks	<ul style="list-style-type: none"> Severity test Investigation If relevant, criminal investigation Verification and recommendations development 	Grievance Committee Management and affected individual(s) Grievance Committee and Management
6 weeks	<ul style="list-style-type: none"> Discuss recommendations with relevant parties Coordinate remediation with stakeholders 	Assess & Address and Gender Committees
12 weeks	<ul style="list-style-type: none"> Carry out remediation following an agreed timelines 	Certificate holder

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Severity test - reminder

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?

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Exercise: Develop a remediation plan

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)

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Scenario 1

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."

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Scenario 2

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."

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Scenario 3

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."

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Non-human rights remediation process

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

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Promotion strategies

Promotion strategies

Rightsholders need to know about the system and trust it in order to use it. What should the communication include?

- Who can use it
- What issues can be addressed
- What tools 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.)

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How can you disseminate the information?

How can you disseminate the information?

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



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Who can help you spread the information?

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

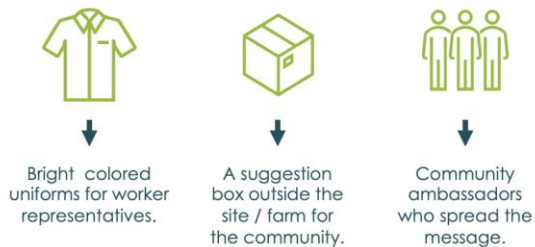


- Youth / female leaders
- Local chiefs, Pastors etc.

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Be creative!

Be creative!



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Poster examples

Promotion strategies – poster examples



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There are many examples of posters and notices out there. You will see some printed out in front of you. Take 5 minutes to look at them thinking about if they meet the criteria we have spoken about and if you have any other impressions. Do you think they would attract the attention of the people that might need to use it?

The point here is to help the participants see how to use different promotion strategies. Cramming too much information into a poster might make it too busy and people might not read it. Putting sensitive word on it such as "Harassment" might also make people uncomfortable to be seen reading it. Saying something simple and discreet but attention grabbing might be more effective. For instance - "Are you worried about something you have experienced or seen at work? Speak to a member of the Grievance Committee anytime."

RA poster example

Promotion strategies – RA poster example



RA poster template:

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

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Best practice and lessons learnt

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.

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Example script:

Once your mechanism is in place, these are your most powerful promotion strategies because they build trust in the system. Pay attention to every message that comes in, even if it is not a grievance. Comments and questions can contain leads to grievances that have not been uncovered yet. Make sure that any information shared is confidential and doesn't disclose anyone's identity, even indirectly.

Knowledge quiz (5 slides)

Quiz – true or false?

All Rainforest Alliance certification holders are required to have a grievance mechanism in place.

TRUE

Grievance mechanisms can vary in type and complexity, but they must be in place everywhere.

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Quiz – true or false?

Only the company own employees and workers can use the company grievance mechanism.

FALSE

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

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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.

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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.

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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.

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Closing discussion

Closing discussion

Questions

Reflections

Resources



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Appendix

GM Effectiveness Checklist

This checklist can be used to assess the effectiveness of existing grievance systems and help identify the areas where the site / farm could strengthen their grievance mechanism(s). It is not a compliance tool and should be answered as honestly as possible in order to be accurate.

Date	
Completed by	

Criteria	Met?	How?	More actions needed?
LEGITIMATE			
Is conflict of interest checked when selecting grievance committee members?			
Is conflict of interest checked regularly for all grievance committee members?			
If conflict of interest is noticed, is it recorded?			
Are grievances kept strictly confidential from management (apart from the			

management grievance committee representative)?			
Is information given to rightsholders about grievance mechanisms accurate and honest? (Are their expectations managed well in terms of what grievances are admissible, what remedy is possible etc.?)			
Are rightsholders asked about their opinion on the design of the mechanism, consulted on the proposed remedy and otherwise included in the process?			
Do the grievance committee members have the right skills and training to fulfil their role well (do they meet the grievance committee selection criteria?)			
Do the grievance mechanisms in place consider what is possible, practical and what works best in the local context?			
Does the procedure protect vulnerable individuals, such as through facilitating safeguarding?			
ACCESSIBLE			
Are your grievance mechanisms available to all groups of rightsholders relevant to your organization?			
Are they free to use?			
Can rightsholders use them in their own languages?			
Are the mechanisms accessible to illiterate / low literacy individuals?			
Are the channels easy to use?			
Is training and awareness raising provided continuously about how to use the mechanisms?			

Are multiple channels used for awareness raising about the channels available and promotion?			
Can rightsholders choose which mechanism / channel they use?			
TRANSPARENT AND PREDICTABLE			
The procedure is communicated clearly to the rightsholders?			
Timelines, next steps and available outcomes are clearly defined and suitable?			
Are rightsholders informed on how confidentiality is protected?			
Are rightsholders informed about who is involved in the process?			
Are updates and outcomes are shared with relevant stakeholders?			
EQUITABLE AND RIGHTS-COMPATIBLE			
Is the process and outcomes in line with international human rights standards (and avoid creating further harm)?			
Are rightsholders included in the process (can access information, can comment, challenge or withdraw)?			
Are rightsholders consulted on the remedy?			
Does the process and remedy consider the specific vulnerabilities and needs of women and children?			
BASED ON ENGAGEMENT AND LEAD TO LEARNING			
Have any improvements been made to the mechanism(s) since they've been put into place?			

Can other parties (rightsholders, external experts) comment on information and decisions in the process?			
Is your organization committed to continuously improve the current mechanism? Is there a plan?			
AWARENESS OF RIGHTS			
Are rightsholders aware of their rights?			
Is training on rights provided to the workforce?			
CULTURE AND LOCAL CONTEXT			
Have you ever found it hard to comply with international standards because in the local context the practices are not considered to be violations?			