

Fair Farms is inviting public comments on a proposal to amend the Fair Farms Audit Guide to introduce onsite follow-up audits.

This change is to verify the effective implementation of corrective actions to address non-compliances in the sections below.

Please use the link below to submit your comments for the proposed changes to the Fair Farms Audit Guide.

<https://forms.office.com/r/jcZQywCpFW>

Fair Farms Initiative (FFI)						
Section 1 - General			Auditor Guidance	Ref #	Proposed Verification Method	Evidence to check
Access	1.1	Was full access given to all records, workers and site areas during the audit?	<p>Requires unimpeded access to all records including payroll. Any potential issues around privacy must be flagged at least two weeks prior to the start of the audit. The auditor should have full access to all areas of the Site unless there is a valid legal, practical (e.g. high-risk chemical or radioactive area) or business reason (e.g. would stop production). Seek guidance from program manager before continuing audit.</p>	1	Follow up	Document review, Site tour, Employee interview
Production	1.2	Was the Site in production?	<p>The site must be in full production i.e. harvesting and/or packing. This excludes growing, pruning, planting, maintenance, construction. Any exemptions must be authorised by the Standard owner in writing.</p>	2	Follow up	Document review, Site tour, Employee interview
Working Eligibility	2.3	Is the site free from workers under 13 years of age?	<p>No under 13s should be employed. Under 13s who are immediate family members of the owner/manager may be employed as an exemption</p>	3	Follow up	Document review, Employee interview
Youth Labour	2.5	Are youth workers prevented from engaging in any hazardous work?	<p>Hazardous/high risk activities include:</p> <ul style="list-style-type: none"> - working at heights - working in confined spaces - working in extreme heat - handling chemicals - operating machinery 	4	Follow up	Site tour, Employee interview
LHP rights verification	3.7	Do LHP workers confirm they are receiving all due entitlements?	<p>Checks can include:</p> <ul style="list-style-type: none"> - inspecting LHP worker payslips - worker contracts with LHP - interview with workers 	5	Follow up	Document review, Employee interview
Section 4 - Staff			Auditor Guidance			
Pay Award	4.4	Per the payroll sample reviewed, were workers paid as per the most up to date applicable award, EA, IFA or contract?	<p>Testing should ensure that all the following are checked:</p> <ul style="list-style-type: none"> - Regular, standard time - casual loading - minimum engagement periods - Piece rates - Overtime / penalty rates / TOIL (and accompanying agreements) - Allowances (e.g. hazard pay, wet work, first aider) - payment of induction, on the job training, compulsory meetings etc - payment of probation <p>(Note: No Finding Alerts if a payroll error)</p>	6	Follow up	Document review, Employee interview

Deductions	4.5	Per the payroll sample reviewed, were deductions from pay as per law and authorised by the employee?	<p><i>Standard examples include:</i></p> <ul style="list-style-type: none"> •Payroll Tax (Note that site may have to be registered as an employer of working holiday makers and be taxed at a different rate) •Superannuation •Union Dues (if a member) <p><i>If there are other deductions, they have to be agreed to in writing by both parties and be primarily for the employee's benefit (e.g. accommodation, repaying an accidental overpayment)</i></p>	7	Follow up	Document review, Employee interview
Leave	4.6	Per the payroll sample reviewed, were all leave types paid as per the applicable award, EA or contract?	<ul style="list-style-type: none"> •Ensure leave is correctly classified, accrued and paid per relevant tool. •Records should accurately record accruals, usage and unused leave. - Records should include any details of cashed out leave - records should include leave payment rates and date of payments 	8	Follow up	Document review, Employee interview
Severance	4.7	Per the payroll sample reviewed, was all termination payments paid as per the applicable award, EA or contract?	<p><i>Ensure correct Notice paid (if applicable) against Award, EA or contract</i></p> <p><i>Records of termination and redundancy should be kept</i></p> <p><i>If evidence of redundancies, check that proper employee consultation, Notice periods and severance payments were made</i></p>	9	Follow up	Document review, Employee interview
Timesheets	4.8	Do payroll records tie back to timesheets / piece sheets?	<p><i>Working hours records have to be kept for all workers, and should distinguish between ordinary hours, overtime, public holidays and leave hours</i></p> <p><i>These should preferably be signed by the worker</i></p> <p><i>•If they are Not (e.g. they are signed by a supervisor) it should be verified in interviews that there is a mechanism for workers to query hours / piece rates.</i></p>	10	Follow up	Document review, Employee interview
Section 5 - Working Fatigue			Auditor Guidance			
Time Off	5.1	Have all workers had at least 1 in 7 or 2 in 14 days off in sample periods tested?		11	Follow up	Document review, Employee interview
Breaks	5.2	Are rest and meal breaks in accordance with Award/EA?	<ul style="list-style-type: none"> •A rest break is a 10-minute paid break that counts as time worked. •A meal break is a 30 to 60-minute unpaid break that doesn't count as time worked. •An employee gets 1 rest break and 1 meal break each day. They can agree with their employer to take an extra unpaid rest break each day. •An employee who works for 5 hours or more must get at least 1 meal break. •The meal break has to be taken No later than five hours after starting work or at a time agreed to between the employer and employee. •Employees can't be asked to work more than 5 hours without a meal break. •If an employee is told to work during their meal break they have to be paid penalty rates for the time they work until they get a meal break. 	12	Follow up	Document review, Employee interview
Working Hours	5.3	Are the employees in the testing sample free from ever working more than 18 hours in a single day or more than 80 hours in a single week?	<i>Exceeding these limits is a severe fatigue risk.</i>	13	Follow up	Document review, Employee interview
Working Hours	5.4	Are the employees in the testing sample free from ever working more than 60 hours in a single week without justification?	<i>Normal voluntary hours should Not exceed 60 hours in any 7 day period</i> <i>Workers should only work between 60-80 hours in exceptional circumstances e.g. unexpected production peaks, accidents or emergencies.</i>	14	Follow up	Document review, Employee interview
Working Hours	5.5	Is all overtime voluntary?	<i>Voluntary hours/additional hours must be voluntary/Not forced - site communicates this to workers</i>	15	Follow up	Document review, Employee interview

Section 6 - Grievances			Auditor Guidance			
Discrimination & Harassment	6.1	Do workers interviewed confirm the Site is free from sexual, psychological, physical, verbal harassment, abuse, intimidation and bullying?	<ul style="list-style-type: none"> •Also request form management any fines / orders from FWC, current Court Orders etc for review. 	16	Follow up	Document review, Employee interview
Association	6.3	Is the Site free from management prejudice or discouragement against union membership / workers committees?	<p>Management are required to:</p> <ul style="list-style-type: none"> •Allow union / work association membership •Reasonably facilitate union / work association meetings •Act in "good faith" towards unions / work associations and their members & representatives <p>Examples of illegal employer behaviour (under the NRLB)</p> <ul style="list-style-type: none"> •Threatening employees with loss of jobs or benefits if they join or vote for a union or engage in protected concerted activity. •Threatening to close the site if employees select a union to represent them. •Questioning employees about their union sympathies •Promising benefits to employees to discourage their union support (includes offers of promotions) •Transferring, laying off, terminating or assigning union employees more difficult work tasks •Punishing employees because they engaged in union or protected concerted activity. •Interfering in union elections or meetings •Refusing unions legal right of access 	17	Follow up	Document review, Employee interview
Accommodation	6.5	If the Site provides accommodation is it safe?	<p>Accommodation must be visited.</p> <p>Key items to review:</p> <ul style="list-style-type: none"> - meets council requirements - has access to potable water, hot water and electricity - Not located in a production building - Fire safety (exits marked, equipment) - No more than 2 adults per bedroom - each occupant has at least 5.5m2 of floor space in bedrooms, i.e. at least 11m2 if 2 people in 1 room 	18	Follow up	Site Visit, Employee interview
Accommodation	6.6	If the site provides accommodation is it hygienic?	<p>Accommodation must be visited.</p> <p>Key items to review:</p> <ul style="list-style-type: none"> - Hygienic & clean - reasonably free from rodents and insects - fittings, appliances and equipment in good condition 	19	Follow up	Site Visit, Employee interview
Emergency Evacuation & Fire	7.4	Are all emergency exits to standard, unlocked and free from blockage or obstruction?	<ul style="list-style-type: none"> •Various State legislation. •Includes evacuation route (e.g. intermediary doors). •Locked doors are a serious violation of Federal law and Management should preferably permanently unlock during the audit. 	20	Desktop/Follow up	If all doors are locked should be follow up

Critical Non-Compliance

- Any incident or occurrence that presents a significant and immediate risk to workers' safety, risk to their life and limb or constitutes a significant breach of workers' human rights; or

anyway to Fair Farms Certification through fraud, coercion, deception, or interference.

ement of Finding Alerts for more guidance

If Yes = FINDING
ALERT