



Responsible Agricultural Company Certification

Version 2.0



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Responsible Agricultural Company Certification

# CEAR Standard

Version 2.0





## CEAR Standard Version 2.0

### I. Introduction

The agriculture industry in our country has grown in importance in recent years due to the gradual increase in exports and the generation of direct jobs, which have translated into social benefits, especially in highly marginalized areas. However, today, the sector's growth and transformation face new challenges where, in addition to what and how much we produce, we prioritize how we do it.

In this context, *Alianza Hortofrutícola Internacional para el Fomento de la Responsabilidad Social, A.C. (AHIFORES)* set out to develop a certification system that follows good practices in the areas of labor and social well-being, with respect for the dignity and rights of agricultural workers and their families.

The new social, economic and political realities require all of us –producers, traders, supermarket chains, government authorities, certification bodies, civil society organizations, agricultural workers and their organizations– to intensify our efforts to promote shared prosperity.

The Responsible Agricultural Company Certificate (CEAR) is a tool designed for agricultural producers to evaluate their level of compliance in the area of social responsibility, observing current legislation in Mexico and the corresponding binding international instruments.

CEAR is AHIFORES' registered trademark accredited by the Mexican Accreditation Body (EMA), and it is audited by Independent Certification Bodies required to prove their level of knowledge about the system and follow an accreditation process before EMA to be able to certify agricultural producers and/or companies.

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### **II. Scope**

CEAR follows a specific approach to meet the needs of the agriculture sector and covers three main areas:

- a)** Labor and social welfare practices.
- b)** Infrastructure and services for workers and their families.
- c)** Environmental protection.

CEAR is not a government control or follow-up initiative, or a replacement of existing systems, laws, programs, standards. Therefore, obtaining it does not exempt certified producers and companies from complying with applicable labor, social and environmental laws.

The Certification Audit only applies to agricultural producers and/or companies operating in the Mexican Republic.

### **III. CEAR Normative Documents**

The rules, guidelines and procedures to obtain the CEAR are included in six normative documents, to wit:

1. CEAR Standard, which includes a general explanation of the criteria and indicators evaluated to obtain the certification.
2. CEAR Regulations, which include the guidelines that regulate CEAR's administration and awarding process.
3. Certification Metrics, which describe the criteria evaluated in each of the CEAR standards, the evidence required to show compliance, those criteria that may not apply to the company, types of indicators and the values for each of them.
4. CEAR Checklist, an instrument related to the Certification Metrics used in the assessment, pre-audit and Certification Audit processes.

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5. CEAR Normalized Operating Procedure (NOP), which describes those activities that must be carried out during the certification process.
6. CEAR Brand Use Rules, the specifications on how, where and when the CEAR brand can be used.

### IV. Use and users

Certification Bodies and AHIFORES affiliates have access to all of the CEAR Normative Documents. The public in general does not have access to the CEAR Checklist, the Normalized Operating Procedure or the CEAR Brand Use Rules. If the producer and/or the business are certified, they will receive the CEAR Brand Use Rules, even if they are not AHIFORES members.

The CEAR Information System (SICEAR) is a tool to assess the level of compliance or score achieved by the producer or company. This assessment, implementation and pre-audit system is only accessible to AHIFORES affiliates and Certification Bodies accredited by EMA to evaluate compliance with the CEAR.

### V. Compliance with national and international standards

Producers and/or companies adhering to the CEAR system must comply with the following:

- a) Guidelines and standards contained in the CEAR instruments of reference.
- b) Current national legislation related to the CEAR indicators.
- c) The international labor standards defined in the declaration of the International Labor Organization (ILO), on the fundamental labor rights and principles and their follow-up, related to CEAR standards.
- d) National and international legal principles and norms, with observance of whatever provides the highest level of protection for workers based on the areas evaluated by the CEAR.

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- e) The provisions of this Certification System represent the minimum and maximum standards.
- f) This Certification System cannot be used to evade compliance with local, national and international legislation.

### **VI. CEAR Standards**

The standards of the Responsible Agricultural Business Certification system are based on the guidelines of the Global Social Compliance Program, the Ethical Charter, ILO agreements ratified by our country, Annex 23-A of the Labor Chapter of the USA-Mexico-Canada Trilateral Agreement, the 2019 Labor Reform and applicable Mexican Official Standards.

After a thorough analysis, and taking into consideration the specific needs of the agriculture sector, a set of criteria and generic indicators was selected and grouped into seven standards:

1. Process quality management
2. Labor rights
3. Welfare of workers and their families
4. Occupational Safety and Health
5. Environmental protection
6. Community engagement
7. Internal and external outreach.

The following is a more detailed description of these indicators.

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### **1. Process quality management**

#### **1. Process quality management**

The purpose of this section is to encourage producers and/or companies to design, document and implement the elements of a Process Quality Management System, with a focus on the professionalization of technical personnel and the integration of the Social Responsibility Manual with clearly defined policies and procedures to implement changes in improvement processes.

##### **1.1 Top management commitment**

In order to adopt, implement and consolidate good Social Responsibility practices, the producer and/or the company's partners must commit to making the changes and adjustments required in their operations and to invest to achieve the standards required by buyers and consumers.

Where there is interest and the decision is made to adopt CEAR as a tool to do so, the process must be formalized and expressed by means of a document signed by the company's owner or legal representative. This document must be addressed to AHIFORES to formalize the certification process.

##### **1.2 Professionalization of Social Responsibility personnel**

The producer and/or the company must have a duly trained work team to implement a continuous improvement program in order to comply with the policies, procedures and criteria regarding good Social Responsibility practices to benefit workers and their families.

That personnel must be included in a permanent training program so they can stay up-to-date and have the knowledge necessary to document, evaluate and implement the corrective actions for the company to implement best Social Responsibility practices.

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### **1. Process quality management**

Staff training costs must be covered by the producer and/or the business. Training must be scheduled during their work shift; if they must travel to another region, per diem costs must also be covered by the company.

#### **1.3 Social Responsibility Manual**

The Social Responsibility Manual is the document that describes the elements of the company's Process Quality Management System to meet the requirements for the company's operations from a labor, social and environmental standpoint. The manual includes programs, policies, procedures, codes, regulations and all the record-keeping forms used to track Social Responsibility actions.

The Manual and all the documents included in it must indicate who prepared them, who reviewed them and who authorized them. They should also be signed by those persons.

In case the company already has a Social Responsibility Manual, it will only be necessary to add the elements required by the CEAR not included yet. It will not be necessary to prepare a separate Manual to comply with the CEAR.

The policies and procedures in the manual must be available in easy-to-understand language and be accessible to all the workers. In case the producer and/or the company's workers speak a language other than Spanish, or don't know how to read, the process of sharing the contents of the Manual must take those particularities into consideration.

##### **1.3.1 Policies**

A policy represents the producer and/or the company's commitment to a specific issue, expressed in an ideological manner. It is a guide to achieve certain objectives. We recommended involving workers and the company's top management in the definition of policies, as well as their formulation, considering the specific purposes for which they are created.

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### **1. Process quality management**

In case the producer and/or the company already have a policy covering the different aspects required by the CEAR, but they do not meet all its requirements, it will only be necessary to complement what they already have. No additional policy is required. Policies should also be integrated into, or be part of, operation policies describing procedures.

The policies included in the CEAR are the following:

#### **1.3.1.a Social Responsibility Policy**

This is a statement of the company's commitment to comply in the areas of Social Responsibility in the field of agriculture, and should include, as a minimum, the prohibition of human trafficking for the purpose of labor exploitation involving force, fraud or coercion; forced labor, slavery, servitude and labor exploitation; respect for labor and social rights, and environmental protection.

#### **1.3.1.b Personnel management policy**

The producer and/or the company must have a personnel management policy that includes temporary, seasonal and/or permanent workers working in the production, harvesting, packaging and administration areas, and in all the operations in their facilities

#### **1.3.1.c Child labor prohibition policy**

Considering that in recent years there have been several changes to laws regulating child labor, the child labor prohibition policy is formulated based on the current principles established in national laws and international instruments ratified by our country.

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### 1. Process quality management

We recommended the text include the following legend: “The company will comply with current legislation and abide by the determinations of the competent labor authority”. This, considering bills in the process of being passed by the Congress of the Union.

#### 1.3.1.d Right of opinion and freedom of speech policy

The producer and/or the company must express their commitment to allow their personnel, customers and anyone involved in their operations to file complaints and make suggestions in a confidential and unbiased manner, without fear of retaliation. The policy should also state that intermediaries participating in employee recruitment, hiring and/or transportation operations must abide by and implement this policy. The company should also follow up on, and carry out, the corrective actions required to address each of the complaints and suggestions made.

#### 1.3.1.e Inclusion policy

As established by the Federal Labor Law, employers are prohibited from imposing conditions that lead to discrimination against workers for reasons of ethnicity or citizenship, gender, age, disability, social condition, health conditions, religion, immigration status, opinions, sexual preferences, marital status or any other reason that represents an attack on human dignity.

The inclusion policy should include aspects such as non-discrimination, non-harassment, non-bullying and substantive equality between women and men.

#### 1.3.1.f Occupational Safety and Health Policy

The producer and/or the company must commit to protect the health and life of workers through risk reduction actions and the implementation of preventive actions to reduce the incidence of harm and disease among occupationally exposed workers.



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### **1. Process quality management**

#### **1.3.1.g Environmental Policy**

The producer and/or the company must commit to environmental protection, contamination prevention and compliance with legal requirements to improve their environmental performance.

#### **1.3.2 Procedures**

A procedure is a series of consecutive and orderly steps that allow a company to achieve the results expected. Procedures can be documented or not. However, to achieve compliance with the CEAR, the following procedures must be documented:

##### **1.3.2.a Personnel management procedure**

This procedure must include the different activities carried out in the stages of recruitment, selection, hiring, training, performance evaluation, staff promotion, assigning and increasing salaries, benefits and termination of employment relationships.

In the case of severance payments made to employees when the employment relationship ends, the collective bargaining process may specify a different way of making severance or "retirement" payments for unionized workers. If that is the case, this must be stated in the procedure.

The same will apply to temporary, seasonal and/or permanent workers in worksites owned by the company, as well as those rented by the producer and/or the company.

In case there is a different procedure for workers in the production, packaging, administration or other areas, this diversity must be taken into account upon documenting the procedure.

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### **1. Process quality management**

The procedure should include the prohibition to require pregnancy tests to hire women and the implementation of equal training and promotion opportunities for men and women, applying the right of preference and seniority.

#### **1.3.2.b Procedure regulating the relationship with intermediaries**

This procedure must include a step-by-step description of the different activities, from the moment the company recruits and hires an intermediary, to the moment that individual or company provides services to the producer and/or the company during the stages of recruitment, hiring and/or transportation of temporary, seasonal and/or permanent workers.

In case the intermediary is an individual or a company subcontracting services to meet the demand of the producer or company, that should be specified in the procedure, because there is a joint or subsidiary responsibility that must be fulfilled at a given moment.

#### **1.3.2.c Procedure for Culture of Lawfulness actions**

The company must have a Culture of Lawfulness mechanism with procedures for the prevention and sanctioning of acts of corruption, extortion, theft and breach of trust inside the company.

The implementation of that procedure must consider a Culture of Lawfulness Plan so the company can lead the way to get its collaborators to behave in accordance to its Code of Conduct.

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### 1. Process quality management

#### 1.3.2.d Procedure on the right of opinion and freedom of speech

The company must establish in detail the steps to follow so workers and any individual associated with its operations can make complaints or suggestions, or report any situation that compromises the integrity or the life of workers, without any interference, repression or administrative sanctions.

Complaints or suggestions must be followed up on, and the corrective actions necessary must be implemented. It should be stated that intermediaries participating in employee recruitment, hiring and/or transportation processes must abide by and implement this procedure.

#### 1.3.2.e Inclusion procedure

This procedure is closely linked to the inclusion policy, and both must take into consideration the provisions of the Federal Labor Law prohibiting discriminatory behaviors in the workplace. Harassment should also be prohibited, and substantive equality between women and men must exist.

#### 1.3.2.f Occupational Safety and Health Procedure

This procedure must describe how the company will implement its employee health and life protection policy by complying with the applicable Mexican Official Standards of the Ministry of Labor and Social Welfare, with the aim of preventing accidents or diseases its workers are exposed to in the workplace.

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### 1. Process quality management

#### 1.3.2.g Environmental Procedure

This procedure must describe how the company will implement its environmental policy by complying with applicable laws, rules and the Mexican Official Standards of the Ministry of the Environment and Natural Resources (SEMARNAT), in order to prevent environmental contamination, potential health impacts on live beings, and the possibility of health impacts on workers and the community that exists around the company.

#### 1.3.3 Company internal documents

##### 1.3.3.a Code of Conduct

The Code of Conduct is a self-regulation document that the top management and employees must abide by so that respect for human, labor and environmental rights prevail in the company. The Code of Conduct as a Social Responsibility tool can complement, but not replace, national or international legislation, social dialogue or collective negotiations.

The company must prepare a Code of Conduct and establish the mechanism for its dissemination and implementation. It should also include follow-up on actions and sanctions imposed on persons violating the guidelines in that Code.

##### 1.3.3.b Internal Work Rules (IWRs)

The IWRs are a set of mandatory rules applicable to workers and employers for the performance of actions and activities inside the company. The IWRs are a reflection of the individual and/or collective work contract. They define how each of the rights and obligations of both parties must be fulfilled.

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### **1. Process quality management**

IWRs must abide by current legislation in Mexico. It is important not to include provisions contrary to those established in the Law. Otherwise, they will not have any legal effect, which will result in failure to comply with the CEAR verification process.

IWRs must be filed with the competent authority in the terms established by the Federal Labor Law. They should also be updated every time labor conditions or legislation change.

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### 2. Labor rights

#### 2. Labor rights

##### 2.1 Intermediary services for worker recruitment, hiring and transportation

Labor laws refer to an intermediary as the person who hires, or intervenes in the hiring of, another person or other persons rendering services to an employer.

The majority of companies in the agriculture industry have a high demand for workers, especially during harvest periods, and they usually rely on individuals or companies acting as intermediaries for the recruitment, hiring and/or transportation of temporary, seasonal and/or permanent workers. Those intermediaries can provide their services to individuals residing in communities in the state and/or to migrants seeking employment in agricultural activities.

Intermediaries not formally established for the provision of those services have different denominations, depending on the agricultural region in question, and include *enganchadores* (labor contractors), contractors, liaisons, freighters, caporals, captains, carriers, van drivers, *cuadrilleros* (persons working as a group), *raiteros* (workers who own vehicles and transport fellow workers), dock workers, recruiters and supervisors, among others.

###### 2.1.1.a Formalization of the service relationship with an intermediary

The producer and/or business must formalize, by means of a written agreement, their service relationship with any intermediary participating in workers' recruitment, hiring and/or transportation processes. This formalization process must take place with intermediaries both legally and not legally constituted.

That agreement must abide by current legislation in the country and include a clause indicating that the contract may be terminated if the intermediary

## CEAR Standard Version 2.0

### 2. Labor rights

engages in deceptive practices or activities such as human trafficking or the violation of workers' labor and/or human rights.

#### 2.1.1.b Cost of intermediary services

The company must cover the cost of the intermediary's services and ensure intermediaries do not receive any compensation or commission deducted from the worker's salary, or charge workers for the job placement service or transportation to the workplace. Also, the producer and/or the company should not deduct from the worker's salary the cost of any of the intermediary's recruitment and/or transportation services.

#### 2.1.1.c Intermediaries included as service providers

Intermediaries (either businesses or individuals) hired by the company for the recruitment, hiring and/or transportation of workers must be included in its list of service providers. It should also keep indicating, as a minimum, their full names, addresses, telephone numbers and places where workers are recruited or to where workers are transported.

#### 2.1.1.d Publicize job offers

Employers must inform intermediaries, in writing, of the nature and conditions of the job (the type of job to perform, the documents required, salary, benefits, and confirmation that the employer will pay for medical exams and the training required for workers). In the case of migrant workers, they must specify the employer will cover transportation and hiring costs and specify the conditions of social welfare services and lodging facilities available.

Workers recruited must approve and accept the housing and work conditions offered, including confirmation that the employment conditions offered were respected and the intermediary is not engaging in practices considered as human trafficking.

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### 2. Labor rights

#### 2.1.1.e Safe transportation for workers

Intermediaries involved in the transportation of the company's workers must guarantee transportation that minimizes the risk of accidents that may jeopardize the integrity or lives of those workers.

That service must be provided with vehicles in good mechanical condition, comfortable and clean, with the following valid documentation: vehicle registration, vehicle insurance policy with liability coverage, vehicle pollution control certificate (or vehicle maintenance records) and driver's license.

Vehicles adapted for personnel transportation must guarantee workers will travel seated and protected from sunlight and rain.

In case the producer and/or the company use their own transportation vehicles, they must meet the same requirements applicable to intermediaries. They should also prove transportation services for workers are paid by the producer and/or the company.

#### 2.1.1.f List of workers

The producer and/or the company must keep records of workers recruited, hired and/or transported through an intermediary.

The intermediary must provide the producer and/or the company with a list of workers that includes, as a minimum, general Information about the service provider, the places of origin or residence of the workers recruited by them, and the workers' general Information (name, sex, age, CURP [unique population registry code] and social security number).

#### 2.1.1.g Workers' satisfaction survey

Any producer and/or company using intermediaries to hire workers must have a mechanism in place to evaluate workers' satisfaction, which should



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### 2. Labor rights

include confirmation that the job conditions offered were respected and the intermediary is not engaging in practices considered as human trafficking.

#### 2.2 Hiring conditions

The producer and/or the company must ensure individuals hired to perform specific tasks in their worksite abide by the principles established in current legislation in the country and, in particular, that they do not engage in the following practices considered as human trafficking in the workplace.

##### 2.2.1.a Voluntary hiring

Workers must have the freedom to stay or not in the employment relationship, which means they cannot be forced to stay in the workplace if they do not want to do so.

In case the producer and/or the company recruit migrant workers, even if they have already been included in the list of persons recruited or are on their way to the workplace, they can desist from working with the producer and/or company and should not be forced, threatened or sanctioned for changing their mind.

##### 2.2.1.b Individual contract

For all legal purposes, an agreement between the employer and the worker to establish a work relationship can be made verbally or in writing. In both cases, the principles established in labor legislation in force shall be applicable. However, for purposes of complying with the CEAR, that relationship must be formalized in writing, either through an individual contract or collective negotiation. In this section we will only refer to the individual contract.

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### 2. Labor rights

The company must formalize employment relationships with both permanent and "trusted" (non-unionized) employees through an individual contract. In case the company has not signed a Collective Bargaining Agreement with a Trade Union, individual contracts should be prepared for all of producer and/or the company's workers. In case their staff management policy includes trial periods and initial training for new employees, contracts for those processes should also be prepared.

Individual contracts should contain, as a minimum, the following:

1. Name, citizenship, age, sex, marital status, CURP No., federal taxpayer ID No. and the addresses of both the worker and the employer.
2. Length of the contract
3. Services to be provided
4. Place of employment
5. Work shift
6. Days off
7. Salary method of payment: amount, date and place.
8. Payment of benefits (vacations, vacation bonuses and Christmas bonuses)
9. Training and skills development clause.
10. Foreign workers' permit verification system.

A copy of the worker's identity documents should also be attached to the individual contract, including the following: birth certificate, CURP, official ID and proof of address (workers living in spaces inside the producer and/or the company's facilities are not required to submit proof of address). The worker's original documents should not be withheld for any reason. In case they are found to have original documents on file, they will fail the CEAR evaluation.

The individual contract should be signed by both the employer and the worker, in two copies. One of the original documents should be delivered

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### 2. Labor rights

to the worker; the other is for the company.

#### 2.2.1.c Prohibition of exploitation of labor

Workers should not be subjected to exploitation of labor practices that jeopardize their dignity, health or lives, including hazardous or unhealthy conditions without the protection equipment required, a disproportionate gap between the amount of work done and the payment for it, and salaries below legal limits. The worker should be treated in a humane and dignified manner at all times

According to a resolution of the Supreme Court of Justice of the Nation, dignity is defined as the inherent interest of all persons, for the mere fact of being one, in being treated as such and not as an object, and not being humiliated, degraded, vilified or objectified.

#### 2.2.1.d Prohibition of forced labor

The company should not engage in practices considered as forced labor, such as the actual use of force, threats of use of force, physical coercion or threats of physical coercion against workers.

### 2.3 Work day

Legally speaking, a work shift is the time during which the worker must be available to provide material or intellectual services to an employer. As regards the duration of the work shift, the Federal Labor Law establishes that:

A day shift is one between 6 am and 8 pm, with a maximum duration of 8 hours.

A night shift is one between 8 pm and 6 am, with a maximum duration of 7 hours.

A mixed work shift includes parts of the day work shift and the night work shift, provided the number of hours worked during the night shift do not exceed three and a half hours; otherwise, it will be considered a night work shift. The maximum duration is 7 and a half hours.

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### **2. Labor rights**

During a continuous work shift the worker is entitled to a half-an-hour break as a minimum.

In case the worker does not leave the workplace, his/her break or meal time will be considered as time worked during the work shift, provided this is required by the employer and not the result of the worker's decision.

In the case of workers working in production areas for whom it is difficult to punch in individually, the arrival and departure time of crews can be recorded in specific work sheets for those particular groups of workers.

Work shifts for temporary, seasonal and permanent workers must comply with the above-mentioned requirements. Attendance records can be either physical or electronic.

#### **2.4 Overtime**

The Federal Labor Law establishes that, at the worker's discretion, the work shift can be extended, but for no more than three hours a day or three times in one week. Overtime must be paid at a rate of an additional one hundred per cent of the salary that corresponds to one hour of his/her shift.

In case overtime exceeds nine hours a week, the employer must pay the worker that overtime at a rate of an additional two hundred percent of the salary that corresponds to the hours of his/her work shift.

#### **2.5 Salary**

Mexican labor laws establish that a salary is the compensation the employer must pay the worker for his/her work. The salary consists of payments made in cash for daily work, extra payments, earnings, lodging, bonuses, commissions, benefits in kind or any other amount or benefit the worker is entitled to for his/her work. For equal work, done in equal positions, work shifts and conditions of efficiency, an equal salary must be paid.

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### 2. Labor rights

#### 2.5.1 Minimum salary

Salaries paid to workers hired by shift, piecework, performance or specific tasks should not be lower than the minimum daily wage for the region where they do the job.

The employer must pay for workers' time invested to mandatory activities such as training or work meetings.

#### 2.5.2 Salary protection

The following is a description of legal provisions that protect workers' salaries and privileges:

1. Workers must be able to freely dispose of their salary.
2. Salaries must be paid directly to workers.
3. In the case of temporary and seasonal workers, the term to pay the salary should never exceed one week, or fifteen days for permanent workers.
4. Cash salaries must be paid in legal tender.
5. If the worker agrees to it, the salary can be paid via bank deposit, debit card, wire transfer or any other electronic means.
6. Salaries must be paid in the place where workers provide their services.
7. Salary payments must be made on a workday, during working hours or immediately after they end.

For no reason should the company or intermediaries withhold salaries from workers. In case the payment is made via a debit card, that card must be delivered to, and managed directly by, the worker, not by contractors, supervisors, store clerks or merchants in street markets.

Workers' salary deductions are prohibited except in the following cases and with the following requirements:

1. Payment of debts incurred with the employer for salary advances (which in no case should generate interest), excess payments to the worker, errors, losses, damages or purchase of company products. Deductions

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should not be more than 30% of the amount in excess of the minimum monthly wage.

2. Payment of rent for rooms for permanent workers, which should not exceed 15% of their salary.
3. Monthly payments of INFONAVIT (Federal Housing Fund) loans.
4. Payment of fees for the incorporation and promotion of cooperatives and savings banks, which should not be more than 30% of the amount in excess of the minimum wage.
5. Alimony payments to alimony creditors, as determined by the competent authority.
6. Payment of ordinary union dues established in union bylaws.
7. Payments of FONACOT (a government lending agency) loans.

The producer and/or the company should not deduct from the worker's salary the cost of any meals provided at cafeterias owned by the producer, the company or any third parties. Employers can make that service available to the worker, but the worker should be free to decide whether he/she wants to accept it or not, and those who accept it must pay for it directly.

Salary deductions should not be used as a disciplinary measure.

The producer and/or the company must prove, by means of physical or electronic payrolls, that they meet the salary protection requirements established in labor laws for temporary, seasonal and/or permanent workers.

They should also provide the worker with a salary payment receipt, either printed on paper or in the form of an Internet digital tax receipt (CFDI). Printed receipts should bear the worker's original signature.

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#### **2.5.3 Worker's seniority records**

The producer and/or the company must have a list of seasonal workers hired to keep track of periods worked, which must be used to keep track of workers' seniority.

### **2.6 Benefits and fringe benefits**

The producer and/or the company must give all their permanent, temporary and/or seasonal workers the following benefits: social security, vacations, vacation bonuses, Christmas bonuses and paid days of rest, in accordance with current labor legislation.

#### **2.6.1 Social Security**

The producer and/or the company must affiliate permanent, temporary and seasonal workers with social security bodies. They should also assist workers in the process of affiliating their beneficiaries. The company must affiliate workers within 5 business days of their hiring. If the company follows the "Decree to grant tax benefits to employers and temporary agricultural workers", the company must affiliate the worker within 7 business days. The company must inform its workers of the benefits of the five benefits of social security: disease and maternity; occupational hazards; disability and life; old age or early retirement; child care and social benefits.

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#### 2.6.2 Vacations and vacation bonuses

The Federal Labor Law establishes that workers with more than one year of service are entitled to an annual paid vacation period of no less than six business days, with an additional two days for each year, up to a maximum limit of twelve days. After the fourth year, that period will increase by two days for each five years of service. Workers rendering services on a non-continuous basis and seasonal workers are entitled to an annual vacation period proportional to the number of days worked per year. Workers are entitled to a vacation bonus that should be no less than 25% of the salaries corresponding to the vacation period.

#### 2.6.3 Christmas bonus

Workers are entitled to an annual Christmas bonus, which should be no less than 15 days of salary and should be paid no later than December 20 each year. In case the worker has not worked the full year, the producer and/or the company pay an amount proportional to the time worked.

#### 2.6.4 Paid day of rest

For every six days of work, the worker will be entitled to one day of rest, as a minimum, completely paid. The worker and the employer should determine the day of rest. Labor laws establish that, if possible, the day of rest should be on Sunday.

In case workers do not render their services all the working days of the week, or in case they render services to several employers on the same day or week, they will be entitled to a payment for the proportional part for the day of rest, which will be calculated based on the salary that corresponds to the number of days worked or salaries received from each employer.



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The Law also establishes that workers do not have an obligation to work on their day of rest. In case the employer fails to comply with this provision, the employer must pay the worker, regardless of the salary that corresponds to him/her for the day of rest, two times the salary for the services rendered.

#### 2.7 Settlement / Severance pay

Once the employment contract comes to an end, or in case the worker or the employer decide to terminate the employment relationship, the employer should not withhold any payment or benefits owed to the worker, including salaries, compensations, benefits, extra payments or any other benefits the worker is entitled to. The employer is only entitled to make those deductions provided for in the law.

Severance payments or settlements must be paid as established by legislation in force and be documented with the corresponding details itemized. The worker should receive a payment receipt, either printed or in the form of an Internet digital tax receipt (CFDI). To be valid, printed receipts should bear the worker's original signature.

#### 2.8 Women's work

Labor legislation establishes that women enjoy the same rights and have the same obligations as men. When the law refers to "women's work" it refers to the protection of motherhood, in other words, to the fundamental rights of gestating or breastfeeding workers, with the purpose of protecting women and the fetus.

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Our metrics indicate that the criteria evaluated under this section may not apply to the company, which is the case when the producer and/or the company only hire men.

#### 2.8.1.a Notice of pregnant female workers.

The producer and/or the company must have a notification and record keeping system female workers can use to inform they are pregnant.

#### 2.8.1.b Reassignment of pregnant workers.

If upon getting pregnant a worker performs an unhealthy or hazardous activity, she must be reassigned to another task to protect her life and the life of her baby. The producer and/or the company must keep records of those reassignments.

Pregnant women should not engage in unhealthy or hazardous tasks, night work after 10 pm, or do overtime. The following are some of the hazardous activities in agriculture that cannot be performed by pregnant women:

- a)** Loads heavier than 10 kilograms.
- b)** Remain standing, forced positions or repetitive movements for a long time.
- c)** Exposure to hazardous waste, biologic agents or infectious-contagious diseases.
- d)** Perform tasks in places where toxic, carcinogenic, teratogenic or mutagenic substances are handled, transported, stored or processed.
- e)** According to STPS Mexican Official Standards, limits for the following should not be exceeded: noise, vibration, high or extreme temperature conditions and extreme outdoor weather conditions.

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#### 2.8.1.c Social security for pregnant workers

Pregnant workers are entitled to a six-week rest period before childbirth and a similar period after it, or they can choose to follow the IMSS (Social Security Institute) administrative rules, which allow them to choose a 12-week leave. They can choose to transfer anywhere from 1 to 4 weeks from the prenatal to the postnatal period, as long as the employer consents to it and an IMSS physician authorizes it.

1. The IMSS will pay 100% of the salary officially declared if the worker has a minimum of 30 weeks of social security fees paid in the last 12 months prior to the date when the 34<sup>th</sup> gestation week begins.
2. In case the number of weeks for which fees have been paid is not enough for the IMSS to pay for the leave, then the company must pay for said leave.

#### 2.8.1.d Right to breastfeed

During the breastfeeding period, and for up to a maximum of six months, the worker will be entitled to two additional breaks per day, of half an hour each, to breastfeed her baby in a safe and hygienic place designated by the company. Where this is not possible, by prior agreement with the employer, her work shift during the such period will be reduced by one hour.

### 2.9 Substantive Equality and Non-Discrimination

The producer and/or the company must have a protocol to guarantee substantive equality and non-discrimination.

In no case should working conditions be inferior to those established in the Federal Labor Law, they should be proportional to the importance of services, and they should be equal for equal jobs.

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Under current legislation, there should be differences or exclusions for the following reasons of discrimination: ethnicity or nationality, gender, age, disability, social condition, health condition, religion, immigration status, opinions, sexual preference, marital status, pregnancy conditions, family responsibilities, or any other that threatens human dignity.

#### 2.10 Child Labor

The producer and/or the company must ensure their policies, procedures and operations are consistent with the provisions of the "Labor by Minors" section of the Federal Labor Law, as well as with the different legal standards related to the protection of children's rights. Regardless of the developments following the latest amendment of article 176, section II, paragraph 8, of the Federal Labor Law (March 15, 2018), it is engaging persons under the age of 18 in agricultural activities is absolutely prohibited.

Agricultural activities are defined as tasks ranging from preparing land to harvesting and crop packaging, including the use and maintenance of farm machinery, tools and equipment.

The producer and/or the company must have a control and record-keeping protocol to ensure their child labor prohibition policy is followed, and also that children do not have access to production areas.

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#### 2.11 Freedom of association, trade union rights and collective bargaining

Freedom of association, union democracy and collective bargaining are fundamental workers' rights enshrined in the Political Constitution of the Mexican United States (PCMUS) and the Federal Labor Law (FLL). The PCMUS establishes that both workers and business people are entitled to partner with others to defend their own interests through the creation of trade unions, professional associations, etc.

Workers are free to organize to defend their interest, and they can decide to create an organization legally or not.

Freedom of association within the company can take place in three manners:

1. By allowing workers to gather temporarily, inside the company, for the protection and defense of their labor rights.
2. By creating the conditions necessary so workers can formally establish associations related to the company's operations, with the purpose of improving the conditions and quality of life of workers.
3. Through the formal creation of workers' unions and collective representations.

Convention 98 of the International Labor Organization (ILO), which has been ratified, focuses on two aspects that, in our opinion, must be taken into account by companies in the agriculture sector. On one hand, it establishes the need to protect workers so they can exercise their freedom to organize and, on the other, it states that workers and employers' organizations must enjoy adequate protection from any act of interference by each other.

Convention 98 also refers to acts of interference, which are measures designed to promote the establishment of workers' organizations under the

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domination of employers or employers' organizations, or to support workers' organizations by financial or other means, with the object of placing such organizations under the control of employers or employers' organizations.

Likewise, Annex 23-A of the Labor Chapter of the USA-Mexico-Canada (USMCA) Trilateral Trade Agreement, addresses, among other things, the following:

1. Workers' right to collective bargaining.
2. Revisions of salary and work conditions require majority support from workers through the exercise of free, personal and secret vote.
3. Workers must receive a copy of the collective bargaining agreement.
4. The prohibition of employer interference in union activities.
5. Union democracy for the election of representatives

In order to evaluate the aspect of freedom of association, we are considering the following:

#### 2.11.1.a Freedom of association in civil society organizations.

The producer and/or the company must respect their workers' freedom to organize in a temporary or definitive manner with the aim of seeking better conditions of work, or as a means to promote actions to improve their own wellbeing and quality of life and those of their families.

#### 2.11.1.b Right to Organize

The Right to Organize is the workers' right to freely create, organize, and join or leave trade unions, federations or confederations. The right to organize is closely related to collective bargaining as a means to reach agreements between workers and employers on aspects related to their general conditions of work.

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The purpose of a union is to find a balance of power with the employer, negotiate working conditions on behalf of its members, and protect its workers' labor rights.

The producer and/or the company must guarantee the right to organize for workers. Under no circumstances should they intervene to attempt to persuade workers to join a union or not. Also, the company must create the conditions necessary for the Union to fulfill its duty of protecting workers' labor rights.

#### **Collective Bargaining Agreement**

Collective Bargaining Agreements must abide by the provisions of the 2019 Labor Reform to meet the requirements demanded from the agriculture sector in the international market.

Collective Bargaining Agreements should not include "trusted" (non-unionized) workers. Trusted workers are those performing management, inspection, supervision and oversight tasks, as well as those performing personal tasks for employers inside the company.

"Agreement substitution" practices are prohibited. This term refers to those situations where a worker already had an individual contract before the company signed a Collective Bargaining Agreement with the Union, which should not include terms or conditions inferior to those agreed upon in individual contracts.

A Collective Bargaining Agreement should contain, as a minimum, the following:

1. Name and address of the parties to the agreement.
2. The names of the companies and worksites covered.
3. Its duration or a statement indicating it is for an indefinite period of time or for specific work.
4. Workdays

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5. Days of rest and vacations.
6. The (updated) amount of salaries
7. Worker training or skill development clauses.
8. Provisions on initial training or skill development actions.
9. The rules for the integration and operation of the Commissions that must be created pursuant to the Federal Labor Law.

#### 2.11.1.c Initial Collective Bargaining Agreement

In case the Union asks the producer and/or the company to enter into an initial Collective Bargaining Agreement, it should previously obtain a Representation Certificate issued by the competent authority, to which end it must prove it represents at least 30% of the workers.

The Collective Bargaining Agreement reached between the company and the Union, without a strike call, must be subjected to approval by the majority of workers (50% plus 1), at an assembly and through personal, free and secret votes, and the procedure must be verified by the competent authority.

The Collective Bargaining Agreement approved must be filed before the authority, and the worker must receive a copy thereof from the company.

#### 2.11.1.d Collective Bargaining Agreement existing prior to the 2019 Labor Reform.

In case the producer and/or the company already have a Collective Bargaining Agreement entered into with a Union, they must meet the following requirements: ensure workers know the CBA; create the conditions necessary so the competent authority can verify workers know the CBA; prove to the authority, by means of documents, that workers know the CBA; prove that the CBA was renewed because workers were willing to do so or expressed their interest in such renewal; that the CBA entered into between the company and the Union was approved by the majority of workers (50% plus 1), at an assembly and through personal, free and secret



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votes, a procedure that must be verified by the competent authority; that the CBA approved has been filed before the competent authority, and a copy of the CBA was delivered to the worker,

#### 2.11.1.e Revision Agreement

In case the producer and/or the company have entered into a Collective Bargaining Agreement with a Union, if workers are willing to continue in it and express their interest in doing so after one year has passed, they must proceed with its revision and renewal. This procedure must be done in the presence of the competent authority. The Union must disclose the contents of the Revision Agreement and, at an assembly, subject it to the approval (every two years) of the majority of workers (50% plus 1), through personal, free and secret votes. The Revision Agreement approved must be filed with the competent authority and the worker must receive a copy thereof from the company.

#### 2.12 Right of opinion and freedom of speech

The producer and/or the company must promote the right of opinion and freedom of speech so their workers and those persons involved in their supply chain can file complaints or make suggestions or recommendations, with the aim of improving the workplace environment, conditions of work, the quality of products and, in general, the company's performance. Likewise, intermediaries participating in employee recruitment, hiring and/or transportation processes must abide by and implement this policy.

#### 2.13 Bullying and harassment prevention

The producer and/or the company must have a harassment and bullying prevention and assistance protocol based on ongoing training and communication, for their workers. The training provided must be targeted at all their employees, ensuring their top management, heads of production, supervisors, intermediaries, contractors, farm managers, farm supervisors, crew leaders and dispatchers receive training in those topics. They should have harassment and/or bullying complaint filing mechanisms

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and ensure workers using them are protected from retaliation. They should also have mechanisms to take corrective measures and impose sanctions on those individuals who engage in these prohibited behaviors.

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### **3. Well-being for workers and their families**

This section evaluates infrastructure available for migrant populations, which applies to companies that hire workers coming from other regions and, therefore, must provide them with lodging and support services.

#### **3.1 Lodging infrastructure for migrants and their families**

##### **3.1.1 Lodging for migrant workers**

In case the producer and/or the company hire migrants out of their places of origin, they must provide them with temporary housing facilities; these spaces can be shelters, inns, homes or houses owned or rented by the producer or company. The company should not allow workers, for any reason whatsoever, to sleep or camp in makeshift spaces without access to basic sanitary services.

##### **3.1.1.a Housing location**

The location of the shelter or housing facilities for workers must be less than 100 meters away from farming areas. This rule also applies to housing for orchard caretakers.

##### **3.1.1.b Housing spaces**

Considering that Mexico lacks laws, regulations or standards establishing the maximum number of people allowed for a specific number of square meters for workers' housing spaces, we developed an indicator taking as a reference the average dimension of housing spaces owned by producers and used for temporary housing of migrant workers. The characteristics are the following:

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### **3. Well-being for workers and their families**

The recommendation is a minimum area of 3 square meters per worker. For workers migrating together with their families, the minimum area should be 4.5 meters per adult, with a maximum limit of two adults, and two children for each adult, in the resulting space. In case that number of persons is exceeded, the minimum space available should be 2 square meters per person.

#### **3.1.1.c Housing characteristics**

Housing facilities for migrant workers must have the following characteristics: they should have solid floors, not soil floors; walls must be made of solid materials, except for cardboard or galvanized or metal sheets; roofs can be of any material, except for cardboard sheets.

#### **3.1.1.d Housing conditions**

The producer and/or the company must provide migrant workers with housing spaces in good condition, with privacy, safe, comfortable, hygienic and with basic services (electricity and water).

Appropriate maintenance for housing spaces must be provided by the company. To prove that, detailed records of such maintenance must be kept. The housing designation process must be documented upon assignment.

#### **3.1.1.e Housing areas must have toilets.**

Housing areas must have functioning toilets, in good condition, with hygiene and privacy. There should be at least 1 toilet for every 25 persons.

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### 3. Well-being for workers and their families

#### 3.1.1.f Housing areas must have showers.

Housing areas must have functioning showers, in good condition, with hygiene and privacy. There should be at least 1 shower for every 25 persons.

#### 3.1.1.g Housing areas must have laundry tubs with washboards

Housing areas must have functioning *lavaderos* (concrete laundry tubs with washboards) in good condition, with hygiene and privacy. There should be at least 1 *lavadero* for every 25 persons.

#### 3.1.1.h Drinking water in housing areas

The producer and/or the company must provide free access to water for human consumption for the residents of housing areas, which should meet the parameters for physical, organoleptic and microbiological characteristics established in amendment to standard NOM-127-SSA1-1994.

#### 3.1.1.i Cafeteria in housing areas

In case the producer and/or the company hire workers migrating on their own, that is, without their families, or in case housing facilities do not have a kitchen area, or the agreement with workers specifies the company or the intermediary must provide meals, hygienic and appropriate facilities must exist for food preservation, preparation and consumption.

We recommend contacting the Federal Commission for Protection Against Health Risks (COFEPRIS) for guidance and the training required for the operation of collective cafeterias and the food handling, preservation and consumption measures to follow.

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### 3. Well-being for workers and their families

#### 3.1.1.j Meal services for workers

In case the business owner or any third party related to the company provides meal services in cafeterias located in production, packaging or housing areas, workers should be free to choose if they eat in that place, and the prices of those meals (including food and drinks) should exceed 10% of the worker's daily salary. Also, the costs of such services should not be directly deducted from their salary; workers must pay for it directly.

#### 3.1.1.k Cleaning services in housing areas and/or houses for workers

All the facilities, corridors and the perimeter of housing complexes or homes must be kept clean and free from flooding, mosquito breeding spaces or junk.

#### 3.1.1.l Prohibit the use of charcoal or firewood stoves

Residents in housing spaces provided by producers should not be allowed to cook in charcoal or firewood stoves.

### 3.2 Child protection system

#### 3.2.1 Childcare facilities

In case the company hires workers out of their places of origin and these migrate together with their families, the company must provide childcare services in housing areas.

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### 3. Well-being for workers and their families

#### 3.2.1.1.a Childcare facility certification

Childcare facilities must have a certificate and/or permit issued by the competent authority for their operation, so protection and care for child beneficiaries are guaranteed.

#### 3.2.1.1.b Meals in Childcare Facility

The company must provide free, good quality meals to all the children in the childcare facility.

#### 3.2.2 Basic education for children of migrant workers

The company must ensure all the children of migrant workers of school age (who live in spaces owned or rented by the producer) receive basic mandatory education. They can enroll in schools either located in communities or inside the housing areas.

The evidence to prove that children are enrolled in education must consist of attendance and/or accreditation documents issued by the corresponding education authorities.

##### 3.2.2.1.a Preschool education

The company must ensure access to preschool education for the children of migrant workers living in housing complexes and/or houses provided by the producer.

##### 3.2.2.1.b Primary education

The company must ensure access to primary education for the children of migrant workers who live in housing complexes and/or homes provided by the producer.

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### **3. Well-being for workers and their families**

#### **3.2.2.1.c Secondary education**

The company must ensure access to secondary education for the children of migrant workers who live in housing complexes and/or homes provided by the producer.

#### **3.2.2.1.d Preparatory education**

The company must ensure access to preparatory (high school) education for the children of migrant workers who live in housing complexes and/or homes provided by the producer.

#### **3.2.2.1.e School transport**

In case the school is not located inside the housing areas, the producer and/or the company must provide safe school transport for the children of workers living in housing complexes and/or houses provided by the producer. The producer should also keep records of school transport services including, as a minimum, the following information: name of the student, school grade and daily attendance.

School transport vehicles must be clean, comfortable, in good mechanical condition and have the following valid documentation: personnel transportation permit, vehicle registration, vehicle insurance policy with liability coverage, vehicle pollution control certificate (or vehicle maintenance records) and driver's license.

### **3.3 Recreation and sports areas**

The company must also provide spaces so workers and their families can practice sports or engage in recreational activities.



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### 3. Well-being for workers and their families

#### 3.4 Medical services

The company must provide first-level of care services to workers and their families, directly in the workplace or through doctor's offices or clinics close to their operations. If the company's operations are in a community or near it (within a 3 kilometer radius), the company can enter into an agreement with a health care facility to provide medical care for workers and their families. Likewise, if their operations are close to an IMSS health clinic (within a 3 kilometer radius), it can transport patients directly to that facility. Medical services for workers and their families must be free.

#### 3.5 Basic products supply

Stores can be made available to workers and their families for the supply of basic products, at affordable prices, and workers must be free to buy somewhere else if they decide to do so. Where possible, the opening of DICONSA stores is preferred. Purchases made in those stores should never be deducted from workers' salaries. Also, shop clerks should not withhold their payroll debit cards to collect debts incurred for purchases made in the store.

#### 3.6 Freedom of transit

Workers must have the freedom to walk through the different areas of the company, unless access is restricted for food safety or occupational safety reasons. In the case of housing areas provided by the employer, they should also have the freedom to enter and leave them during the hours predetermined for common living in those spaces. These hours must be respected by workers and their families to ensure the peace, tranquility and rest of the other residents in the housing facilities.

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### 3. Well-being for workers and their families

In case workers and their families make the decision to move out of the housing areas provided by the employer, they cannot be prevented from doing so, even if the work period established in their contract has not ended.

The company must respect the freedom of transit of workers and their families, and surveillance should not be used as a means to control, subjugate or intimidate workers.

The exercise of the right to freedom of transit is subordinated to the powers of the judicial authority, in cases of civil or criminal liability, and those of administrative authorities.

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### 4. Occupational Safety and Health

#### 4. Occupational Safety and Health

The provisions in this section are aimed at improving occupational safety and health conditions in order to reduce the likelihood of jeopardizing the health or the lives of workers while performing their tasks, or the likelihood of damages to the company's facilities.

The producer and/or the company must design and implement an Occupational Safety and Health Management System based on an assessment and identification of risks existing in the company, taking into consideration the type of facility and its operations.

##### 4.1 Hazard Identification and Occupational Safety and Health Risk Assessment

The producer and/or the company must identify hazards, analyze them and assess their potential impact on the worker's health or life, or the company's facilities. That information will allow the Occupational Safety and Hygiene Commission to figure out alternatives for the mitigation and control of major risks associated with critical processes and equipment. This assessment should take into account hazardous conditions, the use of chemical, physical and biological agents, ergonomic and psychosocial risk factors, and include the corresponding follow-up on results.

The risk evaluation process allows us to estimate the likelihood and potential impact of Occupational Health and Safety risks present in the company's facilities and all of the company's operations. Those risks should be identified in a risk map that must be shared with workers, visitors and service providers hired to perform tasks in their facilities.

To conduct the risk assessment, it is important to consider statistics on work injuries and incidents. As part of this process, we recommend involving occupationally exposed workers, because they are the ones who

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have a better knowledge of the situations they live every day and how they can be affected or exposed.

To prepare the risk map, you should take into consideration all of the company's operations and include the following risks:

- a)** Fire hazards in the different areas of the company, following the classification established in Appendix A of standard NOM-002-STPS-2010.
- b)** Potential hazards created by machinery and equipment, including those for agricultural use, in accordance with paragraph 5.2 of standards NOM-004-STPS-1999 and NOM-007-STPS-2000.
- c)** Risk of use and handling of hazardous chemical substances, including agrochemicals, in accordance with section 7.2 of Mexican Official Standard PROY-NOM-005-STPS-2017.
- d)** Risks of work at height, in accordance with sections 5.9, and 7 to 13, of standard NOM-009-STPS-2011.
- e)** Risk of exposure to high or low temperatures, in accordance with section 5.1 of standard NOM-015-STPS-2001.
- f)** Risks of generation and/or accumulation of static electric charges, in accordance with sections 5.4, 7 and 8, of standard NOM-022-STPS-2015.
- g)** Risk posed by containers subject to pressure, cryogenic containers and steam generators or boilers, in accordance with standard NOM-020-STPS-2011.
- h)** Potential risks of welding and cutting operations, in accordance with standard NOM-027-STPS-2008.
- i)** Risks associated with noise exposure levels, in accordance with standard NOM-011-STPS-2001.
- j)** Potential risks associated with activities performed in electrical installations, in accordance with standard NOM-029-STPS-2011.

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### **4. Occupational Safety and Health**

#### **4.2 Occupational Safety and Health Risk Analysis**

Once the producer and/or the company have completed their risk assessment and risk map, they should incorporate their risk analysis study, taking as a reference the different positions in their organizational structure. We recommend conducting a thorough analysis of statistics on work injuries and accidents to ensure the Risk Analysis Study is consistent with the company's operations. It is important to include, as a minimum, the risks described in section 4.1.

#### **4.3 Safety and Hygiene Commission (SHC)**

##### **4.3.1.a Creation of the Safety and Hygiene Commission**

The producer and/or the company must integrate and create a Safety and Hygiene Commission for their facilities. The members of that commission should include:

- a)** One worker and the employer or their representative, if the worksite has at least 15 workers, or
- b)** One coordinator, one secretary and the number of members agreed upon with the employer or their representatives and the trade union or the workers' representative, in case there no union exists, if the worksite has 15 workers or more.

The creation, composition, organization and operation of the Safety and Hygiene Commission must be in accordance with the provisions of standard NOM-019-STPS-2011. "Trusted" (non-unionized workers) cannot represent workers in the Safety and Hygiene Commission. The Federal Labor Law refers to the functions of trusted workers as those involving management, inspection, supervision and oversight, as long as they are general in nature, as well as those related to personal tasks for the employer inside the company or establishment.

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### **4. Occupational Safety and Health**

#### **4.3.1.b Inspection program**

The Safety and Hygiene Commission must design and implement an inspection program to verify the conditions and the form in which workers perform their functions. In case an accident or incident occurs, the Commission must investigate and document its causes and determine the corrective and preventive actions to be implemented to reduce any risks for the workers' life or health. Preventive actions must include everything necessary to address the risks identified according to section 4.1.

#### **4.3.1.c Safety and Hygiene Commission Training Program**

The members of the Safety and Hygiene Commission should receive the training required to perform their functions and suggest the measures required for corrective actions and occupational disease and accident prevention, in accordance with standard NOM-019-STPS-2011.

### **4.4 High or low temperature conditions**

The producer and/or the company must take the measures necessary to meet their workers' maximum limits of exposure to high or low temperatures, using as a reference tables 1 and 2 in section 8 of standard NOM-015-STPS-2001.

In case workers must work under high temperature conditions, the maximum permissible times of exposure and the minimum recovery time for work shifts must be respected.

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Also, in case workers must work under low temperature conditions, it will be necessary to follow the Standard's provisions regarding wind-chill temperatures, maximum daily exposure times and non-exposure times.

#### 4.5 First-aid kit

Standard NOM-005-STPS-1998 on occupational safety and hygiene conditions for handling, transportation and storage of hazardous substances, defines the first-aid kit as the set of materials, equipment and medicines used to administer first aid to a person who has experienced an accident or sudden disease.

The last section of that Standard includes a First-Aid Kit Reference Guide based on the Mexican Red Cross First Aid Manual. The company should follow that guide for the preparation and handling of the first-aid kit.

In case the first-aid kit contains medicines, they should have authorized medical personnel, who will be responsible for administering them.

#### 4.6 Use and handling of agrochemicals and hazardous chemical substances

Handling of hazardous chemical substances must be done following all safety measures available to reduce the risk of occupationally exposed personnel being affected in their health or their life.

Some of the following indicators may not apply to companies that do not use agrochemicals or hazardous substances in their operations.

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4.6.1.a Safety data sheets (SDS) for hazardous chemical substances or mixes and data sheets for hazardous chemical substances.

The producer and/or the company must have safety data sheets for the hazardous chemical substances or mixes they handle, in accordance with section 9.2 of Mexican Official Standard NOM-018-STPS-2015, *Harmonized system for the identification and communication of hazards and risks from hazardous chemicals in the workplace*.

Safety data sheets and technical data sheets must contain references for each of the hazardous chemicals used, including agrochemicals, and they should be available for workers and persons in charge of safety, so that they can have immediate access to information and take preventive and/or corrective measures in the worksite.

4.6.1.b Medical exams for workers exposed to agrochemicals

Entry, periodic and specific medical exams required for workers occupationally exposed to agrochemicals must be conducted in accordance with section 9 and Appendix A of standard NOM-003-STPS-1999. *Agricultural activities - Use of phytosanitary supplies or pesticides and vegetable nutrition supplies – Safety and hygiene conditions*.

4.6.1.c Antidotes for intoxication with agrochemicals

This section is directly related to section 4.5 on the First-Aid Kit. However, to meet this criteria, the company must have antidotes available to deal with cases of intoxication with the agrochemicals they use, and train their staff in their appropriate handling.

We recommend that the company ensures the medical professionals or services nearest to their operations, especially those in the production area, receive the corresponding training to assist workers experiencing intoxication due to agrochemicals.



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#### 4.6.1.d Protection equipment for personnel handling agrochemicals

Personal protection equipment must be used when risks are inevitable or they cannot be controlled through technical means or other measures, methods or procedures.

The producer and/or the company must train occupationally exposed workers using and handling agrochemicals and provide them with the personal protection equipment necessary, in order to reduce risks to their health or lives, in accordance with Mexican Official Standard NOM-017-STPS-2008. *Personal protection equipment - Selection, use and handling in the workplace.*

#### 4.6.1.e Handling of personal protection equipment (PPE) for workers using agrochemicals

To prevent the worker from getting contaminated with the substances used or handled, it will be necessary to have a protocol in place for the removal of personal protection equipment, as well as the places where each item must be placed prior to being washed.

The producer and/or the company must have a place to store and wash personal protection equipment. Workers should not take it home.

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#### **4.6.1.f Worker decontamination areas and services**

In order for workers using and handling agrochemicals to prevent contamination, the producer and/or the company must provide showers, changing rooms and personal hygiene products.

#### **4.7 Tools, instruments and materials**

In accordance with labor laws, workers must be provided with the tools, instruments and materials necessary to do their job. The producer and/or the company must inspect them to confirm they are in good condition, give them maintenance and replace them once they are no longer useful.

The employer may not demand from workers any compensation for the natural wear and tear of tools, instruments or work materials.

#### **4.8 Forklift use safety measures**

The producer and/or the company must show the paperwork necessary to prove inspections of safety requirements and measures for the operation and maintenance of forklifts, and also that workers are trained and authorized for their operation, in accordance with section 7.8.5 of Standard NOM-006-STPS-2014.

#### **4.9 Work at height**

The producer and/or the company must ensure work at height is done with the corresponding safety measures and, in particular, attention must be paid to work for the installation and maintenance of structures for greenhouses, shade houses and/or netting used in production areas.

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Care should also be exercised to ensure workers doing jobs that require the use of stilts, benches or ladders follow safety measures. For the rest of operations that involve work at height, they should consider use of personal work at height systems, tower or structure-like scaffolding, suspended scaffolding, elevation platforms, hand ladders or safety nets.

To prove compliance, the company must document the inspection of general safety measures and conditions while performing work at height, and also that the designated workers are duly trained and authorized, in accordance with standard NOM-009-STPS-2011.

#### **4.10 Generation and/or accumulation of Static Electric charges**

The producer and/or the company must ensure the safety conditions to control the generation and/or accumulation of static electric charges are consistent with those indicated in section 7 of standard NOM-022-STPS-2015.

#### **4.11 Fire equipment and fire detection equipment**

The producer and/or the company must have fire equipment and fire detection equipment consistent with the classification of potential fire risks and types of fire, with personnel duly trained in the use and handling of equipment installed, in accordance with standard NOM-002-STPS-2010.

#### **4.12 Occupational safety and health personnel training**

The producer and/or the company must provide all their workers with ongoing training on occupational safety and health aspects related to agricultural work, taking into consideration the main risks faced by workers while performing their tasks. For each of the topics covered, workers must be clearly informed about the potential health impacts resulting from exposure.

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### 4. Occupational Safety and Health

The reference for occupational safety and health training are the Mexican Official Standards of the Ministry of Labor and Social Welfare of the federal government. In particular, the training provided should include the following topics:

1. High or low temperature conditions
2. Ergonomic risk factors
3. Psychosocial risk factors
4. Safe operation of machinery, equipment and electricity
5. Work at height
6. Work in confined spaces
7. Exposure to noise and vibrations
8. Occupational hazards prevention and investigation
9. First aid for emergencies

Training must be delivered with the support of easy-to-understand materials and, if necessary, with personnel to translate into the languages of participating workers.

#### 4.13 Training for workers using and handling agrochemicals

Workers must receive training, upon being hired, on topics related to the use and handling of agrochemicals. They should always receive clear information about potential health impacts resulting from exposure.

That training must be offered at least once every farming season, and also every time a new agrochemical is introduced into their operations.

The training program should include:

1. Risks associated with chemical substances.
2. Risk level classification.
3. Activities for the safe handling, use and transportation of chemical substances.
4. Personal protection equipment to be used by the worker both regularly

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and/or in case of an emergency.

5. Specifications and contents of safety data sheets.
6. Who must be contacted in case of doubts regarding the use and handling of agrochemicals.
7. The sections of safety data sheets.
8. The signs and labels specified in section 10.5 of standard NOM-018-STPS-2015.

Training must be delivered using easy-to-understand materials and, if necessary, with personnel to translate into the languages of the workers participating.

#### 4.14 Workplace emergency plan

The Emergency Plan must include the following:

1. Safety procedures in case of leaks, spills, emissions, fire or natural disasters.
2. First-aid manual.
3. Evacuation procedure.
4. Procedures to return to normal conditions.
5. Rescue procedures for confined spaces.
6. Designation of the Plan Coordinator.

The above, in accordance with standard NOM-005-STPS-1998 on safety and hygiene conditions for handling, transportation and storage of hazardous chemical substances, as well as Civil Protection requirements.

The producer and/or the company must have a list of contacts to deal with emergencies, including company personnel and local assistance services. The producer and/or the company should also have communication channels to request assistance, paid by them.

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### 4. Occupational Safety and Health

#### 4.15 Internal Civil Protection Program

The producer and/or the company must design an Internal Civil Protection Program with protection, safety and self-protection measures and mechanisms to protect the physical integrity of workers, users and assets in case of a disaster or contingency. Brigades approved by the competent authority must be created. These brigades should receive the training required to perform their tasks. The Program must be designed by a third party authorized by Civil Protection.

#### 4.16 Basic infrastructure in production areas

##### 4.16.1.a Rest areas

The producer and/or the company must provide workers with areas protected from sunlight and rain to rest during the workday in packaging and production (fields, ranch, orchard...) areas.

##### 4.16.1.b Restrooms in working areas

Restrooms divided by sex must be provided, and they must be functional, hygienic, with privacy, and be in good condition, in working areas. There should be at least 1 toilet for every 20 workers.

##### 4.16.1.c Drinking water in working areas

The producer and/or the company must provide all their workers with free access to drinking water, without any limit for consumption, in working areas.

That water must meet the parameters for physical, organoleptic and microbiological characteristics established in amendment to standard NOM-127-SSA1-1994 and the provisions of paragraph VIII of article 18, and paragraph III of article 67, of the Federal Occupational Safety and Health Regulations (FOSHR).

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### 4. Occupational Safety and Health

#### 4.16.1.d Cafeteria in the worksite

Workers must have access to hygienic cafeterias, protected from sunlight and rain, for food consumption in production and packaging areas.

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### **5. Environmental protection**

#### **5.1 Environmental risk evaluation**

The producer and/or the company must conduct an environmental risk analysis, in accordance with national or state environmental laws, depending on the competence applicable to the worksite, for the handling of hazardous substances or the performance of hazardous activities. That study must include an analysis and evaluation of environmental risks, a description of protection areas around the facilities, their potential impact in case of an accident, and signage for safety and preventive environmental measures. Based on the results and conclusions of the environmental risk assessment, environmental protection actions must be identified and implemented.

#### **5.2 Wastewater management**

The producer and/or the company must dispose of wastewater in accordance with standards NOM-001-SEMARNAT-1996 or NOM-002-SEMARNAT-1996, as the case may be.

#### **5.3 Legal use of national waters**

The producer and/or the company must prove, by means of official permits, the legal use of water for agricultural activities.

#### **5.4 Appropriate organic production waste management**

The producer and/or the company must follow and document appropriate vegetable waste and organic production waste practices. Burning such waste is not permitted under any circumstance.

#### **5.5 Agrochemical waste disposal**

The producer and/or the company must have the infrastructure necessary and implement the practices required to ensure liquid waste from agrochemical substances can be disposed of correctly to avoid contamination of soils, groundwater and water sources.



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### **5. Environmental protection**

#### **5.6 Safe disposal of hazardous waste**

The producer and/or the company must have the infrastructure necessary and implement the practices required so hazardous waste generated can be disposed of in sites authorized by SEMARNAT.

#### **5.7 Use of electricity**

The producer and/or the company must prove they use technologies for the efficient use of electricity.

#### **5.8 Safe disposal of special management and urban solid waste**

The producer and/or the company must maintain an education and awareness raising program for the safe disposal of special management waste generated by non-hazardous productive processes, as well as urban solid waste generated in their different areas and housing spaces the company makes available to workers, all of which must be documented through the corresponding records.

### **6. Community engagement**

The producer and/or the company must support the development of the communities where it operates or the communities of origin of their workers, inside or outside of the state. It is recommended that actions implemented in communities be identified based on a participatory assessment that allows the residents of those communities to express their most pressing needs prior to designing a community development program.

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### **7. Internal and external outreach**

#### **6.1 Program for migrant workers' communities of origin**

##### **6.1 a) Program for community development in places of origin**

In case the producer and/or the company hire migrant workers, they must develop and implement a community program in their workers' places of origin. The program must be designed and implemented with the participation of migrant families, based on their needs.

##### **6.1 b) Periodic return of migrant population**

In case the producer and/or the company hire migrant workers, they must allow them to visit their relatives and communities of origin, and facilitate that process, for at least two weeks every six months.

#### **6.2 Local community development program**

The producer and/or the company must promote a community development program with the participation of residents, based on a situational assessment, in the communities where they operate and/or the communities where their workers reside.

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### **7. Internal and external outreach**

#### **7. Internal and external outreach**

##### **7.1 Internal outreach**

The producer and/or the company must develop effective internal communication channels to inform their workers of their rights and obligations. In this regard, they should ensure their workers are informed of the company's policies, procedures and internal documents that regulate the relationship between the employer and its workers.

The Social Responsibility programs implemented by them and their benefits must be disseminated among their workers.

Communication and internal outreach materials must be available in easy-to-understand language and be accessible for all workers, taking into account cultural differences. In case their workers speak a language other than Spanish or don't know how to read, they must take those particularities into account.

##### **7.2 External outreach**

Good Social Responsibility practices followed should be known by the society in general and, in particular, by potential customers and consumers of the company's products. For that reason, it is important to publicize actions on their websites and social media.



Responsible Agricultural Company Certification

# CEAR Regulations

Version 2.0



## CEAR Regulations Version 2.0

This document describes the guidelines applicable to producers and/or companies interested in obtaining the CEAR certification, as well as the rules applicable to Certification Bodies.

### 1. Who can obtain the CEAR Certificate?

The CEAR certificate can be awarded to individuals or corporations engaged in the production and/or packaging of agricultural products, as well as hiring farm workers, who meet the requirements described in this Rules.

All of the different operations taking place under the same corporate name and previously notified by the producer and/or the company will be evaluated. The certificate specifies the worksites audited for certification purposes.

The certificate only covers those operations carried out by producers and/or agricultural companies in the Mexican Republic.

If the producer and/or the company perform activities in two or more states under the same corporate name, all their facilities in operation must be audited so they can be certified.

Likewise, if a packaging company has one or more producers supplying them with agricultural products (and they package them in their own facilities), those producers and the companies hiring workers for them must join the CEAR process, and they must gradually comply with the indicators required for certification, as described in section 12.

### 2. AHIFORES services

Anyone interested in learning more about the CEAR certification can do so by attending the promotional events organized by AHIFORES and its partner organizations, or directly request information about the standards and requirements they must meet to obtain the certification.

In case the producer and/or the company are interested in receiving training and technical advice from AHIFORES for the CEAR assessment and

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implementation process, they can contact AHIFORES. The costs will vary depending on whether they are affiliated partners or not. To become affiliated with AHIFORES, you can write an e-mail to [cear@ahifores.com](mailto:cear@ahifores.com). The benefits of AHIFORES' CEAR services will depend on whether they are affiliated partners or not. To become affiliated with AHIFORES, you can send an e-mail to [cear@ahifores.com](mailto:cear@ahifores.com). The benefits of our services will depend on the type of membership you apply for.

If you are not interested in becoming affiliated with the organization, but still want to receive technical advice and training for the CEAR assessment and implementation process, you can request information about our costs by writing to [cear@ahifores.com](mailto:cear@ahifores.com). In case the producer and/or the company receive services from AHIFORES, they must sign a confidentiality agreement.

In order for the producer and/or the company to have different options to receive technical advice for the CEAR standards assessment and implementation process, a list of persons duly trained and approved by the CEAR system is available on AHIFORES' official website. The certificate of approval of the CEAR Standard knowledge exam awarded to independent technicians does not necessarily mean AHIFORES is responsible for the quality of the services offered by said individuals. The CEAR system will award certificates of approval to independent technicians passing those exams with a minimum score of 90.

### 3. Pre-Certification Audit activities

It is recommended that, prior to the producer and/or the company requesting a Certification Audit to obtain the CEAR, they carry out the following activities:

#### 3.1 Training

AHIFORES periodically invites producers and companies to participate in its trainings, workshops and diploma courses, which are aimed at supporting the professionalization of the technical personnel participating in the process of meeting the CEAR indicators.

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The CEAR system awards certificates of participation to those individuals who attend its trainings, workshops and diploma courses. Certificates of approval will only be awarded to those participants who pass exams with a minimum score of 80, in the case of diploma courses.

### 3.2 Assessment

The producer and/or the company can implement the indicators described in the CEAR Certification Metrics and conduct their own assessment using the Checklist, if they choose to do so.

The verification results can be processed by the Responsible Agricultural Company Certification Information System (SICEAR), which will yield a score. This will allow them to know their level of compliance and request the Certification Audit, or else to design an implementation plan with the actions necessary to achieve the score required to get certified.

Only producers and/or companies affiliated with AHIFORES can access the SICEAR during the assessment and implementation stages. In case AHIFORES' staff members conduct the assessment, they must share the results with the producer and/or the company.

### 3.3 Preliminary Audit

Those producers and/or companies using AHIFORES' services for the CEAR assessment and implementation process, will be subjected to a preliminary audit several weeks prior to the Certification Audit request. The aim of this audit is to increase the possibilities of passing the Certification Audit. In other words, those producers and/or companies not using AHIFORES' services for the assessment and implementation process are not required to take the preliminary audit.



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### **4. Certificate award or renewal process**

#### **4.1 CEAR award or renewal application**

In case the producer and/or the company decide to start the process to obtain the certification or are still eligible to get their certification renewed, they must submit an application on the website [www.pear.org.mx](http://www.pear.org.mx) and select a Certification Body, or they can send an e-mail to the CEAR management so they can receive, within 48 hours, the Audit application form (Annex I - Certification Audit Application) and information about the Certification Bodies authorized to conduct the Certification or Renewal Audit.

The application form must be duly filled in and signed and uploaded to the website [www.pear.org.mx](http://www.pear.org.mx), or e-mailed to the Certification Body they chose, with a copy to the CEAR management. The application must be submitted at least 45 calendar days before the probable audit date, which will be determined by the producer and/or the company.

The application submitted must include up-to-date information and specify the different orchards, or production and packaging areas and housing spaces owned or rented by the company or the producer.

It is worth noting that the certification applies to the producer and/or the company and, therefore, all of their worksites active at the moment of the Audit will be audited.

#### **4.2 Audit quote**

Once the Certification Body receives the Audit request from the producer and/or the company, it should send them a quote for the Certification Audit and certificate award procedure by e-mail (with a copy to the CEAR management) within 10 business days.

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To calculate the cost of the Audit, the Certification Body must follow AHIFORES' policies and criteria.

### 4.3 Confirmation and Audit Plan

In case the producer and/or the company agree to the cost of the Audit, the Certification Body must notify the producer and/or the company of the designated auditor, who should confirm and submit the Audit Plan within 10 business days prior to the date of the Certification Audit or renewal process, using Annex II. - Audit Plan

In case the leader responsible for receiving the Audit has any observation to the Audit Plan, he/she should communicate it to the auditor within 2 business days so the necessary adjustments can be made.

Communication between the auditor in charge and the leader responsible for receiving the Audit must be by e-mail, with a copy to the CEAR management.

### 4.4 Audit Protocol

The Audit must be conducted at a moment the producer and/or the company are in the peak of their production and packaging operations and, therefore, during the period of highest occupancy in housing areas for workers.

In case the producer and/or the company have different crops, they must request the Certification Audit be conducted during the crop requiring the largest number of workers, as well as during harvest time.

The following are the steps to follow to conduct the Certification Audit:

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### 4.4.1 Audit kickoff meeting

- a) The names of the participants in the kickoff meeting must be stated in Annex III, Attendance Records.
- b) The meeting should be conducted in the Spanish language. If necessary, we suggest the presence of a translator provided by the producer and/or the company audited.
- c) The following participants should introduce themselves:
  - 1. The auditor designated by the Certification Body.
  - 2. The leader representing the producer and/or the company audited.
  - 3. The representatives of the producer and/or the company audited.
- d) Explanation of the Audit's purpose and scope.
- e) The Audit Plan should be presented to the participants so they can learn of the verification schedule and sequence.
- f) The auditor must inform the producer and/or the company a confidentiality agreement has been signed, and also that, during the verification process, the auditor should be accompanied at all times by the leader representing the producer and/or the company.
- g) The representatives of the producer and/or the company must be given a chance to speak to express their doubts and address them.
- h) If there are no more items pending in the agenda, the Audit Kickoff Meeting should conclude.

### 4.4.2 Workplace inspection

The auditor must verify the physical and safety conditions in all the worksites and identify the practices to evaluate according to the CEAR Checklist.

Findings must be backed by evidence gathered by means of interviews with workers, which must be brief and include specific questions, i.e., only the information necessary to verify compliance.

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The auditor should not interrupt production activities and must respect the producer and/or the company's rules for access and pedestrians.

### **4.4.3 Document verification**

All the documentation related to payrolls, workers' benefits, employment contracts and social security (IMSS) affiliation records must be inspected on the site where those documents are controlled, inside the facilities. The rest of the documents can be reviewed at the place determined by the audited facility.

Documents for the current season, and at least two from the previous season, must be reviewed. In case the activity in question has been implemented recently, the compliance period to be audited will start three months after records began being kept.

Documents and records must be correctly filled out, bear the corresponding signatures, and have no erasures or alterations.

### **4.4.4 Audit closing meeting**

The auditor, in agreement with the leader representing the producer and/or the company, should agree on a date, time and place for the Audit closing meeting.

The names of the participants in the Audit closing meeting must be stated in Annex III, Attendance Records.

The auditor must submit to the producer and/or the company a report with his/her findings. In case the representatives of the audited producer or company disagree with the auditor's criteria, they should file an appeal using the last section of the Audit Closing Meeting Form (Annex IV) for review by a higher-level instance of the Certification Body, which should make a final decision that must be notified to the producer and/or the company within 5 business days of the end of the Audit.

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In case an appeal is filed by the producer and/or the company, the Certification Body must notify that to the CEAR management immediately, by e-mail.

### 4.4.5 Audit Report

The audit report must be delivered to the producer and/or the company within 10 business days of the end of the Audit by using Annex VI - Audit Report. The report should provide the details of non-conformities found during the verification process.

The Report should include information (name, job description, location, etc.) that allows for the identification of workers interviewed. An exception to this requirement will be made if the labor, social and/or physical well-being of workers is in danger (for example, in the case of minors or victims of abuse and/or human trafficking, with evidence documented and confirmed).

The Certification Body must preserve all the documents generated during the Audit process for a minimum of 15 years.

### 4.5 Cases where NO corrective actions are indicated

There are two reasons why the producer and/or company audited are NOT required to implement corrective actions:

1. In case the producer and/or the company had non-conformities in connection with the Zero Tolerance requirement, no corrective actions will be required. In that case, the Certification Body must notify the producer and/or company audited that they DID NOT pass the Audit. In case the producer and/or the company decide to reapply to obtain the CEAR, they must take the measures necessary to ensure compliance in their processes and request a Certification Audit 6 months after the failed Audit took place.
2. Producers and/or companies who obtained the score indicated in

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section 12.1 during the audit and did not have any non-conformities in connection with the Zero Tolerance requirement, can decide NOT to submit corrective actions and obtain the certification. In that case, they must notify the Certification Body of their decision, by e-mail, with a copy to the CEAR management, so the Declaration of Conformity and the corresponding certificate are issued.

### 4.6 Presentation of corrective actions

Corrective actions for non-conformities must be submitted by the producer and/or the company to the Certification Body within 30 calendar days of the date of submission of the Audit Report. The auditor must inform the producer and/or the company of the process to submit corrective actions and their due date.

Once the producer and/or the company have submitted their corrective actions, they must inform the Certification Body about it, by e-mail, with a copy to the CEAR management.

### 4.7 Review of corrective actions

Once corrective actions have been submitted by the producer and/or the company, the Certification Body will proceed to review them. It will have 10 business days to evaluate those actions and issue a Declaration of Conformity in case the producer and/or the company achieves the score required to obtain the certificate, in accordance with section 12.1.

In case the producer and/or the company fail to achieve the score required, the Certification Body must notify them about it, by e-mail, with a copy to the CEAR management, within the above-mentioned term.

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### 5. Certification

A Declaration of Conformity issued by the Certification Body means the producer and/or the company met the requirements to obtain the CEAR and the qualifications established in section 12.1 on the CEAR Information System (SICEAR). The Declaration of Conformity must be submitted to the producer and/or the company, by e-mail, with a copy to the CEAR management.

The Certification Body must issue and e-mail the Certificate to the producer and/or the company within 48 hours of issuing the Declaration of Conformity. A copy of such e-mail must also be sent to the CEAR management.

### 6. CEAR Effective Period

The CEAR certificate will be valid for a two-year term, with an annual compliance continuity verification visit. The producer and/or the company must request, 60 days prior to the certificate expiration date, a Certification Audit for its renewal, considering the time required to schedule and conduct the audit, in order to prevent the CEAR certificate from expiring.

The procedure and deadlines of the Certification Audit also apply to the Verification Audit.

The producer and/or the company must cover the costs of the Certification Audit and the annual compliance continuity verification visit.

### 7. CEAR Suspension

The Certification Body shall suspend the CEAR certificate in case the producer and/or the company:

- a) Do not allow the annual compliance continuity verification visit to take place.
- b) Do not allow the renewal Certification Audit to take place.

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- c)** Achieve a score below that established in section 12.1.
- d)** Fail to implement corrective measures to address non-conformities within the term specified.
- e)** Fail to report the total number of worksites, both owned or rented by them, or production and packaging areas, housing areas for workers or harvesting companies hired by them.
- f)** Fail to meet the CEAR requirements.

In case the certificate for the producer and/or the company is suspended, the Certification Body must immediately change the status of the producer and/or the company and inform the CEAR management that said producer and/or company now has a "suspended" status, indicating the reason for the suspension and its effective date.

It should also:

- a)** Inform the producer and/or the company and the CEAR management, in writing, of the reasons for the measure taken and its effective date.
- b)** Request the producer and/or the company to provide the Certification Body, within 48 hours of receiving notice of the suspension, with a detailed plan for corrective measures to be implemented.
- c)** Verify compliance with the corrective measures plan within 30 days of having received said plan. The Certification Body will only verify the corrective actions indicated in the plan.
- d)** In case the verification confirms the correct implementation of the corrective actions plan, the Certification Body must update the status to "Certified" and notify the producer and/or the company, with a copy to the CEAR management, that the suspension has been lifted.
- e)** In case the Certification Body suspends a producer and/or company's CEAR certificate, the producer and/or the company should not claim they have the CEAR certification during the suspension period.



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### 8. Certification cancellation

The Certification Body will revoke the CEAR certificate in case the producer and/or the company:

- a) Have been suspended and fail to submit their plans (within 48 hours) and proof of compliance with corrective measures (within 30 days) approved by the Certification Body.
- b) Are found to use false documents.
- c) In case the producer and/or the company's certificate is revoked, the Certification Body must immediately change their status to "revoked", indicating the reason for the revocation and its effective date.
- d) It should also notify the producer and/or the company, as well as the CEAR management, in writing, that the certificate has been revoked, as well as the reason and its effective date.
- e) Any producer and/or company whose certificate has been revoked may not apply for certification during the 12-month period following the date of cancellation of the certificate.

Any producer and/or company whose certificate has been canceled may not use the CEAR brand. In case they do so, AHIFORES will take legal action over the illegal use of the brand.

### 9. Certification change of scope

In case a producer and/or company expand their operations, they must request the Certification Body, in writing, to conduct an Audit for the new worksites to expand the certification scope.

The Certification Body must conduct an Audit of the additional sites and, if applicable, issue a new certificate.

An Audit conducted to expand the scope will not extend or change the term of the original certificate.

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### 10. Change of Certification Body

The producer and/or the company can decide to choose a different Certification Body before the end of the current certification period.

To that end, the producer or company can visit the website [www.pear.org.mx](http://www.pear.org.mx) and e-mail a release letter to the Certification Body, Annex VI - Release Letter, with a copy to the CEAR management, stating there are no outstanding process for resolution of non-conformities, suspensions or revocations, and their certificate is still valid.

In case the producer and/or the company decide to choose a different Certification Body, the expiration date of the certificate will remain valid.

### 11. CEAR Brand Use

CEAR is a trademark owned by AHIFORES, regulated by the CEAR Brand Rules of Use, and duly registered with the Mexican Institute of Industrial Property.

The following are its use requirements:

- a)** The producer and/or the company are entitled to use the CEAR brand once they have been awarded the certification and during its valid term. However, they will not have any property rights on the CEAR brand.
- b)** Upon awarding the certificate, the Certification Body must inform the producer and/or the company of the CEAR Brand Rules of Use.
- c)** To use or reproduce the CEAR brand, they must follow the specifications described in the CEAR Brand Rules of Use.
- d)** In case of doubts or questions regarding the intended use of the CEAR brand, you can contact the Certification Body with a copy to the CEAR management.

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- e) the producer and/or the company must give the CEAR or Certification Body staff access to verify compliance with the CEAR Brand Rules of Use validating the certification
- f) The CEAR brand cannot be used while the producer and/or the company's certificate is suspended or revoked.
- g) Anyone making an undue use of the CEAR Brand will be subject to legal action.

### 12. CEAR Information System (SICEAR)

The Responsible Agricultural Company Certification Information System (SICEAR) is a computer program owned by AHIFORES and designed to make it easy for the producer and/or the company to conduct assessments and evaluate their implementation. It is also a tool used to process the results of Certification Audits conducted by Certification Bodies.

The management of SICEAR is the responsibility of AHIFORES, which provides producers and/or companies affiliated with AHIFORES and auditors from Certification Bodies with access codes, which can be requested from the CEAR management.

The SICEAR system is fed with data from the CEAR Certification metrics, which define the certification evaluation criteria.

The following shows the different types of indicators and their corresponding value.

Type of indicator	Level
Zero Tolerance	Very high (prevents certification)
Critical	High
Higher	Medium
Lower	Low

## CEAR Regulations Version 2.0

The value of the indicator will vary depending on the indicators that apply or don't apply to the producer and/or the company. The Certification Metrics include a column that specifies those indicators that *May not Apply*, which are indicated with the legend "MNA",

These Metrics are based on a total value of 100 and are distributed depending on the type of indicator. Upon entering the assessment data, the preliminary audit or the Certification Audit, the value determined initially for the indicator may vary due to the value of indicators that *May not Apply* to a producer and/or company. The system activates the formula automatically and redistributes those values among those that do apply.

The weighing process of the formula was calculated based on the following criteria:

**Lower** = Lower (The Lower indicator is the value of reference)

**Higher** = 2 x Lower (The Higher indicator is twice the value of a Lower indicator)

**Critical** = 5 x Lower (The Critical indicator is five times the value of a Lower indicator)

**Zero Tolerance** = 10 x Lower (The Zero Tolerance indicator is ten times the value of a Lower indicator)

The "Type of Indicator" assignment for each indicator evaluated was done considering the risk level involved in the producer and/or the company's failure to comply. In other words, if a Zero Tolerance or Critical value is not achieved, the risk level for the producer and/or the company is higher, which may cause serious legal or commercial problems.

### 12.1 Producer and/or company certification methods

Agricultural operations take place in different forms in the different agricultural regions in the country. Aware of that diversity, the CEAR considers two certification methods.

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### 1. Progressive compliance by a producer and/or company with production and packaging operations in its structure.

A producer and/or company with production and packaging operations in its structure, or only a production or packaging operation, but directly hiring workers for all of its operations, is required to achieve the following progressive scores during the annual compliance continuity verification periods, to become certified.

Year	Minimum Score to become certified	Minimum score achieved during verification
First	80	
Second		80
Third	85	
Fourth		85
Fifth	90	
Sixth		90
Seventh	95	
Subsequent		95

### 2. Progressive compliance for companies whose structure does not include production operations and hiring harvesters through formally established intermediaries.

A packaging company whose structure does not directly include production operations, and hiring personnel dedicated to cutting or harvesting through a formally established intermediary, must resort to progressive compliance to become certified and pass the annual compliance continuity verification.

It is worth noting that the Certification Audit applies to the packaging company, the producers they use as suppliers and the intermediaries through which they hire persons working as cutters or harvesters.

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The following is a description of the minimum score packaging plants must achieve to become certified, and the percentage of producers and intermediaries (related to their operations) that must be certified and verified on an annual basis.

Year	Minimum Score to become certified	Minimum score during verification	% of producers and intermediaries certified
First	75		35
Second		75	35
Third	75		45
Fourth		75	45
Fifth	80		55
Sixth		80	55
Seventh	80		65
Eighth		80	65
Ninth	85		75
Tenth		85	75
Eleventh	85		85
Twelfth		85	85
Thirteenth	90		90
Fourteenth		90	90
Subsequent	90		100

Producers and companies hiring agricultural workers can become certified without participating in the packaging certification, in which case the progressive scale shown in section 1 will apply.

### 13. Requirements for Certification Bodies

Certification bodies are the entities responsible for conducting Certification Audits, issuing the CEAR certificate and performing annual compliance continuity verifications.

#### 13.1 Approval of Certification Body

The Certification Body must complete the following steps to be approved by the CEAR and issue the corresponding certificates:

## CEAR Regulations Version 2.0

- a) Be accredited with the Mexican Accreditation Entity (EMA) under ISO/IEC 17065. The accreditation must specify the scope, the CEAR normative documents and its versions. A scanned copy of that document must be e-mailed to your CEAR contact.
- b) Register on the [www.pear.org.mx](http://www.pear.org.mx) website
- c) Become affiliated with the Association of Professional Social Compliance Auditors (APSCA).
- d) The CEAR system will evaluate the information submitted by the Certification Body and will notify its decision by e-mail within 10 business days.
- e) If the decision is positive, the CEAR system will send the Certification Body the Certification Agreement and the corresponding license within 10 business days.

### 13.2 Causes or reasons for Certification Body disapproval

An acting Certification Body can be disapproved by the CEAR in case any or all of the following anomalies are found:

- a) Proven acts of misconduct
- b) Low performance during the CEAR monitoring process, for example, failure to meet deadlines, low quality of reports submitted, failure to follow Audit protocols and/or confirmation of complaints filed by the parties involved.
- c) Loss of EMA accreditation.
- d) Engaging in any of the practices specified in section 13.8 on conflicts of interest.

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### 13.3 Formalization of relationship with Certification Body

Approved Certification Bodies must register on the website [www.pear.org.mx](http://www.pear.org.mx) to obtain the corresponding operation registration code.

The relationship between the Certification Body and AHIFORES must be formalized by means of an agreement establishing the conditions of the relationship between the parties.

To protect producers and/or companies, a confidentiality agreement must also be entered into between AHIFORES and the Certification Body. In turn, the Certification Body must provide AHIFORES with a copy of the files and confidentiality agreements entered into with each of the auditors and the staff involved in the CEAR certification process.

Certification Bodies can start certifying producers and/or companies only once they have been approved by the CEAR system and accredited by EMA, and the corresponding agreements have been signed.

Accredited and approved Certification Bodies registered on the [www.pear.org.mx](http://www.pear.org.mx) website will have access to the following sections of the database:

- a) Registered companies and sites.
- b) Certified companies and sites.
- c) Approved certification bodies.

### 13.4 Training and qualification of Certification Body personnel

Every Certification Body approved must appoint a contact person, who should represent the Certification Body before the CEAR system and hold the certification manager position.



## CEAR Regulations Version 2.0

The following are the functions of the certification manager:

- a)** Become a CEAR qualified auditor (see auditor requirements).
- b)** Participate in coordination activities at the CEAR system's request.
- c)** Be available on a regular basis; in other words, he/she should not have been hired by the Certification Body for the occasion, but be involved in the operational decision-making process and/or the Certification Body's management.
- d)** Be responsible for e-mailing to CEAR a signed acknowledgment of receipt for any communication requiring it.
- e)** Respond to inquiries made by the CEAR system regarding the operations indicated in the communication.
- f)** Share all the information received from the CEAR system with the staff of the Certification Body involved in CEAR activities.
- g)** Request from the CEAR management the certificate's consecutive number.

In the case of CEAR Audits, the Certification Body must only use and/or hire auditors who meet the requirements specified herein.

All approved Certification Bodies must have a CEAR internal instructor, who should be trained and approved by AHIFORES, with a minimum score of 90.

Approved Certification Bodies must have at least two auditors meeting the competence requirements required: one to conduct CEAR audits and another to make decisions regarding the certification process.

The Certification Body must verify, document and supervise the CEAR auditors' competence requirements, including their initial training and refresher training requirements.

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### 13.5 Auditor's Profile

The auditor is the person responsible for the CEAR certification process. He/she is the person conducting the Audit on the producer and/or the company.

The Audit process consists of activities such as planning (Audit objectives, scope and schedule), conduction (follow the full Audit protocol: opening, evidence gathering and evaluation, and communication with the producer and/or the company during the audit process and closing), and conclusion (compilation of findings in the final Audit report).

Therefore, the auditor must be familiarized with the CEAR Audit protocols and criteria. He/she must have the ability to apply the knowledge and skills acquired as a result of his/her education, work experience, auditor training or auditing experience.

The auditor must have general experience in the different processes of the audit, but should also have an area of specialization in the agriculture sector.

To be able to conduct the Audit, the auditor must be familiarized with the Audit standards, procedures and methods, as well as the size, nature and complexity of the company to audit, and understand the magnitude of the Audit program and its risks to ensure it will be completed in the period of time designated.

The auditor should behave professionally throughout the Audit process and have qualities such as ethics, integrity, an open mind, diplomacy, observation, perception, versatility, tenacity, self-confidence, openness to cultural differences and improvements and, above all, respect.

## CEAR Regulations Version 2.0

The auditor's profile:

- a)** Bachelor's degree, preferably in fields of agriculture, industry, administration, law or social science. A PhD in the areas of Social Responsibility or labor legislation is desirable.
- b)** Proven experience (minimum of 3 years) in Audits on agricultural companies' management systems.
- c)** Proven experience in any of the International Social Responsibility Standards and Norms for the sector, such as Fair Trade, Rainforest, GLOBAL G.A.P Grasp, SA 8000, OHSAS 18001, SMETA and ISO 26000, among others.
- d)** Take the CEAR training course led by AHIFORES and pass the corresponding exam with a minimum score of 90.

### 13.6 CEAR auditor qualification maintenance

- a)** The Certification Body must have a procedure in place to ensure each CEAR auditor either conducts a minimum of 3 CEAR audits a year, or
- b)** Takes a refresher course on the CEAR normative documents, in case a new version is released, and approve the exam administered by AHIFORES with a minimum score of 90.
- c)** The Certification Body must conduct a performance evaluation for each of their CEAR auditors, at least every 4 years.

Any (electronic) communication in writing between the Certification Body, the producer and/or the company must be copied to the CEAR management.

### 13.7 Certificate characteristics and control

Certificates issued by Certification Bodies must follow a standard design authorized by AHIFORES. In case the Certification Body wants to issue a certificate, it must request the CEAR management, via e-mail, the consecutive number to be assigned to the producer and/or company certified.

## CEAR Regulations Version 2.0

That certificate will not be valid if the control number was not assigned and registered by AHIFORES.

### 13.8 Certification Bodies Conflicts of Interest

Certification Bodies cannot perform Certification Audits on companies that sell them services to conduct assessments, provide advice on implementation or conduct CEAR preliminary audits.

Also, Certification Bodies should not promote or recommend the services of individuals or companies to conduct assessments, provide advice on implementation or conduct preliminary CEAR audits for producers and/or companies interested in obtaining the CEAR certification.

In case a producer and/or company approaches the Certification Body, or its external auditors, for questions or to request technical advice for the CEAR assessment and/or implementation process, they must be referred to the [www.ahifores.com](http://www.ahifores.com) website, where they will find a list of persons offering those services who have gone through the AHIFORES training and approval process.

### 14. DEAR to CEAR transition

The change from the Responsible Agricultural Company Distinction (DEAR) to the Responsible Agricultural Company Certificate (CEAR) was in response to a request from producers and agricultural companies associated with AHIFORES.

The DEAR and CEAR brands are owned by AHIFORES and are directly related to the Social Responsibility Good Practices certification standard for the agriculture sector.

## CEAR Regulations Version 2.0

### 14.1 Transition for Certification Bodies

Certification Bodies accredited with the DEAR 1.0 version must train their staff participating in the CEAR conformity evaluation. Once they approve the exam administered by AHIFORES with a minimum score of 90 and present a valid on their EMA accreditation, they can conduct CEAR version 2.0 Certification Audits.

### 14.2 Transition for DEAR certified companies

DEAR certified companies whose certificates are still valid must renew their certification with the CEAR 2.0 version; the history of their first certification record will be respected.

Those companies awarded the DEAR certification whose certificates are no longer valid can apply to obtain the CEAR certification, but their DEAR certificate will no longer be part of their historic records.

## 15. Glossary

**Agricultural Social Responsibility:** The producer and/or company's response to the impacts of their productive activities that has a positive (benefits) or negative (damages) impact on the environment and the different groups of interest around it.

**AHIFORES:** International Produce Alliance to Promote a Socially Responsible Industry

**Assessment:** An internal evaluation process followed by the producer and/or the company to review the current level of compliance with the CEAR criteria, before the Certification Body starts the audit process.

**CEAR:** Responsible Agricultural Company Certification.

**CEAR management:** The AHIFORES Certification Management Unit.

## CEAR Regulations Version 2.0

**CEAR Standard:** The general guidelines, standards and normative documents of the CEAR certification system.

**Certification Body:** A corporation, organization or public or private institution accredited by the Mexican Accreditation Entity (EMA) to conduct Certification Audits.

**Document verification:** For CEAR purposes, it refers to the process of assessment, review, verification and ratification of documents of the company interested in obtaining the CEAR, to evaluate the level of compliance with its requirements.

**EMA:** Mexican Accreditation Entity.

**Findings:** Relevant facts or information, identified by the auditor, that must be communicated to the producer and/or the company.

**GFSI:** Global Food Safety Initiative.

**Good Social Responsibility Practices:** Actions implemented by a producer and/or company to improve the well-being and quality of life of workers and their families, with respect for their worker's labor and social rights. It also includes environmental protection.

**GSCP:** Global Social Compliance Program.

**ISO/IEC 17065:** An international standard that specifies requirements for competence, consistency of activities and non-bias of bodies certifying products, processes and services.

**Non-conformity** Failure to comply with any criteria based on the CEAR Checklist that requires the implementation of corrective actions for implementation and compliance with the indicator.

## CEAR Regulations Version 2.0

**Producer and/or company:** For CEAR purposes, a legally accredited individual, or legally established corporation, performing operations in farmlands, orchards, ranches or agricultural facilities for the production and packaging of agricultural products.

**Scope:** Workplace, area or personnel involved in the certification process.

**SICEAR:** Responsible Agricultural Company Certification Information System.

**Zero Tolerance Indicator:** Failure to comply with a CEAR requirement that, on the basis of objective evidence, creates reasonable doubt about the quality of the company's Agricultural Social Responsibility system and prevents it from obtaining the CEAR certification.

**Verification:** Confirmation, review or ratification of authenticity.



# Certification Metrics

Version 2.0





# Certification metrics version 2.0

		Responsible Agricultural Company Certification					
CEAR Certification Metrics							
Version 2.0							
No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value	
		1. Process quality management					
1.1	Top management commitment	The producer and/or the company must formalize, through a letter signed by the owner or its legal representative, its willingness to incorporate, implement and make investments for the implementation of good Social Responsibility practices.	Verify there is a commitment in writing signed by the owner or legal representative to follow good Social Responsibility practices.		Critical	1.3587	
1.2	Professionalization of Social Responsibility personnel	The producer and/or the company must have a duly trained work team responsible for planning, organizing, executing, evaluating and implementing a continuous improvement program to comply with the policies, procedures and criteria included in good Social Responsibility practices to benefit workers and their families. That personnel must be part of an ongoing training program. Staff training and per diem costs must be covered by the producer and/or the company.	The producer and/or the company have a Social Responsibility team with proven training for the implementation of good Social Responsibility practices. They are also evaluating and implementing an ongoing training program in the company. Staff training and per diem costs are paid by the producer and/or the company.		Critical	1.3587	
1.3	Social Responsibility Manual	They must have an authorized Social Responsibility Manual that includes the policies, procedures and records required for the implementation of a Social Responsibility Management System. In case the producer and/or the company's workers speak a language other than Spanish, or don't know how to read, the process of sharing the contents of the Manual must take those particularities into consideration.	Verify the Social Responsibility Manual is duly authorized and available either in print or in electronic format. The language used in the Manual's dissemination materials should be easy to understand, considering those workers who don't speak Spanish and/or don't know how to read.		Higher	0.5435	

# Certification metrics version 2.0

		Responsible Agricultural Company Certification					
		CEAR Certification Metrics					
Version 2.0							
No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value	
		1. Process quality management					
1.3.1 a	Social Responsibility Policy	The producer and/or the company's commitment to the implementation of good Social Responsibility practices must be expressed through a policy that prohibits activities such as human trafficking for the purpose of labor exploitation involving force, fraud or coercion; forced labor, slavery, servitude and labor exploitation; respect for labor and social rights, and environmental protection.	Verify the Manual includes a Social Responsibility policy published, disseminated and implemented that contains the elements indicated in the standard.		Critical	1.3587	
1.3.1 b	Personnel management policy	The producer and/or the company must have a personnel management policy that includes temporary, seasonal and/or permanent workers working in production, harvesting, packaging and administration areas, and in all of the operations in their facilities.	Verify the Manual includes a personnel management policy disseminated and implemented.		Higher	0.5435	
1.3.1 c	Child labor prohibition policy	They must have a policy that prohibits child labor in accordance with current labor laws and/or the determinations of the competent authority.	Verify the Manual includes a child labor prohibition policy published, disseminated and implemented.		Lower	0.2717	
1.3.1 d	Right of opinion and freedom of speech policy	They must have a policy of the right of opinion and freedom of speech for their workers and all the persons involved in their operations. The policy should also state that intermediaries participating in employee recruitment, hiring and/or transportation operations must abide by and implement this policy.	Verify the Manual includes a policy on the right of opinion and freedom of speech, disseminated and implemented, that also applies to intermediaries.		Lower	0.2717	

# Certification metrics version 2.0

		Responsible Agricultural Company Certification				
		CEAR Certification Metrics				
Version 2.0						
No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value
		1. Process quality management				
1.3.1 e	Inclusion policy	The producer and/or the company must have an inclusion policy, including non-discrimination, non-harassment, non-bullying and substantive equality between men and women.	Verify the Manual includes an inclusion policy disseminated and implemented.		Critical	1.3587
1.3.1 f	Occupational Safety and Health Policy	The producer and/or the company must have a risk prevention and occupational disease policy to protect the health and lives of workers.	Verify the Manual includes a risk prevention and occupational disease policy disseminated and implemented.		Lower	0.2717
1.3.1 g	Environmental Policy	The producer and/or the company must commit to environmental protection, contamination prevention and compliance with legal requirements to improve their environmental performance.	Verify the Manual includes an environmental policy disseminated and implemented.		Lower	0.2717
1.3.2 a	Personnel management procedure	They must have a personnel management procedure documented –including provisions for temporary, seasonal and/or permanent workers for all of the company's operations– that corresponds to the activities actually carried out. The procedure should include the prohibition to require pregnancy tests for hiring of women and the implementation of equal training and promotion opportunities for men and women, applying the right of preference and seniority.	Verify there is a procedure in writing and implemented to manage personnel in accordance with the standard. The procedure can be printed on paper or in electronic format		Higher	0.5435

# Certification metrics version 2.0

		Responsible Agricultural Company Certification					
CEAR Certification Metrics							
Version 2.0							
No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value	
		1. Process quality management					
1.3.2 b	Procedure to regulate the relationship with intermediaries.	The producer and/or the company must have a procedure in writing regulating the relationship with intermediaries for the recruitment, hiring and/or transportation of temporary, seasonal and/or permanent workers, that corresponds to their operations.	Verify there is a procedure in writing and implemented to regulate the relationship with intermediaries. The procedure can be printed on paper or in electronic format.		Lower	0.2717	
1.3.2 c	Procedure for Culture of Lawfulness actions	The producer and/or the company must have a procedure whose implementation includes a Culture of Lawfulness Plan that prohibits engaging in acts of corruption, extortion, theft or breach of trust. The procedure should also include follow-up on actions and sanctions on those failing to comply with it. The procedure should be in writing and be consistent with the company's daily activities.	Verify there is a procedure in writing and implemented that includes Culture of Lawfulness actions. The procedure can be printed on paper or in electronic format.		Lower	0.2717	
1.3.2 d	Procedure on the right of opinion and freedom of speech	The producer and/or the company must have a procedure on the right of opinion and freedom, in writing and implemented, consistent with its operations. The procedure must state that intermediaries participating in employee recruitment, hiring and/or transportation processes must abide by and implement this procedure.	Verify there is a procedure in writing and implemented in connection with the right of opinion and freedom of speech that is also shared with intermediaries. The procedure can be printed on paper or in electronic format		Lower	0.2717	

# Certification metrics version 2.0

		Responsible Agricultural Company Certification				
CEAR Certification Metrics						
Version 2.0						
No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value
1. Process quality management						
1.3.2 e	Inclusion procedure	They must have a procedure on inclusion, substantive equality and respect between men and women, in writing and consistent with their operations.	Verify there is a procedure, in writing and implemented, in connection with inclusion, substantive equality and respect between men and women. The procedure can be printed on paper or in electronic format		Critical	1.3587
1.3.2 f	Occupational Safety and Health Procedure	The producer and/or the company must have a risk prevention and occupational disease procedure, in writing and consistent with their operations, in compliance with the Mexican Official Standards of the Ministry of Labor and Social Welfare.	Verify there is a procedure, in writing and implemented, in connection with risk prevention and occupational diseases. The procedure can be printed on paper or in electronic format		Lower	0.2717
1.3.2 g	Environmental protection procedure	The producer and/or the company must have an environmental protection procedure, in writing and consistent with their operations, in compliance with environmental legislation of the Ministry of the Environment and Natural Resources (SEMARNAT).	Verify there is an environmental protection procedure in writing and implemented. The procedure can be printed on paper or in electronic format		Lower	0.2717
1.3.3 a	Code of Conduct (CoC)	The producer and/or the company must have a Code of Conduct in writing that includes the values behind Social Responsibility actions.	They must present the Code of Conduct, either printed on paper or in electronic format, as well as evidence of follow-up on actions and sanctions on those violating such Code.		Higher	0.5435
1.3.3 b	Internal Work Rules (IWRs)	They must have up-to-date Internal Work Rules, taking into account the producer and/or the company's operations, in compliance with current legislation, submitted before the competent authority in the terms of the Federal Labor Law.	The producer and/or the company must have Internal Work Rules in writing, up-to-date and submitted to the competent authority.		Higher	0.5435

# Certification metrics version 2.0


		Responsible Agricultural Company Certification					
		CEAR Certification Metrics					
Version 2.0							
No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value	
		2. Labor rights					
2.1.1 a	Formalize the service relationship with the intermediary	The producer and/or business must formalize, by means of a written agreement, the services agreed upon with the intermediary participating in workers' recruitment, hiring and/or transportation processes. That agreement must abide by current legislation in the country and include a clause indicating the agreement may be terminated if the intermediary engages in deceptive practices or activities such as human trafficking or the violation of workers' labor and/or human rights.	The written agreement produced must be duly signed by the employer and the intermediary, and should include a termination clause in case the intermediary deceives workers and/or engages in activities such as human trafficking or the violation of workers' labor or human rights.	MNA	Critical	1.3587	
2.1.1 b	Cost of intermediary services	The producer and/or the company must ensure the intermediary doesn't charge workers for hiring or transportation services. Also, such services cannot be deducted from their salaries.	Interview workers and verify, by means of documents, that the intermediary's services are paid by the employer.	MNA	Higher	0.5435	
2.1.1 c	Intermediaries included as service providers	The producer and/or the company's list of suppliers must include the individuals or corporations intervening in the recruitment, hiring and/or transportation of workers. They should also keep records of individuals rendering services to the producer and/or the company, including their general information.	Verify intermediaries are included in the producer and/or company's list of suppliers, which should also include their general information.	MNA	Lower	0.2717	

# Certification metrics version 2.0

		Responsible Agricultural Company Certification					
		CEAR Certification Metrics					
Version 2.0							
No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value	
		2. Labor rights					
2.1.1 d	Publicize job offers	Employers must inform intermediaries, in writing, of the nature and conditions of the job (the type of job to perform, the documents required, salary, benefits, and confirmation that the employer will pay for medical exams and training required for workers). In the case of migrant workers, they must specify the employer will cover transportation and hiring costs, and specify the conditions of social welfare services and lodging facilities. They should also produce written approval from the persons recruited, stating they agree to the conditions of work.	Verify the company and the intermediary have publicized job offers, specifying working and housing conditions, and also that the worker has signed an approval document.	MNA	Higher	0.5435	
2.1.1 e	Safe transportation for workers	The producer and/or the company must ensure workers are transported in vehicles owned or rented by the employer that are clean, comfortable, in good mechanical condition and have the following valid documentation: personnel transportation permit, vehicle registration, vehicle insurance policy with liability coverage, vehicle pollution control certificate (or vehicle maintenance records) and driver's license. They should also produce evidence that the payment for workers transportation services are paid by the company, not the worker.	Physical inspection to confirm those vehicles meet the corresponding requirements and have the necessary documentation, and also that transportation is paid by the company.	MNA	Higher	0.5435	



# Certification metrics version 2.0

		Responsible Agricultural Company Certification					
		CEAR Certification Metrics					
Version 2.0							
No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value	
		2. Labor rights					
2.1.1 f	List of workers	The intermediary must provide the producer and/or the company with a list of the persons recruited, hired and/or transported that includes, as a minimum, the general information of the service provider, the places of origin or residence of the workers hired, and the workers' general Information (name, sex, age, CURP [unique population registry code] and social security number).	Verify the producer and/or the company keep track of the intermediaries' lists of workers recruited and transported.	MNA	Lower	0.2717	
2.1.1 g	Workers' satisfaction survey	Any producer and/or company using intermediaries to hire workers must establish a mechanism to evaluate workers' satisfaction, which should include confirmation that the job conditions offered were respected and the intermediary is not engaging in practices considered as human trafficking.	The producer and/or the company must evaluate the satisfaction of workers hired through intermediaries, by means of questionnaires administered to all the workers.		Lower	0.2717	
2.2.1 a	Voluntary hiring	Workers must be free to stay or not in the employment relationship, and they cannot be forced to stay with the producer and/or the company if they do not want to do so.	Direct interviews with workers to verify they are staying in the employment relationship voluntarily.		Zero Tolerance	2.7174	


# Certification metrics version 2.0

		Responsible Agricultural Company Certification					
		CEAR Certification Metrics					
Version 2.0							
No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value	
		2. Labor rights					
2.2.1 b	Individual contract	The relationship with trusted (non-unionized) and permanent workers is formalized by means of a duly signed individual contract. Where no Collective Bargaining Agreement or Law-Contract exists, temporary and seasonal workers should also have an individual contract in compliance with current labor laws. In case the producer and/or the company have employees on trial periods or in initial training, the corresponding contracts must be signed. Those contracts should include copies of the worker's identity documents, proof of address, birth certificate, CURP and official ID. The worker should receive a copy of the contract.	The employment relationship between the employer and the worker must be formalized by means of a duly signed individual contract, a copy of which must be delivered to the worker. The contract should include copies of the worker's identity documents and proof of address. Verify compliance with contract requirements by means of direct interviews.		Critical	1.3587	
2.2.1 c	Prohibition of exploitation of labor	Workers should not be subjected to exploitation of labor practices that jeopardize their dignity, health or lives, such as hazardous or unhealthy conditions without the protection required, a disproportionate gap between the amount of work done and the payment for it, or a salary below legal limits. The worker should be treated in a humane and dignified manner at all times	Direct interviews with workers to verify the company is not engaging in exploitation of labor practices.		Zero Tolerance	2.7174	

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No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value
<b>2. Labor rights</b>						
2.2.1 d	Prohibition of forced labor	The producer and/or the company should not engage in practices considered as forced labor, such as actual use of force, threats of use of force, physical coercion or threats of physical coercion against their workers.	Direct interviews with workers to verify the company is not engaging in forced labor practices.		Zero Tolerance	2.7174
2.3	Work shift	The producer and/or the company must respect work shifts and keep records of times of arrival and exit for temporary, seasonal and/or permanent workers, in accordance with current labor legislation.	Verify temporary, seasonal and/or permanent workers' attendance records are kept, and also that legal provisions regarding work shifts are complied with.		Critical	1.3587
2.4	Overtime	The producer and/or the company must prove workers work overtime voluntarily and they are paid in accordance with labor laws.	Verify records of hours worked by workers are kept and they include information on overtime worked. They must produce receipts showing the payment of workers' overtime.	MNA	Critical	1.3587
2.5.1	Minimum salary	In the case of workers hired by shift, piecework, performance or task, their salary should not be lower than the minimum daily wage for the region where they do the job. The employer must pay its workers the corresponding salaries for the time invested in mandatory activities such as training or work meetings.	Verify, by means of paperwork and interviews, that the payment of workers' daily wages is not below the general minimum wage for the region, and also that workers are paid their salaries while attending training courses or work meetings.		Critical	1.3587

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		Responsible Agricultural Company Certification				
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No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value
2. Labor rights						
2.5.2	Salary protection	Salaries must be paid directly to workers, either weekly or every fifteen days, depending on the type of worker. Workers must be free to spend their salary, which should be paid at the workplace, on business days, and only deductions permitted by law can be made. Payment receipts can be printed or in the form of Internet digital tax receipts (CFDIs). In case they are printed, they must bear the worker's original signature to be valid. In case salaries are paid via debit card, those cards cannot be delivered to third parties associated with the company for their management. They should be held and managed directly by workers.	Verify electronic or printed payrolls comply with the legal provisions on payment of salaries. Conduct interviews with workers to verify compliance with general salary conditions and delivery of copies of payment receipts.		Zero Tolerance	2.7174
2.5.3	Worker's seniority records	The producer and/or the company must have a list of seasonal workers hired to keep track of periods worked, which must be used to keep track of workers' seniority.	Verify there is a list of seasonal workers that includes information on periods worked.		Lower	0.2717
2.6.1	Social Security	The producer and/or the company must provide temporary, seasonal and/or permanent workers with social security benefits. Workers must be informed of the social security benefits available to them and their beneficiaries.	Verify affiliation procedures and evidence of payments of social security fees made by the company The documents presented can be printed on paper or in electronic format. Interviews with workers to verify they are receiving social security benefits and they are informed of those benefits.		Critical	1.3587


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No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value
		2. Labor rights				
2.6.2	Vacations and vacation bonuses	The producer and/or the company must provide vacations and vacation bonus benefits to temporary, seasonal and/or permanent workers, in accordance with current laws.	Verify physical or electronic accounting records exist to confirm the producer and/or the company are paying vacations or vacation bonuses to temporary, permanent and/or seasonal workers.		Critical	1.3587
2.6.3	Christmas bonus	The producer and/or the company must pay Christmas bonuses benefits to temporary, seasonal and/or permanent workers, in accordance with current laws.	Verify physical or electronic accounting records exist to confirm the producer and/or the company are paying Christmas bonuses to temporary, permanent and/or seasonal workers.		Critical	1.3587
2.6.4	Paid day of rest	The producer and/or the company must provide day of rest payment benefits to temporary, seasonal and/or permanent workers, in accordance with current laws.	Verify physical or electronic accounting records exist to confirm the producer and/or the company are paying days of rest to temporary, permanent and/or seasonal workers.		Higher	0.5435
2.7	Worker's settlement/severance pay	Once the contract comes to an end, or in case the worker or the employer decide to terminate the employment relationship, the employer should not withhold any payment or benefits owed to the worker, including salaries, compensations, benefits, extra payments or any other benefits the worker is entitled to. The employer can only make those deductions authorized by law. A printed or electronic receipt must be provided to the worker.	The producer and/or the company must prove settlement or severance payments include the payment of those rights acquired by the worker and no amounts were withheld illegally. The worker should receive a copy of the receipt.		Critical	1.3587
2.8.1 a	Notice of pregnant female workers.	The producer and/or the company must have a notification and record keeping system female workers can use to inform they are pregnant.	They must prove there is a notification and registration system for pregnant women.	MNA	Lower	0.2717


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No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value	
		2. Labor rights					
2.8.1 b	Reassignment of pregnant workers.	Any pregnant woman performing hazardous activities must be reassigned to other tasks, and the producer and/or the company must keep records of such reassignments.	Records of reassignments of pregnant workers must exist.	MNA	Critical	1.3587	
2.8.1 c	Social security for pregnant workers	Pregnant workers are entitled to a paid maternity leave. If the number of weekly fees paid to the IMSS is not enough for them get a paid leave, the producer and/or the company must pay for it.	Produce maternity leave documents issued by the IMSS and evidence of payment of maternity leaves by the IMSS or the company.	MNA	Critical	1.3587	
2.8.1 d	Right to breastfeed	The producer and/or the company must respect and enforce the right to breastfeed in accordance with current labor laws.	Verify the existence of individual records of benefits for breastfeeding women.	MNA	Critical	1.3587	
2.9	Substantive Equality and Non-Discrimination	The producer and/or the company must have a protocol in place to guarantee substantive equality and non-discrimination. In no case should working conditions be inferior to those established in the Federal Labor Law, and they should be proportional to the importance of services, and equal for equal jobs. No differences or exclusions should be made for reasons of discrimination such as ethnicity or nationality, gender, age, disability, social condition, health condition, religion, immigration status, opinions, sexual preference, marital status, pregnancy condition, family responsibilities, or any other that threatens human dignity.	The producer and/or the company must prove they have a protocol in place to guarantee substantive equality and non-discrimination.		Higher	0.5435	

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No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value	
		2. Labor rights					
2.10	Child labor	The producer and/or the company must have a record-keeping protocol to ensure their child labor prohibition policy is followed, and also that children do not have access to shops, production, packaging or warehousing areas.	Verify there is a protocol in place to prevent access by, and the hiring of, children. Observe workers and perform random verifications of personnel files to confirm no children are being hired.		Zero Tolerance	2.7174	
2.11.1. a	Freedom of association in civil society organizations.	The producer and/or the company must respect their workers' freedom to organize in a temporary or definitive manner to seek better conditions of work, or as a means to promote actions to improve their wellbeing and quality of life and those of their families. That freedom must be expressed in minutes of workers' meetings or the articles of incorporation of the workers' organization created.	Show the articles of incorporation of the workers' association and minutes of their assemblies or meetings.	MNA	Lower	0.2717	
2.11.1. b	Right to Organize	The producer and/or the company must guarantee the right to organize for workers. Under no circumstances should they intervene to attempt to convince workers of joining or not joining a trade union. The company should also create the conditions for the Union to fulfill its duty of protecting workers' labor rights.	Show evidence workers freely made the decision to join the union. Letter of appointment of trade union delegate addressed to workers, and trade union affiliation list. Evidence of meetings with union leaders.	MNA	Critical	1.3587	

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No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value	
		2. Labor rights					
2.11.1 c	Initial Collective Bargaining Agreement	The producer and/or the company must show the Initial Collective Bargaining Agreement in compliance with current labor laws, and no trusted (non-unionized) workers should be included. The terms and conditions agreed upon cannot be inferior to those of individual contracts previously entered into between the company and workers, For the Collective Bargaining Agreement to be considered legitimate and valid, it must be subjected to personal, free and secret voting, with support of at least 50% plus 1 of the workers; this must be shown with the official voting document. By means of interviews with workers, verify the company complies with the provisions of such agreement. The worker must receive a copy of the Collective Bargaining Agreement with the company.	Verify there is a valid Collective Bargaining Agreement in compliance with current labor legislation, ensuring the terms and conditions agreed upon are not inferior to those of previous individual contracts. The Collective Bargaining Agreement should also be legitimated and validated by the workers. Workers must be interviewed to confirm the conditions of the Collective Bargaining Agreement are being met and they received a copy thereof.	MNA	Critical	1.3587	




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No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value	
		2. Labor rights					
2.11.1 d	Collective Bargaining Agreement existing prior to the 2019 Labor Reform.	In case the producer and/or the company already have a Collective Bargaining Agreement entered into with a Union, they must meet the following requirements: ensure workers know the CBA; create the conditions necessary for the competent authority to be able to verify workers know the CBA; prove to the authority, by means of documents, that workers know the CBA, that the CBA is renewed when workers are willing to do so or express their interest in such renewal, and that the CBA reached between the company and the Union was subjected to approval by the majority of workers (50% plus 1), at an assembly and through personal, free and secret votes, which must be verified by the competent authority; that the CBA approved is filed before the competent authority, and a copy of the CBA was delivered to the worker,	Show evidence the Collective Bargaining Agreement of the producer and/or the company existing prior to the 2019 Labor Reform is in compliance with current legislation. Workers must be interviewed to confirm the conditions of the Collective Bargaining Agreement are met and they received a copy thereof.	MNA	Critical	1.3587	
2.11.1 e	Revision Agreement	The Revision Agreement must be entered into annually in the presence of the competent authority. The Union must disclose the contents of the Revision Agreement and, at an assembly, subject it to the approval (every two years) of the majority of workers (50% plus 1), through personal, free and secret votes. The Revision Agreement approved must be filed before the competent authority, and the worker must receive a copy thereof from the company.	Verify the Revision Agreement follows the legal protocol and the worker receives a copy thereof.	MNA	Critical	1.3587	


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No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value
		2. Labor rights				
2.12	Right of opinion and freedom of speech	The producer and/or the company and intermediaries involved in the hiring process must create the conditions necessary for the workers to freely express their ideas and encourage individuals related to the company to file complaints and make suggestions. Also, corrective actions should be taken, with a process to follow-up on every complaint and suggestion made.	The producer and/or the company and intermediaries must prove there is a follow-up process and measures are taken to address complaints, suggestions and recommendations received.		Higher	0.5435
2.13	Bullying and harassment prevention	The producer and/or the company must have a harassment and bullying prevention and assistance protocol in place, based on ongoing training and communication, for their workers. That training must be targeted at all their employees, and they must also ensure their top management, heads of production, supervisors, intermediaries, contractors, farm managers, farm supervisors, crew leaders and dispatchers receive training in those subjects. They should also have harassment and/or bullying complaint filing mechanisms in place, ensuring workers are protected from retaliation. They should have mechanisms to take corrective measures and impose sanctions on those who engage in these prohibited behaviors.	Verify there is a bullying and harassment prevention and assistance protocol. Document cases, corrective actions and sanctions imposed on those who have violated the company's policy. They must show evidence of dissemination and training actions to prevent bullying and harassment.		Critical	1.3587


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No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value
<b>3. Well-being for workers and their families</b>						
3.1.1 a	Housing location	The location of shelters, inns, homes or housing facilities for workers must be less than 100 meters away from farming areas.	Verify the minimum distance of 100 meters between housing and farming areas is respected.	MNA	Higher	0.5435
3.1.1 b	Housing spaces	Lodging facilities for workers must have a minimum area of 3 square meters per worker. In the case of workers migrating together with their families, the minimum area should be 4.5 meters per adult person, with a maximum limit of two adults and two children for each adult for the resulting space. In case that number is exceeded, the minimum space available should be 2 square meters per person.	Verify migrant workers have access to housing areas with the minimum space required.	MNA	Higher	0.5435
3.1.1 c	Housing characteristics	Housing facilities for migrant workers must have the following characteristics: they should have solid floors, not soil floors; walls can be made of different solid materials, except for cardboard or galvanized or metal sheets; roofs can be of any material, except for cardboard sheets.	Verify housing facilities have the characteristics specified.	MNA	Critical	1.3587
3.1.1 d	Housing conditions	The producer and/or the company must provide migrant workers with housing spaces in good condition, with privacy, safe, comfortable, hygienic, and with basic services and appropriate maintenance paid by the company, for which records must exist. The housing designation process must be documented upon assignment.	Verify workers are provided with housing in good condition, with privacy, safe, comfortable, hygienic, and with basic services and maintenance paid by the company. The assignment of housing must be documented and records of maintenance to the facilities must be made available.	MNA	Higher	0.5435


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No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value	
		<b>3. Well-being for workers and their families</b>					
3.1.1 e	Housing areas must have toilets.	Housing areas must have functioning toilets in good condition, with hygiene and privacy. There should be at least 1 toilet for every 25 persons.	Verify there is at least 1 toilet for every 25 persons with the characteristics specified.	MNA	Higher	0.5435	
3.1.1 f	Housing areas must have showers.	Housing areas must have functioning showers in good condition, with hygiene and privacy. There should be at least 1 shower for every 25 persons.	Verify there is at least 1 shower for every 25 persons with the characteristics specified.	MNA	Higher	0.5435	
3.1.1 g	Housing areas must have lavaderos	Housing areas must have functioning "lavaderos" (concrete laundry tubs with washboards) in good condition, with hygiene and privacy. There should be at least 1 lavadero for every 25 persons.	Verify there is at least 1 lavadero for every 25 persons with the characteristics specified.	MNA	Higher	0.5435	
3.1.1 h	Drinking water in housing areas	The producer and/or the company must provide free access to water for human consumption for the residents of housing areas, which should meet the parameters for physical, organoleptic and microbiological characteristics established in amendment to standard NOM-127-SSA1-1994`.	Verify water for human consumption meets the parameters for physical, organoleptic and microbiological characteristics established in amendment to standard NOM-127-SSA1-1994 and it is freely available.	MNA	Critical	1.3587	
3.1.1 i	Cafeteria in housing areas	In case the producer and/or the company hire workers without their families, or in case housing facilities do not have a kitchen area, or the agreement with workers specifies the company or the intermediary must provide meals, hygienic and appropriate facilities must exist for food preservation, preparation and consumption.	Verify cafeterias in housing areas are clean and fit for food preservation, preparation and consumption.	MNA	Higher	0.5435	

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No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value
		<b>3. Well-being for workers and their families</b>				
3.1.1 j	Meal services for workers	In case the business owner or any third party related to the company provides meal services in cafeterias located in production, packaging or housing areas, workers should be free to choose if they want to eat their meal in that place, and the prices of those meals (including food and drinks) cannot exceed 10% of the worker's daily salary. Also, the costs of such service should not be directly deducted from their salary; workers must pay for it directly.	Interview workers to verify they are freely using meal services in cafeterias provided by the company or a third party paid by it, that meals are provided at a price that does not exceed 10% of their daily wage, and the cost of such meals is not deducted from their salaries.	MNA	Higher	0.5435
3.1.1 k	Cleaning services in housing areas and/or houses for workers	The producer and/or the company must keep records of cleaning services, ensuring all the facilities, corridors and the perimeter of housing complexes and/or homes are kept clean and free from flooding, mosquito breeding spaces or junk.	Verify logs documenting cleaning activities in housing facilities and/or houses, and also that they are actually clean.	MNA	Higher	0.5435
3.1.1 l	Prohibit the use of charcoal or firewood stoves	Residents in housing spaces and/or houses provided by producers should not be allowed to cook in charcoal or firewood stoves.	Verify charcoal or firewood stoves are not used in housing areas.	MNA	Lower	0.2717
3.2.1.1 a	Childcare Facility Certification	Childcare facilities must have a certification and/or permit issued by the competent authority for their operation, so protection and care for child beneficiaries are guaranteed.	They must show the certificate and/or a valid operation permit, issued by the competent authority for the operation of the childcare facility.	MNA	Critical	1.3587
3.2.1.1 b	Meals in Childcare Facility	The producer and/or the company must provide free and good quality meals to all the child beneficiaries in the childcare facility.	Interviews with parents to verify meals provided to children in the childcare facility are actually free.	MNA	Higher	0.5435


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<b>3. Well-being for workers and their families</b>						
3.2.2.1 a	Preschool education	The producer and/or the company must ensure access to preschool education for the children of workers living in housing complexes and/or houses provided by the producer.	Verify there are attendance/enrollment records or documentation for the children of workers living in the company's housing facilities receiving preschool education .	MNA	Higher	0.5435
3.2.2.1 b	Primary education	The producer and/or the company must ensure access to primary education for the children of workers living in housing complexes and/or houses provided by the producer.	Verify there are attendance/enrollment records or documentation for the children of workers living in the company's housing facilities receiving primary education .	MNA	Higher	0.5435
3.2.2.1 c	Secondary education	The producer and/or the company must ensure access to secondary education for the children of workers living in housing complexes and/or houses provided by the producer.	Verify there are attendance/enrollment records or documentation for the children of workers living in the company's housing facilities receiving secondary education .	MNA	Higher	0.5435
3.2.2.1 d	Preparatory education	The producer and/or the company must ensure access to preparatory (high school) education for the children of workers living in housing complexes and/or houses provided by the producer.	Verify there are attendance/enrollment records or documentation for the children of workers living in the company's housing facilities receiving preparatory education .	MNA	Higher	0.5435
3.2.2.1 e	School transport	In case the school is not located inside the housing areas, the producer and/or the company must provide safe school transport for the children of workers living in housing complexes and/or houses provided by the producer. The producer should also keep records of school transport services including, as a minimum, the following information: name of the student, school grade and daily attendance.	Verify school transport records, valid documentation and the general conditions of school transport vehicles.	MNA	Higher	0.5435

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No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value
<b>3. Well-being for workers and their families</b>						
3.3	Recreation and sports areas	The producer and/or the company must provide spaces so workers and their families can practice sports or engage in recreational activities.	Visual inspection of the areas designated by the company for sports and recreation.		Lower	0.2717
3.4	Medical services	The producer and/or the company must have free and accessible first-level of care services for workers and their families.	Verify the existence of free and accessible medical services for workers and their families.		Higher	0.5435
3.5	Basic products supply	The producer and/or the company must make basic products available to workers, at affordable prices and without deducting any product purchases from workers' salaries. Also, store clerks should not withhold their payroll debit cards to collect debts incurred for purchases made in the store.	Visual inspection to verify the existence of stores or shops with affordable prices at the view of the public. Interviews with workers to verify purchases are not deducted from their salaries or payroll debit cards are not being withheld.	MNA	Higher	0.5435
3.1.7	Freedom of transit	Workers must have the freedom to walk through the different areas of the company, unless access is restricted for food safety or occupational safety reasons. In the case of housing areas provided by the employer, they should also have the freedom to enter and leave them during the hours predetermined for common living in those spaces. The employer must allow the free transit of workers. In case they make the decision to move out of the housing areas provided by the employer, they cannot be prevented from doing so, even if the work period established in their contract has not ended. The company must respect the freedom of transit of workers and their families, and surveillance should not be used as a means to control, subjugate or intimidate workers.	Interviews with workers to verify that the principle of freedom of transit is respected and security guards are not controlling or intimidating workers or their families.		Higher	0.5435

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No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value
4. Occupational Safety and Health						
4.1	Hazard Identification and Occupational Safety and Health Risk Assessment	The producer and/or the company must identify hazards, analyze them and evaluate the level of risk that could affect the lives or health of workers. That evaluation should take into account chemical, physical and biological agents, as well as ergonomic and psychosocial risk factors, with the corresponding follow-up on results. Those risks should be identified in a risk map that must be shared with workers, visitors and service providers hired to perform tasks in their worksites.	Verify the identification of hazards and the existence of an Occupational Safety and Health Risk Assessment for the company's facilities, and also that they are documented and communicated to workers, visitors and contractors.		Critical	1.3587
4.2	Occupational Safety and Health Risk Analysis	The producer and/or the company must conduct a Risk Analysis for the different positions in all of the company's operations.	Verify the company has conducted a comprehensive Risk Analysis.		Higher	0.5435
4.3.1 a	Creation of the Safety and Hygiene Commission	The producer and/or the company must have at least one Safety and Hygiene Commission that is fully functional, up-to-date and organized, in accordance with standard NOM-019-STPS-2011.	Verify the articles of incorporation and minutes on changes in the Safety and Hygiene Commission, in accordance with standard NOM-019-STPS-2011.		Higher	0.5435
4.3.1 b	Inspection program	The Safety and Hygiene Commission must prepare and implement a program to inspect working conditions. It should also investigate occupational hazards and follow up on actions taken to correct and prevent accidents or incidents in the workplace.	They must show the program and reports of working conditions inspections, and keep records on occupational hazards and corrective and preventive actions taken.		Higher	0.5435




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No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value
4. Occupational Safety and Health						
4.3.1 c	Safety and Hygiene Commission Training Program	The Commission must design and implement a training program for its members, in compliance with standards NOM-019-STPS-2011.	Verify there is a training program for the Safety and Hygiene Commission, and also that it is actually implemented.		Lower	0.2717
4.4	High or low temperature conditions	The producer and/or the company must ensure personnel occupationally exposed to high or low temperature conditions are protected in accordance with Tables 1 and 2, section 8, of standard NOM-015-STPS-2001.	Verify the conditions established in Tables 1 and 2, section 8, of standard NOM-015-STPS-2001, on high or low temperature conditions, are respected.		Critical	1.3587
4.5	First-aid kit	The producer and/or the company must have a first-aid kit, which should meet the composition and handling requirements established in the Reference Guide included in standard NOM-005-STPS-1998.	Verify there is a first-aid kit meeting the composition and handling requirements established in the Reference Guide included in standard NOM-005-STPS-1998.		Lower	0.2717
4.6.1 a	Safety data sheet (SDS) for hazardous chemical substances or mixes	The producer and/or the company must have safety data sheets (SDS) for the hazardous chemical substances or mixes used in their operations, in accordance with section 9.2 of Mexican Official Standard NOM-018-STPS-2015. Occupationally exposed personnel must know and understand safety data sheets.	Safety data sheets (SDSs) for hazardous chemical substances or mixes must exist, as established in section 9.2 of standard NOM-018-STPS-2015, and the personnel should know them.	MNA	Higher	0.5435
4.6.1 b	Medical exams for workers exposed to agrochemicals	The producer and/or the company must provide entry, periodic and specific medical exams for workers occupationally exposed to agrochemicals, in accordance with section 9 and Appendix A of standard NOM-003-STPS-1999.	Verify there is evidence on paper of medical exams for workers occupationally exposed to agrochemicals, in accordance with section 9 and Appendix A of standard NOM-003-STPS-1999.	MNA	Critical	1.3587


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No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value
4. Occupational Safety and Health						
4.6.1 c	Antidotes for intoxication with agrochemicals	They must have antidotes available and not expired to deal with cases of intoxication with agrochemicals. The personnel must be trained to use them.	Verify there are antidotes available to deal with cases of intoxication with agrochemicals, in good condition, and also that the personnel are trained to use them.	MNA	Critical	1.3587
4.6.1 d	Personal protection equipment for workers using agrochemicals	The producer and/or the company must train occupationally exposed workers on the use and handling of agrochemicals, and provide them with the personal protection equipment required, in accordance with standard NOM-017-STPS-2008.	Verify personnel occupationally exposed to agrochemicals have, and are trained to use, the corresponding personal protection equipment in accordance with standard NOM-017-STPS-2008.	MNA	Critical	1.3587
4.6.1 e	Handling of PPE for workers using agrochemicals	The producer and/or the company must have a protocol in place for the removal, washing and storage of personal protection equipment for workers occupationally exposed to agrochemicals.	Verify there is a protocol for the removal and washing of personal protection equipment, and a place to store it.	MNA	Higher	0.5435
4.6.1 f	Worker decontamination areas and services	The producer and/or the company must provide access to showers, changing rooms and personal hygiene products so workers using and handling agrochemicals can get decontaminated.	Verify workers using and handling agrochemicals decontaminate themselves inside the facilities, and the producer gives them access to showers, changing rooms and personal hygiene products.	MNA	Higher	0.5435
4.7	Tools, instruments and materials	The producer and/or the company must provide workers with the tools, instruments and materials they need to do their job. These should be in good condition, and workers should not pay for the natural wear and tear thereof.	Interviews with workers to verify the company provides them with tools, instruments and materials, that these are in good condition, and they do not have to pay for their natural wear and tear.		Higher	0.5435


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No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value
<b>4. Occupational Safety and Health</b>						
4.8	Forklift use safety measures	The producer and/or the company must produce documents to prove inspections of safety requirements and measures for the operation and maintenance of forklifts, and workers are trained and authorized for their operation, in accordance with section 7.8.5 of standard NOM-006-STPS-2014.	Verify the existence of documents to prove forklifts are operated following the corresponding safety measures, by trained and authorized personnel, in accordance with section 7.8.5 of standard NOM-006-STPS-2014.	MNA	Higher	0.5435
4.9	Work at Height	The producer and/or the company must ensure general safety measures are followed while working at height, and work is done by duly trained and authorized personnel, in accordance with standard NOM-009-STPS-2011.	Verify work at height is done in accordance with NOM-009-STPS-2011.	MNA	Critical	1.3587
4.10	Generation and/or accumulation of static electric charges	The producer and/or the company must ensure safety conditions to control the generation and/or accumulation of static electric charges are consistent with those indicated in section 7 of standard NOM-022-STPS-2015.	Verify the existence of documents showing safety conditions established in section 7 of standard NOM-022-STPS-2015 are met.		Higher	0.5435
4.11	Fire equipment and fire detection equipment	The producer and/or the company must have fire equipment and fire detection equipment consistent with the classification of potential fire risks and types of fire, with personnel duly trained in the use and handling of equipment installed, in accordance with standard NOM-002-STPS-2010.	Verify the existence of fire equipment and fire detection equipment installed, and documents to prove personnel have been trained in the use of that fire equipment, in accordance with standard NOM-002-STPS-2010.		Critical	1.3587
4.12	Personnel occupational safety and health training	The producer and/or the company must provide all their workers with ongoing training on occupational safety and health aspects related to agricultural work, taking into consideration the main risks faced by workers while performing their tasks. That training should cover, as a minimum, the topics specified in the CEAR Implementation Guide.	Existence of an occupational Safety and Health training program, implemented and covering the topics included in the CEAR implementation guide, section 3.6, with materials and language that are easy to understand for workers. Must show attendance records, certificates and photos of training courses provided.		Higher	0.5435

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No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value
		<b>4. Occupational Safety and Health</b>				
4.13	Training for workers using and handling agrochemicals	Workers must receive training, upon being hired, on topics related to the use and handling of agrochemicals. That training must be offered at least once every farming season, and also every time a new agrochemical is introduced into their operations. The training program must include the topics specified in section 3.7 of the CEAR Implementation Guide.	Training program for workers using and handling agrochemicals implemented and including the topics included in the CEAR implementation guide, section 3.7, with materials and language that are easy to understand for workers. Must show attendance records, certificates and photos of training courses provided.		Higher	0.5435
4.14	Workplace emergency plan	A workplace emergency plan must be designed and implemented, in accordance with standard NOM-005-STPS-1998 and Civil Protection requirements. The company should also appoint a person responsible for coordinating the Plan and disseminating it among all its workers. They must have a list of contacts to deal with emergencies, as well as communication channels to request assistance, paid by the company. If necessary, the implementation of the plan must be documented.	Verify they have a documented Emergency Plan, in accordance with standard NOM-005-STPS-1998 and Civil Protection requirements. There should be a person appointed to coordinate the Plan, and the company's workers should know about it. There should be a list of contacts for emergency situations, and implementation should be documented if necessary.		Critical	1.3587
4.15	Internal Civil Protection Program	The producer and/or the company must have an Internal Civil Protection Program (designed by an authorized third party) in accordance with the guidelines established by the competent authority. The program's brigades should also receive training.	Verify the existence of an Internal Civil Protection Program, as well as training for brigade members.		Critical	1.3587
4.16.1 a	Rest areas	The producer and/or the company must provide workers with areas protected from sunlight and rain to rest during their workday in packaging and production (fields, ranch, orchard...) areas.	Verify the existence of rest areas for workers in production (field, ranch, orchard) and packaging areas.		Lower	0.2717

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No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value	
		4. Occupational Safety and Health					
4.16.1 b	Restrooms in working areas	The producer and/or the company must provide restrooms, divided by sex, functional, hygienic, with privacy, and in good condition in farming (ranch) and packaging areas. There should be at least 1 toilet for every 20 persons.	Verify the existence of at least 1 toilet for every 20 workers in production areas.		Critical	1.3587	
4.16.1 c	Drinking water in working areas	In production areas, the producer and/or the company must provide workers with sufficient drinking water to stay hydrated. That water must meet the parameters for physical, organoleptic and microbiological characteristics established in amendment to standard NOM-127-SSA1-1994 and the provisions of paragraph VIII of article 18, and paragraph III of article 67, of the Federal Occupational Safety and Health Regulations (FOSHR).	Workers receive from the producer and/or the company sufficient drinking water for hydration in accordance with SSA and FOSHR provisions.		Critical	1.3587	
4.16.1 d	Cafeteria in the worksite	Workers are provided with hygienic cafeterias, protected from sunlight and rain, for food consumption in production and packaging areas.	Verify that production and packaging areas have hygienic cafeterias, protected from sunlight, for food consumption in production areas.	MNA	Higher	0.5435	


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No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value	
		5. Environmental protection					
5.1	Environmental risk evaluation	The producer and/or the company must have an environmental risk analysis, in accordance with national or state environmental legislation, depending on the competence applicable to the worksite, for the handling of hazardous substances or the performance of hazardous activities. That analysis should include an assessment of environmental risks, their potential impact in case of accidents, safety signage and preventive environmental measures.	Verify there is an environmental risk analysis, in accordance with current environmental legislation, including the documentation and implementation of the corresponding environmental protection actions.		Critical	1.3587	
5.2	Wastewater management	The producer and/or the company must dispose of wastewater in accordance with standards NOM-001-SEMARNAT-1996 or NOM-002-SEMARNAT-1996, as applicable.	Produce permits and wastewater lab test results in accordance with SEMARNAT's Mexican Official Standards applicable to the place where wastewater is disposed of: national or municipal bodies of water.		Critical	1.3587	
5.3	Legal use of national waters	The producer and/or the company must prove, by means of official permits, the legal use of water for agricultural activities.	Produce valid permits for consumption of water used in all of the company's operations, issued by the competent authority.	MNA	Higher	0.5435	
5.4	Management of organic production waste	The producer and/or the company must have, and document, appropriate vegetable waste and organic production waste management practices. Burning such waste is not permitted under any circumstance.	Verify vegetable waste is not burned and records are kept of appropriate organic production waste management.		Critical	1.3587	

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No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value	
		5. Environmental protection					
5.5	Agrochemical waste disposal	The company must have the infrastructure necessary and implement the practices required to ensure liquid waste from agrochemical substances is disposed of correctly to avoid contamination of soils, groundwater and water sources.	Verify liquid waste from agrochemical substances is disposed of appropriately to prevent environmental contamination.	MNA	Critical	1.3587	
5.6	Safe disposal of hazardous waste	The producer and/or the company must have the infrastructure necessary and implement the practices required to ensure hazardous waste generated during their processes is disposed of in sites authorized by SEMARNAT.	Verify hazardous waste is disposed of in a safe manner and its final destination is documented.	MNA	Lower	0.2717	
5.7	Use of electricity	The producer and/or the company must prove they use technologies for the efficient use of electricity.	Show evidence of the purchase and use of technologies for the efficient use of electricity.		Higher	0.5435	
5.8	Safe disposal of special management and urban solid waste	The producer and/or the company must maintain an education and awareness raising program for the safe disposal of special management waste generated in non-hazardous productive processes, as well as urban solid waste generated in their different areas and the housing spaces the company makes available to workers, all of which must be documented through the corresponding records.	Verify there is an education and awareness raising program for the final disposal of special management waste and urban solid waste, and also that such disposal is documented.		Lower	0.2717	

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<b>6. Community engagement</b>						
6.1 a.	Program for community development in places of origin	In case the producer and/or the company hire migrant workers, they must develop and implement a community program in their workers' places of origin.	Verify workers' communities of origin benefit from community development actions.	MNA	Lower	0.2717
6.1 b	Periodic return of migrant population	In case the producer and/or the company hire migrant workers, they must allow them to visit their relatives and communities of origin, and facilitate that process, for at least two weeks every six months.	Verify migrant workers return to their communities of origin periodically.	MNA	Critical	1.3587
6.2	Local community development program	The producer and/or the company must promote a community development program with the participation of residents, based on a situational assessment, in the communities where they operate and/or where their workers reside.	Show evidence of the completion of a participatory assessment of those communities and verify the community development program is actually being implemented.		Lower	0.2717



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No.	Criteria	Indicator	Evidence of compliance	May not Apply (MNA)	Type of indicator	Value	
		7. Internal and external outreach					
7.1	Internal outreach	The producer and/or the company must develop effective internal communication channels to inform their workers of their rights and obligations. They should also ensure workers are informed of the company's policies, procedures and internal documents that regulate the relationship between the employer and its workers, as well as Social Responsibility programs implemented. That information must be provided in easy-to-understand language and be accessible, considering those who do not speak Spanish.	They must show evidence of the internal outreach and communication channels and materials with information on workers' rights and obligations and the company's policies, procedures and internal documents, as well as Social Responsibility actions implemented, with easy-to-understand and language, accessible to all workers.		Higher	0.5435	
7.2	External outreach	The producer and/or the company use different communication channels to disseminate information on Social Responsibility actions implemented.	Show external outreach channels and materials to inform of Social Responsibility actions implemented.		Total Value Lower	0.2717	
						100	



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