



## This week: Employment Terms and Conditions, Posters and Worker Concern Process

### 1. Employment Terms and Conditions: Who needs them?

...depends on if you are trying to achieve U.S. or International Certification

- **U.S. Certification**
  - If there were more than 500 man-days of hired labor (includes seasonal or migrant workers, immediate family labor excluded) in any of the calendar quarters of last year, terms and conditions must be provided verbally and if requested in writing in the worker's preferred language.
  - If there were less than 500 man-days of hired labor in any of the calendar quarters of last year, terms and conditions are not required but still viewed as a best practice.
- **International Certification**
  - If you hire labor written terms and conditions are required

**Employment Terms and Conditions must include the following:**

- place of employment (name and address of employer)
- wage rate (including piece rate)
- crops and kinds of activities for which worker will be employed
- period of employment
- transportation, housing and other benefits to be provided, and costs charged for these benefits, if any
- whether state workers compensation or state unemployment insurance is provided

A template for Employment Terms and Conditions is provided in the GAP Connections record packet found [here](#) in Tab 7, pages 3 & 4.

What are man-days? How do you calculate them?

### 2. Required Posters

#### 2020 Poster Requirements

If your farm has at least one worker who is not immediate family labor (including those enrolled in vocational or apprenticeship program) and helps produce the tobacco crop, the following posters must be visible to all workers:

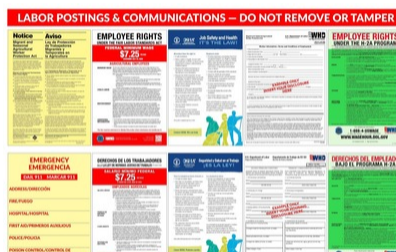
- **Worker Concern Helpline Poster:** All growers must have either the WCH poster or other approved third party worker concern phone number posted in the workers native language and where workers can access and read it on or near the job site. The only other approved third-party worker concern phone number is North Carolina Grower Associations (NCGA) grievance mechanism phone number. If a grower indicated on their certification application that they will be using NCGA's phone number and process it must be posted on the farm.
- **All in One Labor Standards Poster:** This poster contains federally required posters in accordance with the Migrant Seasonal Protection Act, Fair Labor Standards Act, and OSHA in one large poster. Check to make sure your copy is the updated version and has a red banner across the top.
- **The Worker Rights and Responsibilities Poster:** All growers must have a WRR poster posted where workers can access and read it on or near the job site.

If your farm has ONLY immediate family labor, posters are not required.

Posters are available to purchase at the [GAPC Store](#).



Worker Concern Helpline



All in One Labor Poster



Worker Rights and Responsibilities

### 3. Worker Concern Process

Every grower must implement a worker concern process. This is a documented program that is discussed AND given to or posted for all workers. The policy must be written in a language common to the workers and include the following:

- The grower is committed to providing a safe working environment for all workers and satisfy all legal rights of workers while they are on their farm.
- A method is available for workers to notify the grower, orally and in writing, of any concern related to the terms or conditions of work.
- The grower will investigate concerns brought forth by workers and provide notice to the workers, if known, of how the concern will be or was addressed. At the request of the workers, an informal meeting between the grower and workers will be held to address the concern.
- If a worker raises a concern with the grower and is not satisfied with the resolution or handling of the issue, they are encouraged to call the WCH or to an alternative approved third-party helpline to voice and address the concern.
- The grower nor any of his/her employees or agents will retaliate against workers for using the worker concern process.

Make it easy by using the GAPC WCH posters and template documentation provided in the [record packet](#). Get your workers together to read the points on the [Worker Concern Documentation](#), show them and discuss the WRR and WCH posters and have them sign their names in the spaces provided.

**If you use North Carolina Growers Association to source H-2A workers for your farm and you indicated on your Certification Application that you will use NCGA grievance mechanism, to fulfill the requirement of a documented worker concern process you must provide the following:**

- Documentation that describes the procedures and policies used
- Documentation signed by the workers that describes the procedures and policies used as well as how the helpline is shared with the workers (Acknowledgement of Receipt document provided by NCGA)
- Visual evidence of the phone number being displayed in a location visible to all workers (i.e. poster, sign, wallet card, etc.)
- You do not have to post the GAPC Worker Concern Helpline poster if using the NCGA grievance mechanism



#### Accurate Data Matters!

During the Monitoring Visit, growers will be asked to produce and show auditors your 2020 tobacco records.

Growers may use whatever type of record keeping system that works best for you as long as all the provided records packets at GAP Annual Trainings or you may download pdf templates [here](#).

GAP Connections also has a great tool for those who like to utilize keeping records digitally. All the same record templates in the paper records are available to download in an Excel workbook [here](#).

### COVID-19 Resources

GAPC has compiled resources in English and Spanish to help inform, educate, and train growers, workers, and family members on topics related to COVID-19. The resource pages provide information for planning, educating and preventing the spread of COVID-19 as well as H2-A Visa concerns and the Families First Coronavirus Response Act (FFCRA). Includes: training videos, posters, fact sheets, FAQ's, webinars and links to other resources. For information on a state by state level, visit the COVID-19 Resource Page by State.



Visit COVID-19 Resource Page

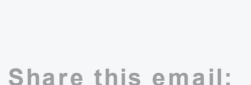
Visit COVID-19 Resource Page by State



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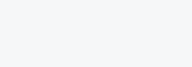


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