



GAPC Certification Tips

Our weekly email containing tips, advice and reminders that will help you achieve GAPC Certification in 2019.



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

1. Terms and Conditions: Who needs them?

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

Critical Standards for U.S. Certification

- If you more than 500 man-days of hired labor in your busiest calendar quarter of last year, terms and conditions are required for the audit/site visit.
- If you hire less than 500 man-days of hired labor in your busiest calendar quarter of last year, terms and conditions are not required for the audit/site visit but still viewed as a best practice. *Note that if you use this exemption you will not qualify for International Certification.*

Critical Standards for International Certification

- If you hire labor written terms and conditions are required for the audit/site visit.

Terms and Conditions they must include the following:

- place of work (with specifics, such as the name and address)
- pay rates (including piece rates) to be paid
- crops and kinds of activities for which the worker may be assigned
- period of work commitment
- transportation, housing, and any other worker benefits to be provided, if any, and any costs to be charged for each
- whether state workers' compensation or state unemployment insurance is provided

A template for Terms and Conditions is provided in GAP Connections records found online or in your packet that you picked up at Annual Training.

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

2. Required Posters and Worker Concern Process

2019 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 (NEW 2019 poster required - this has a place for grower name and address)**
 - All growers must have either the WCH poster or other approved third-party worker concern phone number posted in their native language 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 (NEW 2019 poster required)**
 - This poster contains federally required posters in accordance with the Migrant Seasonal Protection Act and the Fair Labor Standards Act in one large poster.
- **The Workers 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 were available for free at GAPC Annual Training. If you did not pick up a poster, they are now available for purchase on the [GAPC Store](#).

Worker Concern Process

Each 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 set forth in the terms of the available worker concern process to include statements stating 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 its 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 by GAPC in the record packets at annual training or found [here](#). Get your workers together read the points on the [Worker Concern Documentation](#), show them and discuss the WRR and WCH posters and have them sign their name in the spaces provided.



For those who indicated on their certification application they will be using NCGA as their worker concern helpline and process, you must provide the following at the time of the audit:

- Documentation signed by the workers that describes the procedures and policies used as well as how the helpline is shared with the workers (Acknowledge 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.)

In future emails...

- Worker Training Requirements
- OSHA 300 forms
- Housing and Transportation
- Agrochemical Storage
- What is remediation?

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<https://www.gapconnections.com/services/certification-program>

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