



Monitoring Protocols and Policies

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2 GAP CONNECTIONS MISSION

- 2.1 Connecting farmers and buyers through environmentally and socially sustainable good agricultural practices. GAP Connections provides leadership, education, and resources for the adoption and promotion of standards and practices which produce a quality crop while protecting, sustaining or enhancing the environment, ensure the safety and rights of farm laborers, and recognize those producers who are committed to a higher standard.

3 PURPOSE AND SCOPE

- 3.1 The purpose of this document is to be a reference document for Verification Staff who will be conducting GAPC Monitoring Visits. This document will describe the protocols and policies involved in performing GAPC Monitoring Visits.
- 3.2 GAPC's goal is to have Monitoring Visits completed consistently, efficiently, and professionally. Strict adherence to the GAPC protocols and procedures is required and expected of all GAPC Approved Verification Staff.

4 INTRODUCTION

- 4.1 At the beginning of 2018, GAP Connections (GAPC) introduced a voluntary Certification Program for GAPC Grower Members. The voluntary GAPC Certification Program is the result of two years of a pilot program through third party assessments that tested the concept of a certification program. The goal of the GAPC Certification Program is to ensure sustainable and economically viable production of high-quality tobacco and hemp. The GAPC Certification Standards encourage agricultural practices which produce a quality crop while sustaining the environment and ensuring safe conditions and fair treatment of farm laborers.
- 4.2 The GAPC Certification Program(s) offers:
 - Distinction: A level of distinction in the marketplace
 - Simplicity: Clearly defined steps and path for compliance with industry standards
 - Score: Measurable results and details about your compliance
 - Assurance: Companies receive assurance that good agricultural practices are being used, workers have avenues to report concerns, and a safe working environment is being promoted.

- 4.3 The GAPC Certification Standards include record keeping and annual training. During annual GAPC training sessions growers receive information on best practices for crop, environmental, and labor management and receive information on GAPC Certification Standards and requirements. Copies of the GAPC Certification Records are provided at in-person meetings and available online for those who complete online or virtual training.

5 MONITORING OBJECTIVE

- 5.1 The objective of GAPC Monitoring Visits is to measure compliance with GAPC Certification Standards by reviewing objective evidence and records of those GAPC Grower Members who have applied and been approved to participate in the Certification Program.

6 MONITORING CRITERIA

- 6.1 GAPC Certification Standards, required records within these standards, state, local and regulatory laws and requirements in which location the monitoring is being performed and where the crop is being grown.

7 MONITORING SCOPE

- 7.1 To conduct GAPC Monitoring Visits between June and October at GAPC Grower Member's locations who have applied for Certification, including their offices, fields, barns, greenhouses, chemical storage locations, and anywhere the integrity and quality of the product being grown is affected.

8 ANTI-TRUST COMPLIANCE POLICY

- 8.1 As a contractor for GAPC we want to make you aware of our Anti-Trust Compliance Policy found at www.gapconnections.com and some background on why this is a critical area of importance to GAPC and its Members.
- 8.2 GAPC has an anti-trust compliance policy developed by counsel for GAPC and approved by the Board of GAPC. This policy is consistent with GAPC's core values - that is, to conduct our relations and activities, both internal and external, with the highest legal and ethical standards. Members and employees are continually counselled and reminded to avoid any discussions or actions which have the remotest anti-trust implications. These guidelines are not intended to substitute for the legal advice members may receive from their own company's lawyers. Nor are they intended to be a comprehensive review of all anti-trust related issues that may arise.

It is, and always has been, the firmly established policy of GAPC to comply with all state and federal anti-trust laws. This policy also includes conducting all business in conformity with the highest ethical and moral standards and avoiding conduct that might give even the appearance of wrongdoing.

The central principle guiding GAPC's members' GAPC activities beyond simple compliance with all state and federal laws is that the members of GAPC will not utilize GAPC to enter into any agreement which restricts each member's freedom to make independent decisions in matters that affect competition. Since GAPC is an educational and standard-setting organization, specifically with respect to the agricultural practices, each member's independent business actions (for instance, setting prices, establishing production levels, developing sales and marketing strategies, choosing the markets in which it will operate, and selecting customers and suppliers) are not activities of GAPC. Even with respect to standards relating to production practices, GAPC's activities will be limited to identifying and communicating standards of general application that are in widespread use in the industry and communicating those specific standards so that each purchaser can independently set its own standards.

- 8.3 All questions arising about the application of anti-trust law to the conduct of GAPC or its members should be referred to the Executive Director and/or GAPC's legal counsel.

- 8.4 It is important that all information about individual growers including who they contract with and any results from a monitoring visit are only released to authorized companies. For the purposes of your activities with growers please do not convey information about an individual grower without consulting with GAPC. Information about a monitoring visit is only to be released with grower's (Data Release) and GAPC's permission.

9 CONFIDENTIAL INFORMATION

- 9.1 All GAPC Approved Verification Staff are bound by the GAPC License and Auditor Participation Agreement, and non-disclosure agreement signed by their Monitoring Firm. If GAPC Approved Verification Staff wish to review either of these agreements, they must request copies from their Monitoring Firm.

- 9.2 **Definition.** As used in these agreements, “**Confidential Information**” means all information disclosed by a Party (the “**Disclosing Party**”) to the other Party (the “**Receiving Party**”) that is designated as confidential or that, given the nature of the information or the circumstances surrounding its disclosure, reasonably should be considered as confidential. Confidential Information includes, without limitation, third-party information (e.g., names, addresses, and other data concerning growers, members or their workers) that GAP is obligated to keep confidential, as well as the template, documentation, and instructions for assessing growers; and GAP hereby designates all such information as confidential. Confidential Information does not include any information that (a) is rightfully known by the Receiving Party without restriction at the time of its receipt from the Disclosing Party; or (b) is received from a third party who, to the knowledge of the Receiving Party, did not acquire or disclose such information by a wrongful or tortious act.
- 9.3 **Nondisclosure to Third Parties.** Confidential Information is or may be personal in nature, is not otherwise publicly available, and may constitute trade secrets or confidential business information that is proprietary to the Disclosing Party. Each Party agrees to obtain and use the Confidential Information solely for the purpose of providing or receiving services pursuant to the GAPC License and Auditor Participation Agreement and hereby covenants and agrees that it will make no other use of the Confidential Information.
- 9.4 **Ownership of Confidential Information.** All Confidential Information shall remain the exclusive property of the Disclosing Party and, as applicable, its Representatives. The disclosure of Confidential Information will not constitute an express or implied grant to the Receiving Party of any rights thereto or thereunder.

10 OVERSIGHT OF PERFORMANCE

- 10.1 Oversight of monitoring firms and verification staff can be found in the GAPC Approval and Oversight for Monitoring Firms document found online at www.gapconnections.com.
- 10.2 Verification staff should review this document prior to conducting visits to understand their responsibilities in the oversight of monitoring activities and the dismissal policy for monitoring verification staff.

11 IMMEDIATE NOTIFICATIONS

11.1 Health, safety, working environment, and conditions of farmworkers are critical topics for GAP Connections monitoring visits. If while conducting the monitoring visit, verification staff receive or see information or concern that is listed below, **notify GAPC immediately** through the Immediate Notification form on the iPad or by email with the Audit ID, Grower ID, and the concern.

Examples of serious concerns that would trigger immediate notification could include the following allegations from multiple workers involving:

- Abuse and/or harassment
- Irregularities in payment or payroll processes including but not limited to minimum wage violations, non-payment of wages, inconsistencies in reported and paid hours, non-reimbursement of certain H2A related expenses and any other practices that result in the workers not being paid as agreed at the time of employment
- Lack of safe drinking water or sanitation facilities in the field (if sanitation facilities are required)
- Deplorable housing conditions including but not limited to conditions that could pose immediate injury to workers including but not limited to fire, shock, structural safety hazards, storage of hazardous materials, including agricultural chemicals and pesticides, in a manner which is hazardous to the health or safety of the housing occupants, presence of faults in the water and plumbing systems which have not been resolved within a reasonable time and any other conditions which constitute a public health hazard
- Anyone hired under the age of 16 to work in the tobacco operation.
- Any hired labor between the ages of 16-17 working during schooling hours.
- Pregnant women performing hazardous tasks.

12 MONITORING SCHEDULING AND VISIT PROTOCOLS

All GAPC Approved Verification Staff conducting GAPC Monitoring Visits shall:

- Not visit the same operation for more than two years in a row. If verification staff notice they have been scheduled for an operation for a third year, consecutively, they must report it to their supervisor and ask to be reassigned.
- Use the GAPC Schedule Tool to schedule visits and communicate with GAPC about scheduling or contacting grower.
- Not schedule a monitoring visit that requires worker interviews when workers are not present. When a grower applies for a GAPC Monitoring Program, the grower acknowledged that worker interviews are a part of the monitoring process. It is the verification staff's responsibility to notify the grower if worker

interviews are required and to ensure that workers will be accessible at time of visit. This includes workers who are employed by a Farm Labor Contactor (FLC) that work on the operation. Worker interviews are required annually for those growers who indirectly hire labor (i.e., use a Farm Labor Contractor (FLC) or H-2ALC).

- Review the GAPC Monitoring Protocols and Policies and GAPC Monitoring Procedures.
- Follow the daily procedures included in the GAPC Monitoring Procedures, including syncing the Forms on Fire application each morning.
- Verification staff must be familiar with the opening and closing script in the Certification Monitoring Procedures and greet and conclude with growers properly at the monitoring visit location.
- Ensure utilization of the proper form on the Forms on Fire application (or on paper if your iPad crashes or the Forms on Fire app cannot be used). If a paper copy is used, please check the heading (GAPC 2023 Tobacco Certification Audit, GAPC 2023 Tobacco Certification Site Visit, or GAPC 2023 Hemp Certification Audit). View the grower information in the GAPC Schedule Tool to locate the type of monitoring visit they are to receive.
- Review with the Primary Grower who is listed as an associated grower and verify they meet the criteria to be listed as an Associated Grower¹. All growers (Primary and Associate) must participate in the Monitoring Visit. Failure to participate or be present at the end of the visit to review and sign results may result in the grower being dropped from the Certification.
- Read and answer each question on the questionnaire thoroughly.
- Ensure all questions are answered and required or needed comments are added.
- Add comments when required and/or needed to explain the finding.
- Verification method will be listed in the hint text of the question if there is a record to review or visual inspection required. If a question does not have a verification listed, then it is verified by grower interview by default.
- Conduct the required amount of worker interviews for the Monitoring Visit following the worker interview process described in this document.
- If there was a concern raised by a worker, ensure more interviews were conducted to ascertain the validity of allegations.
- Notify GAPC immediately through the Immediate Notification form on the iPad or by email with the Audit ID, Grower ID, and the concern if a grower or worker provides an answer that meets the qualifications of an immediate notification².
- **Ensure the start-time and end-time of the visit are recorded accurately.**

¹ See Associated Grower section in this document.

² See Immediate Notifications section in this document.

- If more information needs to be added to the form after leaving the farm such as comments or other notes, save and exit the form using the button on the last page labeled “Save and Exit”.
- Review results with the grower and complete the Monitoring Visit Confirmation Form.
- Leave instructions on how to remediate if remediation is needed with the grower.
- Submit all forms within 72 hours of the monitoring visit being conducted. GAPC will be monitoring the status of each form to ensure that they are submitted within 72 hours of the monitoring visit being conducted.

13 WORKER INTERVIEW PROTOCOLS

It is very important that Worker Interviews are conducted according to the following protocol and procedures. **Any deviations from protocols are not acceptable.** All GAPC Approved Verification Staff conducting worker interviews during a monitoring visit shall:

- Interview, at minimum, twenty percent (20%) of the grower’s hired workforce in tobacco production (excluding immediate family), with a minimum of two worker interviews for those operations with more than one worker and a maximum of ten worker interviews for those operations with 50 or more workers.
- Ensure that workers interviews are representative of **ALL** labor sources used on the farm, even if conducting additional interviews to provide interviews from all sources (i.e. local, migrant, H-2A, FLC, etc.) For example, if the work force is a mixture of H-2A workers and local workers, but is predominantly one or the other, interview twenty percent (20%) or two minimum from the predominant group and at least one from the other category, even if this results in three interviews for operations with less than 10 workers.
- Select workers at random and in such a way to keep their identity confidential from grower.
- Ensure the grower is not present (visible or within a distance that would allow them to overhear the conversation) for worker interviews.
- Conduct more interviews if deemed necessary to verify practices, clarify information, or collect more evidence on concerns or allegations raised by workers. If any of the answers are answered negatively or if there are allegations made by workers that result in concerns for the health, safety, or working environment and conditions of farmworkers additional workers should be interviewed to ascertain the validity of the allegations.
- Ensure that worker interviews on a farm that employ Farm Labor Contractors (FLC’s) include workers under the employment of that FLC.

- Ask questions listed on the questionnaire. Other questions may be asked to verify information from grower interview portion, to clarify differing information between the grower and worker or between worker and worker, and to collect more information on allegations or concerns provided by a worker(s).

14 REMEDIATION AND FOLLOW-UP VISIT PROTOCOLS

- 14.1 Within the GAPC Monitoring Program(s), if a grower is not in compliance with a remediable standard, they are given the opportunity to remediate the non-compliance and proceed to GAPC Certification. The growers have 30 days from the date the monitoring visit was submitted to correct any issues that need remediation.
- 14.2 It is the grower's responsibility to contact the verification staff and schedule a follow-up visit or send the appropriate documentation to remediate any missing or incorrect items found during the monitoring visit.
- 14.3 Remediation may be conducted in one of the following ways:
- **Record review** – in this case, the grower would mail, e-mail, or fax documentation that was missing or incorrect from the initial visit.
 - **Record review with Pictures** – In this case the grower missed an item that was verified by observation; however, it does not warrant a revisit to the farm and the grower may send in a picture of the corrected item to complete remediation.
 - **Record Review with Corrective Action plan** – In this case, the grower must submit a corrective action plan with their documentation. The appropriate corrective action plan will detail what was incorrect initially and how the grower plans to correct the issue as they move forward.
 - **Visual Inspection** – In some cases, the grower will need you to revisit the farm. This may also include worker interview questions too.
 - **Visual Inspection with corrective action plan** – In the event a grower is required to provide a corrective action plan, the grower must provide visual evidence on how the practice has been correct and a corrective action plan detailing what was incorrect before and how they plan on fixing the issue as they move forward.

14.4 All GAPC Approved Verification Staff conducting a remediation follow-up visit shall follow the Monitoring Scheduling and Visit Protocols (section 13) listed in this document.

15 METHODS OF VERIFICATION USED IN MONITORING VISITS

15.1 The verification methods are vital to the Monitoring Visit, if a grower's answer cannot be verified using the required verification method for each question it must be marked negatively.

15.2 Types of Verification Methods:

- Grower Interview (GI)
- Record Review (RR)
- Picture (P)
- Visual Inspection/Observation (VI)
- Worker Interviews (WI)

16 VERIFYING ASSOCIATED GROWERS

16.1 In an effort to be efficient in all processes, GAPC has created a system to associate growers who farm together and meet all the criteria of the definition for Associated Growers. Much like when two people go into business together, the farmers are the same entity and therefore should not require an individual monitoring visit or records.

16.2 At GAPC, we consider two growers to be associated when they meet ALL the criteria required for Associate Growers (see below). Growers who do meet the criteria and are associated can share the results of the monitoring visit.

16.3 Verification Staff who are conducting Monitoring Visits shall ask the grower if they are in fact associated with the growers listed and meet ALL the criteria:

- Growers are either family or in a legal entity. Family is defined as spouse, children, stepchildren, foster children, parents, stepparents, foster parents, brothers, sisters, nieces, nephews, cousins, grandparents, and grandchildren (in-laws are included). Auditor may be asked to verify legal entity documentation at time of Monitoring Visit.
- Associated Grower's name must be listed on a 578(s).
- Use the same labor force, whether family or hired, working in all fields. The workers are paid by the same person/entity for all their work.

- Decisions about management for tobacco fields are made jointly. Fields are not designated for individual growers in which separate management and marketing decisions are made.
- Growers keep the same records for their operations.
- Associated Grower must be involved in the day-to-day management of the tobacco crop. If the individual is only providing financial support for the operation and tobacco crop, they are not considered an Associated Grower.

17 USE OF THE MONITORING SCHEDULING TOOL

- 17.1 When GAPC Grower Members applies for the Certification Program they select an approved monitoring firm to conduct their monitoring visit. Their application is reviewed by GAPC staff and either approved or denied. Those approved applicants are then listed on the scheduling tool found on the Auditor Dashboard in the GAPC Grower System. Verification Staff/Monitoring Firms can begin invoicing and scheduling once growers are listed on the scheduling tool. All scheduling and invoicing of visits including remediation follow-up visits will be done between the grower and the monitoring firm.
- 17.2 The scheduling tool provides critical information for scheduling the monitoring visit and ensuring the forms are submitted to GAPC:
- Contact information
 - Associated grower(s) if applicable
 - Worker interview requirements
 - Total number of workers (hired) reported at time of application
 - Type of visit: Audit or Site Visit
 - Form status (i.e. has it been submitted to GAPC)
 - Previous Verification Staff for visits in past two years.
- 17.3 Verification Staff or schedulers must record the following on GAPC Audit Scheduling Tool:
- Assigned verification staff member
 - Comments about efforts to schedule
 - Date of Monitoring Visit (when scheduled)
 - Monitoring Visit status
 - Any other comments about scheduling or grower correspondence

18 USE OF THE VERIFICATION STAFF SCORECARD

- 18.1 Verification Staff who are conducting Monitoring Visits should login and review their Verification Staff Scorecard (located on the Auditor Dashboard) often to assess their performance and to address any reported errors. Verification Staff who are conducting Monitoring Visits will receive email notification when errors have been reported.

- 18.2 The scores reported on the Verification Staff Scorecard are viewable by individual Verification Staff, their supervisor, GAPC, and GAPC Board Members.

Per Firm		
Total Monitoring Visits for Firm	#	
Total Monitoring Visits for Firm Completed	#	
Score for Firm	%	(Number without mistakes/total visits complete)
Average Number of Errors per Report	#	(Number of error topics reported/total visits complete)
Per Auditor		
Total Monitoring Visits for Verification Staff Member	#	
Total Monitoring Visits for Verification Staff Member Completed	#	
Score for Verification Staff Member	%	(Number without mistakes/total visits complete)
Average Number of Errors per Report	#	(Number of error topics reported/total visits complete)

- 18.3 Reported errors should be addressed immediately to ensure the report can be sent to grower with corrections within 72 hours of the Monitoring Visit.

19 OTHER MONITORING DOCUMENTS

- 19.1 Request for Proposal (RFP)
- 19.2 GAPC Monitoring Protocols and Policies
- 19.3 GAPC Monitoring Protocols and Policies
- 19.4 GAPC Monitoring Process and Procedures
- 19.5 Verification Staff Code of Conduct

20 GLOSSARY OF TERMS

Approval: Official permission and recognition by the GAPC Board of the competency and qualifications of a monitoring firm and verification staff to perform monitoring activities including Certification Visits.

Audit: Initial monitoring activity in the GAPC Monitoring cycle, conducted on-farm. Includes all Critical and Additional GAPC Certification Standards, and worker interviews if the operation hires labor.

Audit Scheduling Tool: Tool located on the GAPC website where auditors, company members, and GAPC staff can access grower scheduling information. Scheduling Tool is updated by monitoring firms daily and utilization is a requirement for approved verification staff.

Minor: Individual below age of 18.

Monitoring Activities: Documented process which occurs annually in a repeating cycle beginning with an Audit, followed by a Site Visit.

Monitoring Firm: Formal, third party who has been approved to identify verification staff to perform GAPC monitoring activities.

Shadow Visit: Visits conducted with verification staff to gauge performance and preparedness. Shadow visits may be conducted by GAPC staff or monitoring firm supervisor.

Site Visit: Second monitoring activity in the GAPC Monitoring cycle, conducted on-farm. Includes all Critical GAPC Certification Standards. Worker interviews required if the operation hires labor indirectly.

Verification Staff: Personnel identified by monitoring firm to perform monitoring activities.

Verification Staff Scorecard: Report located on the GAPC website to track and document errors on reports.

21 GAP CONNECTIONS CONTACT INFORMATION

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