Nursery Production Safe and Fair Working Conditions Evaluation Tool

This evaluation tool is to be used in conjunction with relevant Nursery Production Field, Container, and/or Greenhouse Production Evaluation Tools.

|  |  |
| --- | --- |
| **Operation Name:**  |  |
| **Address:**  |  |
| **Evaluation Date:**  |  |
| **Evaluator/Inspector:** |  |

#

# Instructions for Use

1. Each standard area is scored according to Food Alliance evaluation criteria. Points are given for performance of each evaluation criteria as measured against the indicators in Levels 1 through 4. Points are only earned for the highest Level achieved.
2. Scoring partial points is allowed. Example: Half of the operation is in a four-year crop rotation, a Level 3 practice. As a result, you may score 2.5 points, or half the increase between Level 2 and Level 3.
3. No points are earned for a criterion that is not applicable (N/A) to the operation or region. These points are subtracted from the total as explained on the score sheet. This ensures all operations are scored fairly based on the actual facilities present and practices in use. A full explanation for any N/A is required.
4. For producer/managers reviewing this evaluation tool: This is only a guideline for your use and does not guarantee acceptance of your application.
5. Inspectors should make notes on each criterion describing how they arrived at decisions, including means used to verify all specific producer/manager claims. These notes provide important background, which will be carefully considered in the final certification decision. Please make note of any criteria or indicators that were not applicable and the reason. Also include any Best Management Practices (BMPs) implemented by the producer/ manager that are not listed in this inspection tool.
6. Inspectors may request records or other materials to document any claims made by producer/manager.

Contents

[Nursery Production Safe and Fair Working Conditions 1](#_Toc529283669)

[Evaluation Tool 1](#_Toc529283670)

[Instructions for Use 1](#_Toc529283671)

[Minors, Children, and Family Members in the Workplace 3](#_Toc529283672)

[Grievance Procedures and Policies 3](#_Toc529283673)

[Recognizing and Supporting Employee Input for Workplace Improvement 4](#_Toc529283674)

[Employee Support Services 4](#_Toc529283675)

[Discipline Process 5](#_Toc529283676)

[Nondiscrimination Policy 6](#_Toc529283677)

[Hiring Practices, Communicating Expectations, and Policies 6](#_Toc529283678)

[Work Force Development and New Skills Training 7](#_Toc529283679)

[Compensation Practices 8](#_Toc529283680)

[Employee Benefits 8](#_Toc529283681)

[Employee Housing and Family Support Services 10](#_Toc529283682)

[Pesticide Handler/Applicator Safety 11](#_Toc529283683)

[Hazardous Materials Emergency Management 12](#_Toc529283684)

[Sanitation and General Safety 12](#_Toc529283685)

[Scorecard 14](#_Toc529283686)

## Minors, Children, and Family Members in the Workplace

**Level 1:** Operation complies with laws regarding employment of minors. Check if applicable:

* Operation has no policy or procedure regulating non-employees access to the workplace.

**Level 2:** Operation has a written policy designed to keep all non-employees out of the workplace. The policy exempts family members, however, it states that children of the manager’s family (under age 12) must be supervised when around the workplace area or in fields.

**Level 3:** As per Level 2, and 1 of the following items dealing with family or minors under employ applies. (If the operation doesn’t employ minors, make note under “Other”.) Check all that apply:

* Legal minors are employed only during non-school hours.
* Special training is provided for minors and/or children of operation owner, managers, or employees. (See 4-H guidelines for child safety on operations.)
* Operation communicates with parents of minors regarding their children’s employment.
* Childcare is provided for operation employees’ children.
* Supervisors are trained on the special management needs of minors.
* At the request of an operation employee, third parties are allowed to visit the operation and speak to operation management.
* Other (please specify):

**Level 4:** As per Level 3, and 2 or more items from Level 3 apply. Check all that apply:

* Legal minors are employed only during non-school hours.
* Special training is provided for minors and/or children of operation owner, managers, or employees (see 4-H guidelines for child safety on operations).
* Operation communicates with parents of minors regarding their children’s employment.
* Childcare is provided for operation employees’ children.
* Supervisors are trained on the special management needs of minors.
* At the request of an operation employee, third parties are allowed to visit the operation and speak to operation management.
* Other (please specify):

**Score:**

**Verification methods and notes:**

## Grievance Procedures and Policies

**Level 1:** Operation has no grievance policy. Operation management makes no suggestions to employees that they may raise grievances.

**Level 2:** Operation policies exist that allow/encourage employees to raise concerns, safety issues, or grievances without fear of termination. One or more of the following apply
Check all applicable:

* The policies are verbally communicated to employees, either at the time of hire or at the time the policies are implemented.
* Employees are directed to raise concerns, safety issues, or grievances to a designated individual.
* If needed, operation management staff can speak with employee in native language, or someone on staff is available to translate.

**Level 3:** As per Level 2, and the policies are communicated in writing. All the following apply:

* The policies are accompanied by a set of procedures that describes how concerns, safety issues, or grievances will be handled.
* Employees are given the name of the person to file the grievance

**Level 4:** As per Level 3, and the operation takes steps to encourage and get feedback regularly from employees. Written operation policy requires meetings to be scheduled to communicate with employees about their concerns and/or maintains an open-door policy.

**Score:**

**Verification methods and notes:**

## Recognizing and Supporting Employee Input for Workplace Improvement

**Level 1:** Employer or managers discourage employees from forming groups or discussing issues.

**Level 2:** Employer or managers verbally encourage employees to discuss work place issues and develop ideas for improving the workplace.

**Level 3:** As per Level 2, employer or manager has a policy in writing encouraging employees to develop ideas for improving the workplace. Improvement ideas utilized by the employer will be acknowledged within the company and the employee may be compensated for their idea.

**Level 4:** As per Level 3, and the operation supports group activities with a space for meeting and/or time set aside during the workday for meetings.

**Score:**

**Verification methods and notes:**

## Employee Support Services

**Level 1:** When approached by employees or third-party representatives, employer is not receptive. Employer communicates this stance to the inspector.

**Level 2:** Employer works with groups of employees or third-party representatives (any person representing a group or organization dedicated to welfare, safety, labor unions, legal services, etc.) to improve workplace conditions. Check all that apply:

* Employer meets with third party representatives when asked by the employees.
* Employer meets with community groups to discuss health and welfare.
* Employer cooperates with groups to build workplace productivity.
* Employer cooperates with groups to ID training needs.
* Employer cooperates with groups to ID safety concerns.
* Employer has addressed the recommendations of a third-party representative.
* Other (please specify):

**Level 3:** Operation has a written policy communicating openness to working with third-party representatives and/or groups of employees.

**Level 4:** As per Level 3, and the policy describes a timeline or process for responding to recommendations made by third-party representatives.

**Score:**

**Verification methods and notes:**

## Discipline Process

**Level 1:** There is no policy or procedure in place requiring a uniform disciplinary process that maps the steps that may lead to termination. When terminations occur, it involves no process of coaching to improve performance.

**Level 2:** There is a written policy in place, but it is not distributed to operation managers or employees. Firing may take place at the will and on the terms of the operation manager.

**Level 3:** A written policy is in place. Copies of the policy are distributed to new hires and given to all operation managers. Firing of an employee comes at the end of a stepped, progressive discipline process.

**Level 4:** As per Level 3, and all operation managers are trained to implement policy uniformly. The policy must describe a process to improve performance problems.

**Score:**

**Verification methods and notes:**

## Nondiscrimination Policy

**Level 1:** Employer has no written policy claiming non-discrimination practices consistent with the law are in effect.

**Level 2:** Employer has a written policy describing non-discrimination practices consistent with the law. The following items are discussed Check all that apply:

* Age
* Race
* Third-party affiliation
* Religion
* Gender
* Sexual orientation
* National origin
* Disability
* Other (please specify):

**Level 3:** As per Level 2, employer provides training for managers for implementing non-discrimination policy. If an owner is also the operation manager, his/her own training applies here.

**Level 4:** As per Level 3, and employer extends training to employees.

**Score:**

**Verification methods and notes:**

## Hiring Practices, Communicating Expectations, and Policies

**Level 1:** Employer does not communicate with employees about job expectations or workplace policies.

**Level 2:** Employer verbally communicates job expectations and policies at the time of hire.

**Level 3:** Employer gives new hires a workplace policies document. Check all that apply:

* This written document is in both English and applicable language for non-English speakers.
* New employees are given a sign-off sheet acknowledging receipt of the policies.
* New employees are given a sign-off sheet describing job expectations.
* New employees are given a sign-off sheet detailing the terms of employment (pay rate, schedule/work day, and length of employment).
* Employer gives some limited job training and orientation specific to the task
* Employer has an orientation checklist that is kept on file to keep a record of the orientation/training activity.
* Employer shows educational materials such as videos, manuals, etc, for safety and/or tasks specific to the jobs.
* Employer has taken a cultural sensitivity class in order to better relate to employees.
* Other (please specify):

**Level 4:** As per Level 3, and employer offers employees a written employee contract detailing terms and conditions of employment.

**Score:**

**Verification methods and notes:**

## Work Force Development and New Skills Training

**Note:** For seasonal laborers doing un-skilled tasks, this criterion is non-applicable. It does apply for laborers performing skilled tasks.

**Level 1:** Manager provides no training opportunities for employees.

**Level 2:** Employer allows limited unpaid leave for employees to pursue training or offers on-site training through mentorships or cross training programs. Employers encourage employees to voice their interest in positions of advancement and document their decisions with rationale and outcome.

**Level 3:** Employer encourages workplace training by providing paid time off and/or tuition for job-related educational activities.

**Level 4:** As per Level 3, employer offers paid leave to employees for training relevant to required tasks.

**Score:**

**Verification methods and notes:**

## Compensation Practices

**Level 1:** Employer meets federal laws for pay period, at least every 2 weeks, and meets minimum wage laws. Employer has a system to track piece rate to ensure minimum wage is met. Employer keeps records on each employee.

**Level 2:** As per Level 1, employer has a progressive compensation system that includes at least one of the following practices. Check all that apply:

* Employer adjusts piece rates to reward seniority, or performance, or changing crop conditions.
* Employer gives bonuses to reward productivity of the group.
* Employer shares profits.
* Employer distributes work opportunities fairly, not giving favorite workers best opportunities.
* Employer conducts regular performance evaluations and rewards good performance with pay raises.
* When employer gives pay advances to employees, they have system to communicate the expectations to prevent confusion on the part of the employee .
* Employer gives bonus wages to reward excellent work.
* Other (please specify):

**Level 3:** As per Level 2, and a total of 2 items from Level 2 apply.

**Level 4:** As per Level 3, and a total of three or more items from Level 2 apply.

**Score:**

**Verification methods and notes:**

## Employee Benefits

**Note:** Non-applicable for seasonal-only labor.

**Level 1:** Employer provides unemployment and/or worker’s compensation insurance.

**Level 2:** Employer provides 1 of the following. Check all that apply:

* Health insurance
* Disability insurance
* Life insurance
* Subsidizes cost of or provides transportation to employees
* Arranges for community groups to provide assistance to workers
* Sick pay
* Vacation pay
* Reduced cost housing for full time employees
* Housing allowance or special compensation to cover housing costs
* Migrant worker/temporary worker housing at reduced rates
* Employer gives bonus wages (for holidays, to reward excellent work, attendance, etc.)
* Operation provides investment assistance
* Other (please specify):

**Level 3:** As per Level 2, and employer provides a total of 2 benefits from Level 2.
Check all that apply:

* Health insurance
* Disability insurance
* Life insurance
* Subsidizes cost of or provides transportation to employees
* Arranges for community groups to provide assistance to workers
* Sick pay
* Vacation pay
* Reduced cost housing for full time employees
* Housing allowance or special compensation to cover housing costs
* Migrant worker/temporary worker housing at reduced rates
* Employer gives bonus wages (for holidays, to reward excellent work, attendance, etc.)
* Operation provides investment assistance
* Other (please specify):

**Level 4:** As per Level 3, and employer provides a total of 3 or more benefits from Level 2.
Check all that apply:

* Health insurance
* Disability insurance
* Life insurance
* Subsidizes cost of or provides transportation to employees
* Arranges for community groups to provide assistance to workers
* Sick pay
* Vacation pay
* Reduced cost housing for full time employees
* Housing allowance or special compensation to cover housing costs
* Migrant worker/temporary worker housing at reduced rates
* Employer gives bonus wages (for holidays, to reward excellent work, attendance, etc.)
* Operation provides investment assistance
* Other (please specify):

**Score:**

**Verification methods and notes:**

## Employee Housing and Family Support Services

**Level 1:** Employer provides no housing, referrals, and/or services to employees.

**Level 2:** Employer refers workers to community resources for housing and other health and welfare information, and/or employer provides housing ***and*** housing meets legal standards. Check all that apply:

* Employer keeps a list of community resources to give to employees.
* Employer keeps a list of housing opportunities to give to employees.
* Employer offers childcare services or stipend.
* Employer participates at a high level (leadership, donations, etc.) in community groups dedicated to increasing housing opportunities.
* Employer donates money and other resources to local housing groups.
* Other (please specify):

**Level 3:** As per Level 2, and 2 items from Level 2 apply if housing is not provided.

Check all that apply:

* Employer keeps a list of community resources to give to employees.
* Employer keeps a list of housing opportunities to give to employees.
* Employer offers childcare services or stipend.
* Employer participates at a high level (leadership, donations, etc.) in community groups dedicated to increasing housing opportunities.
* Employer donates money and other resources to local housing groups.
* Other (please specify):

**Level 4:** As per Level 3, and a total of 3 or more items from Level 2 apply if housing is not provided. Check all that apply:

* Employer keeps a list of community resources to give to employees.
* Employer keeps a list of housing opportunities to give to employees.
* Employer offers childcare services or stipend.
* Employer participates at a high level (leadership, donations, etc.) in community groups dedicated to increasing housing opportunities.
* Employer donates money and other resources to local housing groups.
* Other (please specify):

**Score:**

**Verification methods and notes:**

## Pesticide Handler/Applicator Safety

**Level 1:** All legal requirements are met for protection of handler/applicators and others who handle hazardous materials including crop and structural-use pesticides, fertilizers, fuel, lubricants, solvents, etc., including protective equipment, re-entry and pre-harvest intervals, and posting appropriate signage.

**Level 2:** As per Level 1, and ***all*** the following apply for pesticide applicators:

* All workers are closely supervised by a licensed pesticide applicator.
* All workers have taken a pesticide application training course.

**Level 3:** As per Level 2, and 2 of the following apply. Check all applicable:

* Emergency eye washing facilities are provided near storage, mixing/loading and/or application sites.
* Showers and changing rooms are provided near storage, mixing/loading and/or application sites.
* Spare clean clothing is provided near storage, mixing/loading, and/or application sites.
* Protective clothing is used and cared for properly (e.g., laundered as soon after use as possible, laundered separately from household wash).
* Respirator use training and fitting.
* Respirators are kept in protective packaging.
* Respirator pads are changed regularly.
* Pesticide applicators applying highly toxic chemicals (e.g., pesticides labeled “Danger”) are equipped with powered filtered-air respirator systems and/or positive pressure cabs.
* When applicable, workers handling solvents, fertilizers, etc., with potential to cause injury, are provided appropriate safety equipment.
* Other (please specify):

**Level 4:** As per Level 3, and a total of a total of 3 or more items from Level 2 apply.
Check all applicable:

* Emergency eye washing facilities are provided near storage, mixing/loading and/or application sites.
* Showers and changing rooms are provided near storage, mixing/loading and/or application sites.
* Spare clean clothing is provided near storage, mixing/loading, and/or application sites.
* Protective clothing is used and cared for properly (e.g., laundered as soon after use as possible, laundered separately from household wash).
* Respirator use training and fitting.
* Respirators are kept in protective packaging.
* Respirator pads are changed regularly.
* Pesticide applicators applying highly toxic chemicals (e.g., pesticides labeled “Danger”) are equipped with powered filtered-air respirator systems and/or positive pressure cabs.
* When applicable, workers handling solvents, fertilizers, etc., with potential to cause injury, are provided appropriate safety equipment.
* Other (please specify):

**Score:**

**Verification methods and notes:**

## Hazardous Materials Emergency Management

**Note:** Supplies needed include: absorbents, trash bags, rubber boots and gloves, eye protection, and/or respirators.

**Level 1:** All state or local legal requirements (if applicable) are met for emergency management of spills, fires or other emergencies related to hazardous materials.

**Level 2:** As per Level 1, and any spills in storage, mixing/loading, or application sites are cleaned up promptly. As an indicator, spill response kits/equipment (can be as simple as absorbent materials, i.e., kitty litter) are readily available where hazardous materials are stored, mixed, or used. Materials used to clean up spills are disposed of properly.

**Level 3:** As per Level 2, and emergency washing facilities such as showers, eyewash, and spare clean clothing are provided near storage, mixing/loading and application sites. The emergency washing facilities can include the operator’s home.

**Level 4:** As per Level 3, and a written emergency management plan is available. (See Operation safety policy.) Check all that apply:

* Identification and phone numbers for those who should be contacted.
* Procedures and equipment to be used.
* Copies of complete labels and MSDS sheets of hazardous materials used.
* Location of fixed storage sites.
* Policies requiring training for those who work with or around hazardous materials.
* Other (please specify):

**Score:**

**Verification methods and notes:**

## Sanitation and General Safety

**Level 1:** All the following apply:

* Employers provide clean drinking water and clean latrines with handwashing stations to workers in fields **and/or** working areas[[1]](#endnote-1) For example ,operations greater than 2000 acres only need water and latrines in shop areas or clean water mounted on tractors.
* Handwashing stations **or** facilities have soap and water.
* Upon inspection all facilities are clean.
* Employers provide safety training consistent with the law.

**Level 2:** As per Level 1, and 1 of the following applies:

* Employer provides a shower facility with warm water for employees to wash and change after the workday. This can include the operator’s home.
* Employer provides options for reduction in repetitive motion injury associated with operation production. Specify options provided:
* Operation provides temporary shelter for employees during breaks and lunches in remote work spaces.
* Employer contracts with professional firms to provide safety training.
* Employer has developed training checklists specific to jobs to ensure each employee gets training.
* Employer sets goals for safety and tracks success.
* Employer gives bonuses when safety goals are met.
* Other (please specify):

**Level 3:** As per Level 2, and a total of 2 items from Level 2 apply. Check all applicable:

* Employer provides a shower facility with warm water for employees to wash and change after the workday. This can include the operator’s home.
* Employer provides options for reduction in repetitive motion injury associated with operation production. Specify options provided:
* Operation provides temporary shelter for employees during breaks and lunches in remote work spaces.
* Employer contracts with professional firms to provide safety training.
* Employer has developed training checklists specific to jobs to ensure each employee gets training.
* Employer sets goals for safety and tracks success.
* Employer gives bonuses when safety goals are met.
* Other (please specify):

**Level 4:** As per Level 3, and a total of 3 or more items from Level 2 apply. Check all applicable:

* Employer provides a shower facility with warm water for employees to wash and change after the workday. This can include the operator’s home.
* Employer provides options for reduction in repetitive motion injury associated with operation production. Specify options provided:
* Operation provides temporary shelter for employees during breaks and lunches in remote work spaces.
* Employer contracts with professional firms to provide safety training.
* Employer has developed training checklists specific to jobs to ensure each employee gets training.
* Employer sets goals for safety and tracks success.
* Employer gives bonuses when safety goals are met.

Other (please specify):

**Score:**

**Verification methods and notes:**

Scorecard

**Scorecard for safe and fair working conditions**

|  |  |
| --- | --- |
| **CRITERIA** | **SCORE/LEVEL** |
| Minors, children, and family members in the workplace |  |
| Grievance procedures and policies |  |
| Recognizing and supporting employee input for workplace improvement  |  |
| Employee support services  |  |
| Discipline process |  |
| Nondiscrimination policy |  |
| Hiring practices, communicating expectations and policies |  |
| Work force development and new skills training |  |
| Compensation practices |  |
| Employee benefits |  |
| Employee housing and family support services |  |
| Pesticide handler/applicator safety |  |
| Hazardous materials emergency management |  |
| Sanitation and general safety |  |
|  |  |
| **(1) TOTAL POINTS EARNED =** |  |
|  |  |
| **Total Points Available** | **28** |
| **- Minus Total Points Not Applicable** |  |
| **(2) TOTAL APPLICABLE POINTS** |  |
|  |  |
| **(3) AVERAGE PERCENTAGE SCORE = [(1) / (2)] \* 100** | **%** |

1. [↑](#endnote-ref-1)