

APPENDIX A7: TIMBER LEGALITY DEFINITION AND COMPLIANCE VERIFICATION – LABOR OBLIGATIONS IN FORESTRY, WOOD PROCESSING AND TRADING OPERATIONS

PRINCIPLE 7.1 RIGHTS AND BENEFITS FOR EMPLOYEES IN TIMBER HARVESTING, WOOD PROCESSING AND TRADING		
Criterion 7.1.1 Compliance with law and regulations on the rights for employees of timber harvesting, wood processing and trade		
Indicator	Verifiers	Legal references
7.1.1.1 The operator has made contracts of employment with employees in written form and the contents of the contracts shall be consistent with the Law on Labor.	7.1.1.1.1 Inspection report of the Labor Inspection Organization on eEmployment record of the operator	<ul style="list-style-type: none"> • Law 43/NA (2014), articles 75, 76, 77, 78, 171 (3) and 175 • Decision 4277/MoLSW (2016), articles 4, 7 and 8 • New Decision on the use of on-line labor inspection report system
	<u>7.1.1.1.2 employment contracts</u>	<ul style="list-style-type: none"> • <u>Law 43/NA (2014), articles 75, 76, 77, 78</u>
Regulatory Inspection	Verification	
Inspected and endorsed by: - POLSW - DOLSW	Verified by: - POFI	
	Verification means: - document review (sample of employees) and consultation with operator - interviews with employees	
Information stored by: - POLSW - DOLSW	Verification frequency, timing: <ul style="list-style-type: none"> - Wood processing and furniture factories: <ul style="list-style-type: none"> ○ TBD in coordination with inspection 0777 ○ during site visits of wood processing and furniture factories - Harvesting operators PFAs and conversion areas: <ul style="list-style-type: none"> ○ once a year in sampled compartments of PFAs and in all conversion areas ○ once a year in sampled compartments of PFAs and in all conversion areas ○ during harvesting and log measurements at log landing 2 - Harvesting operators plantation concessions <ul style="list-style-type: none"> ○ once per year ○ during harvesting season - Harvesting operators VUF, ILEO, plantations of individuals or organizations <ul style="list-style-type: none"> ○ once per year ○ after harvesting season and during site visits of sampled villages, plantations and ILEOs Intensity:	

	<ul style="list-style-type: none"> - Wood processing and furniture factories: comprehensive (all operators) - Harvesting operators PFAs, and conversion areas: comprehensive (all operators) - Harvesting operators plantations: comprehensive (all visited concessions) - Harvesting operators VUF, ILEO, plantations: sample of contractors (risk-based) 	
Criterion 7.1.2 Compliance with law and regulations on the benefits for employees of timber harvesting, wood processing and trade		
Indicator	Verifiers	Legal references
7.1.2.1 The operator has regularly paid salary/wage to its employees not lower than minimum wage defined by the Government.	7.1.2.1.1 <u>employee's payment slips of the operator</u> Inspection report of the Labor Inspection Organization on monthly pay list of salary payment of the operator	<ul style="list-style-type: none"> • Law 43/NA (2014), articles 104 -109, 171 (3) and 175 • Decision 4277/MoLSW (2016), articles 4, 7 and 8 • New Decision on the use of on-line labor inspection report system
Regulatory Inspection	Verification	
Inspected and endorsed by: <ul style="list-style-type: none"> - POLSW - DOLSW 	Verified by: <ul style="list-style-type: none"> - POFI 	
	Verification means: <ul style="list-style-type: none"> - document review (sample of employees) and consultation with operator - interviews with employees 	
Information stored by: <ul style="list-style-type: none"> - POLSW - DOLSW 	Verification frequency, timing: <ul style="list-style-type: none"> - Wood processing and furniture factories: <ul style="list-style-type: none"> o TBD in coordination with inspection 0777 o during site visits of wood processing and furniture factories - Harvesting operators PFAs and conversion areas: <ul style="list-style-type: none"> o once a year in sampled compartments of PFAs and in all conversion areas o during harvesting and log measurements at log landing 2 - Harvesting operators plantation concessions <ul style="list-style-type: none"> o once per year o during harvesting season - Harvesting operators VUF, ILEO, plantations of individuals or organizations <ul style="list-style-type: none"> o once per year o after harvesting season and during site visits of sampled villages, plantations and ILEOs Intensity: <ul style="list-style-type: none"> - Wood processing and furniture factories: comprehensive (all operators) - Harvesting operators PFAs, and conversion areas: comprehensive (all operators) 	

	<ul style="list-style-type: none"> - Harvesting operators plantations: comprehensive (all visited concessions) - Harvesting operators VUF, ILEO, plantations: sample of contractors (risk-based) 	
PRINCIPLE 7.2 SOCIAL SECURITY FOR EMPLOYEES IN TIMBER HARVESTING, WOOD PROCESSING AND TRADING		
Criterion 7.2.1 Compliance with requirements of social security for employees in timber harvesting, wood processing and trading		
Indicator	Verifiers	Legal references
7.2.1.1 The operator with 10 and over employees has paid contribution to the national social security fund based on the law.	7.2.1.1.1 Inspection report of the Labor Inspection Organization on the contribution to the national security fund of the operator <u>Receipt for payment of national social security fund contribution</u>	<ul style="list-style-type: none"> • Law 34/NA (2013), articles 06, 55 (2) and 56 (2) • Decision 4277/MoLSW (2016), articles 4, 7 and 8 • New Decision on the use of on-line labor inspection report system
Regulatory Inspection	Verification	
Inspected and endorsed by: <ul style="list-style-type: none"> - POLSW - DOLSW 	Verified by: <ul style="list-style-type: none"> - POFI 	
	Verification means: <ul style="list-style-type: none"> - document review (sample of employees) and consultation with operator - interviews with employees 	
Information stored by: <ul style="list-style-type: none"> - POLSW - DOLSW 	Verification frequency, timing: <ul style="list-style-type: none"> - Wood processing and furniture factories: <ul style="list-style-type: none"> o TBD in coordination with inspection 0777 o during site visits of wood processing and furniture factories - Harvesting operators PFAs and conversion areas: <ul style="list-style-type: none"> o once a year in sampled compartments of PFAs and in all conversion areas o during harvesting and log measurements at log landing 2 - Harvesting operators plantation concessions <ul style="list-style-type: none"> o once per year o during harvesting season - Harvesting operators VUF, ILEO, plantations of individuals or organizations <ul style="list-style-type: none"> o once per year o after harvesting season and during site visits of sampled villages, plantations and ILEOs Intensity: <ul style="list-style-type: none"> - Wood processing and furniture factories: comprehensive (all operators) - Harvesting operators PFAs and conversion areas: comprehensive (all operators) 	

	<ul style="list-style-type: none"> - Harvesting operators plantations: comprehensive (all visited concessions) - Harvesting operators VUF, ILEO, plantations: sample of contractors (risk-based) 	
PRINCIPLE 7.3 OCCUPATIONAL SAFETY AND HEALTH IN TIMBER HARVESTING OPERATION		
Criterion 7.3.1 Compliance with requirements of occupational safety and health in timber harvesting operation		
Indicator	Verifiers	Legal references
7.3.1.1 The operator has implemented regulation requirements <u>on for</u> OSH in timber harvesting operation.	7.3.1.1.1 Inspection report the Labor Inspection Organization on the implementation of OSH regulation in timber harvesting operation of the operator <u>Implementation, monitoring and evaluation report on OSH by operator.</u>	<ul style="list-style-type: none"> • Law 43/NA (2014), articles 119(7), 171(3) and 175 • Instruction 1035/DOF (2010), section 3 • Decision 4277/MoLSW (2016), articles 4, 7 and 8 • Draft Decree on OSH No. /GOV, articles 10 and 11 • New Decision on the use of on-line labor inspection report system <u>Decree 22 /MOLSW, Article 10, 11, 12 (5)</u>
Regulatory Inspection	Verification	
Inspected and endorsed by: <ul style="list-style-type: none"> - POLSW - DOLSW 	Verified by: <ul style="list-style-type: none"> - POFI Verification means: <ul style="list-style-type: none"> - document review (sample of employees) and consultation with operator - interviews with employees 	
Information stored by: <ul style="list-style-type: none"> - POLSW - DOLSW 	Verification frequency, timing: <ul style="list-style-type: none"> - Harvesting operators PFAs and conversion areas: <ul style="list-style-type: none"> o once a year in sampled compartments of PFAs and in all conversion areas o during harvesting and log measurements at log landing 2 - Harvesting operators plantation concessions <ul style="list-style-type: none"> o once per year o during harvesting season - Harvesting operators VUF, ILEO, plantations of individuals or organizations <ul style="list-style-type: none"> o once per year o after harvesting season and during site visits of sampled villages, plantations and ILEOs Intensity: <ul style="list-style-type: none"> - Harvesting operators PFAs, and conversion areas: comprehensive (all operators) - Harvesting operators plantations: comprehensive (all visited concessions) 	

	- Harvesting operators VUF, ILEO, plantations: sample of contractors (risk-based)	
Indicator	Verifiers	Legal references
7.3.1.2 The operator has conducted trainings for employees on harvesting operation and <u>safety of use of chainsaw</u> .	7.3.1.2.1 Inspection report of the Labor Inspection Organization on training and use of chainsaw by the operator <u>Training records</u>	<ul style="list-style-type: none"> • Guideline 2157/ DOF (2006), section X (2) • Decision 0182/ MAF (2009), article 20 (20.5) • Decision 4277/MOLSW (2016), articles 4, 7 and 8 • Draft Decree on OSH No. /GOV, articles 10 and 11 • New Decision on the use of on-line labor inspection report system <u>Decree 22/MOLSW (2019), Art. 10, 11</u>
Regulatory Inspection	Verification	
Inspected and endorsed by: <ul style="list-style-type: none"> - POLSW - DOLSW 	Verified by: <ul style="list-style-type: none"> - POFI 	
	Verification means: <ul style="list-style-type: none"> - document review (sample of employees) and consultation with operator - interviews with employees 	
Information stored by: <ul style="list-style-type: none"> - POLSW - DOLSW 	Verification frequency, timing: <ul style="list-style-type: none"> - Harvesting operators PFAs and conversion areas: <ul style="list-style-type: none"> ○ once a year in sampled compartments of PFAs and in all conversion areas ○ during harvesting and log measurements at log landing 2 - Harvesting operators plantation concessions <ul style="list-style-type: none"> ○ once per year ○ during harvesting season - Harvesting operators VUF, ILEO, plantations of individuals or organizations <ul style="list-style-type: none"> ○ once per year ○ after harvesting season and during site visits of sampled villages, plantations and ILEOs Intensity: <ul style="list-style-type: none"> - Harvesting operators PFAs and conversion areas: comprehensive (all operators) - Harvesting operators plantations: comprehensive (all visited concessions) - Harvesting operators VUF, ILEO, plantations: sample of contractors (risk-based) 	
Indicator	Verifiers	Legal references

7.3.1.3 The operator including smallholder plantation who has imported and used chainsaw has received safety training requirements before registration with PAFO.	7.3.1.3.1 Training certificate and chainsaw registration letter	<ul style="list-style-type: none"> Decision 0080/ MAF (2012), article 8. To be amended to meet the requirements of the indicator
Regulatory Inspection		
Inspected and endorsed by: <ul style="list-style-type: none"> MOLSW 	Verification Verified by: <ul style="list-style-type: none"> POFI Verification means: <ul style="list-style-type: none"> document review (sample of employees) and consultation with operator interviews with employees 	
Information stored by: <ul style="list-style-type: none"> MOLSW 	Verification frequency, timing: <ul style="list-style-type: none"> Harvesting operators PFAs conversion sites: <ul style="list-style-type: none"> once a year in sampled compartments of PFAs or all conversion sites during harvesting and log measurements at log landing 2 Harvesting operators plantation concessions <ul style="list-style-type: none"> once per year during harvesting season Harvesting operators VUF, ILEO, plantations of individuals or organizations <ul style="list-style-type: none"> once per year after harvesting season and during site visits of sampled villages, plantations and ILEOs Intensity: <ul style="list-style-type: none"> Harvesting operators PFAs, conversion sites: comprehensive (all operators) Harvesting operators plantations: comprehensive (all visited concessions) Harvesting operators VUF, ILEO, plantations: sample of contractors (risk-based) 	
Criterion 7.3.2 Compliance with requirements for personal protection of timber felling		
Indicator	Verifiers	Legal references
7.3.2.1 The operator has provided personal protective equipment and trained harvesting employees.	7.3.2.1.1 Inspection report of the Labor Inspection Organization on the supply and use of personal protective equipment Personal protective equipment and training records.	<ul style="list-style-type: none"> Law 43/NA (2014), articles 119 (7, 8), 171 (3) and 175 Guideline 2157/ DOF (2006), section X (1) Decision 4277/MoLSW (2016), articles 4, 7 and 8 Draft Decree No. /GOV, articles 10 and 11 New Decision on the use of on-line labor inspection report system Decree 22/MOLSW, Articles 10, 11

	7.3.2.1.2 available personal protective equipment	<ul style="list-style-type: none"> • Law 43/NA (2014), articles 119 (8)
Regulatory Inspection	Verification	
Inspected and endorsed by: <ul style="list-style-type: none"> - POLSW - DOLSW 	Verified by: <ul style="list-style-type: none"> - POFI 	
	Verification means: <ul style="list-style-type: none"> - document review (sample of employees) and consultation with operator - interviews with employees 	
Information stored by: <ul style="list-style-type: none"> - POLSW - DOLSW 	Verification frequency, timing: <ul style="list-style-type: none"> - Harvesting operators PFAs and conversion areas: <ul style="list-style-type: none"> o once a year in sampled compartments of PFAs and in all conversion areas o during harvesting and log measurements at log landing 2 - Harvesting operators plantation concessions <ul style="list-style-type: none"> o once per year o during harvesting season - Harvesting operators VUF, ILEO, plantations of individuals or organizations <ul style="list-style-type: none"> o once per year o after harvesting season and during site visits of sampled villages, plantations and ILEOs 	
	Intensity: <ul style="list-style-type: none"> - Harvesting operators PFAs and conversion areas: comprehensive (all operators) - Harvesting operators plantations: comprehensive (all visited concessions) - Harvesting operators VUF, ILEO, plantations: sample of contractors (risk-based) 	

PRINCIPLE 7.4 OCCUPATIONAL SAFETY AND HEALTH IN WOOD PROCESSING AND TRADING

Criterion 7.4.1 Compliance with law and regulations on occupational safety and health in wood processing and trade

Indicator	Verifiers	Legal references
7.4.1.1 The operator has implemented guidelines requirements on OSH for wood processing and trade according to the labour law and scale of enterprises .	7.4.1.1.1 Inspection report of the Labor Inspection Organization on the implementation of the guidelines on OSH for wood processing and trade Implementation, monitoring and evaluation report on OSH by operator.	<ul style="list-style-type: none"> • Law 43/NA (2014), articles 119 (7), 171 (3) and 175 • Decision 4277/MoLSW (2016), articles 4, 7 and 8 • Draft Decree No./GOV, articles 10 and 11 • New Decision on the use of on-line labor inspection report system Decree 22/MOLSW (2019), Art. 10, 11
Regulatory Inspection	Verification	

Inspected and endorsed by: - POLSW - DOLSW	Verified by: - POFI	
	Verification means: - document review (sample of employees) and consultation with operator - interviews with employees	
Information stored by: - POLSW - DOLSW	Verification frequency/timing and intensity: - TBD in coordination with inspection 0777 - during site visits of wood processing and furniture factories - comprehensive (all operators)	
Criterion 7.4.2 Compliance with law and regulations on personal protection at the work place in wood processing and trade		
Indicator	Verifiers	Legal references
7.4.2.1 The wood processing and trade operator has supplied and enforced <u>trained</u> the use of personal protective equipment for employees.	7.4.2.1.1 Inspection report of the Labor Inspection Organization on the use of personal protective equipment. Personal protective equipment and training records.	<ul style="list-style-type: none"> ● Law 43/NA (2014), articles 119 (8), 171 (3) and 175 ● Decision 4277/MoLSW (2016), articles 4, 7 and 8 ● New Decision on the use of on-line labor inspection report system Decree 22/MOLSW (2019), Art. 10, 11
Regulatory Inspection	Verification	
Inspected and endorsed by: - POLSW - DOLSW	Verified by: - POFI	
	Verification means: - document review (sample of employees) and consultation with operator - interviews with employees	
Information stored by: - POLSW - DOLSW	Verification frequency/timing and intensity: - TBD in coordination with inspection 0777 - during site visits of wood processing and furniture factories - comprehensive (all operators)	