

**ADVICE-40-004-23 V2-0 D1-0 Evaluation of contractors against the FSC core labour requirements**

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| <b>Normative reference</b> | FSC-STD-40-004 V3-1: <ul style="list-style-type: none"> <li>- Clause 1.6,</li> <li>- Clause 13.2,</li> <li>- Clause 13.4</li> <li>- Terms and definitions: 'Scope'</li> </ul> |
| <b>Approval date</b>       | DD.MM.YYYY  |
| <b>Effective date</b>      | 01 July 2024  |
| <b>Transition end date</b> | 31 December 2025  |
| <b>Scope</b>               | This advice note applies to all CoC certificate holders that outsource activities within the scope of their certificates to non-FSC-CoC-certified contractors.                |

**Terms and Definitions**

**Audit:** systematic, independent and documented process for obtaining objective evidence and evaluating it objectively to determine the extent to which the audit criteria are fulfilled  
(Source: ISO 19011:2018)

**First-party audit:** an assessment that is performed within the organization by their own auditing resource or a person acting on behalf of the organization. First-party audits are often called internal audits.

NOTE: In the context of this advice note, the audit would be carried out by, for example, an employee of the contractor or a consultant contracted by the contractor.

**Second-party audit:** an assessment that is performed by a person or organization that has an interest in the object of the assessment.

NOTE: In the context of this advice note, the audit of the contractor would be carried out by, for example, the organization, or a person contracted by the organization who is independent of the contractor.

**Third-party audit:** an assessment that is performed by a person or organization independent of the object of the assessment.

NOTE: In the context of this advice note, for example, the audit would be carried out by an independent person acting on behalf of a certification body contracted by the contractor.

**Background**

FSC introduced <FSC-ADVICE-40-004-23 V1-0 Evaluation of Contractors against the FSC Core Labour Requirements> to provide

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clear instructions on how the FSC core labour requirements have to be applied to contractors operating under outsourcing agreements.

Since its effective date, various stakeholder concerns on the practical implications were raised with FSC, with multiple queries for FSC to provide further clarity and request for more time to implement requirements. This request resulted in the introduction of the 'transition end date' from 1<sup>st</sup> September 2023, which provided the transition end date until 31<sup>st</sup> December 2024. Despite some positive feedback appreciative of the provision of more time, ongoing concerns on the impact of the advice note on certificate holders and certification bodies were raised, especially concerning the risk classification requirements and prominent use of the International Trade Union Confederation's (ITUC) Global Rights Index. Various stakeholders requested FSC to withdraw, suspend, or revise the requirements in a timely manner.

The objective of this revised advice note is to respond to stakeholder concerns in an expedite manner and ensure the original intention of the advice note – providing clear instructions on how the FSC core labour requirements have to be applied to contractors operating under outsourcing agreements – is retained. To achieve this, the advice note provides further amendments and clarifications based on received stakeholder queries.

These amendments and added clarifications are relevant to certificate holders and applicants.

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## Advice

### **1. Inclusion of contractors within the organization's self-assessment**

1.1 The organization shall include provisions in any new or revised outsourcing agreements with non-FSC-certified contractors which are specifying their commitment to the FSC core labour requirements or shall provide a policy of the contractor that demonstrates such a commitment.

NOTE: As an interim solution, the organization may provide a separate written declaration with non-FSC-certified contractors which specifies their commitment to the FSC core labour requirements and is signed by both parties (organization and contractor).

1.2 The organization shall include non-FSC-certified contractors with an outsourcing agreement within their self-assessment which describes how the organization has confirmed the contractors' conformity to the FSC core labour requirements.

NOTE: Contractors who are certified by a verification scheme<sup>1</sup> identified by FSC as equivalent to the FSC core labour

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<sup>1</sup> Verification schemes consist of voluntary sustainability standards (VSS), national and regional regulatory mechanisms, corporate practices, internal procurement policies, and sustainability initiatives.

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requirements are exempt from organizations' self-assessments and certification bodies' risk assessments, similar to FSC-certified contractors. Any observations or complaints about potential non-conformities should be shared with responsible certification bodies and verification scheme owners.

- 1.3 For the certification body to determine risk level in its risk assessment of contractors' conformity to the FSC core labour requirements, the organization may provide evidence obtained from an on-site first-party, second-party, or third-party audit, conducted at least annually, including audit documentation and records.

NOTE: "Annually" is to be interpreted as follows: at least once per calendar year, but no later than 15 months after the last first-party, second-party, or third-party audit (determined by the date of the on-site visit).

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