



**AusLSA**

**Modern Slavery Co-Lab**

AUSTRALIAN  
LEGAL SECTOR

ALLIANCE

The AusLSA Modern Slavery Co-Lab is about to commence

Please make sure that your microphone is on MUTE

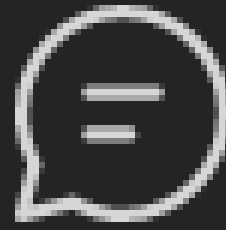


# Acknowledgement of Country

In the spirit of reconciliation, we begin today by acknowledging the traditional custodians of all the lands from which we join today's workshop. We and recognise the continuation of the cultural, spiritual and educational connection that Aboriginal and Torres Strait Islander peoples have to their lands.

We pay our respects to their elders past and present and extend a special welcome to Aboriginal and Torres Strait Islander peoples joining with us today.

# Objectives - reminder



Chat



Reactive

1. Build relationships and share experiences with other AusLSA member modern slavery practitioners.
2. Provide information, advice, case studies and potential solutions to address key issues to improve the impact of modern slavery programs.
3. Consider the ongoing issues and challenges and develop longer-term approaches to work on them together.





# Introducing

**Robin Mellon,  
CEO – Better Sydney**

**Board Member,  
UN Global Compact  
Network Australia**

# THE CHATHAM HOUSE RULE – ROBIN

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A reminder that, under the 'Chatham House Rule', participants are free to use the information received, but neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed.

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# GUIDELINES AROUND ANTI-COMPETITIVE PRACTICE

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- i. “The Australian Legal Sector Alliance and Co-Lab representatives are committed to ensuring that its operations, initiatives, working groups and meetings are conducted in compliance with Australian competition laws.*
- ii. The Australian Legal Sector Alliance and Co-Lab representatives must not disclose or elicit disclosure of any competitively sensitive information relating to their organisations, such as current or future pricing or procurement, and must not discuss whether to acquire or not acquire goods or services from a particular supplier with another Co-Lab member nor enter into any form of arrangement to do so.*
- iii. The Australian Legal Sector Alliance and Co-Lab representatives should make their decisions on whether to use a supplier independently of, and without discussion with, other Co-Lab members, and should not discuss actions that their organisation may take independently to address issues considered, or to address issues identified with specific suppliers.*
- iv. The Australian Legal Sector Alliance and Co-Lab representatives should not discuss or agree on the terms of a Co-Lab member’s supplier arrangements or agreements and should not discuss a supplier’s information with another member.*
- v. Nothing discussed or disclosed, and no recommendation or decision, is intended to affect competition between The Australian Legal Sector Alliance and Co-Lab representatives in any way.*
- vi. No decision, arrangement or commitment will be reached as to the adoption or non-adoption of any recommendations, or any other co-ordination or common approach without legal advice, and any regulatory approvals that may be required, being obtained.”*

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## Australian Legal Sector Alliance Modern Slavery Co-Lab Guidelines around anti-competitive or collusive behaviour, or cartel conduct version 8 June 2023

When competitors interact with one another, including through industry collaborations such as the Australian Legal Sector Alliance (AusLSA) Modern Slavery Collaboration (Co-Lab), it is important that they carefully manage any flow of information or arrangements between them in order to comply with Australian competition laws.

These laws relate in particular to the cartel and concerted practice prohibitions within the Competition and Consumer Act 2010, which prohibits anti-competitive conduct, including:

- a) Cartel conduct: arrangements between competitors to fix prices, restrict the supply or acquisition of goods or services by parties to the arrangement, allocate customers or territories, or rig bids.
- b) Concerted practices: other cooperation between competitors which has the purpose, effect or likely effect of substantially lessening competition, in particular, sharing Competitively Sensitive Information with competitors such as future pricing intentions
- c) Any contract, arrangement or understanding which has the purpose, effect or likely effect of substantially lessening competition
- d) Any conduct by a company with market power which has the purpose, effect or likely effect of substantially lessening competition
- e) Collective boycotts: where a group of competitors agree not to acquire goods or services from, or not to supply goods or services to, a business with whom the group is negotiating, unless the business accepts the terms and conditions offered by the group.

Any contravention of the Act could result in significant penalties for participants and their respective employees. Cartel conduct may also result in criminal sanctions, including jail terms for individuals.

From the commencement of this AusLSA Modern Slavery collaboration, the key principles for the Workshops and related initiatives have been to:

1. Provide a confidential and collaborative environment.
2. Offer information, advice, case studies and potential solutions.
3. Articulate a set of shared issues and actions.
4. Encourage supplier education.
5. Promote more sustainable procurement practices.
6. Reduce administration.
7. Stay impartial.
8. Support cross-culture communication and transparency.

N.B. These Guiding Principles are still in draft form and will be agreed by the AusLSA Co-Lab.

Bearing these principles in mind, and in order to comply with Australian competition laws:

- The Australian Legal Sector Alliance and its members are committed to ensuring that its operations, initiatives, working groups and meetings are conducted in compliance with Australian competition laws.
- The Australian Legal Sector Alliance and Co-Lab representatives must not disclose or elicit disclosure of any competitively sensitive information relating to their organisations; ‘competitively sensitive information’ includes information about an organisation’s current or proposed prices or pricing methods, terms or product offerings, business plans or any aspect of commercial strategy; information that has been disclosed publicly is not competitively sensitive information.
- The Australian Legal Sector Alliance and Co-Lab representatives should also not discuss actions that their organisation may take independently to address issues considered, or to address issues identified with specific suppliers.
- Nothing discussed or disclosed, and no recommendation or decision, is intended to affect competition between Co-Lab representatives in any way.
- No decision, arrangement or commitment will be reached as to the adoption or non-adoption of any recommendations, or any other co-ordination or common approach without legal advice, and any regulatory approvals that may be required, being obtained.
- The Australian Legal Sector Alliance and Co-Lab representatives should review the table of ‘Dos and Don’ts for dealing with competitors’ regularly (p2).

CONTEXT	DOs	DON'Ts
Discussions with competitors	DO make sales, marketing and procurement decisions independently of your competitors DO seek independent legal advice before engaging in communications with competitors DO prepare agendas and minutes for all meetings with competitors DO remove yourself from any discussions with competitors that you consider may involve breaches of competition law and alert your legal team DO ensure that the language you use in communications reflects your legitimate independent commercial strategies and does not inadvertently suggest and intention to engage in anti-competitive conduct DO consider preparing a competition protocol if you and your competitors are considering sharing information, or collaborating in relation to potential procurement or supply decisions including based on modern slavery risks. Subject to independent legal advice, the protocol should recommend first seeking independent legal advice and at least require that the parties: - not make any form of arrangement to not acquire or supply goods or services to or from particular persons; - make supply and/or procurement decisions independently of, and without discussion with competitors - not discuss or agree with a competitor the terms of a party's supply or procurement arrangements; and - not discuss customers or suppliers with a competitor.	DON'T discuss Competitively Sensitive Information <sup>1</sup> with competitors DON'T reach an understanding or enter into a contract or arrangement with a competitor to not acquire goods or services from suppliers who do not meet criteria DON'T reach an understanding or enter into a contract or arrangement with a competitor to not supply goods or services to customers who do not meet criteria DON'T discuss with your competitors the reasons for your use of a certain supplier or supply of services to a certain customer (e.g. that they comply with modern slavery requirements) DON'T make contracts (or enter into an understanding or arrangement) with a competitor to: - fix the prices at which goods or services are acquired or supplied by one or more of the parties; - limit, restrict or prevent the capacity, production, supply or acquisition of goods or services by one or more parties; - allocate between the parties any customers, suppliers or territories; or - influence the bids of the parties in a tender or bid process. DON'T agree with another party to hinder or prevent third parties from dealing with certain people DON'T assume that your collaborations or discussions with competitors are automatically protected because they relate to sustainability, modern slavery or another purpose which gives rise to public benefits.

It is proposed that these Guidelines are noted as an Agenda item at the start of every Workshop and/or AusLSA Modern Slavery Co-Lab meeting and attached as an Appendix to the Agenda, and the following six-point reminder read out by the Meeting Chair or Facilitator:

<sup>1</sup> Competitively Sensitive Information includes information about a party that is not public and could influence or affect a competitor’s decision making in respect of its production, supply or acquisition of goods or services in relation to which it competes with the party. It includes: current and future pricing, cost and profit information; current or forecast production or supply volumes; detailed customer or supplier information; intentions in relation to competitive tender processes; and current or future procurement, sales and marketing strategies.

# WHAT WE'RE GOING TO COVER - ROBIN

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1. Context, Acknowledgement, Objectives and Introduction (Richard)
2. Challenges faced across the Co-Lab participants (Robin)
3. Assessing Modern Slavery Risk (Robin)
4. Pathways towards better assessment of risk (Robin)
5. Speaker: Julie Petticrew, Electronics Watch
6. Speaker: Dr Miriam Thompson, Cleaning Accountability Framework
7. Question and Answer time (All)



# REMINDER: PARTICIPANTS' CHALLENGES

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At the last workshop we introduced ourselves with:

1. Names and roles of representatives attending
2. Where you've got to with your modern slavery initiatives
3. Your most significant modern slavery challenge in the next 12 months.

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# CHALLENGES IDENTIFIED AROUND THE GROUP

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- Making best use of leverage, especially around high-risk / low-volume suppliers
- The resources available to dedicate to modern slavery initiatives
- Different regulatory perspectives across international jurisdictions
- Distributing supplier assessment questionnaires (SAQs) to all suppliers
- How to assess modern slavery risks in Tier 2 of supply chains and beyond
- Keeping abreast of training and education in this space
- Getting (adequate) responses from suppliers about modern slavery issues
- Achieving a collective legal sector response from suppliers
- How to work with smaller suppliers without a Modern Slavery Statement
- Where to start and how to prioritise approaches and resources
- How to educate and work with smaller and mid-size suppliers around risk
- Changing government approaches and the potential for templates
- Integrating different reporting mechanisms across ESG metrics
- Capturing progress and 'continuous improvements' over time
- Differences in roles between partners and suppliers (legal, risk, procurement etc.)

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# TODAY'S TOPIC: ASSESSING MODERN SLAVERY RISK

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Clarification around 'risk':

There are traditional concepts of risk around risk to the organisation (operational, market, financial or reputational risk).

There are traditional notions of risk in terms of likelihood or prevalence.

The Modern Slavery Act 2018 focuses on risk of harm to people.

This requires a similar direction to health and safety (OH&S).

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# THE UN GUIDING PRINCIPLES

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The UN Guiding Principles on Business and Human Rights set out the need for all organisations to consider how they might:

- **CAUSE** modern slavery (for example, by deceptive recruitment or the exploitation of staff)
- **CONTRIBUTE TO** modern slavery (for example, by insisting on unrealistic deadlines and prices for suppliers)
- **BE DIRECTLY LINKED TO** modern slavery (for example, through a direct business relationship with a supplier exploiting others).

# RISK MATRIX APPROACH

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Therefore, each organisation needs to consider the actions, responses and controls in place to manage whether they might:

- **CAUSE** modern slavery (for example, by deceptive recruitment or the exploitation of staff)
- **CONTRIBUTE TO** modern slavery (for example, by insisting on unrealistic deadlines and prices for suppliers)
- **BE DIRECTLY LINKED TO** modern slavery (for example, through a direct business relationship with a supplier exploiting others).

# COUNTRY-LEVEL RISK

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Global Slavery Index data:

<https://www.walkfree.org/global-slavery-index/>

International Labour Organisation (ILO):

<https://www.ilo.org/global/statistics-and-databases/lang--en/index.htm>

Business and Human Rights Resource Centre:

<https://www.business-humanrights.org/en/>

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Overview > Select options

Close

## GLOBAL MODERN SLAVERY AT A GLANCE

An estimated 50 million people were living in modern slavery on any given day in 2021, according to the latest Global Estimates of Modern Slavery. These estimates, produced by the International Labour Organization (ILO), Walk Free, and the International Organization for Migration (IOM), are the starting point for the national estimates of modern slavery for 160 countries presented here in Walk Free's flagship report, the Global Slavery Index (GSI). The global data portal allows you to explore the 2023 Global Slavery Index data, enabling country and region comparisons for each measurement – an estimated prevalence of modern slavery along with the number of people in modern slavery, an analysis of factors that make communities vulnerable, and an assessment of government responses to modern slavery. It also provides a high-level indication of the goods at risk of forced labour G20 countries import each year.

### PREVALENCE & NUMBER

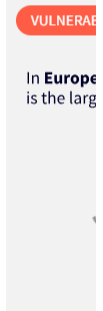
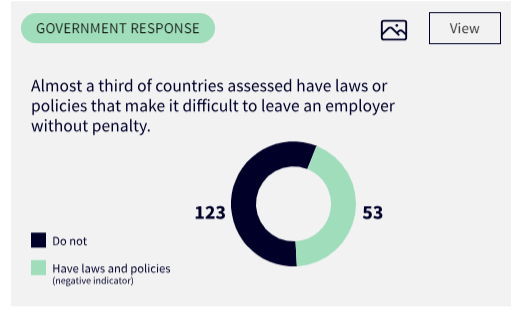
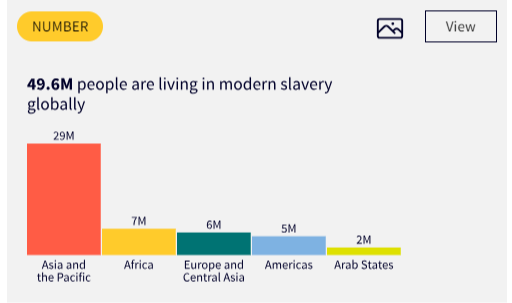
Measuring the scale of modern slavery in 160 countries. These national estimates of the prevalence per thousand people and number of people were calculated using individual and country-level risk factors of modern slavery. The analysis draws on thousands of interviews with survivors of modern slavery collected through nationally representative household surveys across 75 countries and Walk Free's assessment of national-level vulnerability. Unlike the national scores for vulnerability and government response, our data on the scale of modern slavery cannot be disaggregated (for example, by form of modern slavery or gender).

### VULNERABILITY

Measuring the level of vulnerability to modern slavery in 160 countries. The vulnerability model estimates how vulnerable people in a country are to modern slavery and in what ways. Based on a set of country level indicators, the model is designed to enable us to identify and better understand the potential drivers of this crime. The 23 indicators of vulnerability were selected

EXPLORE FRAMEWORK

EXPLORE GLOBAL DATA



Select Country

DOWNLOAD

49.6M

An estimated 50 million people were living in modern slavery on any given day in 2021. This is nearly one in every 150 people in the world. Modern slavery is hidden in plain sight and is deeply intertwined with life in every corner of the world.

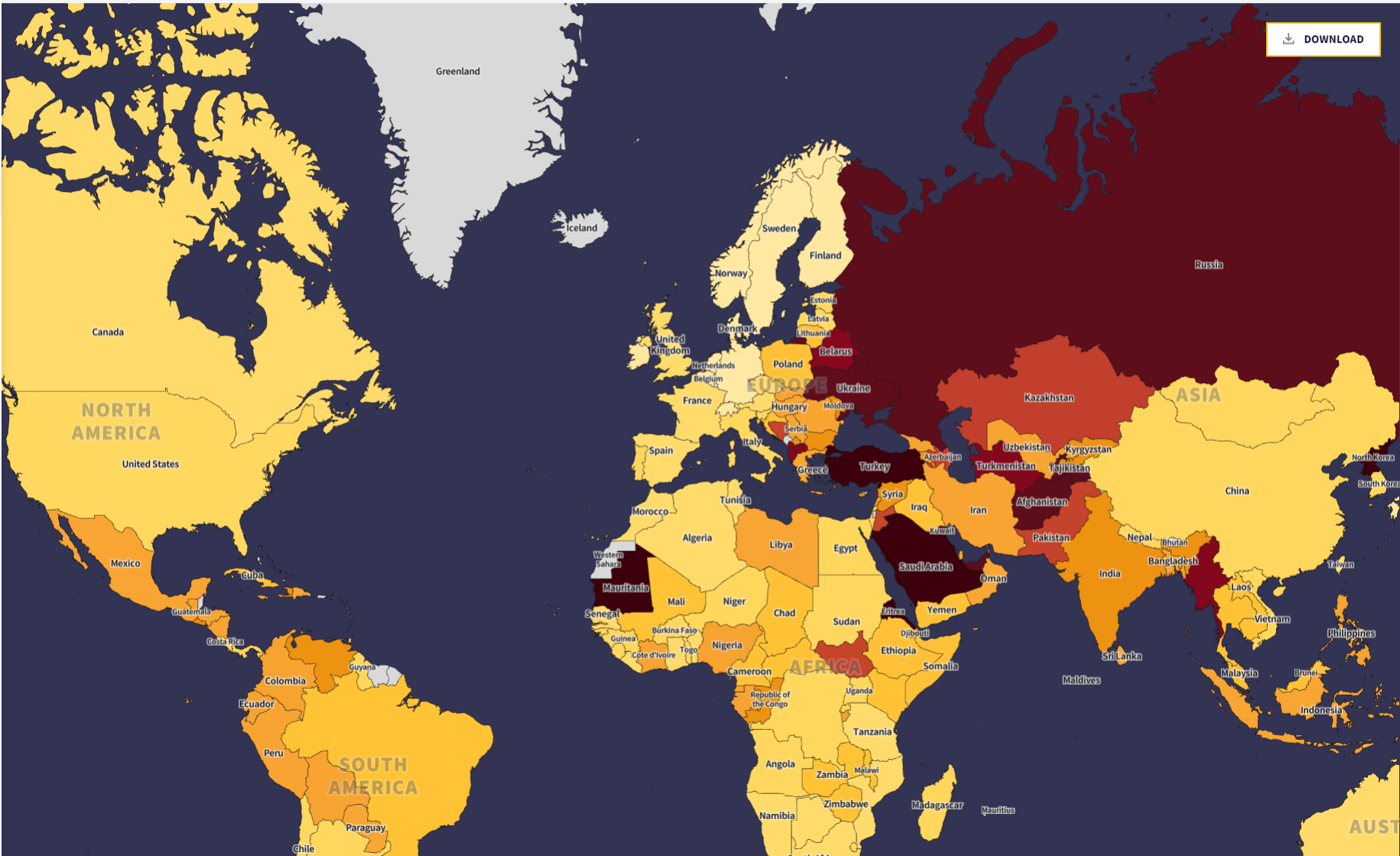
EXPLORE GLOBAL DATA

COUNTRIES REGIONS RESOURCES

Search...

COUNTRY	RESOURCES	PREV	VULN	GOV RESP
Afghanistan	3	13.0	86	-
Albania	1	11.8	40	62
Algeria	1	1.9	43	36
Angola	1	4.1	61	44
Antigua and Barbuda	1	-	-	44
Argentina	4	4.2	36	58
Armenia	1	8.9	48	54
Australia	8	1.6	7	67
Austria	2	1.9	8	62
Azerbaijan	1	10.6	57	59
Bahamas	1	-	-	53
Bahrain	2	6.7	40	55

World



Prevalence Vulnerability Gov. Response G20 COUNTRY: Select Country





Select Country

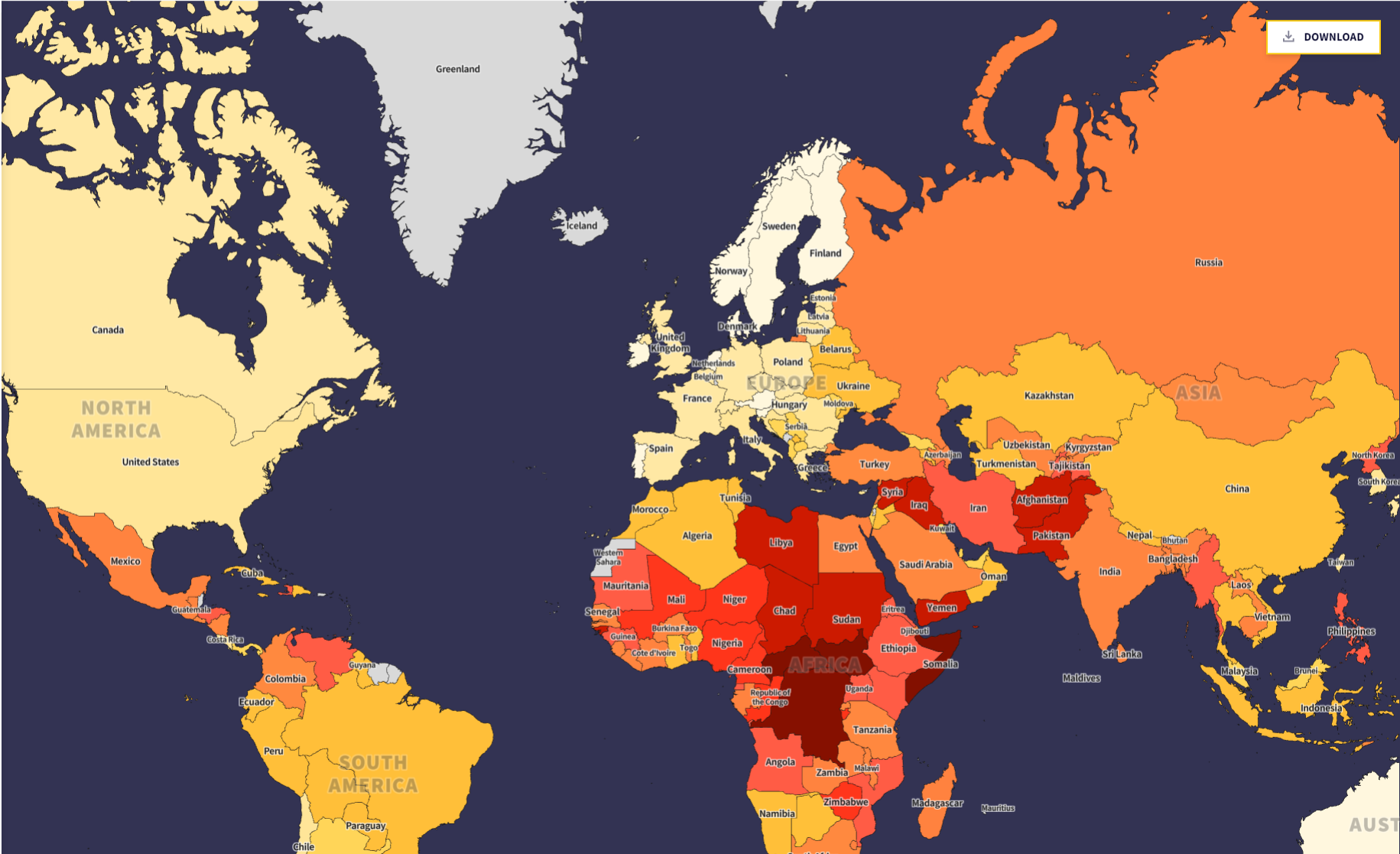
EXPLORE GLOBAL DATA

COUNTRIES REGIONS RESOURCES

Search...

COUNTRY	RESOURCES	PREV	VULN	GOV. RESP
North Korea	3	104.6	67	-3
Eritrea	2	90.3	66	5
Mauritania	2	23.0	66	35
Saudi Arabia	6	21.3	53	49
Türkiye	6	15.6	51	49
Tajikistan	2	14.0	67	36
United Arab Emirates	3	13.4	40	50
Afghanistan	3	13.0	86	-
Kuwait	5	13.0	39	37
Russia	7	13.0	60	24
Ukraine	5	12.8	48	51
North Macedonia	1	12.6	38	58
Myanmar	5	12.1	67	42
Turkmenistan	4	11.9	47	26
Albania	1	11.8	40	62
Belarus	1	11.2	41	47

World



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Prevalence Vulnerability Gov. Response G20 COUNTRY: Select Country



Select Country

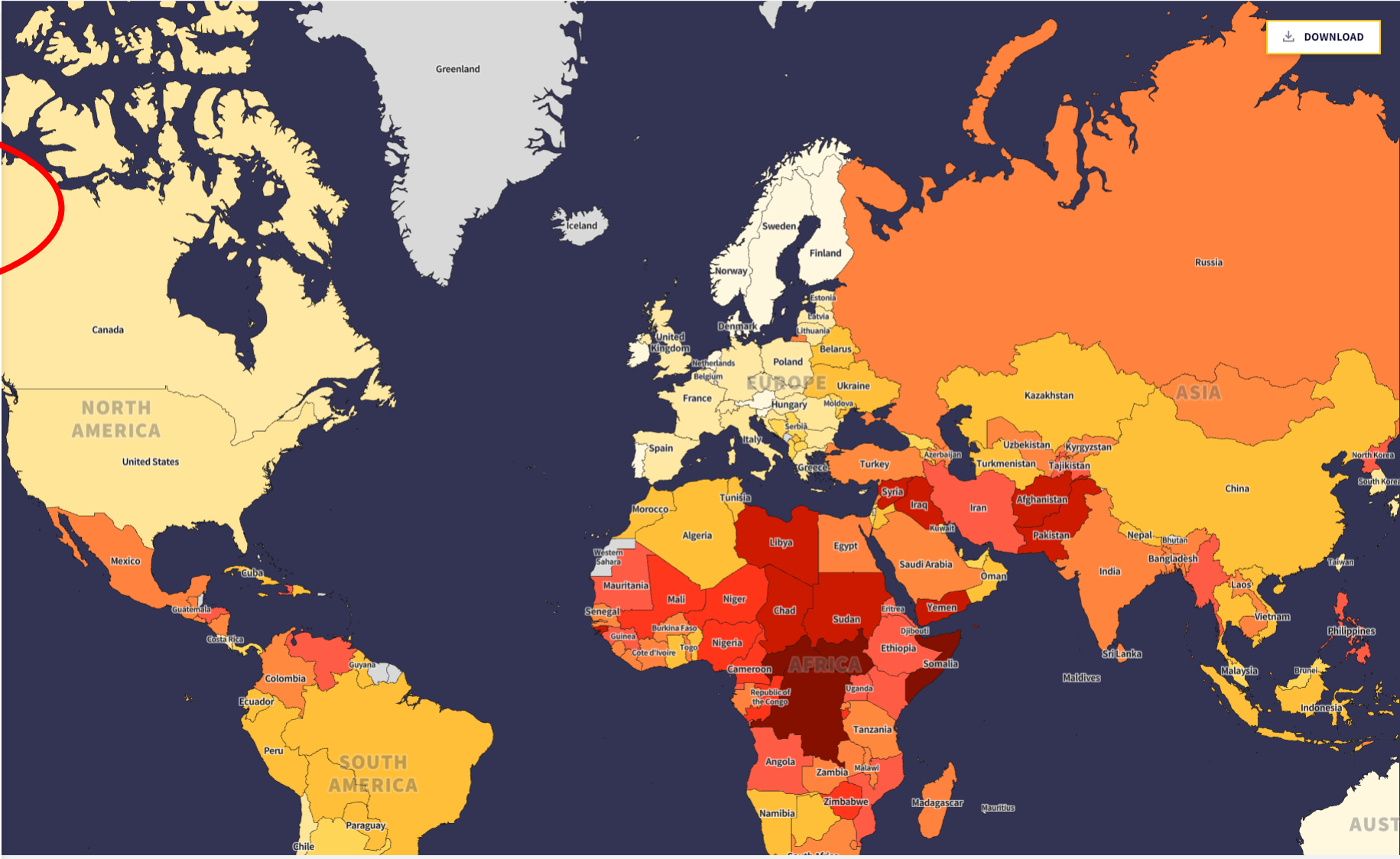
EXPLORE GLOBAL DATA

COUNTRIES REGIONS RESOURCES

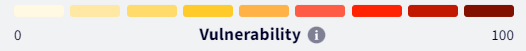
Search...

COUNTRY	RESOURCE	PREV	VULN	GOV RESP
South Sudan	2	10.3	100	-
Somalia	1	6.2	98	18
Central African Republic	2	5.2	99	27
Democratic Republic of t...	5	4.5	94	36
Yemen	1	6.0	89	-
Afghanistan	3	13.0	86	-
Chad	1	5.9	84	24
Syria	2	8.7	83	-
Sudan	3	4.0	82	26
Iraq	3	5.5	82	33
Libya	3	6.8	80	10
Pakistan	3	10.6	80	37
Guinea-Bissau	1	4.5	80	33
Papua New Guinea	2	10.3	79	31
Republic of the Congo	1	8.0	77	28
Burundi	1	7.5	77	20

World



DOWNLOAD



# MATERIALS AND RESOURCES RISK

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Cotton and clothing

Personal Protective Equipment (PPE)

Cobalt

Lithium

Polysilicon (silica)

Tomatoes

Promotional products

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# Policy Briefs

Please download any individual policy briefs or download them all

Download all Policy Briefs	Download
1. Xinjiang forced labour	Download
2. The XPCC	Download
3. Legal considerations	Download
4. Western sanctions	Download
5. Chinese countermeasures	Download
6. Corporate responses	Download
7. Cotton	Download
8. Tomatoes	Download
9. Solar	Download
10. Strengthening Xinjiang sanctions	Download



# SECTOR AND INDUSTRY LEVEL RISK

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Cleaning, security and catering

‘Finishing trades’ – painting, plastering, tiling

Food production and agriculture – fruit picking, coffee and chocolate

Clothing and fashion

Electronics, devices and IT

Solar panels and renewables

Office furniture and fittings

Stationery and promotional products

Outsourced services including IT, telephony, documents, accounting

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# RISKS IDENTIFIED

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What do the AusLSA Co-Lab participants think are some of the other biggest areas of supply chain risk (risk of harm to people)?

*[Please come off mute, or write in the Chat box]*

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# COMMON RISK FACTORS FOR MODERN SLAVERY

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Labour intensity – more people with fewer records kept

Low cost of products, materials or services – more corners cut

Remote and rural work – harder to see, and psychological distance from the consumer

Part-time and casual work – few regular patterns

Low-paid and cash-in-hand work – few traces or trails

Temporary and migrant visa workers – reliance on work, fear of speaking up

Single gender workforces – may be less likely to speak up

Areas of natural disaster or civil unrest – desperation for work

Unusual hours (night-time or early morning) – few people observe workers

Areas with weak rule of law, conflict, corruption, displacement or state failure

Organisations with weak governance, poor health and safety or conditions

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Filter by date

Year

- Select -



Month

- Select -



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## Grouped Property Services Pty Ltd

### Sector: Cleaning

# Penalties of \$447,300 and \$223,000 back-pay ordered after workers treated as “slaves”

8 June 2017

[Link to June 2017 resource](#)

The Fair Work Ombudsman has secured near-record penalties of \$447,300 against the operators of a **Sydney**-based cleaning company, with the Federal Court finding the company treated vulnerable employees as “slaves” under a “calculated” scheme.

Grouped Property Services Pty Ltd has been penalised \$370,000 and also ordered to back-pay \$223,244 to 49 employees it exploited between 2011 and 2013.

Rosario Pucci – the former owner-operator of the company described by the Court as being “intimately involved” in the exploitation – has been penalised a further \$74,300.

His brother Enrico Pucci, the company’s current owner and sole director, has been penalised \$3000 for his involvement in contravening the adverse action provision of the Fair Work Act that makes it unlawful to dismiss an employee for exercising a workplace right, such as inquiring about payment of wages.

Fair Work Ombudsman Natalie James said the case was one of the agency’s most complex matters.

“This matter involved dubious ‘labour hire’ arrangements, corporate structures and sham contracting arrangements that were used by a second time offender in a calculated attempt to avoid responsibility for vulnerable workers’ entitlements,” Ms James said.





10 Aug 2022  
Chris Barrett, The  
Sydney Morning  
Herald

Medical  
equipment/supplies

Labour: General,  
Migrant & immigrant  
workers, Torture & ill-  
treatment, Lawsuits &  
regulatory action:  
General, Weekly Update

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## Article

# Ansell accused of 'knowingly profiting' from forced labour at Malaysian glove supplier

[Read more](#)

[Link to August 2022 resource](#)

10 August 2022

Ansell is being sued in a US court by a group of former migrant workers in Malaysia who claim the Australian personal protective equipment giant “knowingly profited” from alleged forced labour in the disposable glove manufacturing industry.

The 13 Bangladeshi workers say they were trafficked to Malaysia and made to live and work in shocking conditions at single-use glove producer Brightway Holdings, a supplier to Ansell.

They have filed a lawsuit against the ASX-listed company and US firm Kimberly-Clark Corporation (KCC) in the US Federal District Court for the District of Columbia in which they are seeking damages and to represent thousands of other workers in a class action.

[...]

In their lawsuit against Ansell, the Bangladeshi migrant workers complained of atrocious conditions at Brightway, saying they were forced to work for more than 12 hours a day, often with restricted access to food, water and restrooms, had their passports seized and were physically and verbally abused.

They said they had been coerced into paying high recruitment fees, received delayed or incomplete wages and had to live in overcrowded and unclean accommodation with restrictions on when they could leave. They were forced to sleep in a single room with as many as 70 other workers and some did not even have a bed or pillow of their own.

Several were also threatened by management at Brightway for taking issue with the conditions they had to endure, according to the lawsuit.

[...]

## Timeline activity

**Malaysia: Medical & rubber glove manufacturers accused of subjecting migrant workers to forced labour & withholding wages**

[View timeline](#) 7 Dec 2018

**Malaysia: Medical & rubber glove manufacturers accused of subjecting migrant workers to forced labour & withholding wages**

[View timeline](#) 7 Dec 2018

**Malaysia: Hundreds of migrant workers subject to "squalid" onsite living conditions at glove manufacturers owned by Brightway Holdings; Incl. buyer responses**

[View timeline](#) 21 Dec 2020

## Latest news

Updated: 21 Sept 2022, 13:37

[Refresh](#)

**Qatar 2022: NGOs call for sponsors to support remedy to migrant workers as adidas, Budweiser (AB-InBev), Coca-Cola & McDonald's only cos. to respond to request for support**

This story contains 6 items  
[Story](#) 20 Sept 2022

**FIFA World Cup: All Sponsors Should Back Remedies for Workers**

[Article](#) 20 Sept 2022

**Microsoft's non-response to the Uyghur Forced Labour Prevention**



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More than 100 children illegally employed in hazardous jobs, federal investigation finds; food sanitation contractor pays \$1.5M in penalties

**Date** February 17, 2023 **Release Number** 23-325-NAT

[Link to February 2023 resource](#)

### News Release

## MORE THAN 100 CHILDREN ILLEGALLY EMPLOYED IN HAZARDOUS JOBS, FEDERAL INVESTIGATION FINDS; FOOD SANITATION CONTRACTOR PAYS \$1.5M IN PENALTIES

***Packers Sanitation Services Inc. employed minors to use caustic chemicals to clean razor-sharp saws, other high-risk equipment at 13 meat processing facilities in 8 states***

**KIELER, WI** – One of the nation’s largest food safety sanitation services providers has paid \$1.5 million in civil money penalties after the U.S. Department of Labor’s Wage and Hour Division found the company employed at least 102 children – from 13 to 17 years of age – in hazardous occupations and had them working overnight shifts at 13 meat processing facilities in eight states.

The employer’s payment of civil money penalties is the result of the division’s investigation of Packers Sanitation Services Inc. LTD, based in Kieler, Wisconsin. The division found that children were working with hazardous chemicals and cleaning meat processing equipment including back saws, brisket saws and head splitters. Investigators learned at least three minors suffered injuries while working for PSSI.

# PATHWAYS TO ASSESSING SUPPLIER RISK

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Assessing suppliers directly or using technology

Supplier Assessment Questionnaires (SAQs)

Supplier engagement

Verifying and auditing suppliers' information

Challenges obtaining information from smaller suppliers

Issues extracting details from Modern Slavery Statements

Misconceptions around analysing supplier risk by spend (largest first)

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# ASSESSING SUPPLIER RISK – BEST WAYS

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What do the AusLSA Co-Lab participants think are some of the best ways of assessing supply chain risk?

*[Please come off mute, or write in the Chat box]*

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# ASSESSING SUPPLIER RISK – SYSTEMS

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What systems, platforms or SAQs do the AusLSA Co-Lab participants use to assess supply chain risk?

*[Please come off mute, or write in the Chat box]*

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# ASSESSING SUPPLIER RISK - CHALLENGES

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What do the AusLSA Co-Lab participants think are some of the biggest challenges around assessing supply chain risk?

*[Please come off mute, or write in the Chat box]*

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# ASSESSING SUPPLIER RISK – INFORMATION

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Lack of information as a risk in itself

Suppliers not responding

Suppliers declining / refusing to answer questions

Suppliers giving responses that do not seem 'right'

Examples from other platforms and SAQs

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# Introducing

**Julie Petticrew**  
**Australian Representative**  
**Electronics Watch**





# Introducing

**Dr Miriam Thompson,  
Director of  
Program Development,  
Cleaning Accountability  
Framework**

**Miriam Thompson**

**AusLSA**

**8 June 2023**



**CAF**

**CLEANING  
ACCOUNTABILITY  
FRAMEWORK**

# What is CAF?

## Our purpose

**To end exploitation in property services and improve labour standards through education and advocacy.**

CAF is a multi-stakeholder organisation with representation from the following areas: investors, property owners, cleaning contractors, United Workers Union, the Fair Work Ombudsman and other government entities, and academics.



## CAF promotes:

- The rights of cleaners
- Transparent and accountable cleaning supply chains
- Sustainable business models
- Responsible contracting practices

# The Continuum of Exploitation



## DECENT WORK

- Workers' rights are respected
- Workers are free to refuse or cease work
- Workers are paid fairly and receive their full entitlements
- Workplace is safe



## DANGEROUS OR SUBSTANDARD WORKING CONDITIONS

- Workers can refuse or cease work but doing so may be detrimental
- Workers are not paid fairly and does not receive some or all entitlements
- Workers may be required to work excessive hours
- Workplace is unsafe



## MODERN SLAVERY

- Workers are paid little or nothing and do not receive their entitlements
- Workers cannot refuse or cease work because of coercion or threats
- Workers may have been manipulated into debt or had their identity documents confiscated so are unable to refuse or cease work
- Workers may be deprived of personal freedom

# Drivers of modern slavery and worker exploitation in the cleaning industry

- Complex supply chains
- Low barriers to entry
- Vulnerable workforce
- Low-paid non-standard employment
- High job turnover
- Low levels of employer compliance with workplace laws
- Low success rates of state and non-state enforcement
- Award reliance / absent collective bargaining

# What does CAF do?

- Voluntary supply chain regulation
  - CAF 3 Star Standard
  - CAF Pricing Schedule
  - Building Certification
  - Contractor Prequalification
- Partnering with industry
  - Membership
  - Education and advocacy
  - Working groups

# The place of worker voice in issue identification

CAF has found that 70% of labour rights violations are uncovered through worker engagement alone, as opposed to 30% through desk-based audits



COMPLIANCE ISSUE	WORKER ENGAGEMENT ONLY	DESK-BASED AUDIT ONLY
Bullying & harassment	100%	0%
Discrimination	100%	0%
Sick leave	54%	46%
Underpayment	57%	43%
Unsustainable workloads	92%	8%
Workplace health & safety	100%	0%
<b>Total (average)</b>	<b>70%</b>	<b>30%</b>

# How businesses can do better

- Fair contract pricing
- Transparency and accountability in the supply chain
- Elevate worker voice
- Collaborate
- Tenancy advocacy



# ASSESSING SUPPLIER RISK – NEXT STEPS

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What further insights or discussions would you like around the topic of assessing supply chain risk?

*[Please come off mute, or write in the Chat box]*

AUSTRALIAN  
LEGAL SECTOR

ALLIANCE

PROMOTING SUSTAINABILITY

# NEXT WORKSHOPS

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Following on from today's discussions, it is suggested that the next workshop, in July, covers the topic of:

- GRIEVANCE MECHANISMS AND 'THE WORKER VOICE'\*  
\*for staff and suppliers - suggestions for guest speakers are invited.

It is suggested that the following two workshops cover:

- What to do if modern slavery or exploitation is suspected
- The elements of effective, people-centred remediation

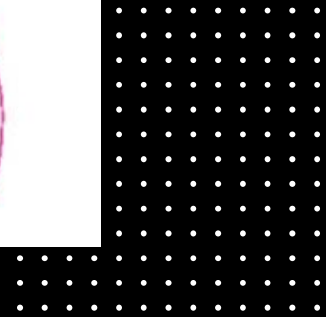
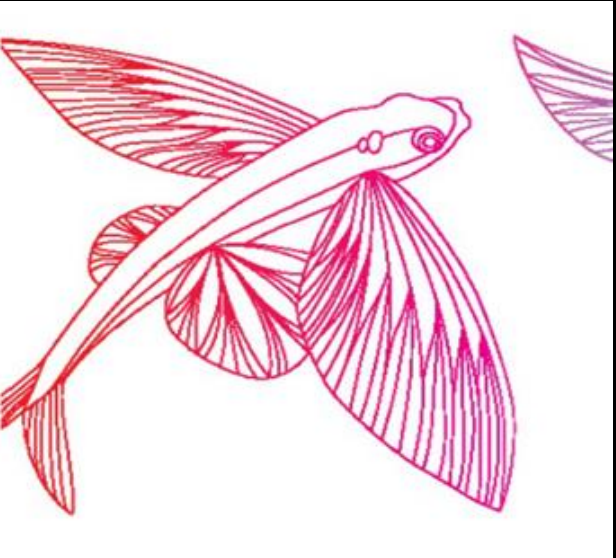
# REMINDER: FUTURE MEETINGS

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1. Richard and AusLSA will send out invitations for future workshops over the next few months.
2. Since workshops will not be recorded, please nominate someone to represent your organisation if you are unable to attend.
3. Please be prepared to share your progress, questions, concerns and ideas.

# QUESTION AND ANSWER TIME

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# Thank you and close

- Special thanks to Robin Mellon, and also guest speakers Julie Petticrew and Dr Miriam Thompson, for their time and for sharing their knowledge and experience.
- And thank you to you all for attending today and sharing with us.
- Please talk to others in your firm who would benefit from these Roundtables... we'd love to see them at the next event
- Robin and Kelvin have offered to stay on the line to speak to any participants who wish to continue the discussion .