

FISHERYPROGRESS.ORG

Human Rights and Social Responsibility Policy

Requirement 1.4 Grievance Mechanism

Guidance and Checklist

Version 1.1, February 2023

Introduction

In May 2021, FishChoice released the [FisheryProgress Human Rights and Social Responsibility Policy](#) (HRSR Policy) along with a new set of features on the FisheryProgress website to allow fishery improvement projects (FIPs) to publicly report on social performance. One of the requirements (1.4) is that FIPs demonstrate there is a grievance mechanism available to all fishers in the FIP. A grievance mechanism provides a means for fishers to raise grievances¹ or concerns or make comments, recommendations, reports, or complaints concerning employment and working conditions through which remedy can be sought. It is a critical component of an effective human rights due diligence system and the UN Guiding Principles on Human Rights emphasize the importance of workers and affected stakeholders having a safe way to file grievances and report rights abuses.

Purpose

The purpose of this document is to help FIPs better understand how to meet the grievance mechanism requirement (1.4) by providing guidance, a checklist, and other additional information. FIPs should also read the relevant section of the [FIP Review Guidelines](#) to further understand FisheryProgress' review criteria for the requirement.

FisheryProgress **does not** require FIPs to complete this checklist – it is a supporting document only. If there are any discrepancies between the HRSR Policy and this document, please refer to the HRSR Policy for the binding language. For any key terms and definitions cited below, please see the FisheryProgress [Glossary](#).

Initial and Progress Reporting Deadlines

As of January 1, 2023, new² FIPs must meet Requirement 1.4 of the HRSR Policy during their first six-month report after being listed as active on FisheryProgress. After FIPs have met the initial deadline for the requirement, they report on its use and effectiveness every 12 months during their annual report. Note that FIPs may request a 12-month extension to the initial deadline for Requirement 1.4 by submitting an [extension request form](#) to FisheryProgress.

Reporting Guidance

FIPs are required to provide a document that describes the grievance mechanism or equivalent process for collecting and remedying grievances. They provide the document to FisheryProgress by uploading it to the Social Performance tab of their profile. This document serves as the main source of information for FisheryProgress to verify whether each FIP has met Requirement 1.4. In case the

¹ “A grievance is understood to be a perceived injustice evoking an individual’s or a group’s sense of entitlement, which may be based on law, contract, explicit or implicit promises, customary practice, or general notions of fairness of aggrieved communities” (source: United Nations (2011). Guiding Principles on Business and Human Rights).

² The initial deadline for existing FIPs is dependent on their individual reporting schedules, and all existing FIPs are required to meet Requirement 1.4 by the end of April 2023.

document does not provide enough information, the FIP must provide additional information via the 'Details' field where the document is uploaded.

All information each FIP provides is published to the FIP's public FisheryProgress profile.

The review criteria that the FisheryProgress team uses to determine whether the FIP has met the requirement are detailed in [FIP Review Guidelines](#). Those criteria have been translated into a "Grievance Mechanism Reporting Checklist" and "Progress Reporting Checklist" below. While most of the information provided below focuses on the review criteria, additional information (e.g. examples and best practices) has been provided to improve understanding. For the grievance mechanism to be accepted and fulfill Requirement 1.4 of the HRSR Policy, the FIP must meet all of the review criteria points denoted by the checklist. Examples, best practice, and recommendations are designated with the use of "should."

Grievance Mechanism Reporting Checklist

- Each grievance mechanism is documented in an electronic copy (e.g., .pdf, .docx) that has been uploaded to the profile.

- It is clear who manages and is responsible for each grievance mechanism. The FisheryProgress review team can verify that based on:
 - Information provided in the grievance mechanism document(s).
 - Information provided in the 'Details' field where the document is uploaded.

- Each grievance mechanism outlines the full grievance and remedy process, including the communication channels available to fishers to report complaints to a responsible party who can review and escalate complaints for remedy as needed. The FisheryProgress review team can verify that based on:
 - Information provided in the grievance mechanism document(s).
 - Information provided in the 'Details' field where the document is uploaded.

Example: Communication channels

A communication channel is a method available for reporting grievances. Regardless of the communication channel used, it is important for there to be a clear system for processing, responding to, and remediating grievances collected via the communication channel. Examples of communication channels for reporting grievances include, but are not limited to, the following: 1) a workers' or labor union representative, 2) a specifically designated grievance committee, 3) a grievance log, 4) suggestion box, and 5) phone or text hotline (can be anonymous). Fishers must know how to access each channel – for example, where a person or committee is the channel through which a grievance can be reported, it must be clear how to contact them (e.g. phone, email, office hours, etc.)

It is best practice for communication channels to involve third parties so as to avoid having to report to immediate supervisors and to ensure the reporting channel remains confidential, independent and non-retaliatory. For fishers where the only access to communication channels is through the skipper and/or immediate supervisor, there should be a detailed process for how fishers can safely and transparently access a communication channel to report abuses.

- There is at least one grievance mechanism available to all fishers harvesting and/or transshipping FIP product. The FisheryProgress review team can verify that based on:

- Information provided in the grievance mechanism document(s).
- Information provided in the 'Details' field where the document is uploaded.

Example: Availability to all fishers

Examples of how to show that a grievance mechanism is available to all fishers:

- All supply chain participants submit their own grievance mechanism, and the description provided in the 'Details' field includes information on which grievance mechanism(s) applies to which fishers.
- The FIP submits a single grievance mechanism independently operated by a third party. The grievance mechanism document clearly articulates that it is available for use by fishers that all fall within the Unit of the FIP.

- Each grievance mechanism provides a way for fishers to report complaints in a timely manner (at least once every 24 hours), regardless of whether they are on land or at sea. The FisheryProgress review team can verify that based on:
 - Information provided in the grievance mechanism document(s).
 - Information provided in the 'Details' field where the document is uploaded.

More Information: Communication channels appropriate to different situations

Regardless of where fishers are physically located – at sea, in their home port, or at a foreign port – they must have a way to report grievances while fishing for and/or transshipping FIP products.

In FIPs where all fishing trips are short (<24 hours), or where fishers work on shore, examples of communication channels include, but are not limited to:

- Suggestion/complaint box placed at each landing site.
- Worker grievance hotline (phone/text).
- Office of a third-party grievance committee that is open 6 days a week near the main landing site.

In FIPs where fishing trips exceed 24 hours, any communication channel that is only available if the fisher is physically present at the main landing site would not be adequate because fishers could not access it while at sea or landing catch at another location. Examples of communication channels appropriate in these FIPs include, but are not limited to:

- Digital communication channel (hotline, texting service) for which internet access or cell service is available.
- Designated onboard responsible party to receive and process complaints.

It is best practice for multiple communication channels to be made available, especially in FIPs where there is diversity across fishers' situations (e.g. some may be on or near shore only while others take longer trips, or fishers operate out of multiple remote landing sites).

Best Practice

Grievance mechanisms should be legitimate, accessible, predictable, equitable, transparent, rights-compatible, a source of continuous learning, and based on engagement and dialogue. This holds true across all contexts – although contexts vary (e.g. a formal employment situation vs a cooperative of self-employed fishers), the traits of effective grievance mechanisms are universal.

The complaint and remedy process should include:

- ✓ Ownership of the mechanism: This is the individual or party(ies) responsible for maintaining and managing the grievance mechanism process. Including information on ownership is helpful for the FisheryProgress review team to clarify the scope of the mechanism and to ensure that it is applicable to all fishers in the FIP.
- ✓ Implementation responsibility: This is a list of the responsible party(ies) and their roles for implementing the mechanism, i.e., handling and resolving grievances and complaints.
- ✓ Scope of the mechanism: The mechanism should state which parties are eligible to make a complaint/grievance (i.e., to whom the mechanism is available). It also should include types of grievances permitted under the mechanism.
- ✓ Grievance review and remedy process: This is an outline of the steps for reviewing and, as needed, remedying grievances (e.g., assessing the complaint's eligibility, developing an action plan and an appropriate timeframe to investigate and resolve the issues identified, providing documentation to both parties stating the resolutions reached for the complaint or grievance, etc.).
- ✓ Grievance monitoring and recordkeeping: For example, this may include summary reports of complaints raised, actions taken, and conclusions reached, as well as any follow-up time-bound action plans for resolving complaints as appropriate and applicable. It also should include details on how copies of all files and communications regarding complaints/grievances are or will be maintained.

Progress Reporting Checklist

FIPs must provide an update on the grievance mechanism(s) each year as part of their annual report in the form of a brief appraisal, which may either be uploaded as a document or as site text provided in the 'Details' field where the grievance mechanism(s) was uploaded.

The brief appraisal of the effectiveness of the grievance mechanism(s) must consider at a minimum:

- The extent to which the mechanism(s) has been used.
- The accessibility of the mechanism(s).
- Time required to process grievances.
- General challenges and/or successes.

The FIP may voluntarily choose to upload new evidence to support the appraisal. The evidence provided should demonstrate the action(s) the FIP has described (see Appendix A in the [FIP Review Guidelines](#) for guidance on acceptable evidence and examples).

Additional Information: Annual Appraisal of the Grievance Mechanism(s)

The intent of the annual appraisal is to support the continuous improvement of the grievance mechanism(s) and their associated communication channels.

Below is an abbreviated example of an annual appraisal:

There are three grievance mechanisms in FIP A:

- Last year we set up a grievance mechanism managed by a third party for all fishers in the FIP. Since it was set up, it has only been used 5 times. Each of these complaints was processed and resolved within 3 months. We believe that because the mechanism is new, not all fishers are aware of the system and how to access it. We plan to meet Requirement 1.3 of the HRSR Policy (fisher awareness of rights) by our next annual report (we had requested an extension) and we believe that the actions we have planned to do so will greatly improve the awareness of and use of the third party grievance mechanism.
- Fishers employed by Company B also have a grievance mechanism available to them that is managed and operated by Company B. We asked Company B for information on the challenges, successes, and use of their mechanism but they did not share information with us.
- Fishers who are members of Cooperative C also have a new grievance mechanism available to them via the cooperative. Cooperative C recently formed a grievance committee that reviews and processes complaints monthly. They plan to summarize and share information about the complaints and remedies annually with their members and with the FIP's leadership. We should have that information available for our next annual appraisal.

Gathering information for the appraisal

In addition to information gathered from the grievance mechanism(s) recordkeeping and monitoring system, surveys and/or interviews with fishers could be utilized to capture information on the grievance mechanism(s)'s effectiveness. In this instance, it is recommended to utilize best practices of a worker-driven approach e.g., using survey enumerators who are trustworthy and entirely independent of brand and retailer influence.

Additional Information

FisheryProgress encourages FIPs to work with local worker representatives and labor organizations to identify and/or establish effective grievance mechanisms. In addition to seeking their advice, the below resources can support FIP leads, their participants, and partners to better understand and make progress in implementing and operating grievance mechanisms.

Roadmap for Improving Seafood Ethics (RISE)

The Roadmap for Improving Seafood Ethics (RISE), a FishWise project, is a free resource tailored to meet seafood companies' needs. It provides industry-relevant information and tools, coupled with connections to human rights experts and leading practitioners to support implementation. The RISE guidance on [worker engagement](#) includes information on grievance mechanisms.

Other Helpful Resources

- United Nations: [Guiding Principles for Business and Human Rights](#), Principles 25-31
- International Labour Office: [Factsheet on Grievance handling](#)
- Global Compact Network Netherlands, Oxfam and Shift: [Remediation and grievance mechanisms 'Early warning, effective solutions'](#)
- ELEVATE: Webinar on Accessing Effective Grievance Mechanisms ([Webinar/PDF](#))
- Verite: [Fair Hiring Toolkit - Step 6. Establishing Effective Grievance Mechanisms](#)
- Centre for Research on Multinational Corporations: [Human Rights & Grievance Mechanisms](#)
- Global Seafood Assurances: [Worker Voice on Fishing Vessels](#), White Paper (2020)