



Sustainability for a Connected Future

EPEAT– RSC–202X

Responsible Supply

Chains Criteria

~~Sustainability Assessment~~

~~Criteria for Corporate~~

~~ESG Performance~~

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Foreword

The Global Electronics Council (GEC) is a mission driven non-profit working to create a more sustainable and just world, focused on supporting institutional purchasers in procuring only credible sustainable and circular technology products and services. GEC owns and operates EPEAT™, a comprehensive voluntary sustainability ecolabel. GEC ecolabel criteria address priority impacts throughout the life cycle of the product, based on an evaluation of scientific evidence and international best practices, as presented in State of Sustainability Research for each criteria development process.

Criteria are developed in balanced, voluntary consensus processes consistent with:

- ISO 14024 Environmental labels and declarations – Type 1 environmental labelling – Principles and procedures¹, and
- U.S. Executive Office of the President, Office of Management and Budget, OMB Circular A-119: Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities².

A summary of GEC's [Criteria Development Process \(P74\)](#) and procedures governing the process are [publicly available on the EPEAT Registry](#).³ Public stakeholder consultation occurs throughout the criteria development process. Stakeholder comments on criteria are considered by the Technical Committee as part of the Voluntary Consensus Process. [Detailed policies for the EPEAT Program and criteria implementation are available in the EPEAT Policy Manual, also found on the EPEAT Registry](#).³ The EPEAT Program may issue temporary policy addenda to this document, EPEAT Policy Manual (P65), to address unforeseeable and extraordinary circumstances that are beyond the control of manufacturers. Such circumstances include but are not limited to natural disasters, acts of war or terrorism, significant labor strikes, devastating accidents to a supplier facility, epidemics, or pandemics.

[These criteria were developed in collaboration with NSF International. NSF facilitated the voluntary consensus process, in alignment with GEC's Criteria Development Process.](#)

GEC Criteria are owned by GEC and, unless noted otherwise, their use is limited to the tools and resources developed by GEC as part of its mission activities. All GEC Criteria are publicly available.

¹ Available at: <https://www.iso.org>

² Available at: https://www.whitehouse.gov/wp-content/uploads/2020/07/revised_circular_a-119_as_of_1_22.pdf

³ Available at: <https://www.epeat.net> <https://globalelectronicscouncil.org/ecolabels/>

Participants

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Strategy Advisory	Lenovo
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Dell Technologies	Panasonic
Electronics Watch	Responsible Business Alliance
Epson	Responsible Mineral Initiative
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Georgetown University	SGS
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Japan Business Machine and Information System Industries Association	U.S. Environmental Protection Agency
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1.0 Purpose

The purpose of this document is to establish performance-based criteria to mitigate labor and occupational health and safety concerns in the electronics supply chain. GEC's *State of Sustainability Research on Corporate ESG Performance: The Electronics Industry*⁴ identifies priority risks, impacts, and mitigation strategies for the electronics sector, providing the science and evidence-based foundation for criteria development. Criteria address manufacturer and supplier commitment, supply chain transparency, factory monitoring and reporting, and the remediation of non-conformance findings during audits.

1.1 Scope

EPEAT adopts these criteria for its product categories, providing an incentive for manufacturers to enable safer and more sustainable labor and workforce practices and to allow purchasers to identify more sustainable products. EPEAT policies and procedures govern the implementation of these criteria within the EPEAT program.

2.0 Normative References

The following documents, in whole or in part, are normatively referenced in this document and are indispensable for its application. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies. European Union Directives, which contain the adoption date in their title, are not treated as "dated references" (as described above). Unless explicitly indicated otherwise, when a European Union Directive is referenced in this document, a new or updated European Union Directive shall apply upon its enforcement date unless otherwise noted in the criteria.

Dodd-Frank Wall Street Reform and Consumer Protection Act of 2012, Section 1502⁵

EU Eco-Management and Audit Scheme (EMAS)⁶

EU Regulation (EU) No. 2017/821, laying down supply chain due diligence obligations for Union importers of tin, tantalum and tungsten, their ores, and gold originating from conflict-affected and high-risk areas⁷

International Accreditation Forum (IAF) Multilateral Recognition Arrangement (MLA)⁸

International Labour Organization (ILO), Declaration on Fundamental Principles and Rights at Work.⁹

⁴ <https://globalelectronicscouncil.org/resources/state-of-sustainability-research/state-sustainability-research-corporate-esg-performance/>

⁵ <https://www.govinfo.gov/content/pkg/PLAW-111publ203/pdf/PLAW-111publ203.pdf>

⁶ https://ec.europa.eu/environment/emas/index_en.htm

⁷ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32017R0821>

⁸ International Accreditation Forum. PO Box 819, Cherrybrook 2126 NSW, Australia. <www.iaf.nu>

⁹ https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/normativeinstrument/wcms_716594.pdf

[ILO, Collective Bargaining Convention, 1981 \(No. 154\)¹⁰](#)

[ILO, Examination of Grievances Recommendation, 1967 \(No. 130\)¹¹](#)

[ILO, Freedom of Association and Protection of the Right to Organise, 1948 \(No. 87\) ¹²](#)

[ILO, Violence and Harassment Convention, 2019 \(No. 190\)¹³](#)

[ISO/IEC 17021-1:2015 Conformity assessment – Requirements for bodies providing audit and certification of management systems¹⁴](#)

[ISO 14001 Environmental management systems – Requirements with guidance for use¹⁵](#)

[ISO 45001, Occupational health and safety management systems – Requirements with guidance for use ¹⁶](#)

[ISO 9000 Quality management systems – Fundamentals and vocabulary¹⁷](#)

[ISO/IEC TS 17021-10:2018 Conformity Assessment – Requirements for Bodies Providing Audit and Certification of Management Systems - Part 10: Competence Requirements for Auditing and Certification of Occupational Health and Safety Management Systems¹⁸](#)

[NSF-426 Environmental Leadership and Corporate Social Responsibility Assessment of Servers¹⁹](#)

[OECD Due Diligence Guidance for Responsible Business Conduct²⁰](#)

[OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas²¹](#)

[OECD Guidelines for Multinational Enterprises²²](#)

¹⁰ https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312299

¹¹ https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R130

¹² https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100::NO:12100:P12100_ILO_CODE:C087:NO

¹³ https://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100_ILO_CODE:C190

¹⁴ <https://www.iso.org/standard/61651.html>

¹⁵ <https://www.iso.org/standard/60857.html>

¹⁶ <https://www.iso.org/standard/63787.html>

¹⁷ <https://www.iso.org/standard/45481.html>

¹⁸ <https://www.iso.org/standard/71102.html>

¹⁹ <https://globalelectronicscouncil.org/wp-content/uploads/NSF-426-2019.pdf>

²⁰ <https://www.oecd.org/investment/due-diligence-guidance-for-responsible-business-conduct.htm>

²¹ <https://www.oecd.org/corporate/mne/mining.htm>

²² <https://www.oecd.org/corporate/mne/>

Responsible Business Association (RBA) Auditor Guidebook²³

RBA Code of Conduct²⁴

RBA Validated Audit Process²⁵

Social Accountability Accreditation Services (SAAS) 201A Accreditation Requirements for SA8000 Certification Audits²⁶

Social Accountability International (SA) 8000²⁷

Social Accountability International's Social Accountability Accreditation Services (SAAS)²⁸

United Nations (UN), [Guiding Principles on Business and Human Rights](#)²⁹

[UN](#), Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.³⁰

UN, Universal Declaration of Human Rights, Article 23, Right to work³¹

U.S. Securities Exchange Act of 1934, Rule 13p-1³²

U.S. Victims of Trafficking Protection Act³³

U.S. Department of State, Office to Monitor and Combat Trafficking in Persons, Trafficking in Persons (TIP) Report³⁴

²³ <https://www.responsiblebusiness.org/media/docs/RBAAuditorGuidebook.pdf>

<https://www.responsiblebusiness.org/vap/about-vap/>

²⁴ <https://www.responsiblebusiness.org/code-of-conduct/>

²⁵ <https://www.responsiblebusiness.org/vap/about-vap/>

²⁶ <https://sa-intl.org/resources/saas-document-library/>

²⁷ Social Accountability International. 9 East 37th Street, 10th Floor, New York, NY 10016. <www.sa-intl.org>

²⁸ <https://sa-intl.org/about-saas/>

²⁹ <https://digitallibrary.un.org/record/720245>

³⁰ <https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-prevent-suppress-and-punish-trafficking-persons>

³¹ <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

³² <https://www.govinfo.gov/app/details/CFR-2013-title17-vol3/CFR-2013-title17-vol3-sec240-13p-1>

³³ <https://www.govinfo.gov/content/pkg/PLAW-106publ386/pdf/PLAW-106publ386.pdf>

³⁴ <https://www.state.gov/reports/2021-trafficking-in-persons-report/> <https://www.state.gov/bureaus-offices/under-secretary-for-civilian-security-democracy-and-human-rights/office-to-monitor-and-combat-trafficking-in-persons>

3.0 Definitions and Acronyms

3.1 Definitions

conflict minerals: tin, tantalum and tungsten, their ores and gold from conflict affected and high-risk areas.
(Source: Dodd-Frank Wall Street Reform and Consumer Protection Act of 2012, Section 1502; and European Union Regulation (EU) No 2017/821)

collective bargaining: all negotiation which take place between an employer, a group of employers or one or more employers' organisations, on the one hand, and one or more workers' organisations, on the other, for: (a) determining working conditions and terms of employment; and/or (b) regulating relations between employers and workers; and/or (c) regulating relations between employers or their organisations and a workers' organisation or workers' organisations (Source: International Labor Organization, ILO 154 Collective Bargaining Convention, 1981)

conflict-affected and high-risk areas: Conflict-affected and high-risk areas are identified by the presence of armed conflict, widespread violence or other risks of harm to people. Armed conflict may take a variety of forms, such as a conflict of international or non-international character, which may involve two or more states, or may consist of wars of liberation, or insurgencies, civil wars, etc. High-risk areas may include areas of political instability or repression, institutional weakness, insecurity, collapse of civil infrastructure and widespread violence. Such areas are often characterised by widespread human rights abuses and violations of national or international law.

conflict affected and high-risk areas: areas in a state of armed conflict or fragile post-conflict as well as areas witnessing weak or non-existent governance and security, such as failed states, and widespread and systematic violations of international law, including human rights abuses. (Source: OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas)

NOTE — at minimum this includes areas involved in financing of conflict in the Democratic Republic of the Congo (DRC) or an adjoining country.

corporation level: See Section 3.2, EPEAT Program Terms, means that evidence provided to support conformance with the criterion is provided at the organizational level and addresses, at minimum, all product categories (e.g., computers & displays, servers, mobile phones, imaging equipment) in which the manufacturer has EPEAT-registered products.

disclosure: information made available to the audience specified in criterion (e.g., purchasers, public, etc.).

due diligence: an on-going, proactive and reactive process through which companies can ensure that they respect human rights and do not contribute to conflict. (Source: OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas)

final assembler: a factory/entity where the final assembly of the registered product is taking place, including all component parts necessary to operate the equipment.

freedom of association: the right of workers and employers, without distinction whatsoever, shall have the right to establish and, subject only to the rules of the organisation concerned, to join organisations of their choosing, without previous authorisation and the right of Workers' and employers' organisations to draw up their constitutions and rules, to elect their representatives in full freedom, to organise their administration and activities and to formulate their programmes (Source: International Labor Organization. ILO 87 Freedom of Association and Protection of the Right to Organise, 1948)

grievance: any measure or situation which concerns the relations between employer and worker or which affects or may affect the conditions of employment of one or several workers in the undertaking when that measure or situation appears contrary to provisions of an applicable collective agreement or of an individual contract of employment, to works rules, to laws or regulations or to the custom or usage of the occupation, branch of economic activity or country, regard being had to principles of good faith. (Source: International Labor Organization. ILO 130 Examination of Grievances Recommendation, 1967)

meaningful stakeholder engagement: is characterized by two-way communication and involves involving the good faith of all parties, and the timely sharing of relevant information needed for stakeholders to make informed decisions in a format they can understand and access.

major nonconformity: a nonconformity, as determined by the manufacturer management system, that affects the capability of the management system to achieve the intended results.

NOTE — Nonconformities could be classified as major in the following circumstances:

- A grievous breach of ethical standards
- Significant risk of immediate harm to workers or communities
- Exploitative violations of worker rights

-(Adapted from: ISO/IEC 17021-1:2015 Definition of 'major nonconformity' and RBA VAP Definition of 'priority non-conformance')

manufacturer: See Section 3.2, EPEAT Program Terms, any natural, legal person or entity who:

manufactures a product,
has a product designed or manufactured, or
places a brand label on a ready-made product, and
places it on the market under their own name or trademark. (Source: NSF 426-2019)

nonconformity: non-fulfilment of a requirement

product: [See Section 3.2, EPEAT Program Terms.](#)

product category: [See Section 3.2, EPEAT Program Terms.](#) ~~group of products identified by the EPEAT program for the purpose of product registration (e.g., computers & displays, servers, mobile phones, imaging equipment)~~

product category level: [See Section 3.2, EPEAT Program Terms.](#) ~~means that evidence provided to support conformance with the criterion is provided at the EPEAT-registered product category level (e.g., computers & displays, servers, mobile phones, imaging equipment). Manufacturers may indicate if the submitted evidence addresses multiple product categories.~~

publicly available: obtainable by the public without restriction of access; for example, cannot require member only access. A requirement to provide a name and/or organization to obtain access is not considered a "restriction of access".

remediation and remedy: [Remedy refers to substantive outcomes that counteract an adverse impact. It includes prevention and mitigation of adverse human rights impacts, and the provision of reparations for those already committed. Remediation refers to the processes of providing remedy.](#)

[NOTE — Where business enterprises have caused or contributed to adverse human rights impacts, they should provide for or cooperate with their remediation. Those whose rights have been violated have the right to effective remedy \(Source: UN Guiding Principles on Business and Human Rights\).](#)

representative union: [A union that was not established by the employer \(or the government, to protect the employer\) and is not under the influence of the employer \(or the government, to protect the employer\).](#)

stakeholders: [are persons or groups who have interests that could be affected by an enterprise's activities, including but not limited to affected workers and communities. \(Source: the OECD Due Diligence Guidance for Responsible Business Conduct\)](#)

supplier: entity that provides goods or services to the manufacturer.

3.2 EPEAT Program Terms

The terms below are important for the application of these criteria in the EPEAT Program. They are defined by the EPEAT Program for the purpose of assessment of conformance to the criteria in this document.

corporation level: Evidence provided to support conformance with the criterion addresses, at a minimum, all product categories in which the manufacturer has EPEAT registered products.

manufacturer: A brand owner that registers products to the EPEAT Ecolabel and is responsible for ensuring ongoing conformance of products to criteria; also referred to as "Participating Manufacturer" in EPEAT policy documents.

product: A marketing model and chassis type associated with a unique product registration, including accessories and peripherals, integral to the operation of the product and contained by default in the point of sale (POS) packaging associated with the unique product registration, excluding consumables in imaging equipment.

NOTE — “Integral” means the accessory or peripheral is fundamental or essential to product function. If the manufacturer does not include the peripheral or accessory in the POS packaging by default, it is not within scope. “By default” means that the peripheral or accessory is standard in the POS package(s). Manufacturer may offer choices for the “default” peripheral or accessory (e.g., different mouse options or output tray options.)

NOTE — Criteria may modify product scope (e.g., include or exclude an accessory, peripheral or component) or define a calculation methodology that accounts for variation in accessories and peripherals included in POS packaging (e.g., recycled content.)

NOTE — “Unique product registration” may have multiple unique product identifiers.

product category: A group of products identified by the EPEAT program for the purpose of product registration (e.g., computers and displays, servers, mobile phones, and imaging equipment).

product category level: Evidence provided to support conformance with the criterion covers all products registered by the manufacturer in the EPEAT product category. Manufacturers may indicate if the submitted evidence addresses multiple product categories.

product level: Evidence provided to support conformance with the criterion is for individual EPEAT-registered products.

product type: Sub-categories of products identified by the EPEAT program for the purpose of product registration and searching the EPEAT Registry. For example, the following product types are included in the Computer and Display product category: desktop computer, monitor, integrated desktop computer, notebook computer, tablet/slate, thin client, workstation, signage display.

unique product identifier: A distinct code used to unambiguously identify and differentiate an individual sales unit on the marketplace, whether it be a specific version or model of a device, or a bundle or multi-pack of multiple products. Common unique product identifiers include Global Trade Item Numbers (GTIN) (e.g., Universal Product Code (UPC), European Article Number (EAN)), and Manufacturer Part Number (MPN).

3.32 Acronyms

3TG: tin, tantalum, tungsten, gold

DRC: Democratic Republic of Congo

EMAS: European Union Eco-Management and Audit Scheme

EMS: environmental management system

ESG: [Environment, Social and Governance](#)

EU: European Union

GEC: Global Electronics Council

IAF: International Accreditation Forum

IC: integrated circuits

ILO: International Labour Organization

ISO: International Organization for Standardization

LBMA: London Bullion Market Association

MLA: Multilateral Recognition Arrangement

NGO: non-governmental organization

ODM: original design manufacturer

OECD: Organization for Economic Co-operation and Development

OHS: occupational health and safety

RBA: [Responsible Business Alliance](#)

RCOI: reasonable country of origin inquiry

RMI: Responsible Minerals Initiative

RJC: Responsible Jewelry Council

SA: Social Accountability

SAAS: Social Accountability Accreditation Services

SAQ: Self-Assessment Questionnaire

TIP: trafficking in persons

URL: uniform resource locator

UN: United Nations

U.S.: United States

VAP: validated audit process

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7.0 Responsible Supply Chains~~Corporate ESG Performance~~

7.1 Labor and occupational health and safety performance in the electronics supply chain

7.1.1 Required – Manufacturer commitment and performance audits for labor and occupational health and safety

Manufacturer shall demonstrate that the product is not made in whole or in part through forced labor.

Manufacturer shall commit to and demonstrate compliance with the labor and occupational health and safety (OHS) management system provisions in Annex B. Manufacturer shall have a publicly available commitment meeting or exceeding the provisions in Annex B. Manufacturer shall also demonstrate that Prioritized Manufacturer Facilities in Scope meet the labor and occupational health and safety (OHS) management system provisions in Annex B by conducting social audits as specified in this criterion. Manufacturer facilities in scope shall be determined using the risk assessment methodology outlined in Part A of this criterion.

Part A. Assessment to Determine Prioritized Manufacturer Facilities in Scope

Manufacturer shall have a process to identify Priority high-risk manufacturer facilities, either owned, leased or operated³⁵ by the manufacturer, by conducting annually a risk assessment, as described in Annex C, of 1) facilities that manufacture and/or 2) assemble the registered product(s) and its materials, components and parts. Manufacturer shall provide written documentation of the process to identify Prioritized Manufacturer Facilities. If manufacturer does not own or operate any facilities that manufacture or assemble products, they are not required to conduct a risk assessment and no manufacturing facilities are in scope.

Acceptable risk assessment processes shall include an analysis of the risk for labor and worker rights abuses, including shall but not limited to:

³⁵ Manufacturer operated facilities are those where manufacturer controls the operations of the facility but does not own or lease the facility.

1. ~~Geographic consideration of risk factors, including countries whose:~~
 - ~~— governments do not fully comply with the Minimum Standards for the Elimination of Trafficking of the U.S. Victims of Trafficking Protection Act³⁶, as identified as Tier 2 Watch List and Tier 3 countries in the U.S. Department of State Trafficking in Persons (TIP) Report.³⁷~~
 - ~~— policies (e.g., laws, government, enforcement) or geopolitical conditions reinforce corruption, or repression of freedom of association or cultural groups by government and/or society.³⁸~~

~~Product/sector specific risk~~

2. ~~High risk work tasks based on dangerous conditions, high productivity labor demands, restricted access to social auditors or employee representation by worker organizations, including but not limited to:~~
2. ~~manufacturer facilities that have received a copy of a written claim from an applicable authority³⁹ that the has violated an aspect of Labor requirements in Annex B.~~
3. ~~— , where applicable that includes assertions or allegations 'failure~~

NOTE — For the purpose of this criterion “manufacturer facility” is defined as a manufacturing site that is majority owned or operated by the manufacturer.

Part B. Manufacturer's social audit requirements

³⁶ The Victims of Trafficking Protection Act of 2000, as amended (TVPA), defines “severe forms of trafficking in persons” as: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery. Section 108 of the Trafficking Victims Protection Act of 2000 details the Minimum Standards for the Elimination of Trafficking. Available at: <https://www.govinfo.gov/content/pkg/PLAW-106publ386/pdf/PLAW-106publ386.pdf>

³⁷ <https://www.state.gov/bureaus-offices/under-secretary-for-civilian-security-democracy-and-human-rights/office-to-monitor-and-combat-trafficking-in-persons> <https://www.state.gov/reports/2021-trafficking-in-persons-report/>

³⁸ See, for instance, OECD.Stat statistical databases on labor (<https://stats.oecd.org/#/>), CIA World Factbook Transnational Issues (<https://www.cia.gov/the-world-factbook/>), The World Bank Business Enabling Environment (<https://www.worldbank.org/en/programs/business-enabling-environment>)

³⁹ Applicable authorities include a governmental office authority responsible for enforcement of labor standards such as a country's Ministry of Labor, an international organization such as the ILO, or an agency supporting the grievance mechanism of a multilateral instrument such as a National Contact Point for the OECD Guidelines for Multinational Enterprises

Manufacturer shall ensure that all manufacturer facilities in scope (i.e., identified by the manufacturer as high risk Prioritized Facilities in Part A) have met any combination at least one of the following, that achieves the requirements of this criterion:

- a) Certified by accredited certification body(ies) to Social Accountability (SA) 8000⁴⁰ and ISO 45001. Certification bodies for Social Accountability (SA) 8000 shall be accredited by Social Accountability International's Social Accountability Accreditation Services (SAAS) to certify to the SA8000. Certification bodies for ISO 45001 shall be accredited by The Chartered Quality Institute and the International Register of Certificated Auditors. The certification shall be no older than three years; or
- ~~a/b)~~ Audited to the RBA Code of Conduct⁴¹ using the Validated Audit Process (VAP). A Validated Audit Report shall be issued by the VAP Operations Management Team to verify that for each manufacturer facility:
 - i. Initial validated audit reports contained no priority non-conformance findings. The initial report shall be no older than two years; or
 - ii. Closure audit report shall be scheduled within the time frame specified by RBA and confirms that all priority non-conformance corrective actions resulting from previous VAP audits were remedied.⁴² The closure audit shall be scheduled within two years of the initial audit report; or
 - iii. Closure audit report shall be scheduled within the time frame specified by RBA and confirms that all non-conformance corrective actions resulting from previous VAP audits were remedied.⁴³ The closure audit shall be scheduled within four years of the initial audit report; or
- ~~b/c)~~ Audited on site⁴⁴ every two years in an audit program covering the labor and occupational health and safety (OHS) management system provisions in Annex B. Auditor shall be qualified as a lead auditor under SA8000⁴⁵ and ISO 45001⁴⁶ or RBA, or equivalent. Equivalence is defined in *Procedure 201B:2015 SAAS Competence and Maintenance Requirements for SA8000 Social Accountability*

⁴⁰ Social Accountability International. 9 East 37th Street, 10th Floor, New York, NY 10016. www.sa-intl.org

⁴¹ Responsible Business Alliance. 1737 King Street, Suite 330, Alexandria, VA 22314. www.responsiblebusiness.org

⁴² RBA VAP Recognition level Silver and Gold achieves closure of all priority non-conformances. As of publication of this criteria document, Silver level is for factories with a minimum VAP score of 160 and all Priority findings closed, while Gold is for factories with a minimum VAP score of 180 and all Priority and Major findings closed.

⁴³ RBA VAP Recognition level Platinum achieves closure of all non-conformances. Platinum is for factories with a minimum VAP score of 200 and all non-conformance findings closed.

⁴⁴ In the event of a designated force majeure event impacting an in-scope facility, remote audits of that facility may be accepted by EPEAT as determined in accordance with the EPEAT policies and procedures regarding force majeure.

⁴⁵ Social Accountability Accreditation Services (SAAS) provides SA8000:2014 Certification and Accreditation Process Procedures.

⁴⁶ ISO 45001 Lead Auditors that are certified by a personnel certification organization accredited to the latest version of ISO/IEC TS 17021- Conformity Assessment – Requirements for Bodies Providing Audit and Certification of Management Systems - Part 10: Competence Requirements for Auditing and Certification of Occupational Health and Safety Management Systems and ISO 19011 to the ISO 45001 standard examples include the Chartered Quality Institute (CQI) and the International Register of Certificated Auditors (IRCA) and Exemplar Global.

Program Managers, Auditors and Allied Experts, Annex A 4.4. [ISO/IEC TS 17021-10:2018 Conformity Assessment – Requirements for Bodies Providing Audit and Certification of Management Systems - Part 10: Competence Requirements for Auditing and Certification of Occupational Health and Safety Management Systems](#) and RBA's Auditor Guidebook, Revision 7.1, Section 7.1 Lead Auditor. Audit program shall include:

- i. Defined levels of severity of non-conformances (e.g., priority, non-priority)
- ii. A method for the determination of the cause(s), corrective action(s) identification and resolution of each non-conformance
- iii. Identifying actions to lower risk of immediate harm to workers or communities, including violations of worker rights, [and to provide reparations for harm already suffered](#)
- iv. [Closing non-conformances within a specified period of time](#)
- v. [Stakeholder engagement, including with workers and input from worker representatives as part of the audit](#)

NOTE — ~~For the purpose of this criterion each manufacturer facility in scope shall meet at least one of the audit methods described in this criterion this criterion, such that all manufacturer facilities in scope meet a combination SA8000 certification, the VAP audit requirements, or audit program covering the provisions in Annex B.~~

Verification requirements:

This criterion is verified at the [corporation-product category](#) level.

[Part A. Assessment to Determine Prioritized Manufacturer Facilities in Scope](#)

- a) URL(s) for publicly available manufacturer commitment [to](#) meeting the requirements of this criterion on manufacturer's website.
- ~~b)~~ [Evidence \(e.g., procedures, HR manual\) of how the provisions listed in Annex B are included in the manufacturer's operations and that there is language to meet or exceed the labor and occupational health and safety \(OHS\) provisions listed in Annex B.](#)
- ~~c)~~ [Where issues have been raised, document the process to identify relevant assessments carried out by industry-independent civil society organizations and other experts.](#)
- ~~b/d)~~ [Where issues have been raised, document the process for evaluating and addressing relevant inconsistencies between social audit findings and findings produced by industry-independent civil society organizations and other experts.](#)
- ~~e/f)~~ [If the manufacturer has owned or operated facilities, then the following verification requirements apply:](#)
 - i. [Documentation of process to identify ~~high risk~~Prioritized Manufacturer ~~F~~facilities, either owned or operated, that demonstrates conformity to this criterion.](#)
 - ~~ii.~~ [As part of the documentation of process to identify Prioritized Manufacturer Facilities, rationale for approach to determine facilities that are and are not high risk.](#)

ii. List the name and complete physical address of manufacturer facilities identified as Prioritized Manufacturer Facilities. This list should be updated on annually.

iii.

~~e)f)~~ Mapping of supplier facilities in scope, either owned or operated by the manufacturer.

g) As part of demonstrating that the product is not made through forced labor, internationally respected global lists developed by national and/or regional governments of entities used to identify facilities with likelihood of known forced labor.

Part B. Manufacturer's social audit requirements

a) Demonstration of certification to SA8000 and ISO 45001, or completion of RBA VAP audits, or completion of other audit program as identified in this criterion for all manufacturer owned or operated manufacturer facilities in scope for the registered product, including one of the following:

i. Certificate to SA8000 and ISO 45001 issued within three years prior to product registration for all manufacturer owned or operated manufacturer facilities in scope;

Or

ii. Validated Audit Report issued by the RBA VAP Operations Management Team for all manufacturer owned or operated manufacturer facilities in scope for the registered product. Initial audit reports must have been issued within the timeframes specified below and each Validated Audit Report must verify one of the following:

- a. Ithe initial Validated Audit Report contained no priority non-conformance findings. The initial report must be issued within two years of product registration; or
- b. Ithe closure audit report confirms that all priority non-conformance corrective actions were remedied (e.g., RBA VAP Recognition Silver or Gold). Evidence must demonstrate the closure audit was scheduled within two years of the issuance of the initial audit report; or
- c. Ithe closure audit report confirms that all nonconformance corrective actions were remedied (e.g., RBA VAP Recognition Platinum). Evidence must demonstrate the closure audit was scheduled within four years of the issuance of the initial audit report.

Or

iii. Evidence of audits conducted within two years prior to product registration in an audit program other than SA8000 and ISO 45001, or RBA VAP audits, covering the labor and occupational health and safety (OHS) management system provisions in Annex B, as required by the criterion.

- a. Evidence of the audit protocol, including the following:
 - Demonstration of equivalence of audit program to Annex B requirements
 - Demonstration of meaningful stakeholder engagement
 - Define levels of severity of non-conformances

- ~~M~~ethod(s) for determining of the cause(s), corrective action(s) identification and resolution of each non-conformance
 - ~~A~~ctions to lower risk of immediate harm to workers or communities, including violations of worker rights, and to provide reparations for harm already suffered
 - ~~C~~losing non-conformances within a specified period of time
- b. ~~I~~nclude ~~manufacturer assurance statement including at a minimum~~ documentation of the audit company or individual's qualifications (e.g., the lead auditor certificate), the following:
- Name of the company and/or individual(s) performing the audit.
 - ~~C~~ontact information of the auditor
 - ~~Q~~ualifications (e.g., education/training and experience in the social auditing), or certification/approval as a lead auditor under SA8000 or RBA.

References and details:

~~At the time of publication,~~ RBA's Code of Conduct Version 7.0 meet the manufacturer's commitment elements of this criterion and RBA's Risk Assessment Platform in combination with Self-Assessment Questionnaire (SAQ) is an analysis methodology meeting the identification of Prioritized Manufacturer Facilities of "Part A. Assessment for to Determining Determine Prioritized Manufacturer Facilities in Scope." ~~in scope element of this criterion.~~

7.1.2 Required – Supplier code of conduct requirements for labor and occupational health and safety

Manufacturer shall have a publicly available supplier requirements document(s) (e.g., supplier code of conduct) covering the provisions listed in Annex B. Manufacturer shall communicate the expected requirements to ~~its~~^{their} directly contracted suppliers for registered products ~~(e.g., through contracts, specifications, purchase orders, or other documented requirements).~~^{4Z}

The supplier requirements document(s) must require at a minimum directly contracted suppliers to meet or exceed the labor and occupational health and safety (OHS) provisions listed in Annex B, and include language requiring suppliers to similarly require at a minimum their directly contracted suppliers for registered products meet the provisions listed in Annex B.

Verification requirements:

This criterion is verified at the corporation level.

^{4Z} ~~Note: To conform to this requirement, it is not sufficient to solely post the requirements on the manufacturer's website.~~

- a) URL(s) for publicly available supplier requirements document(s) on manufacturer's website.
- b) Evidence that the provisions of supplier requirements document(s) are communicated with directly contracted suppliers for registered products (e.g., through contracts, specifications, purchase orders, or other documented requirements) and that there is language which requires suppliers to meet or exceed the labor and occupational health and safety (OHS) provisions listed in Annex B. Examples include a table linking all provisions listed in Annex B to the manufacturer's supplier requirements document(s).
- c) Evidence that the manufacturer requires its suppliers to require their directly contracted suppliers meet the labor and occupational health and safety provisions listed in Annex B.

References and details:

~~At the time of publication,~~ RBA's Code of Conduct, Version 7.0 meet the elements of this criterion.

7.1.3 Required – Social responsibility performance audits of high risk suppliers

~~Manufacturer shall demonstrate that the product is not made in whole or in part through forced labor.~~

Manufacturer shall demonstrate that supplier facilities in scope meet the provisions in Annex B by conducting supplier social audits. Supplier facilities in scope shall be determined using the ~~risk prioritization~~ assessment methodology outlined in Part A below. Social audits shall meet the requirements in Part B below.

~~Manufacturers of imaging equipment designated as EPEAT Bronze shall meet this criterion no later than 2 years from the publication date of this criteria document. Manufacturers of imaging equipment designated as EPEAT Silver or Gold shall meet this criterion at the time of product registration.~~

~~Part A. Risk Assessment for to Determining Prioritized Supplier Facilities in Scope~~

Manufacturer shall have a process, ~~as described in Annex C,~~ to identify ~~high risk~~ Priority Supplier Facilities, either owned or operated by the supplier, in scope for this criterion by conducting ~~annually~~ a risk assessment of supplier facilities constituting ~~at least~~ 80% of production spend for the manufacture and/or assembly of the registered product(s) and its materials, components and parts.

~~Manufacturer shall provide written documentation of the process to identify Prioritized Supplier Facilities. Acceptable risk assessment processes shall include an analysis of the risk for labor and worker rights abuses, including 7.1.8), where applicable:~~

~~Geographic consideration of risk factors, including countries whose:~~

governments do not fully comply with the Minimum Standards for the Elimination of Trafficking of the U.S. Trafficking Victims Protection Act⁴⁸, as identified as *Tier 2 Watch List* and *Tier 3* countries in the U.S. Department of State Trafficking in Persons (TIP) Report.⁴⁹

policies (e.g., laws, government, enforcement) or geopolitical conditions reinforce corruption, or repression of freedom of association or cultural groups by government and/or society.⁵⁰

High risk work tasks based on dangerous conditions, high productivity labor demands, restricted access to social auditors or employee representation by worker organizations, where applicable, including but not limited to: supplier facilities that have received a copy of a written claim from an applicable authority⁵¹ that the supplier has violated, breached, or acted contrary to an aspect of Labor requirements in Annex B, e.g.,

where applicable that includes assertions or allegations pertaining to facilities' failure

For the purpose of this criterion, "supplier facility" is defined as a manufacturing site that is majority owned or operated by one of the suppliers within the scope of this criterion.

Production spend is defined as:

- a) Total annual spend by the manufacturer on production for EPEAT registered products, inclusive of spend on outsourced final assemblers assembly,⁵² original design manufacturer (ODM) or contract manufacturer operations; and

⁴⁸ The Trafficking Victims Protection Act of 2000, as amended (TVPA), defines "severe forms of trafficking in persons" as: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery. Section 108 of the Trafficking Victims Protection Act of 2000 details the Minimum Standards for the Elimination of Trafficking. Available at: <https://www.govinfo.gov/content/pkg/PLAW-106publ386/pdf/PLAW-106publ386.pdf>

⁴⁹ <https://www.state.gov/reports/2021-trafficking-in-persons-report/> <https://www.state.gov/bureaus-offices/under-secretary-for-civilian-security-democracy-and-human-rights/office-to-monitor-and-combat-trafficking-in-persons>

⁵⁰ See, for instance, OECD.Stat statistical databases on labor (<https://stats.oecd.org/#/>), CIA World Factbook Transnational Issues (<https://www.cia.gov/the-world-factbook/>), The World Bank Business Enabling Environment (<https://www.worldbank.org/en/programs/business-enabling-environment>)

⁵¹ Applicable authorities include a governmental office authority responsible for enforcement of labor standards such as a country's Ministry of Labor, an international organization such as the ILO, or an agency supporting the grievance mechanism of a multilateral instrument such as a National Contact Point for the OECD Guidelines for Multinational Enterprises

⁵² Limited to spend by manufacturer on value added by final assemblers. Value added is the difference between the input costs to the final assembler and the selling price to the manufacturer (see Annex D). Note: Estimated value added, based on manufacturer's estimated production cost breakdowns, can be used when actual value added is not available for the assembler(s).

- b) ~~Total~~ annual spend by the manufacturer on components of EPEAT registered products that are directly sourced⁵³ by the manufacturer and provided to outsourced final ~~assemblers~~assembly, ODM or contract manufacturers; and
- c) ~~Total~~ annual ~~direct~~ spend by the manufacturer on directly sourced components of EPEAT registered products that are used by the manufacturer in final assembly.

An illustration of the main elements of production spend can be found in Annex D.

Part B. Supplier ~~S~~ocial ~~A~~udits

Manufacturer shall ensure that all supplier facilities in scope, as identified as Prioritized Supplier Facilities ~~high risk~~ in Part A, have any combination ~~met at least one~~ of the following, that achieves the requirements of this criterion:

- a) ~~C~~ertified by accredited certification body(ies) to SA8000 and ISO 45001. Certification bodies for Social Accountability (SA) 8000 shall be accredited by Social Accountability International's Social Accountability Accreditation Services (SAAS) to certify to the SA8000. Certification bodies for ISO 45001 shall be accredited by The Chartered Quality Institute and the International Register of Certificated Auditors. The certification shall be no older than three years; or
- b) ~~A~~udited to the RBA Code of Conduct using the Validated Audit Process (VAP). A Validated Audit Report shall be issued by the VAP Operations Management Team to verify that for each facility:
 - i. ~~I~~nitial validated audit reports contained no priority non-conformance findings. The initial report shall be no older than two years; or
 - ii. ~~C~~losure audit report shall be scheduled within the time frame specified by RBA and confirms that all priority non-conformance corrective actions resulting from previous VAP audits were remedied.⁵⁴ The closure audit shall be scheduled within two years of the initial audit report; or
 - iii. ~~C~~losure audit report shall be scheduled within the time frame specified by RBA and confirms that all non-conformance corrective actions resulting from previous VAP audits were remedied.⁵⁵ The closure audit shall be scheduled within four years of the initial audit report.
- c) ~~A~~udited on site⁵⁶ every two years are included in an audit program covering the labor and occupational health and safety (OHS) management system provisions in Annex B. Auditors shall be

⁵³ "Directly sourced" refers to the process of obtaining components directly from the original or primary source, without involving intermediaries.

⁵⁴ RBA VAP Recognition level Silver and Gold achieves closure of all priority non-conformance. Silver level is for factories with a minimum VAP score of 160 and all Priority findings closed, while Gold is for factories with a minimum VAP score of 180 and all Priority and Major findings closed.

⁵⁵ RBA VAP Recognition level Platinum achieves closure of all non-conformances. Platinum is for factories with a minimum VAP score of 200 and all non-conformance findings closed.

⁵⁶ In the event of a designated force majeure event impacting an in-scope facility, remote audits of that facility may be accepted by EPEAT as determined in accordance with the EPEAT policies and procedures regarding force majeure.

qualified as a lead auditors under SA8000⁵⁷ and ISO 45001⁵⁸ or RBA, or equivalent. Equivalence is defined in Procedure 201B:2015 SAAS Competence and Maintenance Requirements for SA8000 Social Accountability Program Managers, Auditors and Allied Experts, Annex A 4.4 and ISO/IEC TS 17021-10:2018 *Conformity Assessment – Requirements for Bodies Providing Audit and Certification of Management Systems - Part 10: Competence Requirements for Auditing and Certification of Occupational Health and Safety Management Systems* and RBA's Auditor Guidebook, Revision 7.1, Section 7.1 Lead Auditor. Audit program shall include:

- i. Defined levels of severity of non-conformances (e.g., priority versus, non-priority)
- ii. A method for the determination of the cause(s), corrective action(s) identification and resolution of each non-conformance
- iii. Identifying actions to lower risk of immediate harm to workers or communities, including violations of worker rights, and to provide reparations for harm already suffered
- iv. Closing non-conformances within a specified period of time
- v. Stakeholder engagement, including interviews with workers and input from worker representatives as part of the audit.

NOTE — For the purpose of this criterion each supplier facilities in scope shall meet at least one of the audit methods described in this criterion, such that all supplier facilities in scope meet a combination of SA8000 certification, RBA VAP audit requirements, or audit program covering the provisions in Annex B.

Part AC: A Summary of Aggregate Audit and Corrective Action Reports

For all facilities in scope of Part B, manufacturer shall annually conduct, and make publicly available on the manufacturer's website, a summary of aggregated audit and corrective action report that details labor and OHS supply chain issues. The report shall be based either on a full audit report provided by each supplier in scope or a summary created by a manufacturer or report provided by a third party. If the third party that provides the summary is not the entity that conducted the audit, the qualifications of the third party must be demonstrated. Manufacturer may choose the initial 12-month period covered by the audit and corrective action report and must

⁵⁷ Social Accountability Accreditation Services (SAAS) provides SA8000:2014 Certification and Accreditation Process Procedures.

⁵⁸ ISO 45001 Lead Auditors that are certified by a personnel certification organization accredited to the latest version of ISO/IEC TS 17021- Conformity Assessment – Requirements for Bodies Providing Audit and Certification of Management Systems - Part 10: Competence Requirements for Auditing and Certification of Occupational Health and Safety Management Systems and ISO 19011 to the ISO 45001 standard examples include the Chartered Quality Institute (CQI) and the International Register of Certificated Auditors (IRCA) and Exemplar Global.

use the same 12-month period every year. The report shall include the following for all facilities audited in Part B of criterion 7.1.3 Required — Social responsibility performance audits of high risk suppliers:

- a) Explanation of the process to identify ~~high risk~~ Prioritized Supplier Facilities owned or operated facilities that demonstrates conformity to Part A criterion 7.1.3 Required — Social responsibility performance audits of high risk suppliers.
- b) Overview of social audits from the past year, including:
 - i. The number of audits conducted and the percentage of the supply chain it represents;
 - ii. A breakdown of the percentage of supply chain audits, by contract manufacturers, final assembly, and component suppliers, -and
 - iii. A summary of results identifying the top three most frequent audit findings by region.
- c) Summary of non-conformance issues in 2 above. The summary shall be organized by contract manufacturers, final assembly, and component suppliers, and by geographic region, and include an assessment of the root causes of persistent nonconformances⁵⁹. The assessment of persistent nonconformances from the past year shall be based on consultation with a local, national, regional and/or international industry-independent organization(s) ~~local~~ to monitored sites (e.g., community groups, worker organizations, non-governmental organizations (NGOs) ~~and~~ and/or labor experts). The assessment shall ~~and~~ include a description of who was consulted, what issues were raised, and how this influenced the corrective action plan.
- d) Summary of manufacturer's preventative and corrective actions to address all major nonconformities, including specific examples (e.g., assisting struggling suppliers through continuous improvement requirements or capacity building), and the measured impact of stated corrective actions to cease, prevent, mitigate, and remedy human rights issues.

Verification requirements:

This criterion is verified at the product category level.

- ~~a) —~~ Part A. Assessment to Determine Prioritized Supplier Facilities in Scope
- a) Documentation of process to identify ~~high risk~~ Prioritized Supplier Facilities ~~owned or operated facilities~~ that demonstrates conformity to this criterion.
- b) As part of the documentation of process to identify Prioritized Supplier Facilities, rationale for approach to determine facilities that are and are not high risk.
- c) Where issues have been raised, document the process to identify relevant assessments carried out by industry-independent civil society organizations and other experts.

⁵⁹ Persistent nonconformance is a nonconformance that occurs two or more times in a row

- d) Where issues have been raised, document the process for evaluating and addressing relevant inconsistencies between social audit findings and findings produced by industry-independent civil society organizations and other experts.
- e) List the name (i.e., legal or trade) and complete physical address of ~~manufacturer~~ all supplier facilities in scope and those identified as Prioritized Supplier Facilities high risk. This list should be updated annually.
- f) Mapping of supplier facilities in scope.
- ~~e)g)~~ As part of demonstrating that the product is not made through forced labor, internationally respected global lists developed by national and/or regional governments of entities used to identify supplier facilities with likelihood of known forced labor.
- ~~e)h)~~ Evidence that production spend threshold is met.

Part B. Supplier Social Audits

- a) Demonstration of certification to SA8000 and ISO 45001, or completion of RBA VAP audits, or completion of other audit program as identified in this criterion for all supplier owned or operated facilities in scope for the registered product, including one of the following:
 - i. Certificate to SA8000 and ISO 45001 issued within three years prior to product registration for all supplier owned or operated facilities in scope;

Or

- ii. Validated Audit Report issued by the RBA VAP Operations Management Team for all supplier owned or operated facilities in scope for the registered product. Initial audit reports must have been issued within the timeframes specified below and each Validated Audit Report must verify one of the following:
 - a. ~~T~~he initial Validated Audit Report contained no priority non-conformance findings. The initial report must be issued within two years of product registration; or
 - b. ~~I~~the closure audit report confirms that all priority non-conformance corrective actions were remedied (e.g., RBA VAP Recognition Silver or Gold). Evidence must demonstrate the closure audit was scheduled within two years of the issuance of the initial audit report; or
 - c. ~~I~~the closure audit report confirms that all nonconformance corrective actions were remedied (e.g., RBA VAP Recognition Platinum). Evidence must demonstrate the closure audit was scheduled within four years of the issuance of the initial audit report.

Or

- iii. Evidence of audits conducted within two years prior to product registration in an audit program other than SA8000 and ISO 45001, or RBA VAP audits, covering the labor and occupational health and safety (OHS) management system provisions in Annex B, as required by the criterion.

- a. Evidence of the audit protocol, including the following:
- Demonstration of equivalence of audit program to Annex B requirements
 - Demonstration of meaningful stakeholder engagement
 - Determining or defining levels of severity of non-conformances
 - Method(s) for determining of the cause(s), corrective action(s) identification and resolution of each non-conformance
 - Actions to lower risk of immediate harm to workers or communities, including violations of worker rights, and to provide reparations for harm already suffered
 - Closing non-conformances within a specified period of time
- b. Include manufacturer assurance statement documentation of the audit company or individual's qualifications (e.g., the lead auditor certificate), including at a minimum the following:
- Name of the company and/or individual(s) performing the audit.
 - Contact information of the auditor and
 - Qualifications (e.g., education/training and experience in the social auditing), or certification/approval as a lead auditor under SA8000 or RBA.

Part C: A Summary of Audit and Corrective Action Reports

- a) URL(s) for the public website where the manufacturer makes available an aggregated audit and corrective action report with information described in this criterion. The report does not include verification requirements beyond those specified in Part C (i.e., requirements of Part A or Part B).

References and details: At the time of publication, RBA's Risk Assessment Platform in combination with Self-Assessment Questionnaire (SAQ) is recognized as an analysis methodology meeting the identification of high-risk suppliers in Part A Prioritized Supplier Facilities of "Part A. Assessment for to Determine Prioritized Supplier Facilities in Scope."

7.1.4 Optional – Improving quality-supply chain quality and transparency of supplier social audits

Part B: Transparency on suppliers (1 point)

Manufacturer shall make publicly available on the manufacturer's website a list of supplier facilities covering 80% by production spend, including the name and site addresses of the facilities.

Production spend is defined as:

- a) ~~Total~~ annual spend by the manufacturer on production for EPEAT registered products, inclusive of spend on outsourced final assemblers,⁶⁰ assembly, ODM or contract manufacturer operations; and
- b) ~~Total~~ annual spend by the manufacturer on components of EPEAT registered products that are directly sourced⁶¹ by the manufacturer and provided to outsourced final assemblers, assembly, ODM or contract manufacturers; and
- c) ~~Total~~ annual direct spend by the manufacturer on directly sourced components of EPEAT registered products that are used by the manufacturer in final assembly.

An illustration of the main elements of production spend can be found in Annex D.

Point value: 1 or 2 (maximum of 2 points)

Verification requirements:

This criterion is verified at the product category level.

Part A

- ~~a) URL(s) for the public website where the manufacturer makes available an aggregated audit and corrective action report with information described in this criterion.~~

Part B

- a) Evidence that production spend threshold is met.
- b) URL(s) for the public website where the manufacturer makes available list of supplier facilities covering 80% by production spend, including the name and site addresses of the facilities.

References and details: None

7.1.5 Optional – Suppliers details for worker engagement

For all facilities in scope of Prioritized Suppliers as defined in Part AB of criterion 7.1.3-~~(Assessment to Determine Prioritized Supplier Facilities in scope)~~ Required—Social responsibility performance audits of high risk suppliers and Annex C (Factors to Determine Prioritized Facilities in Scope), manufacturer shall publish a report on activities undertaken to engage workers in improving labor conditions in the workplace and make the report publicly available. The report shall include all of the following:

⁶⁰ Limited to spend by manufacturer on value added by final assemblers. Value added is the difference between the input costs to the final assembler and the selling price to the manufacturer (see Annex D). Note: Estimated value added, based on manufacturer's estimated production cost breakdowns, can be used when actual value added is not available for the assembler(s).

⁶¹ "Directly sourced" refers to the process of obtaining components directly from the original or primary source, without involving intermediaries.

- a) Description of the methodology ~~each the~~ supplier operating each facility in scope uses to engages with workers and worker organizations. The methodology shall provide specific examples of how worker engagement included employee representation in the development and implementation of remediation plan(s), such as representation provided ~~under by a worker organization established consistent with ILO conventions C87 and C98 union established by the ILO conventions~~
- b) Description of the process and outcomes for addressing worker complaints or grievances for top issues for ~~each the~~ supplier operating each facility in scope, which may include collectively bargained grievance mechanisms, including but not limited to:
- i. The independent mechanism(s) for workers to submit grievances (such as hotlines, emails, mobile applications)⁶²;
 - ii. The percentage adoption of worker submitted suggestions pertinent to their working conditions;
 - iii. ~~H~~ow workers who access the grievance mechanism are protected from retaliation;
 - iv. Process and participants behind root cause of grievance and measures set to avoid the reoccurrence of grievances;
 - v. ~~H~~ow the worker who submitted the grievance, if known, is included in the resolution process;
 - vi. ~~At a minimum, status of resolution of grievances based on actual time for resolution, repeat and resolved grievances and management action to address them~~the average length of time to resolve complaints or grievances; and
 - vii. The number of reported violations or grievances filed and management actions, compared to the number remedied or that those for which the affected worker reports being in satisfied or have received some remedy; and-
 - viii. Number and type of repeated violations, management assessment and actions to resolve them.

Point value: 1 point

Verification requirements:

This criterion is verified at the product category level.

- a) URL(s) for the public website where the manufacturer makes available information regarding worker engagement methodology and process for addressing worker complaints or grievances described in this criterion.
- ~~a)b)~~ A report on activities undertaken to engage workers in improving labor conditions in the workplace, including the status of responses to suggestions and resolution of grievances based on actual time for resolution, repeat and resolved grievances and management action to address them.

⁶² Examples of independent multi-stakeholder programs meeting the requirement of mechanism(s) for submitting grievances are the Responsible Business Alliance's (RBA) Worker Voice Platform and Elevate's Worker Sentiment Survey.

References and details: None

7.1.6 Optional – Living wage assessment and gap closure plan

Manufacturer shall conduct or ensure their suppliers conduct (1) a living wage assessment and (2) develop a plan to close identified gaps within a specified period of time for workers that manufacture registered products or components, as identified in Table 7.1.6. Manufacture shall include a list of manufacturing operations by country or region, at minimum for the manufacturing operations identified in Table 7.1.6.

Living wage assessment shall include, at a minimum:

- a) An explanation of the methodology used to set the wages when determining the pay rate for a specific job.
- b) A comparison between the lowest paid employee at a manufacturing operation and the determined living wage rate. Employee data shall show what workers are actually paid (effective wage data) on a guaranteed basis, for standard working hours. The living wage rate ~~should~~ shall include consideration for the cost of food, water, housing, education, health care, transportation, clothing, and other essential needs including at least 5% provision for unexpected events for a worker and their family. Other elements may be included based upon the methodology used.
- c) Data collected no more than five years prior and adjusted for the time since the original data was collected (i.e., for inflation).
- d) Disclosure of methodologies and data sources to the conformance body (e.g., indication whether primary data was collected, and name of secondary data sources) used to assess living wage.

Manufacturer shall provide the methodologies used to assess living wage, whether done itself or by a supplier, on its publicly available website. Disclosure of actual wages is not required.

Table 7.1.6. Point values by type of manufacturing operation

Type of manufacturing operation	<u>Optional Point(s)</u> value
All final assembly, manufacturer owned and outsourced, inclusive of manual assembly and associated packaging operations	1 point
Back-end chip manufacturing covering 80% of the value of the ICs in the product	1 point

Point value: 1 ~~point each~~ point (maximum of 2 points)

Verification requirements:

This criterion is verified at the product category level.

- a) Identification of manufacturing operations by country or region and type of manufacturing operation.
- b) Documentation of the calculation of living wage assessment(s) that meets the requirements of this criterion, including identification of the methodologies and data sources used in assessment(s).
- c) Evidence of a time bound gap closure plan(s) by country or region and type of manufacturing operation that encompasses the manufacturing operations identified in a).
- d) If including back-end chip manufacturing operation(s), a calculation demonstrating that manufacturing operations identified in verification requirement a) meet 80% of the value of the integrated circuits (ICs) in the product.
- e) URL(s) for the public website where manufacturer makes living wage assessment(s) methodologies used for living wage assessment(s) described in this criterion available.

References and details:

Back-end chip manufacturing refers to locations where the wafer is cut, assembled, and packed into different packages. (Source: Electronics Watch 2021 Annual Report).

Manufacturer may consider using living wage benchmark methodologies such as the Anker Methodology for Estimating a Living Wage, WageIndicator Global Living Wage, and Global Living Wage.

7.1.7 Required – Manufacturer and outsourced supplier (final assembly) OHS management system

Manufacturer shall have a third-party certified OHS management system for at least one significant final assembly manufacturing facility for registered products, whether owned by the manufacturer or outsourced. The methodology used for determining "significant" shall consider the percentage of registered product the facility produces.

The OHS management system shall be third-party certified to meet at minimum the requirements of ISO 45001 or a nationally adopted version of ISO 45001. Third-party certification shall be obtained from a certification body accredited by a body that is a signatory to the International Accreditation Forum (IAF) Multilateral Recognition Arrangement (MLA) with a scope of accreditation that includes the standard applicable to this criterion.

A multi-site or enterprise certification inclusive of those parts of the company that manufacture the registered product is acceptable.

This criterion must be met within 1-year of product registration.

Verification requirements:

This criterion is verified at the product category level.

a) Evidence of the methodology used for determining "significant".

~~a)~~ b) Evidence of third-party certification to ISO 45001 or a nationally adopted version of ISO 45001 for at least one final assembly manufacturing facility for registered products.

~~b)~~ c) Demonstration that certification was performed by a third-party certification body accredited by an IAF member accreditation body whose scope of accreditation includes the specified standard (e.g., logo or other indication on certification document, publicly posted URL by certification body reflecting accreditation from an IAF member accreditation body).

References and details: None

7.2 Environmental Management Systems

7.2.1 Required – Manufacturer certified environmental management system

Manufacturer shall have a third-party certified environmental management system (EMS) for ~~f1)~~ those parts of the company with responsibility for the design and development, and ~~/or f2) those parts of the company with responsibility for~~ final assembly manufacturing of registered products. The EMS shall be third-party certified to meet the requirements of ISO 14001, a nationally adopted version of ISO 14001, or the European Union Eco-Management and Audit Scheme (EMAS). Manufacturer shall identify their use of the terms "design" operations and/or "development" operations.

NOTE – For the purpose of this criterion, "design and development" means a set of processes that transform requirements for an object into more detailed requirements for that object. In a project there can be several design and development stages.⁶³ (SOURCE: ISO 9000:2015)

Certification(s) shall be obtained from a certification body accredited by a body that is a signatory to the IAF MLA with a scope of accreditation that includes the standard applicable to this criterion.

A multi-site or enterprise certification inclusive of those parts of the company where 1) design and development and ~~/or 2)~~ manufacture of registered products is done is acceptable.

If a manufacturer does not perform their own product design and development and does not manufacture products, they may indicate "Not Applicable."

Verification requirements:

This criterion is verified at the product category level.

⁶³ Note: In English the words "design" and "development" and the term "design and development" are sometimes used synonymously and sometimes used to define different stages of the overall design and development.

— Identification of how the manufacturer uses the terms “design” operations and/or “development” operations.

a)

~~a/b)~~ List of all design and development and/or final assembly manufacturing operations of the company for registered products.

~~b) Identification of how the manufacturer uses the terms “design” and/or “development”.~~

c) Evidence of third-party certification to ISO 14001, a nationally adopted version of ISO 14001 or the EU EMAS for operations identified in a).

d) Demonstration that certification was performed by a third-party certification body accredited by an IAF member accreditation body whose scope of accreditation includes the specified standard (e.g., logo or other indication on certification document, publicly posted URL by certification body reflecting accreditation from an IAF member accreditation body).

References and details: None

7.2.2 Required – Outsourced final assembler~~Supplier (final assembly)~~ certified environmental management system

Manufacturer shall demonstrate that outsourced-final assembler~~assembly supplier~~ facilities for manufacture of registered products have a third-party certified EMS. The EMS shall be third-party certified as meeting the requirements of ISO 14001, a nationally adopted version of ISO 14001 or the EMAS.

Certification(s) shall be obtained from a certification body accredited by a body that is a signatory to the IAF MLA with a scope of accreditation that includes the standard applicable to this criterion.

A multi-site or enterprise certification inclusive of those parts of the company where manufacture of registered products is done is acceptable.

If the manufacturer⁷ does not outsource final assembly of registered products to any suppliers, they may indicate “Not Applicable”.

Verification requirements:

This criterion is verified at the product category level.

- List of all outsourced final assembler~~final assembly supplier~~^{Ac} facilities for manufacture of registered products.
- Evidence of third-party certification to ISO 14001, a nationally adopted version of ISO 14001 or the EU EMAS for operations identified in a).
- Demonstration that certification was performed by a third-party certification body accredited by an IAF member accreditation body whose scope of accreditation includes the specified standard (e.g., logo or

other indication on certification document, publicly posted URL by certification body reflecting accreditation from an IAF member accreditation body).

References and details: None

7.3 Responsible Mineral Sourcing

7.3.1 Required – Public disclosure of due diligence processes for conflict minerals (3TG) in products

Manufacturer shall determine whether registered products contain tin, tantalum, tungsten, their ores, and gold (3TG) minerals necessary to the functionality or production of the products. If any of these minerals are in the product, manufacturer shall prepare annual public disclosure(s) on the sources of these minerals.

The annual public disclosure(s) shall align with the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas (inclusive of [OECD Guidance](#) Annexes I, II and III), and include:

1. a company sourcing policy or supplier code that addresses 3TG minerals;
2. description of a reasonable country of origin inquiry (RCOI) with the manufacturers' direct suppliers of 3TG minerals, and the resultant list of smelters or refiners reported by those suppliers; and
3. description of the due diligence measures the manufacturer has conducted on the source and chain of custody of the 3TG minerals which may have originated from covered countries or conflict-affected and high-risk areas.

Verification requirements:

This criterion is verified at the product category level.

- a) URL(s) and/or copies of public documents meeting the requirements of the criterion (e.g., annual report(s) or public disclosure pursuant to Rule 13p-1 of the U.S. Securities Exchange Act of 1934).

References and details: None

7.3.2 Optional – Public disclosure of due diligence processes for cobalt in products

Manufacturer shall determine whether registered products contain cobalt necessary to the functionality or production of the products. If cobalt is used in the product, manufacturer shall prepare annual public disclosure(s) on its sources.

The annual public disclosure(s) shall ~~follow-align with~~ the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas, and include:

1. A company sourcing policy or supplier code that addresses or includes cobalt;
2. Description of a RCOI with the manufacturers' direct suppliers of cobalt, and the resultant list of smelters or refiners reported by those suppliers; and
3. Description of the due diligence measures the manufacturer has conducted on the source and chain of custody of the cobalt which may have originated from covered countries or conflict-affected and high-risk areas.

Point value: 1

Verification requirements:

This criterion is verified at the product category level.

- a) URL(s) and/or copies of public documents meeting the requirements of the criterion (e.g., annual report(s)).

References and details: None

7.3.3 Required – Sourcing 3TG minerals from responsible smelters/ refiners validated by approved programs

Manufacturer shall annually demonstrate that at least ~~75~~⁶⁴65% of the total number of smelters/refiners ~~(inclusive of active or in-process smelters/refiners)~~ from which manufacturer sources one or more 3TG minerals necessary to the functionality or production of registered products meet one or both of the following requirements:

- a) Smelters/refiners process only materials from recycled or scrap sources; and/or
- b) Smelters/refiners participate in a validated responsible mineral chain-of-custody sourcing program(s) that aligns with the provisions for acceptable programs as defined below for at least the manufacturer's most recent reporting year.

The manufacturer may include active or in-process smelters/refiners in the percent conformance calculation for this criterion. "Active or in-process" means smelters and refiners that have committed to undergo an assessment by an approved program, have completed the relevant documents, and scheduled an on-site assessment to occur within the manufacturer's reporting year, that meets the requirements of this criterion.

The list of smelters/refiners used to conform to this criterion shall be reported annually, either in the public disclosure made by the manufacturer in accordance with *Criterion 7.3.1 Required – Public disclosure of due diligence processes for conflict minerals (3TG) in products* and/or separately on the manufacturer's website.

A change in status from conformant to non-conformant occurs when a smelter/refiner is removed from the approved program's list. Removal of a participating validated smelter/refiner constitutes a change in status that could impact the ~~{65 75%}~~ conformance calculation. Such changes are to be disclosed in the manufacturer's next annual report as required by *Criterion 7.3.1 Required – Public disclosure of due diligence processes for conflict minerals (3TG) in products*. In the absence of publication of an annual report, manufacturer shall publish a signed declaration on their website within 12-months. The declaration shall be signed by a company person with signing authority.

~~Any changes in smelter/refiner status, including corrective actions taken are to be included in the manufacturer's most recent annual report or on the manufacturer's website. Removal of a participating validated smelter/refiner constitutes a change in status that could impact the 75% conformance calculation. Such changes are to be:~~

- ~~—addressed within 6 months of submission of the manufacturer's 3TG due diligence annual report, as required by *Criterion 7.3.1 Required – Public disclosure of due diligence processes for conflict minerals (3TG) in products*, and~~
- ~~—disclosed in the manufacturer's next annual report or on the manufacturer's website.~~

⁶⁴ Manufacturer may utilize their Reasonable Country of Origin inquiry as the basis for the conformance threshold calculation for this criterion.

~~NOTE — Identification of non-conformances that have been corrected within the allotted time period of the participating program do not change the smelter/refiner's status with respect to participation in a validated responsible mineral sourcing program.~~

Requirements for acceptable programs: Responsible mineral chain-of-custody sourcing programs shall meet the following criteria:

- a) independently verified as fully aligned with the *OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas* (and subsequent revisions), inclusive of its standard, governance, and implementation processes. The OECD Secretariat identifies programs found conformant with the OECD Due Diligence Guidance Alignment Assessment Methodology⁶⁵
- b) allow for multi-stakeholder participation (i.e., more than one type of organization);
- c) increase the supply of responsibly sourced minerals (e.g., one or more 3TG minerals) which includes reducing human rights abuses associated with mineral extraction in conflict affected and high risk areas;
- d) have a system of oversight and public reporting;
- e) have a validation and/or certification mechanism that utilizes qualified independent third-party auditors;
- f) have an audit quality assurance process that:
 - i. assesses the accuracy of the information provided for each covered smelter/-refiner in scope of this criterion,
 - ii. identifies gaps in their due diligence process, and
 - iii. takes actions to address inaccurate information and identified gaps; and
- g) not allow for donation, participation, or activities by a manufacturer's foundation to meet requirements.

Verification requirements:

This criterion is verified at the product category level.

- a) URL(s) of public disclosure in accordance with *Criterion 7.3.1 Required – Public disclosure of due diligence processes for conflict minerals (3TG) in products* and/or is separately available on the manufacturer's website, that lists all identified smelters/refiners, including changes in status.
- ~~b) URL(s) for disclosure of changes in status within the reporting year including evidence that non-conformances are corrected within the allotted time period of the participating program.~~
- ~~e/b)~~ For each smelter/refiner identified in verification element a):
 - i. Evidence that criterion requirement 1 is met, such as a supplier declaration of conformity; and/or
 - ii. Evidence that criterion requirement 2 is met, i.e., identification of the in-region responsible mineral validated chain-of-custody sourcing program(s) utilized for each mineral at each smelter/refiner that aligns with the provisions for acceptable programs identified in this criterion, for at least the most recent reporting year; or
 - iii. Indication that the smelter/refiner does not meet criterion requirement 1 or 2.

⁶⁵ OECD Alignment Assessment Tool: <http://mneguidelines.oecd.org/industry-initiatives-alignment-assessment.htm>

- d) The calculation demonstrating that at least ~~65~~75% of smelters/refiners by number meet criterion requirement 1 and/or 2.
- e) Evidence that responsible mineral sourcing programs that are used to validate the due diligence practices of in-scope smelters and refiners meet the requirements for acceptable programs identified in this criterion.

References and details:

- a) For this criterion, “recycled or scrap sources” are defined as recycled metals that have been reclaimed from end-user or post-consumer products, or scrap processed metals created during product manufacturing. Recycled metal includes excess, obsolete, defective, and scrap metal materials which contain refined or processed metals that are appropriate to recycle in the production of tin, tantalum, tungsten and/or gold. Minerals partially processed, unprocessed, or a byproduct from another ore are not recycled metals.
- b) Currently identified programs that meet the requirements of this criterion include the Responsible Minerals Initiative (RMI), Responsible Jewelry Council (RJC), and London Bullion Market Association (LBMA).⁶⁶ In the future other programs may be added to this list.
~~Stakeholders are persons or groups who have interests that could be affected by an enterprise's activities, including but not limited to affected workers and communities. (Source: the OECD Due Diligence Guidance for Responsible Business Conduct)~~
- c) ~~Meaningful stakeholder engagement is characterized by two-way communication and involves the good faith of all parties, and the timely sharing of relevant information needed for stakeholders to make informed decisions in a format they can understand and access. Enterprises can prioritize the most severely impacted or potentially impacted stakeholders or rightsholders for engagement. The degree of impact on stakeholders or rightsholders may inform the degree of meaningful stakeholder engagement. (Source: OECD Due Diligence Guidance for Responsible Business Conduct)~~

7.3.4 Optional – Sourcing 3TG and cobalt minerals from responsible smelters/refiners validated by approved programs

Manufacturer shall demonstrate, in accordance with Table 7.3.4, that at least 90% of the total number of smelters/refiners (inclusive of active or in-process smelters/refiners) from which they source one or more 3TG minerals and/or that at least 75% of the total number of smelters/refiners ~~(inclusive of active or in-process crude and fine smelters/refiners)~~ from which they source cobalt minerals, that are necessary to the functionality or production of registered products meet one or both of the following requirements:

- a) Smelters/refiners process only materials from recycled or scrap sources; and/or

⁶⁶ OECD assessed programs: <http://mneguidelines.oecd.org/industry-initiatives-alignment-assessment-minerals.htm>

- b) Smelters/refiners participate in a validated responsible mineral chain-of-custody sourcing program(s) that aligns with the provisions for acceptable programs as defined below for at least the manufacturer's most recent reporting year.

The manufacturer may include active or in-process smelters/refiners in the percent conformance calculation for this criterion. "Active or in-process" means smelters and refiners that have committed to undergo an assessment by an approved program, have completed the relevant documents, and scheduled an on-site assessment to occur within the manufacturer's reporting year, that meets the requirements of this criterion.

The list of smelters/refiners used to conform to this criterion shall be reported annually, either in the public disclosure made by the manufacturer in accordance with *Criterion 7.3.1 Required – Public disclosure of due diligence processes for conflict minerals (3TG) in products* and/or *Criterion 7.3.2 Optional – Public disclosure of due diligence processes for cobalt in products* and/or separately on the manufacturer's website.

A change in status from conformant to non-conformant occurs when a smelter/refiner is removed from the approved program's list. Removal of a participating validated smelter/refiner constitutes a change in status that could impact the [75%] conformance calculation. Such changes are to be disclosed in the manufacturer's next annual report as required by *Criterion 7.3.1 Required – Public disclosure of due diligence processes for conflict minerals (3TG) in products*. In the absence of publication of an annual report, manufacturer shall publish a signed declaration on their website within 12 -months. The declaration shall be signed by a company person with signing authority.

Any changes in smelter/refiner status, including corrective actions taken are to be included in the manufacturer's most recent annual report or on the manufacturer's website.

Removal of a participating validated smelter/ refiner constitutes a change in status that could impact the 90% conformance calculation for 3TG minerals and the 75% conformance calculation for cobalt. Such changes are to be:

- addressed within 6 months of submission of the manufacturer's due diligence annual report, as required by *Criterion 7.3.1 Required – Public disclosure of due diligence processes for conflict minerals (3TG) in products* and/or *Criterion 7.3.2 Optional – Public disclosure of due diligence processes for cobalt in products*, as applicable; and,
- disclosed in the manufacturer's next annual report or on the manufacturer's website

NOTE – Identification of non-conformances that are corrected within the allotted time period of the participating program do not change the smelter/refiner's status with respect to participation in a validated responsible mineral sourcing program.

Requirements for acceptable programs: Responsible mineral chain-of-custody sourcing programs shall meet the following criteria:

- a) Independently verified as fully aligned with the *OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas* (and subsequent revisions), inclusive of its standard, governance, and implementation processes. The OECD Secretariat identifies programs found conformant with the OECD Due Diligence Guidance Alignment Assessment Methodology⁶⁷;
- b) Allow for multi-stakeholder participation (i.e., more than one type of organization);
- c) Increase the supply of responsibly sourced minerals (3TG and cobalt minerals) which includes reducing human rights abuses associated with mineral extraction in conflict affected and high risk areas;
- d) Have a system of oversight and public reporting;
- e) Have a validation and/or certification mechanism that utilizes qualified independent third-party auditors;
- f) Have an audit quality assurance process that:
 - i. Assesses the accuracy of the information provided for each covered smelter/ refiner in scope of this criterion;
 - ii. Identifies gaps in their due diligence process; and
 - iii. Takes actions to address inaccurate information and identified gaps.
- g) Not allow for donation, participation or activities by a manufacturer's foundation to meet requirements.

Table 7.3.4. Points value by percentage and type of mineral smelters/refiners:

Minimum percentage of smelters/refiners	Points
90% of the total number of 3TG smelters/refiners	1
75% of the total number of cobalt smelters/refiners (crude and fine)	1

Point value: 1 - 2 points (maximum of 2 points)

Verification requirements:

This criterion is verified at the corporation-product category level.

- a) URL(s) of public disclosure in accordance with Criterion 7.3.1 Required – Public disclosure of due diligence processes for conflict minerals (3TG) in products for 3TG and/or Criterion 7.3.2 Optional – Public disclosure of due diligence processes for cobalt in products as applicable and/or is separately available on the manufacturer's website, that lists all identified smelters/refiners, including changes in status.
- ~~b) URL(s) for disclosure of changes in status within the reporting year including evidence that non-conformances are corrected within the allotted time period of the participating program.~~
- e) For each smelter/refiner identified in verification element a):
 - i. Evidence that criterion requirement 1 is met, such as a supplier declaration of conformity; and/or

⁶⁷ OECD Alignment Assessment Tool: <http://mneguidelines.oecd.org/industry-initiatives-alignment-assessment.htm>

- ii. Evidence that criterion requirement 2 is met, i.e., identification of the in-region responsible mineral validated chain-of-custody sourcing program(s) utilized for each mineral at each smelter/refiner that aligns with the provisions for acceptable programs identified in this criterion, for at least the most recent reporting year; or
 - iii. Indication that it doesn't meet criterion requirement 1 or 2.
- b/c) The calculation demonstrating that at least 90% of 3TG smelters/refiners and/or 75% of cobalt smelters/refiners by number meet criterion requirement 1 and/or 2.
- e/d) Evidence that responsible mineral sourcing programs validating the due diligence practices of in scope smelters and refiners meet the requirements for acceptable programs identified in this criterion.

References and details:

- a) For this criterion, "recycled or scrap sources" are defined as recycled metals that are reclaimed from end-user or post-consumer products, or scrap processed metals created during product manufacturing. Recycled metal includes excess, obsolete, defective, and scrap metal materials which contain refined or processed metals that are appropriate to recycle in the production of tin, tantalum, tungsten and, or gold. Minerals partially processed, unprocessed or a byproduct from another ore are not recycled metals.
 - b) Currently identified programs that meet the requirements of this criterion include the RMI, RJC, and LBMA.
⁶⁸ In the future other programs may be added to this list.
- The degree of impact on stakeholders or rightsholders may inform the degree of meaningful stakeholder engagement. (Source: OECD Due Diligence Guidance for Responsible Business Conduct)
- b/c)

⁶⁸ OECD assessed programs: <http://mneguidelines.oecd.org/industry-initiatives-alignment-assessment-minerals.htm>

Annex A (Informative): Table of criteria and optional points

Topic	Subtopic	Criterion	Optional Points
7.0 Responsible Supply Chains Corporate ESG Performance	7.1 Labor, and Occupational Health and Safety Performance in the electronics supply chain	7.1.1 Required – Manufacturer commitment and performance audits for labor and occupational health and safety	N/A
		7.1.2 Required – Supplier code of conduct requirements for labor and occupational health and safety	N/A
		7.1.3 Required – Social responsibility performance audits of high-risk suppliers	N/A
		7.1.4 Optional – Improving supply chain quality and transparency of supplier social audits	1-2
		7.1.5 Optional - Suppliers details for worker engagement	1
		7.1.6 Optional – Living wage assessment and gap closure plan	1-2
		7.1.7 Required – Manufacturer and supplier (final assembly) OHS management system	N/A
	7.2 Environmental Management Systems	7.2.1 Required – Manufacturer certified environmental management system	N/A
		7.2.2 Required – Outsourced final assembler Supplier (final assembly) certified environmental management system	N/A
	7.3 Responsible Mineral Sourcing	7.3.1 Required – Public disclosure of due diligence processes for conflict minerals (3TG) in products	N/A
		7.3.2 Optional – Public disclosure of due diligence processes for cobalt in products	1
		7.3.3 Required – Sourcing 3TG minerals from responsible smelters/ refiners validated by approved programs	N/A
		7.3.4 Optional - Sourcing 3TG and cobalt minerals from responsible smelters/refiners validated by approved programs	1-2

Annex B (Normative): Labor and occupational, health and safety requirements

International Labor Standards identified in the ILO Declaration on Fundamental Principles and Rights at Work Conventions, and ILO Violence and Harassment Convention, defined in the following:

- Freedom of association and collective bargaining (C. 87 and C. 98),
- Forced labor (C. 29 and C. 105),
- Child labor and the worst forms of child labor (C. 138 and C. 182),
- Discrimination (employment and occupation) (C. 111)
- Equal Remuneration Convention (C.100)
- Occupational Safety and Health Convention (C.155 and C.187)
- Violence and harassment convention (C.190)

Occupational safety and health conventions:

- [Occupational Safety and Health Convention, 1981 \(No. 155\) and Recommendation, 1981 \(No. 164\)](#)
- [Promotional Framework for Occupational Safety and Health Convention, 2006 \(No. 187\)](#)

Chemical safety conventions:

- [Chemicals Convention, 1990 \(No. 170\) and Recommendation, 1990 \(No. 177\) and Code of Practice: Safety in the use of chemicals at work](#)

Major Industrial Accidents Convention:

- [Major Industrial Accidents Convention, 1993 \(No. 174\) and Recommendation, 1993 \(No. 181\) and Code of Practice: Major Industrial Accidents](#)

Other relevant conventions to OSH:

- [Asbestos Convention, 1986 \(No. 162\) and Recommendation, 1986 \(No. 172\)](#)
- [Working environment \(air pollution, noise and vibration\) convention, 1977 \(No. 148\) and recommendation, 1977 \(No. 156\)](#)
- [Radiation Protection Convention, 1960 \(No. 115\)](#)
- [Benzene Convention, 1971 \(No. 136\) and Recommendation, 1971 \(No. 144\)](#)
- [Occupational Cancer Convention, 1974 \(No. 139\) and Recommendation, 1974 \(No. 147\)](#)
- [Safety and health in mines convention, 1995 \(No. 176\) and recommendation, 1995 \(No. 183\)](#)
- [List of Occupational Diseases Recommendation, 2002 \(No. 194\)](#)

Domestic law in the legal jurisdiction regulating:

- Minimum wages, (Article 23, Universal Declaration of Human Rights)
- Standard working hours, (60-hour maximum workweek or local laws whichever is less)

- Overtime compensation,
- Employment contractual relationships.

Human trafficking as defined in *The Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children*, supplementing the United Nations Convention against Transnational Organized Crime.

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Annex C (Informative): Factors to determine prioritized facilities in scope

Acceptable risk assessment processes shall include an analysis and determination by the manufacturer of the risk for labor and worker rights abuses, and shall include factors 1) through 7).

Geographic-specific risk

- a) Geographic consideration of risk factors, including countries whose:
 - i. governments do not fully comply with the Minimum Standards for the Elimination of Trafficking of the U.S. Trafficking Victims Protection Act⁶⁹, as identified as Tier 2 Watch List and Tier 3 countries in the U.S. Department of State Trafficking in Persons (TIP) Report.⁷⁰
 - ii. policies (e.g., laws, government, enforcement) or geopolitical conditions reinforce corruption, or repression of freedom of association or cultural groups by government and/or society.⁷¹

Product/sector-specific risk

- b) High risk work tasks based on dangerous conditions, excessive working hours (i.e., more than 48 hours, plus 12 hours of voluntary overtime weekly), reliance on excessive flexible labor or non-standard employment arrangements including third-party agencies to meet production targets, and/or restricted access to social auditors or employee representation by worker organizations. Documentation shall refer to how the manufacturer's purchasing practices avoid perpetuating those risks, where applicable. High risk supplier facilities include those that have received a copy of a written claim from an applicable authority⁷² that the supplier has violated, breached, or acted contrary to an aspect of Labor requirements in Annex B (e.g., domestic law in the legal jurisdiction).
- c) Ties to entities manufacturing products made in part or whole with forced labor as identified on internationally respected global lists developed by national and/or regional governments, or withholding of goods not released by customs based on affirmation of a labor related violation.

⁶⁹ The Trafficking Victims Protection Act of 2000, as amended (TVPA), defines "severe forms of trafficking in persons" as: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery. Section 108 of the Trafficking Victims Protection Act of 2000 details the Minimum Standards for the Elimination of Trafficking. Available at: <https://www.govinfo.gov/content/pkg/PLAW-106publ386/pdf/PLAW-106publ386.pdf>

⁷⁰ <https://www.state.gov/bureaus-offices/under-secretary-for-civilian-security-democracy-and-human-rights/office-to-monitor-and-combat-trafficking-in-persons>

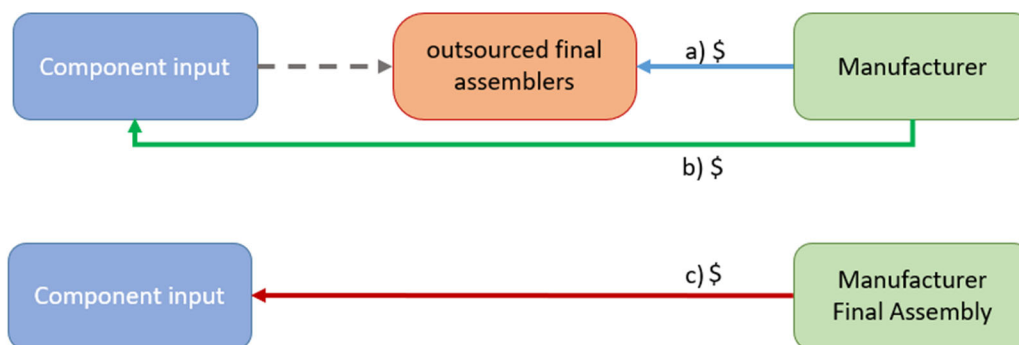
⁷¹ See, for instance, OECD.Stat statistical databases on labor (<https://stats.oecd.org/#>), CIA World Factbook Transnational Issues (<https://www.cia.gov/the-world-factbook/>), The World Bank Business Enabling Environment (<https://www.worldbank.org/en/programs/business-enabling-environment>)

⁷² Applicable authorities include a governmental authority responsible for enforcement of labor standards such as a country's Ministry of Labor, an international organization such as the ILO, or an agency supporting the grievance mechanism of a multilateral instrument such as a National Contact Point for the OECD Guidelines for Multinational Enterprises

Enterprise-specific risk, where applicable

- d) Information that includes assertions or allegations pertaining to facilities' failure to meet the provisions in Annex B from internal or external worker-lead or focused groups (e.g., NGOs, joint safety committees), organizations representing workers' interest, including worker organizations established consistent with ILO conventions C87 and C98, representative unions in instances where a union is present, public oversight watchdogs, and regulatory bodies.
- e) Prior audit performance and available lists/reports of prior grievances.
- f) Industry standard or original manufacturer survey, at minimum addressing the topics included in Annex B.
- g) High risk goods with evidence of abusive labor practices and goods that are produced with inputs made with forced or child labor in violation of international standards, including but not limited to:
 - i. Goods listed on the Bureau of International Labor Affairs (ILAB) List of Goods Produced by Child Labor or Forced Labor

Annex D (Informative): Elements of production spend



Production spend includes:

- a. total annual spend by the manufacturer on production for EPEAT registered products, inclusive of spend on outsourced final assemblers, and
- b. total annual spend by the manufacturer on components of EPEAT registered products that are directly sourced by the manufacturer and provided to outsourced final assemblers, and
- c. total annual direct spend by the manufacturer on components of EPEAT registered products that are used by the manufacturer in final assembly

Annex **E** (Informative): Bibliography

The following references are provided as informative references for the application of this document.

Anker Methodology for Estimating a Living Wage⁷³

Electronics Watch 2021 Annual Report⁷⁴

Elevate's Worker Sentiment Survey

Global Living Wage⁷⁵

London Bullion Market Association (LBMA)⁷⁶

Organisation for Economic Co-operation and Development OECD.Stat⁷⁷

Responsible Business Alliance (RBA) Risk Assessment Platform⁷⁸

Responsible Business Alliance (RBA) Self-Assessment Questionnaire (SAQ)⁷⁹

Responsible Business Alliance's (RBA) Worker Voice Platform⁸⁰

Responsible Jewelry Council (RJC)⁸¹

Responsible Minerals Initiative (RMI)⁸²

U.S. Central Intelligence Agency (CIA) World Factbook⁸³

WageIndicator Global Living Wage⁸⁴ The World Bank Business Enabling Environment⁸⁵

⁷³ <https://ankerresearchinstitute.org/>

⁷⁴ https://electronicswatch.org/en/strategy-annual-reports_2543078

⁷⁵ <https://www.globallivingwage.org/>

⁷⁶ <https://www.lbma.org.uk/prices-and-data/london-vault-holdings-data>

⁷⁷ <https://stats.oecd.org/#>

⁷⁸ <https://www.responsiblebusiness.org/tools/risk-assessment/>

⁷⁹ <https://www.responsiblebusiness.org/media/docs/RBASampleFacilitySAQ2021.pdf>

⁸⁰ <https://www.responsiblebusiness.org/news/worker-voice/>

⁸¹ <https://www.responsiblejewellery.com/standards/chain-of-custody-2017/>

⁸² <https://www.responsiblemineralsinitiative.org/>

⁸³ <https://www.cia.gov/the-world-factbook/>

⁸⁴ <https://wageindicator.org/salary/living-wage>

⁸⁵ <https://www.worldbank.org/en/programs/business-enabling-environment>

Document Change History

Issue	Revision	Owner	Description of Change	Approver	Approval Date	Effective Date
1	0	Vice President of Category and Criteria Development	Initial release	CEO	XX	XX