



Responsible Business Alliance

Formerly the Electronic Industry Citizenship Coalition

Advancing Sustainability Globally

## 6.0 版 ( 2018 年 )

### 責任商業聯盟行為準則

責任商業聯盟 ( Responsible Business Alliance · 簡稱 RBA ) ( 前身為電子行業公民聯盟 ( Electronic Industry Citizenship Coalition · 簡稱 EICC ) ) 行為準則為電子行業或以電子為主要組成部份的行業及其供應鏈制定一套規範，從而確保工作環境的安全工人受到尊重並富有尊嚴商業營運合乎環保性質並遵守道德操守。

所有設計、銷售、製造，或為生產電子產品提供商品和服務的機構都被本準則視之為電子行業的一部份，即本準則的目標對象。電子行業的任何一家企業都可以自願採用本準則，並相應應用到其供應鏈和外包商中，包括提供合同工的供應商。

要採用本準則並成為其中的參與者 ( 下稱「參與者」 ) ，企業應當作出支持本準則的聲明，並按照此提出的管理體系積極貫徹本準則及其規範。

參與者必須在其整個供應鏈中倡議採用本準則。至少，參與者需要要求其下一級供應商認同並落實執行本準則。

企業採用本準則的基本原則為其所有商業經營活動都必須完全遵守其經營所在國家的法律、法例及法規。<sup>1</sup>本準則鼓勵參與者在遵守法律以外更進一步，積極利用國際公認的標準推動社會和環境責任以及商業道德。本準則根據《聯合國企業和人權指導原則》 ( UN Guiding Principles on Business and Human Rights ) ，其中的規條引申自不同關鍵性國際人權標準，包括國際勞工組織 ( 「ILO」 ) 的《工作基本原則與權利宣言》 ( Declaration on Fundamental Principles and Rights at Work ) 和《世界人權宣言》 ( UN Universal Declaration of Human Rights ) 。

RBA 承諾定期收集利益相關者的反饋，實施和持續發展《行為準則》。

本準則由五個部分組成。A、B和C部分分別概述勞工、健康與安全，以及環境的標準。D部分提供有關商業道德的標準；E部分概述能夠貫徹本準則的合宜管理體系所需的要素。

<sup>1</sup>本準則無意為第三方 ( 包括工人在內 ) 爭取新的、額外的權利。



## A. 勞工

參與者應根據國際社會公認的準則，承諾維護勞工的人權，並尊重他們。這適用於所有勞工，包括臨時工、移民工、學生、合約勞工、直接僱員以及任何其他類型的勞工。本準則編寫時參考了附錄中列出的公認標準，而這些標準同時亦是一種有用的額外信息來源。

勞工標準：

### 1) 自由選擇職業

禁止使用強逼、擔保（包括抵債）或用契約束縛的勞工、非自願或剝削性監獄勞工、奴役或販賣的人口。這包括使用恐嚇、強迫、威脅、綁架或詐騙手段運送、窩藏、招募、調配或接收的勞工或取得的服務。除了禁止對勞工出入工作場所作出不合理限制外，也不應無理地約束勞工在工作場所內的行動自由。在招聘程序中，必須在勞工離開原本的國家前，為他們提供其母語書寫的僱傭協議，而該協議裏需列明僱傭條款及條件；而在抵達接收國家後，該僱傭協議不得有任何替換或更改，除非有關更改是為了符合當地法律的要求和提供相同或更佳條款而作出則例外。所有工作應當是自願的，勞工擁有隨時自由離職或終止僱傭關係的權利。僱主或中介人不得扣留或以其他方式毀壞、隱藏、沒收或拒絕僱員取用其身份證或出入境證件，如政府頒發的身份證明、護照或工作許可證，惟法律要求僱主持有其僱員的工作許可證則例外。僱主或中介人不得要求勞工繳付招聘費用或其他與其聘用相關的費用。如發現勞工須繳付任何該等費用，該等費用須交還予有關勞工。

### 2) 青年勞工

不得在任何製造工序中使用童工。「童工」指僱傭任何未滿 15 歲、或未達義務教育年齡、或該國家/地區最低就業年齡的任何人（三項中取其指定年齡最大的一項）。符合所有法例與法規的合法職場學習計劃則不在此列。未滿 18 歲的勞工（青年勞工）不得從事可能會危及其健康或安全的工作，包括夜間值勤或加班。參與者應當透過適當地保管學生記錄、嚴格審核教育合作夥伴、和按照適用的法例與法規保障學生的權利，從而確保對學生勞工的管理得當。參與者應當提供適當的支援和訓練予所有學生勞工。如果沒有當地法律規管，學生勞工、實習生和學徒的薪資水平應最少與從事相同或相似工作的其他入門級員工相等。

### 3) 工時

根據有關的商業實踐研究，生產力降低、職員流動率上升以及受傷和患病情況的增多與勞工的疲勞度有顯著的關連。因此，工作時數不應超過當地法律規定的最大限度。此外，每週的工作時數不應超過 60 小時（包括加班），緊急或特殊情況除外。每七天應當允許勞工至少休息一天。



#### 4) 工資與福利

支付給勞工的工資應當符合所有相關的薪酬法律，包括有關最低工資、超時加班和法定福利的法律。根據當地法律的規例，勞工的加班工資應高於常規時薪水平。禁止以扣除工資作為紀律處分的手段。在每個支薪週期，應及時為勞工提供簡明的工資單據，內含充足的資料證實支付給勞工的薪酬準確無誤。必須按照當地法律聘用臨時工、派遣員和外判工人。

#### 5) 人道的待遇

避免苛刻和非人道地對待員工，包括任何形式的性騷擾、性侵犯、體罰、精神或身體壓逼或是口頭辱罵；也不得威脅進行任何此類行為。有關的紀律政策及程序必須有清晰的定義，並向員工清楚地傳達。

#### 6) 不歧視

參與者應承諾員工免受騷擾以及非法歧視。公司不得因人種、膚色、年齡、性別、性傾向、性別認同及表現、種族或民族、殘疾、懷孕、信仰、政治立場、團體背景、退伍軍人身份、受保護的遺傳訊息或婚姻狀況等在招聘及實際工作中歧視員工，例如因此而影響工資、晉升、獎勵和受訓機會等。應為員工提供適當的場所進行宗教活動。此外，不得讓員工或準員工接受帶有歧視性的醫學檢驗或身體檢查。

#### 7) 自由結社

根據當地法律，參與者應當尊重所有員工組織和參與他們所選擇的工會、集體談判和參加和平集會的權利，同時也應尊重員工迴避這類活動的權利。員工和 / 或他們的代表應當能夠在不用擔心歧視、報復、威脅或騷擾的情況下，公開地就工作條件和管理方法與管理層溝通以及分享其想法和憂慮。



## B. 健康與安全

參與者應意識到除了盡量減少與工作相關的傷病發生率外，安全、健康的工作環境有助提高產品和服務的質素、生產的穩定性以及員工的忠誠度和士氣。參與者也應意識到持續地在員工投入和教育是辨識和解決工作場所內健康與安全問題的關鍵。

本準則在起草時參考了公認的管理體系（如 OHSAS 18001 和國際勞工組織職業安全健康管理系統指引），此體系亦是有用的額外信息來源。

安全與健康標準：

### 1) 職業安全

應透過適當的設計、工程和行政管制、防護保養和安全操作程序（包括上鎖掛牌程序）和持續性的安全知識培訓來識別和評估以及控制工作場的安全隱患（如化學、電力和其他能源、火災、運載工具和跌倒危險或事故），以免危及職工。若無法透過上述方法有效控制危險源，應為員工提供適當的、保養良好的個人防護裝備以及有關這些危險事故和相關風險的教材。亦必須採取合理的措施，從而讓懷孕的婦女 / 哺乳期女性遠離存在高度危險的工作環境、消除或減少懷孕的婦女和哺乳期女性所承受的任何職業健康和 safety 風險（包括與其工作分派相關的），以及為哺乳其女性提供合理的場所。

### 2) 應急準備

應確認和評估潛在的緊急情況和事件，並通過實施應急方案和應變程序來將其影響降到最低，包括：緊急報告、員工通告和疏散程序、員工培訓和演習、適當的火警偵測和滅火設備、暢通無阻的出口以及充足的疏散設施和恢復計劃。這些方案和程序應著重盡量減低對生命、環境和財產的危害。

### 3) 工傷和職業病

應當制定程序和體系來預防、管理、追蹤和報告工傷和職業病，包括以下規定：鼓勵員工報告；歸類和記錄工傷和職業病案例；提供必要的治療；調查案例並執行糾正措施以杜絕類似情況；協助員工返回工作崗位。



#### 4) 工業衛生

應當根據管控層級識別、評估並控制因接觸制化學、生物以及物理作用劑給員工帶來的影響。透過適當設計、工程和行政控制消除或控制潛在危險。如這些措施無法有效預防危害，應當為員工提供和使用適當、妥善維護的個人防護裝備。防護計劃須包括有關這些危險相關風險的教材。

#### 5) 體力勞動工作

應當識別、評估並控制從事體力勞動工作給員工帶來的影響，包括以人力搬運物料或重複提舉重物、長時間站立和高度重複性或高強度的組裝工作。

#### 6) 機器防護

應當評估生產設備或其他類型機器的安全隱患。為預防機器對職工可能造成的傷害，應當提供和正確地維護物理防護裝置、連鎖裝置以及屏障。

#### 7) 公共衛生和食宿

應當為員工提供乾淨的洗手間設施、清潔的飲用水、以及衛生的煮食用具、食物儲存設施和餐具。參與者或勞工中介人提供的員工宿舍應當保持乾淨、安全，並提供適當的緊急出口、洗浴熱水、充足的照明供暖和通風設備、獨立安全的場所以供儲存個人和貴重物品以及適當且出入方便的私人空間。

#### 8) 健康與安全溝通

參與者應當為員工提供以其使用的語言或其能夠明白的語言進行的適當職業健康和 safety 資料和訓練，以識別員工面對的所有工作場所危險情況，包括但不限於機械、電力、學、火災和物理危害。在工作場所的顯眼處張貼健康與安全相關資料，或將有關資料放在員工可識別和易於接觸的位置。在開始工作前及之後定期提供訓練予所有員工。應當鼓勵員工提高安全意識



## C. 環境

參與者承認環境保護責任是生產世界一流產品不可或缺的一部份。在製造作業過程中，應盡量減少對社區、環境和自然資源造成的不良影響，同時保障公眾的健康和安全。本準則在起草時參考了公認的管理體系（如 ISO 14001 和生態管理及審核體系（Eco Management and Audit System，EMAS）），此體系亦是有用的額外信息來源。

環境標準：

### 1) 環境許可和報告

應獲取所有必需的環境許可證（如排放監控）、批准和登記文件，亦要對之進行維護並時常更新，以及遵守許可證的操作和報告要求。

### 2) 預防污染和節約資源

應在源頭上或透過實踐（如增設污染控制設備；改良生產、維修和設施程序；或其他方法）盡量減少或杜絕排出和排放污染物以及產生廢物。應節約或透過實踐（如改良生產、維修和設施程序、替換材料、再用、節約、回收或其他方法）節約自然資源（包括水、化石燃料、礦物和原始森林產品）的耗費。

### 3) 有害物質

應當識別、標籤和管理對人類或環境造成危害的化學物質及其他物質，從而確保這些物質得以安全地處理、運送、儲存、使用、回收或再用及棄置。

### 4) 固體廢物

參與者應實施系統性的措施來識別、管理、減少和負責任地棄置或回收固體廢物（無害的）。

### 5) 廢氣排放

在排放營運過程中產生的揮發性有機化學物質、氣霧劑、腐蝕性物質、微粒、耗蝕臭氧層化學物品以及燃燒副產品前，應當按照要求對其進行分類、例行監察、控制和處理。參與者也應當對廢氣排放管制系統的性能進行例行監察。



## 6) 材料控制

參與者應當遵守所有適用法律法規和客戶要求，禁止或限制在產品和製造過程中納入特定物質（包括回收和棄置標籤）。

## 7) 水資源管理

參與者應當實施水管理計劃，以記錄、分類和監察水資源、使用和排放；尋求機會節約用水；以及控制污染渠道。所有污水在排放或棄置前，應當按照要求對其進行分類、監察、控制和處理。參與者應當對污水處理和控制系統的性能進行例行監察以確保達致最佳性能和符合監管規例。

## 8) 能源消耗和溫室氣體排放

應當追蹤及記錄工作場所內和 / 或企業層面的能源消耗和所有相關範疇1 和 2 溫室氣體排放。參與者應當尋求具成本效益的方法來改善能源利用效率和盡量減少能源消耗和溫室氣體排放。



## D. 道德規範

為履行社會責任並在市場上取得成功，參與者及其代理商必須謹守最高的道德標準，包括：

### 1) 誠信經營

在所有商業互動關係中都應謹守最高的誠信標準。參與者應採取零容忍政策來禁止任何形式的賄賂、貪污、敲詐勒索和挪用公款。

### 2) 無不正當收益

不得承諾、提供、批准、給予或收受賄賂或其他形式的不正當收益。此禁令包括承諾、提供、批准、給予或收受任何有價之物（無論是直接還是透過第三方間接地進行），以期獲得或保留業務、將業務轉讓他人或獲取不正當收益。應推行監控和強制執程序以確保符合反腐敗法的要求。

### 3) 資訊公開

所有的業務來往應具透明度，並準確地記錄在參與者的賬簿和商業記錄上。應當按照適用法規和普遍的行業慣例公開有關參與勞工、健康與安全、環保活動、商業活動、組織架構、財務狀況和業績的資料。不得偽造記錄或虛報供應鏈的狀況或慣例。

### 4) 知識產權

應當尊重知識產權；須以保護知識產權的方法傳遞技術和生產知識；並必須保護客戶和供應商的資料。

### 5) 公平交易、廣告和競爭

應謹守公平交易、廣告和競爭標準。

### 6) 身份保護及防止報復

除非受法律禁止，參與者應當制定程序來保護供應商和員工檢舉者，並確保其身份的機密性<sup>2</sup>和匿名性。參與者也應制定溝通程序，讓員工可以表達他們的疑慮，而不用害怕遭到報復。

<sup>2</sup>檢舉者的定義：任何揭露公司員工、主管或公務員和政府機構的不正當行為者。





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## 7) 負責任地採購礦物

參與者應當制定政策來合理地確保他們製造的產品中所含有的鈹、錫、鎢和黃金不會直接或間接地資助或有利剛果民主共和國及其鄰國內嚴重侵犯人權的犯罪武裝團體。參與者應對這些礦物的採購和產銷監管鏈進行嚴格的審核，並在客戶查詢時提供有關審核標準的資料。

## 8) 私隱

參與者承諾合理地保護任何與其有業務來往者（包括供應商、客戶、消費者和員工）的個人資料和私隱。參與者應當在收集、儲存、處理、傳播和分享個人資料時遵守私隱和資料安全法律及監管要求。



## E. 管理體系

參與者應採用或建立範圍與本準則內容相關的管理體系。在設計該管理體系時，應確保：(a) 符合與參與者營運和產品相關的適用法例、法規及客戶要求；(b) 符合本準則；以及(c) 識別並減輕與本準則有關的經營風險。管理體系也應當推動持續改進。

該管理體系應包含以下要素：

### 1) 公司承諾

企業的社會及環境責任政策聲明應確定參與者對守法以及持續改進的承諾，並由行政管理層簽署，並以當地語言張貼於工作場所內。

### 2) 管理職責與責任

參與者應明確指定高級主管和公司代表來負責保證管理體系和相關計劃的實施。高級管理層應定期檢查管理體系的運作情況。

### 3) 法律和客戶要求

制定程序識別、監察並理解適用的法律法規和客戶要求（包括本準則的要求）。

### 4) 風險評估和風險管理

制定程序識別與參與者經營相關的守法<sup>3</sup>、環境、健康與安全以及勞工活動及道德風險。評定每項風險的級別，實施適當的程序和實質管制來控制已識別的風險和確保遵行監管規例

<sup>3</sup> 生產區域、倉庫和儲存設施、廠房 / 工作場所支援設備、實驗室和測試區域、衛生設施（浴室）、廚房 / 食堂和員工住房 / 宿舍都應納入環境健康與安全風險評估的範圍內。

### 5) 改進目標

應制定書面績效目標、指標和實施計劃來提高參與者的社會和環境責任績效，包括對參與者為達成這些目標所取得的成效進行定期審核。



## 6) 培訓

應為管理層及員工制定培訓計劃，從而實施參與者的政策、程序及改進目標，同時滿足適用之法例與法規的要求。

## 7) 溝通

制定程序將參與者的政策、實踐、預期和績效清晰準確地傳達給員工、供應商和客戶。

## 8) 員工意見、參與和申訴

制定持續可行的程序（包括有效的申訴機制）以評估員工對本準則所涵蓋之實踐或違反情況和條件的認知度，並獲取員工在這方面的意見，從而推動持續改進。

## 9) 審核與評估

定期進行自我評估，從而確保符合法例與法規的要求、本準則內容以及客戶合約中與社會與環境責任相關要求。

## 10) 糾正措施

制定程序以確保能及時糾正在內外部的評估、檢查、調查和審核中所發現的不足之處。

## 11) 文檔和記錄

建立並保留文檔和記錄，從而確保符合監管規例與公司的要求，同時應保障私隱的機密性。

## 12) 供應商的責任

制定程序來將本準則的要求傳達給供應商，並監管供應商對本準則的遵行情況。



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## 參考

在起草本準則的過程中使用了以下標準，這些標準可用作有用的額外信息來源。每位參與者可以支持或不支持以下標準。

Dodd-Frank Wall Street Reform and Consumer Protection Act

<http://www.sec.gov/about/laws/wallstreetreform-cpa.pdf>

Eco Management & Audit System <http://ec.europa.eu/environment/emas/indexen.htm>

Ethical Trading Initiative [www.ethicaltrade.org/](http://www.ethicaltrade.org/)

ILO Code of Practice in Safety and Health

[www.ilo.org/public/english/protection/safework/cops/english/download/e000013.pdf](http://www.ilo.org/public/english/protection/safework/cops/english/download/e000013.pdf)

ILO International Labor Standards

[www.ilo.org/public/english/standards/norm/whatare/fundam/index.htm](http://www.ilo.org/public/english/standards/norm/whatare/fundam/index.htm)

ISO 14001 [www.iso.org](http://www.iso.org)

National Fire Protection Association [www.nfpa.org/catalog/home/AboutNFPA/index.asp](http://www.nfpa.org/catalog/home/AboutNFPA/index.asp)

經濟合作與發展組織關於來自受衝突影響和高風險區域的礦石的負責任供應鏈盡職調查指南

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

OECD Guidelines for Multinational Enterprises

<http://www.oecd.org/investment/mne/1903291.pdf>

OHSAS 18001 <http://www.bsigroup.com/en-GB/ohsas-18001-occupational-health-and-safety/>

Universal Declaration of Human Rights [www.un.org/Overview/rights.html](http://www.un.org/Overview/rights.html)

United Nations Convention Against Corruption

<https://www.unodc.org/unodc/en/treaties/CAC/>

United Nations Global Compact [www.unglobalcompact.org](http://www.unglobalcompact.org)

United States Federal Acquisition Regulation [www.acquisition.gov/far/](http://www.acquisition.gov/far/)

SA 8000 <http://www.sa-intl.org/index.cfm?fuseaction=Page.ViewPage&PageID=937>

Social Accountability International (SAI) [www.sa-intl.org](http://www.sa-intl.org)

責任商業聯盟行為準則（6.0 版）



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## 文檔歷史記錄

1.0 版 – 於 2004 年 10 月發佈。

1.1 版 – 於 2005 年 5 月發佈。將文檔改為 RBA 格式、版面設計進行細微修改：並無內容上的更改。

2.0 版 – 於 2005 年 10 月發佈，修訂了多項條款。3.0 版 – 於 2009 年 6 月發佈，修訂了多項條款。

4.0 版 – 於 2012 年 4 月發佈，修訂了多項條款。5.0 版 – 於 2014 年 11 月發佈，修訂了多項條款。

5.1 版 – 於 2015 年 3 月發佈，修訂了第 A1 項條款，並於 2016 年 1 月 1 日生效。

6.0 版 – 於 2018 年 1 月發佈，修訂了多項條款。

RBA 行為準則最初由多家從事電子產品製造業的公司在 2004 年 6 月至 10 月期間聯合編寫。我們邀請和鼓勵不同的公司採用本準則。您可以在以下網站獲得更多額外的資料：

[responsiblebusiness.org](http://responsiblebusiness.org)



Version 6.0 (2018)

## RESPONSIBLE BUSINESS ALLIANCE CODE OF CONDUCT

The Responsible Business Alliance (RBA), formerly the Electronic Industry Citizenship Coalition (EICC), Code of Conduct establishes standards to ensure that working conditions in the electronics industry or industries in which electronics is a key component and its supply chains are safe, that workers are treated with respect and dignity, and that business operations are environmentally responsible and conducted ethically.

Considered as part of the electronics industry for purposes of this Code are all organizations that may design, market, manufacture, or provide goods and services that are used to produce electronic goods. The Code may be voluntarily adopted by any business in the electronics sector and subsequently applied by that business to its supply chain and subcontractors, including providers of contract labor.

To adopt the Code and become a participant (“Participant”), a business shall declare its support for the Code and actively pursue conformance to the Code and its standards in accordance with a management system as herein.

Participants must regard the Code as a total supply chain initiative. At a minimum, Participants shall also require its next tier suppliers to acknowledge and implement the Code.

Fundamental to adopting the Code is the understanding that a business, in all of its activities, must operate in full compliance with the laws, rules and regulations of the countries in which it operates.<sup>1</sup> The Code encourages Participants to go beyond legal compliance, drawing upon internationally recognized standards, in order to advance social and environmental responsibility and business ethics. In alignment with the UN Guiding Principles on Business and Human Rights, the provisions in this Code are derived from key international human rights standards including the ILO Declaration on Fundamental Principles and Rights at Work and the UN Universal Declaration of Human Rights.

The RBA is committed to obtaining regular input from stakeholders in the continued development and implementation of the Code of Conduct.

The Code is made up of five sections. Sections A, B, and C outline standards for Labor, Health and Safety, and the Environment, respectively. Section D adds standards relating to business ethics; Section E outlines the elements of an acceptable system to manage conformity to this Code.

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<sup>1</sup> The Code is not intended to create new and additional third party rights, including for workers.



## A. LABOR

Participants are committed to uphold the human rights of workers, and to treat them with dignity and respect as understood by the international community. This applies to all workers including temporary, migrant, student, contract, direct employees, and any other type of worker. The recognized standards, as set out in the annex, were used as references in preparing the Code and may be a useful source of additional information.

The labor standards are:

### 1) Freely Chosen Employment

Forced, bonded (including debt bondage) or indentured labor, involuntary or exploitative prison labor, slavery or trafficking of persons shall not be used. This includes transporting, harboring, recruiting, transferring or receiving persons by means of threat, force, coercion, abduction or fraud for labor or services. There shall be no unreasonable restrictions on workers' freedom of movement in the facility in addition to unreasonable restrictions on entering or exiting company-provided facilities. As part of the hiring process, workers must be provided with a written employment agreement in their native language that contains a description of terms and conditions of employment prior to the worker departing from his or her country of origin and there shall be no substitution or change(s) allowed in the employment agreement upon arrival in the receiving country unless these changes are made to meet local law and provide equal or better terms.. All work must be voluntary and workers shall be free to leave work at any time or terminate their employment. Employers and agents may not hold or otherwise destroy, conceal, confiscate or deny access by employees to their identity or immigration documents, such as government-issued identification, passports or work permits, unless such holdings are required by law. Workers shall not be required to pay employers' or agents' recruitment fees or other related fees for their employment. If any such fees are found to have been paid by workers, such fees shall be repaid to the worker.

### 2) Young Workers

Child labor is not to be used in any stage of manufacturing. The term "child" refers to any person under the age of 15, or under the age for completing compulsory education, or under the minimum age for employment in the country, whichever is greatest. The use of legitimate workplace learning programs, which comply with all laws and regulations, is supported. Workers under the age of 18 (Young Workers) shall not perform work that is likely to jeopardize their health or safety, including night shifts and overtime. Participant shall ensure proper management of student workers through proper maintenance of student records, rigorous due diligence of educational partners, and protection of students' rights in accordance with applicable law and regulations. Participant shall provide appropriate support and training to all



student workers. In the absence of local law, the wage rate for student workers, interns and apprentices shall be at least the same wage rate as other entry-level workers performing equal or similar tasks.

### 3) Working Hours

Studies of business practices clearly link worker strain to reduced productivity, increased turnover and increased injury and illness. Working hours are not to exceed the maximum set by local law. Further, a workweek should not be more than 60 hours per week, including overtime, except in emergency or unusual situations. Workers shall be allowed at least one day off every seven days.

### 4) Wages and Benefits

Compensation paid to workers shall comply with all applicable wage laws, including those relating to minimum wages, overtime hours and legally mandated benefits. In compliance with local laws, workers shall be compensated for overtime at pay rates greater than regular hourly rates. Deductions from wages as a disciplinary measure shall not be permitted. For each pay period, workers shall be provided with a timely and understandable wage statement that includes sufficient information to verify accurate compensation for work performed. All use of temporary, dispatch and outsourced labor will be within the limits of the local law.

### 5) Humane Treatment

There is to be no harsh and inhumane treatment including any sexual harassment, sexual abuse, corporal punishment, mental or physical coercion or verbal abuse of workers; nor is there to be the threat of any such treatment. Disciplinary policies and procedures in support of these requirements shall be clearly defined and communicated to workers.

### 6) Non-Discrimination

Participants should be committed to a workforce free of harassment and unlawful discrimination. Companies shall not engage in discrimination based on race, color, age, gender, sexual orientation, gender identity and expression, ethnicity or national origin, disability, pregnancy, religion, political affiliation, union membership, covered veteran status, protected genetic information or marital status in hiring and employment practices such as wages, promotions, rewards, and access to training. Workers shall be provided with reasonable accommodation for religious practices. In addition, workers or potential workers should not be subjected to medical tests or physical exams that could be used in a discriminatory way.





## 7) Freedom of Association

In conformance with local law, participants shall respect the right of all workers to form and join trade unions of their own choosing, to bargain collectively and to engage in peaceful assembly as well as respect the right of workers to refrain from such activities. Workers and/or their representatives shall be able to openly communicate and share ideas and concerns with management regarding working conditions and management practices without fear of discrimination, reprisal, intimidation or harassment.



## B. HEALTH and SAFETY

Participants recognize that in addition to minimizing the incidence of work-related injury and illness, a safe and healthy work environment enhances the quality of products and services, consistency of production and worker retention and morale. Participants also recognize that ongoing worker input and education is essential to identifying and solving health and safety issues in the workplace.

Recognized management systems such as OHSAS 18001 and ILO Guidelines on Occupational Safety and Health were used as references in preparing the Code and may be a useful source of additional information.

The health and safety standards are:

### 1) Occupational Safety

Worker potential for exposure to safety hazards (e.g., chemical, electrical and other energy sources, fire, vehicles, and fall hazards) are to be identified and assessed, and controlled through proper design, engineering and administrative controls, preventative maintenance and safe work procedures (including lockout/tagout), and ongoing safety training. Where hazards cannot be adequately controlled by these means, workers are to be provided with appropriate, well-maintained, personal protective equipment and educational materials about risks to them associated with these hazards. Reasonable steps must also be taken to remove pregnant women/nursing mothers from working condition with high hazards, remove or reduce any workplace health and safety risks to pregnant women and nursing mothers including those associated with their work assignments, as well as include reasonable accommodations for nursing mothers.

### 2) Emergency Preparedness

Potential emergency situations and events are to be identified and assessed, and their impact minimized by implementing emergency plans and response procedures including: emergency reporting, employee notification and evacuation procedures, worker training and drills, appropriate fire detection and suppression equipment, clear and unobstructed egress adequate exit facilities and recovery plans. Such plans and procedures shall focus on minimizing harm to life, the environment and property.



### 3) Occupational Injury and Illness

Procedures and systems are to be in place to prevent, manage, track and report occupational injury and illness including provisions to: encourage worker reporting; classify and record injury and illness cases; provide necessary medical treatment; investigate cases and implement corrective actions to eliminate their causes; and facilitate return of workers to work.

### 4) Industrial Hygiene

Worker exposure to chemical, biological and physical agents is to be identified, evaluated, and controlled according to the hierarchy of controls. Potential hazards are to be eliminated or controlled through proper design, engineering and administrative controls. When hazards cannot be adequately controlled by such means, workers are to be provided with and use appropriate, well-maintained, personal protective equipment. Protective programs shall include educational materials about the risks associated with these hazards.

### 5) Physically Demanding Work

Worker exposure to the hazards of physically demanding tasks, including manual material handling and heavy or repetitive lifting, prolonged standing and highly repetitive or forceful assembly tasks is to be identified, evaluated and controlled.

### 6) Machine Safeguarding

Production and other machinery shall be evaluated for safety hazards. Physical guards, interlocks and barriers are to be provided and properly maintained where machinery presents an injury hazard to workers.

### 7) Sanitation, Food, and Housing

Workers are to be provided with ready access to clean toilet facilities, potable water and sanitary food preparation, storage, and eating facilities. Worker dormitories provided by the Participant or a labor agent are to be maintained to be clean and safe, and provided with appropriate emergency egress, hot water for bathing and showering, adequate lighting heat and ventilation, individually secured accommodations for storing personal and valuable items, and reasonable personal space along with reasonable entry and exit privileges.

### 8) Health and Safety Communication

Participant shall provide workers with appropriate workplace health and safety information and training in the language of the worker or in a language the worker can understand for all identified workplace hazards that workers are exposed to, including but not limited to mechanical, electrical, chemical, fire, and physical hazards.. Health and safety related information shall be clearly posted in the facility or placed in a location identifiable and



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accessible by workers. Training is provided to all workers prior to the beginning of work and regularly thereafter. Workers shall be encouraged to raise safety concerns



## C. ENVIRONMENTAL

Participants recognize that environmental responsibility is integral to producing world class products. In manufacturing operations, adverse effects on the community, environment and natural resources are to be minimized while safeguarding the health and safety of the public. Recognized management systems such as ISO 14001 and the Eco Management and Audit System (EMAS) were used as references in preparing the Code and may be a useful source of additional information.

The environmental standards are:

### 1) Environmental Permits and Reporting

All required environmental permits (e.g. discharge monitoring), approvals and registrations are to be obtained, maintained and kept current and their operational and reporting requirements are to be followed.

### 2) Pollution Prevention and Resource Reduction

Emissions and discharges of pollutants and generation of waste are to be minimized or eliminated at the source or by practices such as adding pollution control equipment; modifying production, maintenance and facility processes; or by other means. The use of natural resources, including water, fossil fuels, minerals and virgin forest products, is to be conserved or by practices such as modifying production, maintenance and facility processes, materials substitution, re-use, conservation, recycling or other means.

### 3) Hazardous Substances

Chemicals and other materials posing a hazard to humans or the environment are to be identified, labelled and managed to ensure their safe handling, movement, storage, use, recycling or reuse and disposal.

### 4) Solid Waste

Participant shall implement a systematic approach to identify, manage, reduce, and responsibly dispose of or recycle solid waste (non-hazardous).

### 5) Air Emissions

Air emissions of volatile organic chemicals, aerosols, corrosives, particulates, ozone depleting chemicals and combustion by-products generated from operations are to be characterized,



routinely monitored, controlled and treated as required prior to discharge. Participant shall conduct routine monitoring of the performance of its air emission control systems.

#### 6) **Materials Restrictions**

Participants are to adhere to all applicable laws, regulations and customer requirements regarding prohibition or restriction of specific substances in products and manufacturing, including labeling for recycling and disposal.

#### 7) **Water Management**

Participant shall implement a water management program that documents, characterizes, and monitors water sources, use and discharge; seeks opportunities to conserve water; and controls channels of contamination. All wastewater is to be characterized, monitored, controlled, and treated as required prior to discharge or disposal. Participant shall conduct routine monitoring of the performance of its wastewater treatment and containment systems to ensure optimal performance and regulatory compliance.

#### 8) **Energy Consumption and Greenhouse Gas Emissions**

Energy consumption and all relevant Scopes 1 and 2 greenhouse gas emissions are to be tracked and documented, at the facility and/or corporate level. Participants are to look for cost-effective methods to improve energy efficiency and to minimize their energy consumption and greenhouse gas emissions.



## D. ETHICS

To meet social responsibilities and to achieve success in the marketplace, Participants and their agents are to uphold the highest standards of ethics including:

### 1) Business Integrity

The highest standards of integrity are to be upheld in all business interactions. Participants shall have a zero tolerance policy to prohibit any and all forms of bribery, corruption, extortion and embezzlement.

### 2) No Improper Advantage

Bribes or other means of obtaining undue or improper advantage are not to be promised, offered, authorized, given or accepted. This prohibition covers promising, offering, authorizing, giving or accepting anything of value, either directly or indirectly through a third party, in order to obtain or retain business, direct business to any person, or otherwise gain an improper advantage. Monitoring and enforcement procedures shall be implemented to ensure compliance with anti-corruption laws.

### 3) Disclosure of Information

All business dealings should be transparently performed and accurately reflected on Participant's business books and records. Information regarding participant labor, health and safety, environmental practices, business activities, structure, financial situation and performance is to be disclosed in accordance with applicable regulations and prevailing industry practices. Falsification of records or misrepresentation of conditions or practices in the supply chain are unacceptable.

### 4) Intellectual Property

Intellectual property rights are to be respected; transfer of technology and know-how is to be done in a manner that protects intellectual property rights; and, customer and supplier information is to be safeguarded.

### 5) Fair Business, Advertising and Competition

Standards of fair business, advertising and competition are to be upheld.



## 6) Protection of Identity and Non-Retaliation

Programs that ensure the confidentiality, anonymity and protection of supplier and employee whistleblowers<sup>2</sup> are to be maintained, unless prohibited by law. Participants should have a communicated process for their personnel to be able to raise any concerns without fear of retaliation.

## 7) Responsible Sourcing of Minerals

Participants shall have a policy to reasonably assure that the tantalum, tin, tungsten and gold in the products they manufacture does not directly or indirectly finance or benefit armed groups that are perpetrators of serious human rights abuses in the Democratic Republic of the Congo or an adjoining country. Participants shall exercise due diligence on the source and chain of custody of these minerals and make their due diligence measures available to customers upon customer request.

## 8) Privacy

Participants are to commit to protecting the reasonable privacy expectations of personal information of everyone they do business with, including suppliers, customers, consumers and employees. Participants are to comply with privacy and information security laws and regulatory requirements when personal information is collected, stored, processed, transmitted, and shared.

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<sup>2</sup> Whistleblower definition: Any person who makes a disclosure about improper conduct by an employee or officer of a company, or by a public official or official body.





## E. MANAGEMENT SYSTEMS

Participants shall adopt or establish a management system whose scope is related to the content of this Code. The management system shall be designed to ensure: (a) compliance with applicable laws, regulations and customer requirements related to the participant's operations and products; (b) conformance with this Code; and (c) identification and mitigation of operational risks related to this Code. It should also facilitate continual improvement.

The management system should contain the following elements:

### 1) **Company Commitment**

A corporate social and environmental responsibility policy statements affirming Participant's commitment to compliance and continual improvement, endorsed by executive management and posted in the facility in the local language.

### 2) **Management Accountability and Responsibility**

The Participant clearly identifies senior executive and company representative[s] responsible for ensuring implementation of the management systems and associated programs. Senior management reviews the status of the management system on a regular basis.

### 3) **Legal and Customer Requirements**

A process to identify, monitor and understand applicable laws, regulations and customer requirements, including the requirements of this Code.

### 4) **Risk Assessment and Risk Management**

A process to identify the legal compliance, environmental, health and safety<sup>3</sup> and labor practice and ethics risks associated with Participant's operations. Determination of the relative significance for each risk and implementation of appropriate procedural and physical controls to control the identified risks and ensure regulatory compliance

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<sup>3</sup> Areas to be included in a risk assessment for environmental health and safety are production areas, warehouse and storage facilities, plant/facilities support equipment, laboratories and test areas, sanitation facilities (bathrooms), kitchen/cafeteria and worker housing/dormitories.



## 5) Improvement Objectives

Written performance objectives, targets and implementation plans to improve the Participant's social and environmental performance, including a periodic assessment of Participant's performance in achieving those objectives.

## 6) Training

Programs for training managers and workers to implement Participant's policies, procedures and improvement objectives and to meet applicable legal and regulatory requirements.

## 7) Communication

A process for communicating clear and accurate information about Participant's policies, practices, expectations and performance to workers, suppliers and customers.

## 8) Worker Feedback, Participation and Grievance

Ongoing processes, including an effective grievance mechanism, to assess employees' understanding of and obtain feedback on or violations against practices and conditions covered by this Code and to foster continuous improvement.

## 9) Audits and Assessments

Periodic self-evaluations to ensure conformity to legal and regulatory requirements, the content of the Code and customer contractual requirements related to social and environmental responsibility.

## 10) Corrective Action Process

A process for timely correction of deficiencies identified by internal or external assessments, inspections, investigations and reviews.

## 11) Documentation and Records

Creation and maintenance of documents and records to ensure regulatory compliance and conformity to company requirements along with appropriate confidentiality to protect privacy.

## 12) Supplier Responsibility

A process to communicate Code requirements to suppliers and to monitor supplier compliance to the Code.



## REFERENCES

The following standards were used in preparing this Code and may be a useful source of additional information. The following standards may or may not be endorsed by each Participant.

Dodd-Frank Wall Street Reform and Consumer Protection Act

<http://www.sec.gov/about/laws/wallstreetreform-cpa.pdf>

Eco Management & Audit System [http://ec.europa.eu/environment/emas/index\\_en.htm](http://ec.europa.eu/environment/emas/index_en.htm)

Ethical Trading Initiative [www.ethicaltrade.org/](http://www.ethicaltrade.org/)

ILO Code of Practice in Safety and Health

[www.ilo.org/public/english/protection/safework/cops/english/download/e000013.pdf](http://www.ilo.org/public/english/protection/safework/cops/english/download/e000013.pdf)

ILO International Labor Standards

[www.ilo.org/public/english/standards/norm/whatare/fundam/index.htm](http://www.ilo.org/public/english/standards/norm/whatare/fundam/index.htm)

ISO 14001 [www.iso.org](http://www.iso.org)

National Fire Protection Association [www.nfpa.org/catalog/home/AboutNFPA/index.asp](http://www.nfpa.org/catalog/home/AboutNFPA/index.asp)

OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High Risk Areas <http://www.oecd.org/corporate/mne/mining.htm>

OECD Guidelines for Multinational Enterprises

<http://www.oecd.org/investment/mne/1903291.pdf>

OHSAS 18001 <http://www.bsigroup.com/en-GB/ohsas-18001-occupational-health-and-safety/>

Universal Declaration of Human Rights [www.un.org/Overview/rights.html](http://www.un.org/Overview/rights.html)

United Nations Convention Against Corruption <https://www.unodc.org/unodc/en/treaties/CAC/>

United Nations Global Compact [www.unglobalcompact.org](http://www.unglobalcompact.org)

United States Federal Acquisition Regulation [www.acquisition.gov/far/](http://www.acquisition.gov/far/)

SA 8000 <http://www.sa-intl.org/index.cfm?fuseaction=Page.ViewPage&PageID=937>

Social Accountability International (SAI) [www.sa-intl.org](http://www.sa-intl.org)



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## DOCUMENT HISTORY

Version 1.0 – Released October 2004.

Version 1.1 – Released May 2005. Converted document to RBA format, minor page layout revisions; no content changes.

Version 2.0 – Released October 2005 with revisions to multiple provisions. Version 3.0 – Released June 2009 with revisions to multiple provisions.

Version 4.0 – Released April 2012 with revisions to multiple provisions. Version 5.0 – Released November 2014 with revisions to multiple provisions.

Version 5.1 – Released March 2015 with revision to A1 to take effect January 1, 2016.

Version 6.0 – Released January 2018 with revisions to multiple provisions.

The RBA Code of Conduct was initially developed by a number of companies engaged in the manufacture of electronics products between June and October 2004. Companies are invited and encouraged to adopt this Code. You may obtain additional information from [responsiblebusiness.org](http://responsiblebusiness.org)