

# Atlantic Groundfish Council Fishery Improvement Projects (FIP) Human Rights and Social Responsibility Policy

February 2024

## I. Introduction

Eliminating human rights violations and abuses in seafood supply chains is both a legal and moral imperative. Under the Universal Declaration of Human Rights, every individual has fundamental rights to decent and safe working conditions free of discrimination, harassment, abuse, and coercion, whether on land or at sea.

Addressing social issues and ensuring adequate working conditions for fishers is now viewed as a necessary precursor to a sustainable and long-term supply of seafood. Accordingly, addressing risks to human and labour rights is increasingly recognized as essential for thriving fisheries and fishing communities.

In 1982, Canada enacted the [Canadian Charter of Rights and Freedoms](#) which protects fundamental human rights and freedoms. Canada has extensive legal frameworks for federal and provincial human rights, labour, workplace health and safety, transport safety and fisheries management which provide a regulatory and compliance/enforcement system to ensure human rights and worker safety.

## II. Purpose

Atlantic Groundfish Council (AGC), through its FIPs, expects all its FIP participant companies to share a commitment to protect human rights and promote social responsibility. AGC's FIPs and its participants are committed to a vision of a fishery free of human and labour rights abuses in which fishers are assured dignity, decent working conditions, and the right to organize. AGC's FIPs and its participants recognize that efforts to protect the rights of fishers must be based on agreements that embody the principles detailed below.

The purpose of this policy statement is to communicate to fishers and other stakeholders how the AGC FIPs prioritize and address human rights and social responsibility. This statement is not designed to outline specific actions FIP participants will undertake to effect social change in the FIP and does not prevent FIP participants from issuing their own policies, statements or codes of conduct applicable to their companies, suppliers or other supply chain actors.

### III. Scope and Applicability

The primary objective of this policy is to ensure that AGC's FIPs avoid causing and contributing to adverse impacts (actual or potential) on human and labour right, through decisions and activities conducted within the context of its FIPs.

The commitments detailed in this policy statement apply to all vessels and fishers harvesting and transporting catch within the AGC FIPs' supply chain(s), regardless of whether the fishers or vessels are formal participants in the FIPs.

### IV. Roles and Responsibilities

The specific roles and responsibilities of participating actors in AGC FIPs are as follows:

**Steve Devitt of AGC**, serves as the FIP lead for all AGC FIPs. Key responsibilities include:

- Ensuring that all current and future FIP participants are made aware of this statement, and the expectation to uphold the values and principles included therein. This includes sharing the statement in the language(s) participants understand.
- Supporting any FIP participants wishing to report on Fishery Progress to demonstrate the actions they are taking to uphold their commitments herein.

**Atlantic Groundfish Council** represents the >100' Groundfish Enterprise Allocation holders in Atlantic Canada, whose members are largely vertically integrated, family owned and operated corporate enterprises and who access over 45,000 mt of groundfish quotas annually from waters extending from the very southern regions of Canada's Atlantic Coast, north through to Baffin Bay. Regarding FIPs, its responsibilities include:

- Establishing and operating FIPs for fish stocks in the process of rebuilding to demonstrate to consumers the ongoing commitment to good science and management necessary to maximize long-term sustainability of the resources they access.
- Coordinating FIPs with its members, other industry associations (e.g., Association of Seafood Producers), Fisheries and Oceans Canada, provincial fisheries departments and other key stakeholders.

**Icewater Seafoods, Ka'le Bay Seafoods, Mersey Seafoods, Ocean Choice International, Premium Seafoods, and Produits Belle Baie Ltée** are AGC harvesting member companies and AGC FIP participants in some or all of AGC's FIP and are responsible for understanding and addressing human rights and social responsibility in their supply chains. Key responsibilities include:

- Respecting and complying with national and international legislation related to human and labour rights,
- Respecting freedom of association and collective bargaining, agree on wages and benefits, adequate rest, access to basic services for workers aboard fishing vessels, safety on board, and medical assistance,

- Promoting equality and equal opportunity for benefits for their associates and/or workers, and to facilitate the notification of complaints and grievances and access to remediation, as well as to avoid actions of discrimination,
- Providing training to management and employees on human rights policies and procedures and to disseminate this Policy Statement on Human Rights and Social Responsibility among their FIP fishery stakeholders,
- Reviewing and improving (as needed) workplace policies and procedures, and
- Maintaining regular engagement with worker representatives.

## V. Definitions

A **fisher** is defined as any person of any age or gender employed or engaged in any capacity or carrying out an occupation on board any fishing vessel, including persons working on board who are paid on the basis of a share of the catch but excluding pilots, naval personnel, other persons in the permanent service of a government, shore-based persons carrying out work aboard a fishing vessel and fisheries observers. (Source: ILO C188).

A **fisheries observer** is an independent specialist authorized by fishery regulatory authorities to collect data to assist in the monitoring of commercial exploitation of marine resources (e.g., species caught and discarded, area fished, gear used). At-sea observers join the vessel during fishing trips but do not normally engage in fishing activities; they observe fishing practices as a third party, and report scientific and regulatory enforcement information to the management authority.

FisheryProgress defines **large vessels** as those which weigh 10 gross tons or more, or measure 12 meters or longer.

FisheryProgress defines **small vessels** as those which weigh less than 10 gross tons and are shorter than 12 meters.

*Definitions of other key terms can be found in the [Social Responsibility Assessment \(SRA\) Tool for the Seafood Sector](#).*

## VI. Guiding Framework

Atlantic Groundfish Council and its member companies operate within the Canadian federal and provincial regulatory framework for labour and human rights. The following categories identify the priority areas for addressing risks of human and labour rights abuses in AGC's FIPs. The statements listed under each category identify appropriate reporting options to prevent and mitigate risks to human and labour rights of all fishers harvesting or transporting FIP products. The statements do not claim to address the full scope of social and labour issues across the FIP, nor are they intended to prescribe practical actions to effectuate social change in the fishery.

AGC suggests that concerns around any of the Human Rights/ Social Responsibility (HRSR) categories outlined below should always be discussed first with the vessel Captain, who has responsibility for the vessel and crew's welfare. Additional reporting contact information can be found at the weblinks provided under each category below.

## 1. Abuse or harassment

*Based on SRA indicator: 1.1.1*

*Applicable to all fisheries*

**1.1** Corporal punishment is prohibited, including mental or physical coercion, verbal abuse (significantly different than colloquial banter), gender-based violence, sexual harassment, or any other form of harassment, including excessive or abusive disciplinary action.

**1.2** Migrant status shall not be used as a threat or tool of coercion.

**1.3** Fishers' families or community members shall not be threatened by employers, buyers, labour brokers, or organized crime.

**1.4** Forced drug use is prohibited; labour and/or product is not compensated for with drugs.

**1.5** A written policy publicly shall be disclosed, posted in all languages with special accommodations for illiteracy that prohibits physical abuse, bullying, and sexual harassment.

### **Concerns regarding Abuse or Harassment can be reported through the following:**

1. Company Human Resources (HR) or Designated Person Ashore (DPA)<sup>1</sup> Representative
2. [FFAW Representative](#)
3. [Newfoundland and Labrador Human Rights Commission](#)
4. [Nova Scotia Human Rights Commission](#)
5. [New Brunswick Human Rights Commission](#)

## 2. Human trafficking and forced labour

*Based on SRA indicator: 1.1.2a*

*For fisheries with large vessels (>12m) with hired labour, regardless of whether fishers are employed directly by the fishery or indirectly through a recruiter/labour contractor.*

**2.1** Forced labour is prohibited, including: abuse of vulnerability, deception, restriction of movement, isolation, physical and sexual violence, intimidation or threats, retention of identity documents, withholding of wages, debt bondage, abusive living and working conditions, and excessive overtime.

**2.2** All fishers, including domestic and foreign migrants, shall have written contracts or verbal

<sup>1</sup> As per IMO International Safety Management (ISM) Code requirements (either already voluntarily adopted by some companies or coming into force), the DPA is responsible for ensuring the company's marine fleet is meeting or exceeding all applicable marine regulations and has access to the highest level of company management.

agreements in a language they understand, with extra provisions made for illiterate workers, so that their rights and terms of recruitment and employment are clearly understood.

**2.3** Fishers shall have the freedom to terminate their employment contract at any time without penalty.

**Concerns regarding Human trafficking and force labour can be reported through the following:**

1. [Royal Newfoundland Constabulary](#)
2. [Royal Canadian Mounted Police](#)

**3. Debt bondage**

*Based on SRA indicator: 1.1.2b*

*For small-scale fisheries (small vessels <12m) with self-employed fishers.*

**3.1** If paying off debt to a cooperative, association, buyer, or permit holder (for equipment, permit fees, fuel costs, ice, etc.), the fisher shall keep most of their income with only a minimal percentage used to pay back their debts.

**3.2** If the fisher is paying off debt to the cooperative, association, buyer, or permit holder, their debt shall remain stable or decreased over time proportional to their income.

**3.3.** The fisher shall be allowed to witness the product being weighed or graded to calculate their income.

**3.4** Interest rates charged to fishers shall be transparent and agreed upon in advance with fishers.

**3.5** Awareness information shall be provided for fishers to inform about forced labour, human trafficking and debt bondage.

**Concerns regarding Debt bondage can be reported through the following:**

1. Company HR or DPA Representative
2. [FFAW Representative](#)
3. [Royal Canadian Mounted Police](#)

**4. Child labour**

*Based on SRA indicator: 1.1.3*

*Applicable to all fisheries*

**4.1** Hazardous child labour is prohibited, including alongside family members, such as handling toxic substances, operating heavy machinery, or any other task that may harm their physical and mental, or put their development at risk.

**4.2** Children below the legal age of employment shall not be employed as waged fishers and shall not work at night.

**4.3** Children below the legal age of employment shall only work alongside family members if it will not interfere with schooling, and on tasks which do not harm their health, safety or morals. This also applies to children, particularly young girls, assisting with unpaid domestic work.

**4.4** For vessels that operate for more than 30 days at sea during a single fishing trip, no crew members under the applicable provincial age limit shall be employed or recruited.

**Concerns regarding Child Labour can be reported through the following:**

1. Company HR or DPA Representative
2. [Royal Newfoundland Constabulary](#)
3. [Royal Canadian Mounted Police](#)
4. [NL Department of Children, Seniors and Social Development](#)
5. [Nova Scotia Child, Youth & Family Supports](#)
6. [New Brunswick Social Development](#)

**5. Freedom of association and collective bargaining**

*Based on SRA indicator: 1.1.4*

*Applicable to all fisheries*

**5.1** Fishers shall be free to form worker/fisher organizations, including trade unions, to advocate for and protect their rights, and have the right to decide their own structure, policies, programs, priorities, etc., without employer interference.

**5.2** Human rights defenders shall not be actively suppressed and there shall be no recent record of litigation by employers against human rights defenders.

**5.3** There shall be no discrimination or retaliation against fishers who are members or leaders of organizations, unions, or cooperatives, and fishers shall not be dismissed for exercising their right to strike.

**5.4** Fishers shall be trained by workers' organizations on their rights to organize and bargain collectively.

**5.5** Women shall participate in unions or cooperatives commensurate with their representation in the workforce.

**Concerns regarding Freedom of association and collective bargaining can be reported through the following:**

1. [FFAW Representative](#)
2. [NL Labour Relations and Standards](#)
3. [Nova Scotia Labour Standards](#)
4. [New Brunswick Labour and Employment Board](#)

## 6. Earnings and benefits

*Based on SRA indicator: 1.1.5*

*For fisheries with hired labour, regardless of whether fishers are employed directly by the fishery or indirectly through a recruiter/labour contractor.*

**6.1** Wages paid to fishers shall reflect equal remuneration for men and women.

**6.2** Wage levels and benefits shall meet the minimum legal requirements according to applicable labour laws of the workplace.

**6.3** Overtime wages shall be paid in accordance with minimum legal requirements, based on labour laws of the workplace.

**6.4** Wages paid to fishers shall be what was promised at the time of employment, shall not be withheld as a form of discipline, shall not contain illegal deductions, shall be paid on time or directly to the fisher, and fishers shall not go longer than one month without being paid.

**6.5** Employers shall legally contract employees.

**6.6** Fishers shall be aware of how their earnings or deductions are calculated and their rights to benefits, shall be allowed to witness procedures used to determine earnings (weighing, grading), and shall only sign contracts they understand with provisions for different languages or illiteracy.

**6.7** Fishers shall receive wage slips with deductions itemized or written receipts.

### **Concerns regarding Earnings and benefits can be reported through the following:**

1. Company HR or DPA Representative
2. [FFAW Representative](#)
3. [NL Labour Relations and Standards](#)
4. [Nova Scotia Labour Standards](#)
5. [New Brunswick Labour and Employment Board](#)

## 7. Adequate rest

*Based on SRA indicator: 1.1.6*

*For fisheries with hired labour, regardless of whether fishers are employed directly by the fishery or indirectly through a recruiter/labour contractor.*

**7.1** A mechanism shall be put in place for fishers to record hours worked.

**7.2** Working hours shall meet the legal minimum requirements, and overtime hours shall be paid at a premium as required by law.

**7.3** Fishers shall have rest in accordance with provincial and federal labour requirements.

**7.4** Overtime shall be voluntary. There shall be no cases of coerced overtime nor punishment

for refusing overtime, either individually or collectively.

**7.5** There shall be workplace policies and practices put in place that ensure women and men have equal opportunity/ability to take rest, with special accommodations for pregnant or nursing women.

**Concerns regarding Adequate rest can be reported through the following:**

1. Company HR or DPA Representative
2. [FFAW Representative](#)
3. [NL Labour Relations and Standards](#)
4. [Nova Scotia Labour Standards](#)
5. [New Brunswick Labour and Employment Board](#)

**8. Access to basic services for worker housing/live-aboard vessels**

*Based on SRA indicator: 1.1.7a*

*For all fisheries with liveaboard vessel time*

**8.1** Sleeping quarters shall have adequate fire prevention and air ventilation, meet legal requirements, and meet reasonable levels of safety, decency, hygiene, and comfort.

**8.2** Sanitary facilities (appropriate to vessel size) with adequate privacy shall be provided.

**8.3** Potable water shall be accessible to fishers.

**8.4** Fishers living on board shall have access to adequate and sanitary food at fair prices.

**8.5** There shall be separate and an appropriate number of sanitary facilities for men and women. If sanitary facilities are not separated, they shall be able to be locked from the inside.

**Concerns regarding Access to basic services for worker housing/live-aboard vessels can be reported through the following:**

1. Company HR or DPA Representative
2. [FFAW Representative](#)
3. [NL Labour Relations and Standards](#)
4. [Nova Scotia Labour Standards](#)
5. [New Brunswick Labour and Employment Board](#)

## 9. Occupational safety and medical response

*Based on SRA indicator: 1.1.8 and 1.1.9*

*Applicable to all fisheries*

**9.1** Vessels on trips over three days shall carry a crew list and shall provide a copy to authorized persons ashore at the time of vessel departure (unless self-employed).

**9.2** Fishers and fisheries observers shall have access to communication equipment, or there is a radio on board for vessels over 24 meters.

**9.3** Adequate personal protective equipment (PPE) (e.g., life jackets) shall be provided on board at no cost (unless self-employed).

**9.4** Fishers shall be trained in health and safety procedures and on proper use of PPE and safe operation of any equipment they use (unless self-employed).

**9.5** The vessel shall comply with local/national safety and health regulations.

### **Concerns regarding Occupational safety and medical response can be reported through the following:**

1. Company HR or DPA Representative
2. [FFAW Representative](#)
3. [NL Labour Relations and Standards](#)
4. [Nova Scotia Labour Standards](#)
5. [New Brunswick Labour and Employment Board](#)
6. [Transport Canada Marine Safety](#)

## 10. Grievance mechanisms

*Based on SRA indicator: 2.1.1*

*Applicable to all fisheries*

**10.1** Fishers shall have knowledge of and access to a grievance mechanism to report grievances on-shore and/or at-sea, including during fishing trips that exceed 24 consecutive hours.

**10.2** Grievance mechanisms shall be effective, fair, and confidential and appropriate for and commensurate with the size and scale of the fishery.

**10.3** There shall be no retaliation or prejudice against fishers who submit grievances, including gender-based prejudice or retaliation.

**10.4** Grievance mechanisms shall be both procedurally and substantively effective at remediation of conflicts and complaints in a time-bound manner with no recurring grievances, and these remediation processes (corrective action plans) shall be publicly disclosed.

**10.5** Fishers shall have access to third party independent organizations or governance bodies that address grievances and ensure effective representation.

**Concerns regarding Grievance mechanisms can be reported through the following:**

1. Company HR or DPA Representative
2. [FFAW Representative](#)
3. [NL Labour Relations and Standards](#)
4. [Nova Scotia Labour Standards](#)
5. [New Brunswick Labour and Employment Board](#)

**11. Discrimination**

*Based on SRA indicator: 2.2.2*

*Applicable to all fisheries*

*Regardless of gender, age, religion, ethnicity, disability status or any other parameter:*

**11.1** Fishers shall receive equal pay for work of equal value, regardless of gender, age, migration status, ethnicity, etc.

**11.2** Discrimination in recruitment promotion, access to training, access to permits, remuneration, allocation of work, termination of employment, retirement, ability to join unions or cooperatives, or other activities, shall be strictly prohibited.

**11.3** Discrimination in access to benefits (e.g., health care, savings accounts, insurance, etc.) shall be strictly prohibited.

**11.4** There shall be no compulsory pregnancy testing for female fishers.

**11.5** There shall be an anti-discrimination policy which all fishers are aware of and trained on.

**Concerns regarding Discrimination can be reported through the following:**

1. Company HR or DPA Representative
2. [FFAW Representative](#)
3. [Newfoundland and Labrador Human Rights Commission](#)
4. [Nova Scotia Human Rights Commission](#)
5. [New Brunswick Human Rights Commission](#)

## II. Acknowledgement and Endorsement

As signatory of this statement, we recognize the promotion and protection of human rights and social responsibility as a fundamental condition for sustainable fishing. We/I commit to improve understanding and mitigation of the human and labour rights risks in the FIP, as defined by the guiding framework detailed in Section VI and as applicable to the roles and responsibilities detailed in Section IV and the vessels and fishers in the FIP. This commitment is effective as of the date of signature and endures throughout the time the FIP is active.



Signature  
Steve Devitt  
Director of Sustainability  
Atlantic Groundfish Council  
AGC FIP Lead

28 February 2024  
Date