# DRAFT: policy on non-employee workers

## How to use this template

In addition to its direct employees, organisations may engage non-employee workers. This may be through third party contracting firms, or through engagements with independent contractors and self employed individuals. This template pertains to independent contractors or self-employed individuals; for management of workers engaged by third parties (eg labour contractors), please see the template policy on third party contractors.

Some organisations may make limited use of individual contractors; for example, the occasional engagement of technical consultants. In contrast, other organisations may rely on a large self-employed workforce; for example, ‘digital platform’ or ‘gig economy’ providers.

While investor standards do not directly address individual non-employee workers, international good practice increasingly recognises that basic protections should be extended to this segment of the workforce, particularly if an organisation’s business model relies on large numbers of independent contractors. There may be a strong business case for extending basic protections. For organisations that regularly rely on a pool of independent contractors, extending protections and investing in the independent contractor workforce may contribute to increased productivity, improved morale, better customer service and lower workforce turnover. Reputational risk management may also be a pertinent consideration, particularly if organisations are accused of unfairly treating or exploiting non-employee workers.

For further guidance on non-employee workers in the context of the platform economy, reference can be made to BII’s guidance on ‘[Managing Labour Risks and Opportunities of Platform Work](https://assets.bii.co.uk/wp-content/uploads/2022/10/25124342/Platform-work-guidance_BII-and-SIFEM.pdf)’ as well as guidance on ‘[Enhancing Workforce Engagement with Technology](https://assets.bii.co.uk/wp-content/uploads/2021/04/28181743/Enhancing-worker-engagement-with-technology_CDC-Group.pdf)’.

The following policy provides a basic template which elaborates minimum protections and guarantees for the non-employee workforce. It covers a limited set of topics which are derived from the principles underlying investor standards:

* Transparent terms and conditions
* Healthy and safe working environment
* Non-discrimination and equal opportunity
* Grievances and worker voice

In all cases, the template should be revised in light of your organisation’s operational context, workforce and local legal requirements.

# Policy on non-employee workforce

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| --- | --- |
| Policy date |  |
| Date of last revision |  |
| Policy owner | [DEPARTMENT OR INDIVIDUAL] |

## Purpose and scope

[NON-EMPLOYEE WORKERS] are recognised as key to our success and this policy establishes our commitments to the [NON-EMPLOYEE WORKFORCE].

## Terms and conditions

The terms of your engagement are elaborated in this policy as well as your written contracts. Basic terms include:

* [BASIC REMUNERATION, including details on pay / bonus structure, frequency of payment and applicable deductions].
* [WORKING HOURS AND LEAVE, including expectations relating to minimum / maximum hours, break periods and leave, if applicable].
* [INSURANCE, including information on contributory / non-contributory insurance schemes].
* [PERFORMANCE, including detailed information on impact of customer ratings, service metrics and KPIs, particularly where these may impact remuneration].

## Health and safety

[ORGANISATION] is committed to a healthy and safe working environment. With respect to the [NON-EMPLOYEE WORKFORCE] this means:

* Occupational health and safety (OHS) risk assessments will consider risks and mitigations relevant to the [NON-EMPLOYEE WORKFORCE].
* Ongoing information, instruction, and supervision will be provided on OHS matters.
* Appropriate equipment and training will be provided to ensure a healthy and safe working environment.
* OHS-related information – including accidents, injuries, near-misses and fatalities – will be collected and documented.
* [NON-EMPLOYEE WORKFORCE] will be consulted on relevant OHS risks and approaches.

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| Note: In some cases, national health and safety regulations may extend to the non-employee workforce. As a result, it is important to ensure a firm understanding of local requirements and to adapt policies accordingly. |

## Non-Discrimination and equal opportunities

[ORGANISATION] is committed to the principle of equal opportunity and fair treatment, and will not discriminate with respect to the engagement and treatment of [NON-EMPLOYEE WORKFORCE], including in matters related to recruitment, terms and conditions, allocation of work, and termination. [ORGANISATION] will ensure that discrimination does not take place on the basis of personal characteristics unrelated to inherent job requirements, including gender, race, nationality, ethnicity, social and indigenous origin, religion or belief, disability, age, or sexual orientation, and on any other basis defined under national law.

This includes a specific commitment to ensuring that measures are in place to prevent and address any form of violence, harassment, bullying, intimidation and/or exploitation.

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| Note: National laws and regulations can prescribe specific rules governing non-discrimination and anti-harassment measures. In some cases, these obligations may extended to the non-employee workforce. A thorough review of national legal requirements should be conducted to ensure that your policy is compliant. |

## Grievances and worker voice

[ORGANISATION] commits to providing a confidential grievance mechanism for all workers, including [NON-EMPLOYEE WORKFORCE], to raise work-related complaints or concerns, including anonymous complaints if necessary.

Workers who raise grievances will not be subject to retaliation or reprisal on the basis of having raised a concern or complaint.

For more details on the grievance procedure, including grievances pertaining to the gender-based violence and sexual harassment code of conduct, please refer to [ORGANISATION’S GRIEVANCE PROCEDURE] and [GBVH POLICY].

[ORGANISATION] also commits to ensuring that workers are not prevented or discouraged from communicating their concerns or complaints, whether individually or collectively.