

# Modern Slavery Grievance and Remediation Procedure

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### 1.0 Purpose

This procedure outlines the steps to be taken to investigate and remediate cases of modern slavery that Griffith University might have caused or contributed to in its supply chain. Such cases may be identified through various channels including directly from victims through a grievance mechanism, internally by a staff member conducting due diligence, or from a third party.

This procedure is grounded in the [UN's Guiding Principles for Business and Human Rights](#), the Walk Free's [Modern Slavery Response & Remedy Framework](#), and the [Mekong Club's Remediation Toolkit](#). It is based on the following concepts:

- being proactive in identifying human rights abuses as victims of modern slavery may not come forward if they have a complaint
- listening to workers and not making assumptions
- addressing both the case of the grievance and the factors which led to the grievance
- disengaging from a business relationship should be the last resort as workers would be exposed to even greater vulnerability.

### 2.0 Scope

All modern slavery related complaints (see [Annex 1](#)) involving workers of all suppliers, including vendors, contractors and sub-contractors that provide goods and/or services to Griffith both on campus and off campus.

### 3.0 Procedure

All modern slavery related grievances Griffith might have caused or contributed to, will be investigated, and remediated according to the process illustrated in figure 1. The process will be carried out in complete confidentiality to prevent any retaliation or victimisation against the right holder who suffered the abuse.

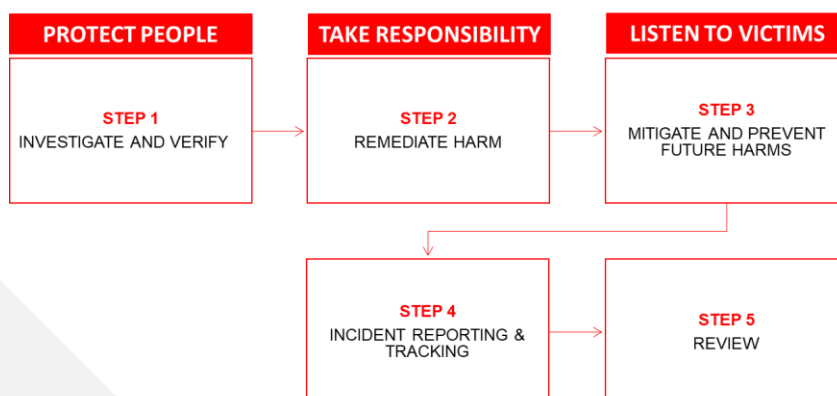


Figure 1. Griffith's Grievance and Remediation Procedure

## 3.1 Investigate and Verify

### 3.1.1 Receipt of a Grievance

- (a) The University may receive a modern slavery related grievances through one or more of the following channels:
- Via the University’s internal or external reporting mechanisms including the Your Call Hotline, reported directly to the Integrity Office.
  - Internally by a staff member conducting due diligence.
  - Via third parties such as a social compliance auditor, contractor, civil society organisation, trade union representative, news reporter, researcher, or a member of the community.
- (b) Griffith staff that become aware of cases of modern slavery suffered by workers of Griffith’s suppliers are expected to report them to the Integrity Office or to Griffith Strategic Procurement and Supply.

### 3.1.2 Assessment of a Grievance

- (a) All modern slavery related grievances must be assessed by the Chief Operating Officer, or their delegate (the ‘Assessor’). The assessment will seek to determine the University’s connection to the grievance and the appropriate action to be taken in response to the grievance (see 3.1.2(b) below).
- (b) In making the assessment, the Assessor should (in liaison with Strategic Procurement and Supply and the Integrity Office):
- (i) Gather relevant information related to the identity of the complainants (if possible), the legitimacy of the grievance, the number of persons affected, the impact of harm and whether the issue is systemic.
  - (ii) Notify all relevant internal personnel - this may include sustainability, health & safety teams, risk & compliance teams, legal, procurement, human resources, external affairs or media teams as well as the relevant business unit representatives that are connected to the supplier or partner.
  - (iii) Determine whether the grievance should also be referred to the Australian Federal Police, a Regulator (e.g., the Fair Work Ombudsman), or a civil society organisation (e.g., Salvation Army Australia, (Red Cross) Support for Trafficked People Program, Anti-Slavery Australia or the Australian Catholic Anti-Slavery Network).
  - (iv) Ascertain whether Griffith has caused, contributed to, or is directly linked to the harm.
  - (v) Determine what human rights have been violated or are at risk of being violated.
  - (vi) Determine whether a criminal offence is alleged to have been committed.
  - (vii) If the complaint concerns a supplier, request a legal review of contractual terms and requirements to identify parties’ obligations around modern slavery, potential breaches and any mechanisms that could be used to support the response.
  - (viii) Identify the remediation actions (see 3.1.2(c) and 3.2) including their cost and feasibility.
- (c) How the University responds to the grievance is dependent on its relationship to the harm – that is, whether it has caused, contributed to or is directly linked to the harm. Depending on where the University sits on this “continuum of involvement”, the appropriate prevention, mitigation and remediation actions in response will differ as set out in 3.2 below.

- (i) Cause: The University causes harm when its activities (or omissions) in and of themselves result in harm. *E.g., if the University itself uses forced labour.*
- (ii) Contribute: The University contributes to harm when its activities (or omissions) significantly facilitate, enable or incentivise a third party to cause harm. *E.g., if the University engages a low-cost cleaning contractor to service staff accommodation that does not pay their workers adequately.*
- (iii) Directly linked: The University is directly linked to harm caused by a third party if the harm is directly linked to its products, services or operations through its business relationships. *E.g., if the University purchases cables manufactured using components from a supplier that exploits their workers.*

## 3.2 Remediate Harm

When the assessment is complete, the COO will determine a response and proposed remedy.

### 3.2.1 Notifications to Stakeholders

If the assessment determines that:

- (a) the University did not cause or contribute to the grievance, then the Assessor will:
  - (i) Notify the grievance holder of the outcome in writing.
  - (ii) Notify the supplier of the outcome in writing (if applicable).
  - (iii) Notify all internal stakeholders orally or in writing.
- (b) the University either caused, contributed to, or is directly linked to such grievance, then the Assessor will:
  - (i) Notify the grievance holder of the outcome in writing. The notification will include the potential remediation actions (see 3.2.) and the envisaged timeframe for implementation.
  - (ii) Notify the supplier of the outcome in writing. The notification should require the development of a Corrective Action Plan (CAP). The CAP should (1) define clear expected results, (2) specify timeframes and (3) include quantitative or qualitative performance indicators can be measure over time to gauge the effectiveness of remediation efforts and identify areas for further refinement.
  - (iii) Notify all internal stakeholders orally or in writing.

### 3.2.2 Remediation Actions

Where the University finds that it caused, contributed to, or is directly linked to the grievance, it may undertake one or more of the following actions to remediate the harm:

- (a) Respond to the needs of harmed workers. This may include for example facilitating access to medical support, counselling or temporary accommodation; facilitating the repayment of owed wages or fees paid by workers in the recruitment process, and/or providing financial assistance including for transportation or repatriation costs.
- (b) Provide access to aftercare services for victims such as counselling and trauma services. Assist them in accessing legal support. The civil society organisations mentioned in step 1 may be able to make a referral to a reliable health or legal service provider in another country.

- (c) Provide an apology to workers that were harmed. This may be issued together with a supplier or third party.
- (d) Report the incident to authorities if a crime has been committed or is suspected. However, in some situations, such as with state-backed forced labour, reporting the crime is not appropriate. If possible, workers that were harmed should be asked what they prefer and what, if any, concerns they have about notifying law enforcement.
- (e) Confirm that workers are satisfied with the remedy provided, ideally in partnership with an organisation that specialises in working with victims.

The table in Annex 1 can be used to identify the most appropriate solution for the specific type of grievance.

### 3.2.3 Corrective Action Plan (CAP) Implementation

Where the University has issued a supplier with a CAP, the Strategic Procurement and Supply Team will engage with the supplier for the timely implementation of the CAP and leverage relationships and influence to prevent or mitigate the harm.

- (a) The actions taken by the Strategic Procurement and Supply Team will be determined by a range of factors including available leverage; how crucial the relationship is; severity; and consequences of termination.
- (b) If the supplier who has caused or contributed to the harm, is uncooperative and makes little or no effort towards remediating harm (for example, meeting the requirements of an agreed CAP), or there is ground to suspect they are being deliberately deceitful or withholding information, the Strategic Procurement and Supply Team should escalate the matter to the COO for further action including:
  - (i) Arranging a meeting with senior members of the company and/or legal team to discuss the issue and try to understand barriers or concerns and seek an arrangement where corrective action is met.
  - (ii) Issuing a written warning or breach notification, re-iterating contract terms, University policies, code of conduct and Griffith's Core Principles.
  - (iii) If there is no further cooperation, begin working towards a responsible exit strategy that considers human rights harms and end the business relationship with the supplier.

### 3.3 Mitigate and Prevent Future Harm

On completion of the remediation actions, the University may also undertake one or more of the following actions to address the cause of the harm and mitigate and prevent future harm:

- (a) Develop an internal corrective action plan with clear timelines and priority actions for development. The plan may include supporting staff to improve their modern slavery due diligence practices, and training suppliers to clarify expectations.
- (b) Review whether existing grievance mechanisms are effective and will enable the identification of future harm.
- (c) Assess Griffith's practices, policies and systems to determine if changes should be made. For example, unnecessarily short timelines could place pressure on a supplier to subcontract or employ a labour hire agency to fill short-term staffing needs.
- (d) Share learnings to help build capacity. This may include sharing non-sensitive and non-commercial findings with relevant stakeholders (e.g., AUPN members); disclosing incidents and their remediation in

the University's Annual Modern Slavery statement either anonymised or with permission from the workers that were harmed and other stakeholders.

- (e) Update contracts, codes of conducts, supplier terms and training tools to address any potential gaps and lessons learned. This may include amending policies or procedures and reassessing business models and purchasing practices.

### 3.4 Incident Reporting and Tracking

The University will record reported modern slavery related harms in its system of record and/or incident management systems. With due privacy and data protection considerations, the following details should be included:

- detail and verification of the grievance
- outcome of investigation, and monitoring of response
- whether the company has assessed that it caused, contributed to, or was directly linked to the incident
- actions taken to support the workers that were harmed
- remedy provided, and any ongoing work to provide remedy, including timeframes and deadlines
- feedback received from harmed worker/s
- contact details of key stakeholders, and record of key communications (subject to confidentiality and privacy considerations)
- any changes that were implemented internally to prevent similar harm from reoccurring
- time taken to reach a resolution.

Consider also if and how the data to identify risks and mitigate future harms can be disclosed in the annual Modern Slavery Statement.

### 3.5 Step 5: Review

The remediation actions implemented should be reviewed to monitor their impact and deliver continuous improvement of the existing approach. Reviewing and monitoring may include:

- (a) Monitor the workers that were harmed if it is appropriate to do so.
- (b) Capturing lessons learned and opportunities for continuous improvement of process and systems.
- (c) Engage a third party to conduct an external review/audit.

## Annex 1

These labour violations are in line with the [ILO indicators of forced labour](#), with the exception of "other labour violations" and "forced marriage".

Grievance Category	Grievance Category Description	Questions to answer				
		Who has made the complaint?	How is GU connected to the human rights violation or offence?	How can we gather further information?	Is the potential solution feasible?	What is the cost of the remediation?
		What human rights have been violated?	Is the violation or offence salient?	What should we do to remedy the harm?	Do I have the leverage?	Is it affordable? What are the alternatives?
Human Trafficking	Human trafficking occurs when a perpetrator, often referred to as a trafficker, takes an <b>Action</b> (induces, recruits, harbors, transports, provides), and then employs the <b>Means</b> of force, fraud or coercion for the <b>Purpose</b> of compelling the victim to provide commercial sex acts (sex trafficking) or labour/services (labour trafficking).					
Recruitment fees	Recruitment fee violations involve: 1) the charging of fees where this is expressly prohibited; or 2) the over-charging of approved recruitment fees. Areas to consider include job recruitment and placement fees; fees to intermediary brokers; transportation from home to workplace and accommodation en route (including "warehousing" of workers); passports, visas and work permits; medical fees; administrative fees; making work-finding services conditional on applicants paying for other services and/or goods; training fees; and other "administrative fees".					
Contract and work permit (including contract substitution)	Contract issues fall into three broad categories: 1. Failure to provide a written contract to the worker in a language they understand (or to ensure an illiterate person understands their contract terms); 2. Failure to provide contracts that are compliant with laws and company policy in terms of wages and legally mandated benefits; and 3. Contract substitution, for example, when a migrant worker arrives at the destination. This category of violations also includes failure to provide work permits.					
Payment and overtime issues	Payment issue violations include withholding or delay of wages; payment of wages below the fair and legal rate, including through use of piece work; non-payment or underpayment of overtime (including as a disciplinary measure or for failure to meet quotas); and payment of wages in non-legal tender. The failure to provide detailed, legible payslips, and the use of compulsory overtime are also categorised under payment issues.					
Illegal deductions	Illegal or inappropriate deductions from wages include deductions as punishment; deductions for costs that should be met by the employer such as uniforms, tools, equipment and basic needs such as water; deductions for fee repayment; and deductions for items such as food, transport, and accommodation without express consent or at an excessive rate.					
Withholding of passports or other documents	This area covers the following violations: 1. Document retention without express consent or legal requirement 2. Workers do not have access to documents if retained or secured 3. Other documents taken as security, e.g., land titles.					
Deprivation of liberty	Deprivation of liberty is among the most severe forced labour violations. This category of violations includes restriction of movement from workplace and accommodation, as well as use of military and other public security forces to guard premises.					
Intimidation, threats, violence, discrimination and harassment (including gender-based violations)	Violations relating to intimidation, threats, violence and discrimination include: the threat or use of physical violence or psychological abuse; the threat of exposure to authorities and/or deportation; and sexual harassment. This category also covers discriminatory treatment of any type - such as between national and foreign workers - and the abuse of health conditions, through mandatory testing and/or termination for pregnancy, HIV/AIDS etc.					
Child labour	Child labour involves the use of children not of working age or the placing of older children in work environments that are not suitable for minors. The international response to child labour issues is comparatively well developed, and this section thus provides only a general overview.					
Bonded labour/debt bondage	In legal terms, bonded labour or debt bondage is where a person is required to work to pay off a debt owed by themselves or another person. In some cases, this "debt" is inter-generational. The term debt bondage is increasingly used in an expanded sense to cover situations where workers have a level of debt that effectively binds them to the workplace. This category of violations includes measures used to artificially inflate such a debt through unethical or unclear loan terms, usurious interest rates, inheritable debt, and debt incurred through the charging for unauthorised or excessive fees relating to recruitment and/or employment.					
Related labour violations	This category does not specifically address health and safety issues not directly related to forced labour. However, the tragic consequences of poor health and safety standards have been well documented, varying from individual deaths due to heat exhaustion and dehydration to mass deaths as a result of major fires and building collapses.					
Forced Marriage	Once forced to marry, there is greater risk of further exploitation, including sexual exploitation, domestic servitude and violence, and other forms of forced labour both inside and outside the home.					

## 4.0 Definitions

**Grievance:** a cause of distress (such as an unsatisfactory working condition) felt to afford reason for complaint or resistance.

**Grievance mechanism:** Any routinised, State-based or non-State-based, judicial or non-judicial process through which grievances concerning business-related human rights abuse can be raised and remedy can be sought.

**Modern Slavery:** when an individual is exploited by others, for personal or commercial gain. Whether tricked, coerced, or forced, they lose their freedom. This includes but is not limited to human trafficking, forced labour and debt bondage. Practices that constitute modern slavery can include:

- Human trafficking.
- Slavery.
- Servitude.
- Forced labour.
- Debt bondage.
- Forced marriage.
- The worst forms of child labour.

**Remedy / Remediation:** Remedy for human rights harm refers to both the processes of providing remedy for an adverse human rights impact and the substantive outcomes that can counteract, or make good, the impact. Remediation involves responding to individuals that have been harmed and preventing and mitigating potential harms.

**Retaliation:** In an employment context, retaliation is punishment of an employee by an employer for engaging in legally protected activity, such as making a complaint of harassment to a governmental body or participating in workplace investigations. Retaliation can include any negative job action, such as demotion, discipline, firing, salary reduction, or job or shift reassignment.

**Right holder:** from a human rights perspective, individuals are rights-holders that can make legitimate claims, and States and other actors are duty-bearers that are responsible and can be held accountable for their acts or omissions. Therefore, a focus on rights and obligations helps to identify who is entitled to make claims and who has a duty to take action, empowering those who have legitimate claims to rights.

**Victimisation:** occurs when a person treats a worker unfairly due to the worker having made a workplace complaint, e.g., of sexual harassment, bullying, discrimination, etc.

Title	Modern Slavery Grievance and Remediation
Document number	2023/0001211
Purpose	To outline the steps to be taken to investigate and remediate cases of modern slavery that Griffith University might have caused or contributed to in its supply chain. Such cases may be identified through various channels including directly from victims through a grievance mechanism, internally by a staff member conducting due diligence, or from a third party.
Audience	Staff
Category	Staff and Governance
Subcategory	<ul style="list-style-type: none"> <li>- Governance</li> <li>- Risk and Integrity</li> <li>- Strategic Procurement and Supply</li> </ul>
Approval date	15 December 2022
Effective date	15 December 2022
Review date	2024
Policy advisor	Head Strategic Procurement and Supply
Approving authority	Chief Financial Officer

## RELATED POLICY DOCUMENTS AND SUPPORTING DOCUMENTS

Legislation	<a href="#">Modern Slavery Act 2018</a>
Policy	Modern Slavery Policy
Procedures	N/A
Local protocols	N/A
Forms	N/A