

## **PURPOSE**

Global supply chains presently employ more migrant workers than ever before. Poverty, unemployment, climate change and civil and political conflicts have encouraged many workers to migrate in search of more rewarding employment. Migrant workers often face inequalities in the labour market, and are vulnerable to exploitation, forced labour and sometimes human trafficking. Poor, or exploitative recruitment practices can further lead to debt bondage or unacceptable employment conditions.

Gymshark recognises that supply chains in the textile sector tend to employ migrant workers when the availability of local low-skilled labour is in decline and employment of migrant workers has become a necessity. Our aim is to work collaboratively with our supply chain partners.

## **STATEMENT**

Gymshark's Migrant Worker Policy outlines the minimum expected standards and steps required by our supply chain partners when employing migrant workers to ensure the protection and equitable treatment of migrant workers throughout our value chain. This policy seeks to ensure compliance with the Gymshark Code of Conduct, the International Labour Organisation core conventions, principles outlined in the Universal Declaration of Human Rights (UDHR), the UN Global Compact, the OECD Guidelines for Multinational Enterprises and aligns with the Dhaka principles for migration with dignity.

## **SCOPE**

This Policy applies to all parts of your company, including any affiliates and sub-contractors, which are involved in the manufacture and/or supply of goods and/or services to Gymshark. You are responsible for the dissemination, adoption, and implementation of this Policy within your company and for ensuring that your company adopts its own policies and procedures in your supply chain, the standards adopted should be as a minimum, equivalent to those standards required by Gymshark.

It is your responsibility to ensure that any migrant workforce that is recruited by you on behalf of you is treated in line with this policy and the standards set out here/in this document. You are responsible for the dissemination, adoption and implementation of this Policy within your company and for ensuring that your company adopts its own policies and procedures in relation to the human rights of workers in your supply chain, the standards adopted should be as a minimum, equivalent to those standards required by Gymshark.

## **REQUIREMENTS**

You are required to ensure that migrant workers shall benefit from conditions of work no less favourable than those available to local workers and shall have the right to enter and terminate employment (with reasonable notice in accordance with national law or collective agreement) voluntarily and freely, without the threat of a penalty.

Migrant workers shall be afforded the same compensation (wages and benefits) as local workers.

Migrant workers shall be afforded the same working hour limits and access to overtime as local workers.

Migrant workers, irrespective of their legal status, shall be treated fairly, and measures shall be taken to prevent abusive conditions and fraudulent practices that may lead to coercion and trafficking for labour exploitation.

Supply chain partners should have a system in place to certify their compliance with this.

### **Employer Pays Principle**

Gymshark recognizes that many foreign /local migrant workers are at risk of paying unreasonable and illegal fees in conjunction with their employment, a practice that increases workers' risk of tolerating poor working conditions and becoming trapped in debt bondage. In recognition of the risks faced by foreign migrant workers, and in recognition that all work should be fair and voluntary, Gymshark requires that foreign migrant workers recruited to work in its supply chain pay no fees to obtain their employment.

### **Labour Agent Suppliers**

When hiring foreign or local migrant workers, supply chain partners shall only use agents that are legally licensed and recruit workers ethically as laid out in these standards. Supply chain partners shall ensure that any agents it uses conform to the migrant worker standards through background checks, due diligence monitoring and service agreements. The factory should seek to minimize its use of recruitment agents, recruiting and hiring workers directly wherever possible.

### **Terms of employment**

Employers shall provide written terms of employment in a native language that migrant workers can easily understand and that clearly indicate their rights and responsibilities with regard to payment of wages, working hours, valid grounds for termination and other issues related to preventing forced labour.

In the case of domestic migration, where workers are recruited from a different region within the same country to gain employment, workers shall be given terms of employment that accurately and comprehensively describes the workplace, the employment position, and the terms and conditions of work prior to deployment, departure from home country or Former Habitual Residence.

### **Freedom of Association**

Migrant workers have the right to form, join (or choose not to join), participate in, and collectively bargain in organizations as permitted by receiving country law, without risk of discrimination, harassment, interference, or retaliation.

Employers should take proactive steps to notify workers of any legal or security concern via training.

### **Grievance Mechanisms & Communication**

Workers shall be provided access to a clear and advertised recourse procedure during recruitment, hiring and employment should they be subject to unethical behavior.

### **Identity Document Retention**

All foreign /local migrant workers shall retain custody of their own personal identity documents throughout their recruitment and employment.

Employers shall not retain personal documents for the purpose of binding workers to employment.

Practices such as confiscating or withholding worker identity documents or other valuable items (e.g. work permits and travel documentation) are prohibited. However, if requested by workers, employers may provide secure storage for such documents.

Workers must then be free to access them at any time upon request.

The only exception for this requirement is in the event that workers' original documents are required for a legal purpose, (for example to obtain a work permit or register with immigration authorities). In the event that original documents are necessary to meet a

legal requirement, the supply chain partner shall implement a process to ensure that workers retain their documents immediately before and after processing, are adequately briefed on the process and timeline in advance, sign a standard form to indicate document submission and receipt upon the documents' return, and are provided with a copy of the document in the interim processing period.

To ensure that workers may safely maintain custody of their own original identification documents, the supply chain partner shall provide secure, lockable, individual storage at migrant workers' accommodation. Workers shall have twenty-four-hour access to their individual storage locker.

### **Freedom of Movement**

Migrant workers shall be able to move freely and without unreasonable restrictions at the workplace and at factory-provided accommodation, unless such restrictions are necessitated by legitimate security concerns or required by law. This must be clearly communicated to the workers to ensure they understand the reasons why.

### **Accommodation**

Any accommodation provided to migrant workers shall be safe and hygienic. Accommodations shall afford workers adequate privacy, comfort, and dignity.

### **Harassment, Abuse, and Discipline**

Migrant workers in the workplace and accommodation should always be treated with fairness and respect and shall not be subject to behavior that constitutes verbal, physical, or sexual harassment or abuse in their interactions with factory and labour agent personnel.

### **End of Employment and Repatriation**

Migrant workers shall be provided with logistical and monetary assistance in returning to their home country at the end of their employment, in accordance with the workers' terms of employment, or if applicable as per national law

### **Awareness Raising and Training**

Migrant workers must be made aware of their rights and responsibilities throughout the Recruitment process and at the time of hire, including the terms and conditions of their terms of employment, and all applicable laws and regulations of the relevant Sending Country, Receiving Country, and of any country and jurisdiction contracting the work. They must be informed of the basic terms of their employment in their native language in a documented meeting before leaving the Sending Country.

Migrant workers must be trained in their native Language upon arrival in the Receiving Country and in regularly scheduled (e.g., annual) refresher training. The training should cover the Employer Pays Principle, the company's workplace rules and procedures, the grievance process, the housing arrangements (if provided or arranged by the company), and the conditions of work, including any health and safety hazards and the precautions needed to ensure personal safety.

All foreign / local migrant workers shall be provided mandatory and comprehensive orientation training to enable them to adjust and acclimatise to their new employment positions and understand their rights.

## **REPORT AND REMEDIATION**

Supply partners must promptly notify the Gymshark Sustainability Team, within 7 days, if there is a breach of this policy.

Supply partners are responsible for providing remedy where harm or wrongdoing to workers are identified and must develop a plan for remediation, the cost of which will be borne by your company. Gymshark will support in the development of the remediation plan, further guidance can be found in the Gymshark remediation guidance document.

### **MONITORING AND REVIEW**

The implementation of this policy will be monitored through Gymshark's Shared Fitness Programme.

This policy will be reviewed annually, and any changes communicated. Any comments or queries should be directed to the Head of Sustainability.