



MINDFUL FASHION NZ
Our clothing & textiles collective

行为规范

MFNZ 成员向您推介本行为规范： _____

Translator's Comments: This is a correct translation of the essential particulars of the attached documents. It does not establish authenticity of the original or correctness of the statement therein.

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关于本行为规范

前言：

Mindful Fashion New Zealand (MFNZ) 行为规范（下称“行为规范”）旨在对各成员应予遵守的负责任的商业标准进行规范说明。这些标准基于国际准则而制定，其中包括国际劳工组织（International Labour Organisation）的核心公约、道德交易基本守则（Ethical Trading Initiative Base Code）以及联合国有关商业与人权的指导准则。

上述标准只对从业者提出了最低的规范要求，因此我们鼓励各成员及其供应商努力通过持续改进来超越这些标准，并力图达到国际最佳实践要求。

范围：

相关企业一经签署本行为规范，即成为本规范的参与单位（下称“参与单位”），即应积极致力于满足本规范及其相关标准的要求。参与单位应将本规范推介给其供应商和分包商签署，并在必要时将其翻译成当地语言。

本规范的宗旨并非为了取代相关的适用法律法规，但是，如果与上述法律法规有不同规定时，应遵守对雇员最为有利的相关标准规定。

治理

参与单位应督促其分包商和供应商恪守本规范要求，并采取严格的尽责调查，确保其对本规范作出的承诺始终落到实处。所谓尽责调查可包括现场走访、调查、风险评估、监查项目实施以及评审等手段。

一经发现未有遵循本规范的情形，应第一时间报送参与单位。

保密规定

因本规范而收集到的任何信息应属保密信息，除非当事方另有约定或法律另有其他要求外，该等信息应专属参与单位使用。

标准

用工

- 雇主必须保留所有用工协议的书面记录，无论是集体协议还是个人协议。记录保存工作无论在任何时候均应做到准确、透明。
- 雇主必须遵守其经营所在国的与劳动雇佣关系相关的所有法律。



- 只要条件允许，应尽可能地建立在公认、稳定的劳动关系的基础上开展工作，且劳动关系的建立应当符合国家法律和行业实践。

工资与福利

- 在标准的工作周内，雇员的工资、加班工资、福利和带薪年假应至少满足或超过法定最低要求、劳资谈判协议或行业基准水平，并应以较高者为准。
- 工资应至少能够满足与劳动关系所在地区相适应的基本需求，并为雇员及其家庭提供一定的可自由支配收入。
- 鼓励向雇员提供更多的福利待遇，例如通过改进薪资规定、福利、救济措施及其它服务，逐步提高雇员的生活水平，改善其生活质量。
- 在签署用工协议之前，应向所有雇员提供书面和可理解的信息，说明他们每次收到工资时相关发薪期的详细工资信息。
- 未经有关工人明确许可，不得将扣除工资作为纪律惩戒措施，即便国家法律未明确规定，也不得从工资中扣除任何款项。所有的纪律惩戒措施均应记录在案。
- 加班工资应按用工合同、国家法律的约定费率计算，或通过劳资谈判协议予以确定，无论工人是按小时还是按计件工资支付。

工作时间

- 雇主应遵守适用法律、劳资谈判协议(如适用)以及关于工作时间、休息时间和公共假日的行业标准。
- 标准工作时间（不包括加班）应在合同中予以约定，每周不超过 48 小时。
- 通常情况下，包括加班在内的工作时间每周不得超过 60 小时。
- 所有加班时间都是自愿的，且不得经常提出加班要求。
- 雇主应确保雇员每工作七天至少休息一整天。



童工

- 任何人如未满 15 周岁或者未达到完成义务教育年龄(以较高者为准)，均不得受雇从事全职工作。无论如何，所有雇员均应符合国际劳工组织以及当地法律规定的法定最低就业年龄。
- 雇主必须核实其雇员的年龄，并保留其工人年龄证明的复印件。雇主必须遵守所有适用于未成年人工作时间和工作条件的法律法规。
- 未满 18 周岁的工人不得在危险条件下工作，包括夜间工作或完成危险作业。
- 如发现雇佣童工，企业应制定、参与并积极履行有关程序和规程，为被发现从事劳作的任何孩童提供过渡期保护，以使其在结束“孩童”身份之前始终都能够受到优质教育。

强迫劳动和抵债性劳动

- 禁止一切形式的抵债性、强迫或非自愿监狱劳动，其中包括强制加班和收缴护照或其他身份证件。
- 严禁扣留押金或预付金。参与单位应通过尽责调查，以保证工人不会为了获得就业机会而向中介支付任何形式的录用费。
- 只要雇员履行了其在劳动合同中约定的相关义务，则雇员必须能够不受任何限制地自愿终止雇佣关系。雇主应尊重工人结束当班后离开工作场所的权利。

外籍雇员和/或代理工人

外籍工人应享有与当地雇员同等的权利。外籍工人都不应受到任何形式的剥削、胁迫或歧视。

骚扰和虐待

- 雇员应得到尊重并享有尊严，不得受到任何形式的实际性身体虐待、惩戒或体罚，以及以身体虐待、性骚扰或其他骚扰为威吓，或言语羞辱或其他方式的恐吓威胁。
- 应建立书面的惩戒程序，并以清晰易懂的语言向雇员解释。所有纪律处分均应记录在案。
- 雇员必须能够向他们的主管或管理层表达对工作环境的批评和担忧，而不必担心遭到打击、失业或其他方式的报复。

歧视

- 所有雇员的录用及其待遇都必须以他们的工作能力和工作表现为依据，且不论其性别、种族、种姓、肤色、宗教、政治观点、国籍、社会出身、包括婚姻状况或生身出处在内的家庭状况、身体残障或其他显著特征，所有雇员均应获得平等的机会和待遇。
- 在招聘、薪酬、提供培训、晋升、解雇或退休等方面，不得有任何形式的歧视或优待之别。
- 在所有的劳动关系中，均应包括保护外籍工人、临时工或季节工免受任何歧视的有效机制。

申诉机制

- 雇主必须为雇员提供有效透明和令人心悦诚服的规章体系，来应对并共同解决任何内部纠纷。申诉机制一经制定，则必须随时有据可循，必要时应配备一名翻译人员。

结社自由和劳资谈判

- 雇主应承认并尊重雇员加入或组织自己选择的工会以及参加劳资谈判的权利。雇主不得干涉、阻挠或阻止此类合法活动，也不得因工人代表或工会成员参与上述活动而歧视或以其他方式处罚他们。
- 如果法律限制或禁止结社自由和劳资谈判的权利，雇主应促进采用独立自由结社和劳资谈判的同类手段，而不能对此横加阻拦。

健康与安全

- 雇主应遵守其经营所在国关于工作场所卫生和安全的所有适用法律。
- 雇主必须确保为所有雇员提供安全卫生的工作环境。应采取适当措施，防止工作期间或设施运行过程中发生事故和/或人身伤害。
- 应在现场提供和开展健康与安全培训。在处理危险材料或使用危险工具时，必须为雇员提供足够的安全培训和设备。
- 雇主应确保雇员能够获得清洁饮用水、卫生清洗设施以及足够数量的厕所、灭火器和消防出口，在工作场所应提供充足的照明和通风设施。雇主应确保为雇员提供的食堂、宿舍、休息和娱乐场所均符合上述标准。

分包

- 如同意分包，参与单位应将本规范所载相关标准告知其分包商，并与其一道确保遵守该等标准。

透明度和可追溯性

- 参与单位应致力于打造全供应链的可追溯性和透明度，以发现、消除并应对各类风险。为实现这一目标，参与单位有权要求其供应商提供有关分包商、原产国、原材料和零部件来源的身份及位置信息。如该等信息属专有信息或被视为保密信息，则应将其视为专有或保密信息予以存储。保密信息不得对外公开。

环境保护

- 参与单位必须从根本上关注环境保护，并按照当地以及国家颁布的环境法规开展运营和服务，以确保其经营活动对环境的影响降至最低。应保存好开展经营所需的各类相关环保批文和许可的最新原始文本。
- 在利用资源的过程中，应最大限度地减少浪费；当不可避免地产生废物时，应尽量减少废物填埋，并优先进行回收或再利用。
- 应尽可能有效地利用水资源。应确保所有湿式工艺排出的废水在排放前均得到适当处理，以满足当地法律法规的要求。
- 应确保能源得到有效利用，并采取各种措施将空气污染和温室气体排放降至最低。
- 应按要求维护相关程序和规定，以确保安全、负责地使用所有化学品，并遵守所有适用法律和法规。在生产制造过程中，严禁使用当地以及国际组织/法规（例如新西兰法律、欧盟条例）禁用的危险材料和物质。

贿赂和腐败

- 严禁提供、支付、索取或接受贿赂，包括疏通费用。应遵守当地、国家和国际法规，其中包括与反腐败、反贿赂和其他禁止商业行为相关的法规。

采购工作

参与单位应注意到其经营活动会影响到供应商履行本规范所载相关标准的能力。参与单位

承诺努力制定公平且可实现的交货期，以便其供应商能在合理时间内满足这些要求，并以公平公正的方式共同解决出现的任何问题。

展示本规范

应将本规范向雇员进行宣传，必要时应以本地语言予以传播，并应在工作场所显眼处将本规范予以公示。

退出

如果本规范的参与单位想在任何时候退出，应至少提前一个月告知。应以邮件方式（ask@mindfulfashion.co.nz）将该决定书面通知 MFNZ，退出事宜将会告知各成员，并在 MFNZ 网站上予以公示。

参与单位承诺依照本规范开展经营实践，并承担相关义务。

参与单位 _____

代表人 _____

日期 _____

职位 _____

签名 _____



词汇表

MFNZ:	指 Mindful Fashion New Zealand 的缩写。
参与单位:	签署本行为规范的任何当事方。
成员:	MFNZ 的任何成员。最新成员列表见: www.mindfulfashion.co.nz
供应商:	为成员或参与单位提供产品或服务的任何企业。
分包商:	在直接承接订单的工厂或 CMT 设施之外, 从事分包过程或生产行为的当事方。
基本需求:	一个工人和两个被扶养人最低资源需求, 其中包括食物、安全饮用水、衣服、住房、能源、交通、教育、卫生设施以及获得医疗保障。
可支配收入:	工人的收入在满足基本需求后可花费或留存的部分。
雇员:	雇主所直接雇佣的人员, 无论男女, 包括管理人员、经理、主管及工人。
最低工资:	由国家或当地法律确定的最低工资水平。
行业基准标准:	在与工作相关的国家或地区, 对同类行业及同等职责与经验要求的工作而普遍支付的工资水平。
工人:	在相关设施内从事非管理工作的人员。





MINDFUL FASHION NZ
Our clothing & textiles collective

CODE OF CONDUCT

ABOUT THIS CODE OF CONDUCT

Introduction

The Mindful Fashion New Zealand (MFNZ) Code of Conduct (Code) defines responsible business standards that members are expected to follow. These standards are based on international guidelines including the International Labour Organisation's Core Conventions, the Ethical Trading Initiative Base Code and the United Nations Guiding Principles on Business and Human Rights.

These standards outline minimum expectations, therefore we encourage members and their suppliers to strive to exceed these standards through continuous improvement and to aim for international best practice.

Scope

A business adopts the Code ('Participant') by signing it, and thereafter actively works to comply with the Code and its standards. Participants are expected to introduce the Code to their suppliers and subcontractors to sign, and for this to be done in the local language where required.

This Code is not intended to replace applicable laws or regulations, however, where there is a difference between this Code and laws/regulations, the standard most favourable to employees should be adhered to.

Governance

Participants should engage with their subcontractors and suppliers to ensure adherence with this Code and undertake due diligence to ensure the commitment is maintained. Due diligence may include site visits, surveys, risk assessments, monitoring programs and audits.

Any concerns that the Code is not being upheld should be directed to the Participant in the first instance.

Confidentiality

Any information gathered in relation to this code will be considered confidential and for the Participants use only unless otherwise agreed or required by law.

THE STANDARDS

EMPLOYMENT

- Employers must keep a written record of all employment agreements, whether they be collective or individual. All record-keeping is expected to be accurate and transparent at all times.
- Employers must follow all legislation relevant to employment relationships in their country of operation.
- To every extent possible, work performed should be based on a recognised stable employment relationship established through national law and practice.

WAGES & BENEFITS

- Employees shall be paid at a minimum, for a standard working week, any wages, overtime pay, benefits, and paid annual leave which respectively meets or exceeds legal minimum requirements, collective agreements, or industry benchmark standards, whichever is higher.
- Wages are expected to meet basic needs and provide some discretionary income for employees and their families, relative to the region of employment.

- Additional entitlements for employees are encouraged, through for example improved wage systems, benefits, welfare programs and other services, to progressively raise employee living standards and enhance quality of life.
- All employees shall be provided with written and understandable information about their employment conditions concerning wages before they enter employment and about the particulars of their wages for the pay period concerned each time that they are paid.
- Deductions from wages as a disciplinary measure shall not be permitted nor shall any deductions from wages not provided for by national law be permitted without the expressed permission of the worker concerned. All disciplinary measures should be recorded.
- Overtime pay shall be calculated at the rate as defined by employment contract, national law or established by a collective bargaining agreement, regardless of whether workers are compensated hourly or by piece rate.

WORKING HOURS

- Employers shall comply with applicable laws, collective bargaining agreements (where applicable) and industry standards on working hours, breaks and public holidays.
- Standard working hours, excluding overtime, should be defined by contract and not exceed 48 hours per week.
- Working hours including overtime shall not, regularly, exceed more than 60 hours per week.
- All overtime hours are voluntary and shall not be requested regularly.
- Employers shall ensure that employees receive at least one full day off for every seven days worked.

CHILD LABOUR

- No person shall be employed on a full-time basis at an age younger than 15 years old, or younger than the age for completing compulsory education, whichever is higher. Regardless, all employees shall meet legal minimum age for employment as stipulated by the International Labour Organization and local laws.
- Employers must verify the age of their employees and maintain copies of their workers' proof of age. Employers must follow all applicable laws and regulations regarding working hours and conditions for minors.
- Workers below the age of 18 shall not be employed in hazardous conditions including at night or completing dangerous tasks.
- If child labour is found, companies should develop, participate in and contribute to processes and programmes which provide for the transition of any child found to be performing labour to enable him/her to attend and remain in quality education until no longer a 'child'.

FORCED AND BONDED LABOUR

- All forms of bonded, forced, or involuntary prison labour are prohibited, including compulsory overtime and retention of passports or other identity documents.
- The withholding of bonds or deposits is not allowed. Participants should undertake due diligence to ensure that workers do not pay any form of recruitment fees to agents to gain employment.
- Employees must be able to voluntarily end their employment without any restrictions, provided they meet any obligations as outlined in their employment contract. Employers shall respect the right of workers to leave the workplace after their shift.

MIGRANT AND/OR AGENCY WORKERS

- Migrant workers shall have the same entitlements as local employees. No migrant worker should be subject to any form of exploitation, coercion, or discrimination.

HARASSMENT AND ABUSE

- Employees shall be treated with respect and dignity and may not be subject to any form of actual physical abuse, discipline, or corporal punishment; nor the threat of physical abuse, sexual or other harassment, verbal abuse or other forms of intimidation.
- Written disciplinary procedures shall be established and be explained to employees in clear and understandable terms. All disciplinary actions shall be recorded.
- Employees must be able to express criticism and concerns about conditions in the workplace to their supervisor or management without fear of retribution, loss of employment or other reprisals.

DISCRIMINATION

- All employees must be hired and treated based on their ability to carry out their work and their performance, and given equal opportunities and treatment regardless of gender, race, caste, colour, religion, political opinion, nationality, social origin, familial situation including marital status or pregnancy origin, disability or other distinguishing characteristics.
- There must not be any form of discrimination or preferential treatment in recruiting, remunerating, providing training, promoting, dismissing or in retirement.
- All employment relationships should include effective mechanisms to protect migrant, temporary or seasonal workers from any form of discrimination.

GRIEVANCE MECHANISMS

- Employers must provide effective, respectful, and transparent systems for employees, whereby any internal disputes can be addressed and resolved collaboratively. Grievance mechanisms provided should be readily available, and a translator provided if requested.

FREEDOM OF ASSOCIATION & COLLECTIVE BARGAINING

- Employers shall recognise and respect the rights of employees to join or form trade unions of their choosing and to bargain collectively. Employers shall not interfere with, obstruct or prevent such legitimate activities, or discriminate against or otherwise penalise worker representatives or trade union members for their involvement.
- Where the right to freedom of association and collective bargaining is restricted or prohibited under law, employers shall facilitate, and not hinder the development of parallel means of independent and free association and bargaining.

HEALTH AND SAFETY

- Employers shall comply with all applicable laws of the countries in which they operate regarding workplace sanitation and safety.
- Employers must ensure all employees are provided with a safe and hygienic working environment. Adequate steps shall be taken to prevent accidents and/or injury arising out of or occurring during work or as a result of the operation of facilities.

- Health and safety training shall be provided and practised on-site. Employees must be provided with adequate safety training and equipment when handling hazardous material or working with dangerous tools.
- Employers shall ensure that employees have access to clean drinking water, sanitary washing facilities and an adequate number of toilets, fire extinguishers, and fire exits and that workplaces provide adequate lighting and ventilation. Employers shall ensure that these standards are also met in any canteen, dormitory, rest or recreational area provided for employees.

SUBCONTRACTING

- Where subcontracting is agreed, Participants are expected to communicate the standards outlined in this Code to their subcontractors and work with them to ensure these standards are met.

TRANSPARENCY & TRACEABILITY

- Participants should work towards traceability and transparency throughout their supply chains to identify, mitigate and address risks. To achieve this, Participants may request information regarding subcontractor, supplier, country of origin, identity and location of raw material and component sources from their suppliers. Where information is proprietary and considered confidential, it shall be treated as such and stored in a confidential manner. Confidential information will not be made publicly available.

ENVIRONMENTAL PROTECTION

- Participants should embrace a fundamental concern for environmental protection and conduct business operations and services consistent with local and national environmental regulations, to ensure their environmental impact is minimised. Up to date, original copies of all relevant environmental permits and licenses for operations should be maintained.
- Resources should be used in a way that minimises waste; where waste is unavoidable, waste to landfill should be minimised, and recycling and/or reuse prioritised.
- Water should be used as efficiently as possible. Outgoing wastewater from wet processes should be appropriately treated to meet the requirements of local legislation before discharge.
- Energy should be used efficiently, and measures taken to minimise air pollution and greenhouse gas emissions.
- Procedures and policies should be maintained to ensure all chemicals are used safely and responsibly and ensure all applicable laws and regulations are adhered to. Hazardous materials and substances that are banned by local and international organisations/regulation (e.g. New Zealand Law, European Union Regulation) should not be used in the manufacturing process.

BRIBERY & CORRUPTION

- Offering, paying, soliciting or accepting bribes including illegal facilitation payments is strictly prohibited. All local, national and international regulations, including regulations related to anti-corruption, bribery and other prohibited business practices should be complied with.

PURCHASING PRACTICES

- Participants should recognise that their business practices may impact supplier's ability to meet the standards set out in this Code. Participants commit to working to provide fair and achievable lead times that allow their suppliers to meet demands within a reasonable timeframe, and to address any challenges that arise in a fair and collaborative way.

CODE OF CONDUCT

Display of this Code

This Code should be communicated to employees and in the local language where required and be readily accessible to employees in their workplace.

Withdrawal

If at any point a Participant to this Code wishes to withdraw, a minimum of 1 month's notice is required. MFNZ must be notified in writing of this decision by sending an email to ask@mindfulfashion.co.nz, following which the withdrawal will be communicated to members, and made available on the MFNZ website.

Participant commits to taking responsibility for practices and obligations related to this Code.

Participant _____

Representative _____

Date _____

Position _____

Signature _____

GLOSSARY

MFNZ Mindful Fashion New Zealand

PARTICIPANT Any party that signs this Code of Conduct.

MEMBER Any member of Mindful Fashion New Zealand. Current list of members is displayed www.mindfulfashion.co.nz

SUPPLIER Any business that provides products or services to Members or Participants.

SUBCONTRACTOR Any subcontracted process or production that occurs outside of the factory or CMT that orders are placed directly with.

BASIC NEEDS The minimum necessary for a worker and two dependents to have access to resources, including food, safe drinking water, clothing, shelter, energy, transportation, education, sanitation facilities and access to health care services.

DISCRETIONARY INCOME The amount of a worker's wages available for spending or saving after basic needs have been met.

EMPLOYEES All men and women directly employed by an employer, including executives, managers, supervisors, workers.

MINIMUM WAGE The minimum wage level established by national or local law.

INDUSTRY BENCHMARK STANDARDS The level of wage generally paid in the relevant country or region of the country for work in the same sector and for comparable levels of responsibility and experience.

WORKER All non-management personnel working at an applicable facility.