

ASSESSMENT TOOL TO EVALUATE (IN THE EMPLOYER COMPLIANCE SPHERE) IF THE RIGHTS OF SYNDICATION AND COLLECTIVE NEGOTIATION ARE RESPECTED

I. Workers' right to freely form organizations than estimate convenient and the freedom to join, not to join, or leave from them.

	Yes	No	N/A
1. Are the rights of the employees respected regarding the formation of union organizations that they deem appropriate and/or to become part of these?			
2. Are the rights of the employees respected so they could join, not to join or leave a union organization?			
3. Did you participate at any level in the organization of the workers' union and the writing of its statutes?			
4. Have you participated or intervened, directly or indirectly, in the organization of the workers to elect their union representatives?			
5. Have you participated or intervened on a direct or indirect way in the workers organization to exercise their right to organize their administration, their activities and to formulate their action program?			
6. Does the company condition or have conditioned a worker's employment to the requirement that he or she be affiliated with a union?			
7. You have separated, fired, or sanctioned a worker because of his or her union affiliation?			
8. Has your company promoted the constitution or linking of union organizations with their workers?			
9. Do you participate in the economic support directly or under any other form, of the union organization of the workers at your service?			

10. Do you exercise control over the union or its representatives?			
11. Does the company or any of its representatives have a direct or indirect impact on the union's internal decision-making?			
12. Are there or have there been complaints to authority or within the company by the workers, for any of the points indicated in the previous numerals?			

II. The representativeness of union organizations. Certainty in the celebration, signing, registration and deposit of the CCTs, in charge of the organization that represents the majority of the workers.

	Yes	No	N / A
1. Do you have a CCT with a union?			
2. Are the activities covered or carried out by union-affiliated workers compatible with the activities of the company and the workers at its service?			
3. The union statutes are updated in accordance with the reform of the Federal Labour Law?			
4. Do workers know the union?			
5. Are workers at the service of your organization affiliated with the said union?			
6. Does the union(s) have the signed membership formats of the workers at your service?			
7. Does the trade union(s) have their users roll updated and registered before the competent authority			
8. Do workers in the service of the organization pay a periodic union fee to the union through a payroll discount?			
9. Does the Union actively participate with unionized workers?			
10. Does the Union have any union delegate(s)?			
11. Do the workers know the Secretary General of the union or anyone who represents him?			

12. Do you recognize the union as a representative of your workers?			
13. Do you allow the union participation within the company?			
14. Do you discount the union fees to your workers?			
15. Do you pay or give the union any amount for concepts other than the worker's union fee?			
16. Other than union fees, are any economic amounts paid to the union contemplated in the CCT?			
17. Does the union provide a report every six months for the approval of its affiliates?			
18. Do workers have a copy of the CCT?			
19. Is the updated CCT published somewhere visible within the company?			
20. Do workers actively participate in the elaboration of the petition document for the revision of the CCT?			
21. Do workers actively participate in the process of revision of the CCT?			
22. Does the CCT holder union that governs the company informs the latter that the list of petitions formulated on the occasion of the comprehensive or salary revision of the same was prepared in the assembly and had the majority of your workers' votes?			
23. Was the current TCC approved by most workers in an assembly?			
24. If you have answered the previous question affirmatively, is there a document that evidences the approval?			
25. Was the Collective Labour Contract and/or its revision approved by the workers by direct, personal, free and secret vote?			
26. Do you know if the union committee was elected through personal free, direct and secret voting?			
27. Does the Union Directive has a valid take note, issued by the competent authority?			
28. Do the sections or representations have their valid take note or are they formally organized?			

29. Does the CCT contains an exclusion clause, that is, the company's obligation to separate a worker by union determination?			
30. Does the CCT include any clauses that contains as a condition of permanence at work, that of being affiliated with the union?			
31. Has the exclusion clause been applied to any worker(s) at the request of the union?			
32. Have you received requests from workers not to withhold his or her union fee?			
33. Have you complied with any worker's request, as stated in the previous point?			
34. Did the union legitimize the content of the CCT with prior notice to the competent authority and through consultation with the majority of workers by personal, free, secret and direct vote?			
35. Is the company aware of the fact that the labour authority before whom its Collective Labour Agreement is deposited may require logistical or documentary support in the process of legitimizing that contract by its own decision or at the request of its holder union?			
36. Is the company aware of its obligation to provide logistical or documentary support in the process of legitimizing the collective employment contract referred to in the previous question?			
37. Are the employers' workers' commissions established in agreement with the Federal Labour Law?			
38. Do the worker's representatives in the commissions indicated in the previous point act and keep a written record?			
39. Have you had conflicts with your workers over your union membership in the last two years?			
40. Have you had collective conflicts in the company over strikes, illegal stopping or CCT holder claims between two or more union organizations in recent years?			
41. Are any of the disputes indicated in the previous point pending in resolution by the competent authority?			
42. Do you know whether any complaints have been filed with Human Rights, the Ministry of Labour or another international body arising from what was stated in the previous points?			

43. Was the Internal Labour Regulations drawn up as established by the Federal Labour Law by a Joint Workers and Company Commission or between the Union and the Company?			
44. Do your workers know about the company Internal Labour Regulations?			
45. Do you know if the union has held workers accounted for the management of fees?			

LEGAL NOTICE AND DISCLAIMER

By completing and signing this document I acknowledge that the application of this questionnaire does not represent any guarantee that releases an enterprise or establishment from being the subject of any claim or labour complaint or for alleged denial of syndication or collective negotiation rights, as contemplated in the rapid response labour mechanisms. This form is for validation purposes only and SYMBIOSIS or their representatives will not withhold or share any of the provided information.

NAME: ENTERPRISE: CONTACT INFORMATION:
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