



SA 8000: 2008 Drafters' Notes

Prepared in consultation with the

Standard Revision Committee of the SAI Advisory Board

I. About the SA8000 Standard

A. *Origins and Intent*

The SA8000 Standard was first published in September 1997 after a multi-stakeholder, consensus-based drafting process. The intent of the standard is and has always been: ***to promote workers' rights and enable employers to sustainably implement a systems-based approach to ensuring decent work and working conditions.*** The standard draws on international human rights norms and national labour law to promote workers' best interest, with a view to sustainable livelihoods and employment. SA8000 is based on the principle that ensuring workers' rights and well-being is not a "burden" for employers, but rather an investment in human resources that leads to a healthy and sustainable workplace for all.

The standard also draws on ISO-based principles, with extensive management systems requirements and a view to continuous improvement. The standard combines an emphasis on management process with minimum levels of compliance defined according to norms established by international human rights instruments and national labor laws.

B. *Third Edition – SA8000:2008*

SA8000: 2008 is Social Accountability International's (SAI) third edition of Social Accountability 8000, the voluntary compliance standard for safe and decent workplace conditions. This latest version of the standard, which is the first revision since 2001, retains the spirit and intent of the original, but adds more clarity, strength, and flexibility. In doing so, the 2008 version is more explicit in areas where questions and misinterpretations have surfaced in its past field use. It also explicitly addresses abusive practices that have become much more commonplace since the 2001 version was released.

The nine Social Accountability Requirements remain the same – no additional sections have been added, and no existing ones have been removed. However, some have been modified, based on the experience of users of the standard since 2001.

The revision of the SA8000 standard was spearheaded by the Standard Revision Committee of SAI's Advisory Board, which acted as the principal drafters of the new standard language. The revision, which was a two-year process, involved two rounds of public consultation and a final round of expert review with representatives from business, NGOs, trade unions, and academia. The revision was conducted in compliance with ISEAL's Standards for Social Standard Setting. SAI's multi-stakeholder Advisory Board reviewed all comments and collaborated through its consensus-based process to finalize the new standard.

These drafters' notes are intended to help auditors, employers, supply chain managers, workers and other interested parties who utilize SA8000 to understand the substantive changes in the revised standard. In this document, all of the substantive changes to the standard are summarized. The drafters' intentions behind the changes are also presented to give the reader greater insight into a particular revision's purpose and, thus, how it should be interpreted. Additionally, the possible implications of how these changes can affect workers, auditors, and companies are noted.

Nearly every provision in the standard has been revised to some degree. The majority of these changes, however, are editorial, not substantive, in nature. Editorial changes were made in order to make the standard's language clearer, and in some cases, to provide greater consistency among provisions.

In contrast, content-related revisions reflect a substantive difference between the 2001 and 2008 versions of the standard. These changes, which are the focus of this document, will affect the way the standard is utilized. For a complete comparison of all the changes, including the editorial changes, please see the side-by-side comparison of SA8000:2001 and SA8000:2008, which is available on SAI's website (www.sa-intl.org).

Many of the additional points now detailed in the standard were previously treated in the 2004 Guidance Document. Thus, much of the 2004 Guidance is still relevant. SAI has begun work on a revised Guidance, however, and plans to release revised chapters during the next 12 to 24 months. Your questions and comments are welcome as we prioritize chapters for development and release.

II. Content Changes to SA8000:2008

A. Purpose and Scope

The intent of the standard is not new, but it was not previously stated within the standard. ***The new language makes it clear that SA8000 is a standard for ensuring workers' rights and supporting national labour law, while providing a tool for employers to demonstrate and have verified their compliance with the standard.***

1. Protect and empower; scope of control and influence

- a. The words '*protect and empower*' indicate that the standard is both a delineated set of employers' responsibilities to workers and a tool for workers to claim their rights.
- b. A '*company's scope of control and influence*' will need to be defined on a case by case basis. The inclusion of this language does reflect, however, the expectation that adherents to the standard are making every good faith effort to promote workers' rights throughout their supply chain.
- c. The supply chain considerations are defined broadly because the drafters' of the standard believe that: ***the rights herein are universal; and, in the end, every company will be judged by its stakeholders on its good faith efforts to maintain a positive influence throughout its supply chain.***

2. Verifiable

'SA8000 is verifiable through an evidenced-based process': this statement emphasizes the standard's focus on systems-based implementation, which in turn allows auditors to verify the likelihood of ongoing compliance, not simply a check on the immediate situation.

B. Normative Elements and Their Interpretation

1. Industry Standards

Under SA8000: 2008, companies must comply not only with national law, but also with prevailing industry standards. The drafters' intent behind this addition is to emphasize that the standard should in no way undermine a prevailing industry practice that is in the best interest of workers. That 'best interest' also includes, however, the sustainability of both their livelihood and their employment.

The practical implications of this revision are that both auditors and audited facilities, in addition to being knowledgeable in national and local law, if applicable must also be fully aware of local, national or, when indicated, regional prevailing industry standards when auditing a facility against SA8000. It is intended that those who may not have this information will seek it from relevant local industry associations, employers, trade unions, government offices, civil society organizations and/or other similar entities in the locality of the audited facility.

2. Additional Norms

SA8000: 2008 also incorporates principles from several international instruments not referenced in the prior version. While these norms were written for national governmental legislative requirements, they also serve as a reference, providing additional guidance and content for interpreting and verifying the standard. Therefore it is vital that auditors and companies understand these instruments when determining compliance with the standard. In addition, the International Labour Organisation's website offers additional resources and conventions, which can further help guide socially responsible employers.

C. Definitions

1. Company; Personnel; and Worker

The new standard divides the 2001 version's definition of company into two sections: Company and Personnel. The definition of company remains essentially the same.

However, although the 2001 standard defined the term personnel within its definition of company, under SA8000: 2008, "Personnel" has its own definition. It is now defined as: "all people directly employed or contracted by a company, including directors, executives, managers, supervisors, and workers".

Its consistent use of the words "contracted by a company" is intended to include home workers, lower-level managers, and workers hired through employment agencies within the definition as "Personnel".

"Workers" are separately defined as "all non-management personnel". The standard uses the term "personnel" when the provision applies to all employees, whether hired directly by a company or through a labor contractor. It uses the term "workers" when the provision applies only to non-management personnel, such as in the case of worker organizations or workers electing a representative.

2. Definition of corrective and preventive action

The 2001 standard's definition of remedial action has been deleted. Restitution is not thus automatically required, although it may arise as part of the

remedy to a nonconformance. The revised standard emphasizes the need to address the timeline analysis necessary to better ensure that the workplace aspect that resulted in a given nonconformance is corrected. Now, the revised standard requires that a company identify and assess the basis for the nonconformance as the first step towards crafting a responsive corrective action for the case at hand, while also serving to prevent nonconformances. The intent here is to treat the past and present problems as opportunities to change the workplace to prevent reoccurrence of the same in the future.

3. Definition of child

The developing-country exceptions under ILO Convention 138 are deleted from the new standard. A child is now unequivocally defined as a person less than fifteen years old, unless local law states that the minimum age for work or mandatory schooling is higher. In that case, anyone under that higher age is a child for the purposes of the standard. The intention is to reflect the actual global use of the exceptions of Convention 138, which only a handful of states have utilized.

4. Human Trafficking

SA8000: 2008 adds a prohibition on human trafficking to the standard that is more in the nature of a clarification than a new substantive company requirement. It clarifies that human trafficking is included as a form of forced labour, and its definition should be read in conjunction with paragraph 2.4, under the Forced and Compulsory Labour clause. Given the pronounced increase in reports of human trafficking, the drafters wanted the standard to emphasize that, as one prominent form of forced labour, companies and their suppliers must not play any role in this egregious crime.

5. SA8000 worker representative

The definition of a worker representative should now be used when auditing standard clause 9.3 SA8000, Worker Representative. A worker representative is a worker chosen by the recognized trade union(s), wherever one is present. When no union is present and there is no collective bargaining agreement, then the worker representative is elected by other workers.

The worker representative's sole duty is to facilitate communication with management on matters relating to SA8000. The drafters of the revised standard aimed to be very specific about the choice and role of the worker representative. First, it is intended that when workers are organized into a recognized trade union that their union shall appoint its selected worker representative. Second, the worker representative function is not meant to be a committee formed at management's request; instead the emphasis in 9.3 is on workers' choice whether or not and how to fill this function. Third, the representative's duties are meant to be expansive enough to permit more effective worker-senior management

relations on SA 8000 matters, and limited enough not to replace or interfere with the rightful role of recognized trade unions, when they are present at an audited facility.

Under the new standard, a company can be certified even if it does not have a worker representative, but it must nonetheless demonstrate that it allows workers to elect a representative. In cases where workers decide not to use such representation, auditors may need to investigate worker-manager communications further in order to determine effective communications in the workplace.

6. Worker Organization

Worker organizations are voluntary associations of workers organized in order to maintain and improve their terms of employment and workplace conditions. This term has been added to the prior edition of SA 8000, and is used interchangeably with the term "trade union" in both ILO conventions and in SA8000.

7. Collective Bargaining Agreement

A definition for collective bargaining agreements is newly included in the revised standard because the term is used as an auditing criterion in several clauses of the new standard.

D. Social Accountability Requirements

1. Child Labor

1.2 There are two changes from the 2001 standard regarding the remediation of child workers that are intended to clarify the intent of this provision. First the standard now requires that a company's procedure to remediate its child workers be "in writing", not merely "documented", as has been the prior requirement. This measure clarifies the form that required documentation shall take. Consequently, it is intended that the auditability of a company's child remediation policy will be easier and more effective.

The second new addition is a clarification that intends to fully indicate that companies must provide the financial and all other support to enable former child employees to attend and remain in school. Recommendations on how to verify the effectiveness of such support programs are further discussed in the Guidance Document (2004 edition and forthcoming).

1.3 SA8000: 2008 replaces the 2001 requirement that companies establish and communicate policies for the promotion of education for children covered under ILO Recommendation 146 with ***more explicit language about what employers are expected to do with regard to protecting young workers***

and ensuring they don't work during compulsory school hours when such apply. The standard reiterates and details further its former restriction on the work hours of young workers and includes that work hours be restricted for all those who are subject to local compulsory education laws (whether they are attending school or not). This is intended to protect young workers because of their youth status, from the most hazardous work activities and work hours, whether they are attending school or not. Other significant added requirements are that young workers cannot work more than 8 hours per day, and never during night hours; this is in line with the ILO Convention 138 and Recommendation 146.

2. Forced and Compulsory Labour

2.2 The 2001 standard required only that a company prohibit the lodging of deposits or identity papers. The revised standard is expanded and more explicit both in including suppliers in its restrictions in naming added items that cannot be withheld from workers to compel them to continue their employment. These revisions are all intended to address the current characteristics of forced and compulsory labour in as clear a manner as possible.

2.3 SA8000: 2008 cross references the requirement that overtime hours be voluntary (see 7.3), stating here that workers have the right to leave the workplace premises at the end of the worker's standard workday. Workers are also free to terminate their employment as long as they give reasonable notice to their employer. This was newly included in SA 8000 as reports from the field indicated problematic occurrences of locked workplace doors and unsupportable barriers to personnel's right to quit their employment.

2.4 This provision introduces an express prohibition on companies and their suppliers from engaging in or supporting human trafficking.

3. Health and Safety

3.3 The 2008 standard adds a new emphasis on company's health and safety policies and practices. There is an intention to focus on companies providing ample and frequent vocational instructions to its workers.

It should be noted that the drafters have replaced the previous word, "training" for the broader, more structured implications of the word "instruction and instructions". This is intended to guide auditors towards assessing both the formal instruction given and the ongoing, job-specific instructions they encounter. These may include on-site training as a less formal mode of teaching workers about some aspects of their jobs and/or other more formal types of vocational education that, for example, involve classroom time as well.

Another key addition is that these instructions must be repeated when and at the facility where accidents have occurred. This requirement was included by the drafters to emphasize the continuing responsibility of employers to identify and analyze current accident sites in order to correct them, in this provision by required instruction, for the future.

3.4 This is another example of the revised standard's requirement that companies' records be in writing; in this case, for accidents that occur in the workplace and in company-controlled property. The drafters inserted this requirement to reduce the likelihood of future accidents and to improve auditability.

3.5 The 2008 version of SA 8000 now requires that companies must provide, at their expense, personal protective equipment to personnel. They must also provide first aid treatment and help workers obtain follow-up medical care for accidents occurring and illness contracted at work. These requirements further emphasize the drafters' intent to ensure that employers take full responsibility for worker health and safety and treatment of injuries incurred in the course of work.

3.6 SA8000: 2008 adds a requirement that companies ascertain the risks to new and expectant mothers arising out of their work activity and take all reasonable steps to minimize these risks of injury. This requirement cannot, however, be used as an excuse for employers to conduct pregnancy testing; new language under discrimination make it clear that employers cannot discriminate based on pregnancy. Thus the language here is not overly protective, but emphasizes employer's responsibility to 'take all reasonable steps to assess, remove and reduce risks'. General language in this section and management systems requires that employers effectively communicate the results of this assessment to workers.

3.9 This new standard, based on ILO Conventions, ensures that all personnel have the right to remove themselves from imminent serious danger without seeking employers' permission. The drafters intend this new element to address the incidence of several horrendous emergency situations, most notably fires, that have needlessly killed or injured many workers who were unable to leave their facilities at the first indications of these types of emergencies.

4. Freedom of Association and Right to Collective Bargaining

Note: These changes in the revised standards on Freedom of Association and Right to Collective Bargaining are firmly rooted in the continuing difficulty reported by both certification bodies and trade unions in auditing these requirements. Additionally many users and reviewers of the SA 8000 system urged the drafters to improve this standard topic to assure the integrity of SA 8000 as a reliable tool to establish and maintain workers rights. These revisions were

intended to reach those results, as well as to make these standards more explicit, transparent and effective.

4.1 SA8000: 2008 contains a new requirement which provides workers the affirmative right to form, join, and organize trade unions, and to bargain collectively. This amplifies previous provisions of the 2001 standard, by clearly stating that it is the workers who hold this right and only they can exercise these rights. It is the company's responsibility to respect this right. ***The emphasis here is on workers' choice and the non-interference of management.***

The 2008 standard also states a new company duty to affirmatively inform personnel that they are free to join trade unions of their choice and that doing so will not result in retaliation from the company. The continuing difficulties in auditors' approaches to and application of the standard concerning workers' rights to freedom of association and collective bargaining has informed this new language. This language does not, however, make unionization a requirement for SA8000 compliance.

What this added language is meant to clarify and emphasize is an additional part of an employer's duty to freely permit the full exercise of their workers' rights. Under the revision, that duty now includes an employer's demonstration that it actively and continuously develops and implements the actions necessary to ensure that their workplaces provide a free and protected environment for unionization to be genuinely considered by a workforce.

The next portion of the revision of this standard states the duty of companies not to interfere in the formation of worker organizations, their activities, and collective bargaining. Generally, this change makes explicit what was implied – and considered to be the intent – in the earlier versions of SA 8000.

4.2 The 2008 standard eliminates the “facilitate parallel means” phrase that appeared in the previous two editions of SA8000. ***The standard still requires, however, that workers be able to exercise their rights to freedom of association and collective bargaining – even in places where those rights are restricted by law.*** The shift in emphasis here is meant to resolve previous confusion about how employers were meant to ‘facilitate parallel means’. As mentioned above, only workers can *exercise* these rights; it is the employers' responsibility to *allow* them to do so.

The decision to delete ‘parallel means’ came through the drafters' resolution of many critiques and comments it received from experts and stakeholders. The general consensus was that the use of the phrase ‘facilitate parallel means’ was no solution, but in some instances just created more confusion (e.g. that ‘facilitate’ meant employers should organize workers or about what “parallel means” are). These usually involved the qualities and extent of companies' assistance or direction of these ‘parallel means’. Also, ‘parallel means’ raised legal issues that may be interpreted to force employers to actively pursue unlawful activities.

4.3 This provision was greatly expanded from its original version, which only restricted companies from discriminating against union representatives. The 2008 standard recognizes the additional actions that can and have been used against these representatives, including harassment, intimidation and retaliation. The revised standard requires employers to ensure that management does not engage in actions to block effective organizing and/or the continuance of unionized workers.

5. Discrimination

5.1. and 5.2 SA8000: 2008 introduces additional explicit grounds of prohibited discrimination. These include social origin, birth, family responsibilities, and marital status. Additionally, the standard contains a new “catch all” phrase, which, in addition to the grounds listed, prohibits discrimination on “any other condition”. These additions are mainly clarifications of the prior standard, intended to resolve variant interpretations of those prior discrimination categories. However, this clause is aimed at prejudice and is not intended to prohibit discrimination based on merit, competence, skill, or any other job-related attribute.

5.4 SA8000: 2008 adds a new prohibition requiring companies to abstain from testing women for pregnancy or virginity. This not only brings the standard into conformity with ILO Convention 183, but is also consistent with the revised standard’s inclusion of pregnancy and maternity matters as a necessary aspect of female workers’ needs that require relevant employer behaviors.

6. Disciplinary Practices

In clause 6.1, the drafters added the phrase “nor tolerate” after “shall not engage in” abusive disciplinary practices. This is meant to indicate that a company shall use neither employment agencies nor suppliers that engage in such practices (see also clauses 9.7 to 9.10 regarding Control of Suppliers/Subcontractors and Sub-Suppliers).

7. Working Hours

Clauses 7.1 and 7.2 have been redrafted and cut into three clauses: 7.1, 7.2, and 7.3.

7.1 This provision is similar in both the 2001 and 2008 versions of the standard except in two notable respects. First, SA8000: 2008 requires companies to comply with laws and industry standards not just on working hours, but also with laws on public holidays. Second, while the normal work week, not including

overtime, is again defined by law under the new standard, it is under no circumstances to exceed forty eight hours.

7.2 SA8000: 2008 requires companies to provide personnel with at least one day off following six consecutive days of work. This may seem to be very similar to the 2001 standard, which requires companies to grant one day off for every seven day period. However, in changing that wording, the drafters were responding to feedback from the field that under the 2001 standard, some companies had incorrectly interpreted that phrase as permitting twelve consecutive days of work followed by two days off. The new phrasing is intended to be consistent with the drafters' actual intent, (and consultations with the ILO on previous interpretations of Convention 1) which is to ensure that workers labor no more than 6 days in a row before getting one day off.

The 2008 standard adds an exception to this rule, however, provided two conditions are met: 1) national law allows work time to exceed this limit; and 2) a freely negotiated collective bargaining agreement is in place that allows work time averaging. The drafters' intention here is to respect the local context, to the extent that national laws and collective bargaining agreements, negotiated by freely elected trade unions, permit this exception to normal working hours.

7.3 The 2001 standard's requirements that overtime work is voluntary and cannot exceed twelve hours per week (after a regular work week of no more than 48 hours) remain in SA8000:2008. The requirement that overtime work not be requested on a regular basis, which previously appeared in clause 7.1, now appears at the end of this clause. These edits are not a change to prior requirements and flexibility on this is still permitted, according to clause 7.4.

7.4 This clause remains basically the same, with the added clarification that even when collective agreements enable an employer to **require** overtime, the overtime still needs to be: a) only in the context of meeting short-term business demand; and b) in conformance with the above requirements (e.g. premium rate compensation and a limit of 12 overtime hours over the regular work week hours unless the exception in 7.2 is permitted).

8. Remuneration

8.1 This new standard explicitly requires companies to respect the right of personnel to a living wage. The 2001 standard already required what is widely considered the definition of a living wage: a basic needs wage and discretionary income. Therefore, the added introductory clause about a "living wage" further acknowledges the common interchange of the terms "basic needs wage" and "living wage." This new language does not, however, change the previous company wage level duties.

8.2 Like the 2001 edition, SA8000: 2008 prohibits companies from deducting wages for disciplinary purposes. However, exceptions to this rule now apply when both of these conditions are met: 1) when national law permits such deductions; and, 2) when a freely negotiated collective bargaining agreement is in force. Again, the drafters' intention here is to respect the local context, to the extent that national laws and collective bargaining agreements negotiated by freely elected trade unions are aligned behind the exception taken. It also recognizes that trade unions, in some states, such as Italy and Japan, have a tradition of agreeing to the deduction of wages for disciplinary infractions, rather than seeing their members fired as a disciplinary tool. In the case of Italy, for example, the principle that collective bargaining agreement terms supersede SA 8000's usual ban on deducting from wages for disciplinary purposes, is made part of the 2008 standard.

8.3 The SA8000: 2008 standard includes similar requirements as the 2001 standard regarding the detailing of wages and benefits composition, which must be in line with all applicable laws. ***The significant change here is that this must now be "detailed clearly and regularly for them for each pay period."*** The drafters intend to assure that workers have a written and reliably regular record of the sum of their wages and benefits as a way to keep them informed periodically of the value of their labor. This addition was also spurred by reports of cases where employers failed to pay into workers' retirement, unemployment or social security funds. This in turn creates tremendous problems when employers close, leaving workers and government with a depleted social safety net. Requiring that these benefits be detailed in writing, will also oblige auditors to follow the paper trail more explicitly in the future.

8.4 The revised standard covers compensation for overtime work in the Remuneration section. The 2001 standard, by contrast, dealt with this issue under Working Hours. While both versions require overtime work to be reimbursed at a premium rate, there is a significant difference. SA8000: 2008 states that the premium rate is defined by national law. It also adds that where such a premium rate is not regulated by law or a collective bargaining agreement, personnel are to be compensated for overtime "at a premium rate or equal to prevailing industry standards, whichever is more favorable to workers' interests." Experts consulted indicated that in some industries the negotiation of collective bargaining agreements have resulted in establishing premium overtime rates, which help raise the rate across the industry to one that is higher than those required by law. Thus, this new language is drafted so as to support these gains that workers have secured.

These additional terms are intended to respond to some employment circumstances, where neither national law nor a collective bargaining agreement states an actual overtime wage. By including prevailing industry standards as another source of determining a premium wage, the drafters intended to ensure that workers gain a fair wage for their overtime labors, even when there is no legal or union rule in place.

9. Management Systems

9.1 Under the 2008 standard, the elements of a company's communication duties to its personnel when it applies for certification have been increased. These added elements include the new requirements that the company's SA 8000 policies must be in writing, in their personnel's language and posted in an "easily viewable place".

Another significant revision is that now companies must demonstrate their actual conformance to these and related requirements, which is an increase of their duty from the prior level of demonstrating only "a commitment" to conform.

The final distinction between the 2001 and 2008 editions of SA 8000 is that the revised version provides a list of explicit elements that will demonstrate a company's continual improvement, which was required in both editions. Thus the company must consider legislative changes, its own internal code of conduct and any other company requirements when seeking to continually improve, which is still a mandated process. The drafters intended to ensure that the process of continual improvement is both better understood and made more concrete.

9.3 SA8000 worker representative

The company is required here to include its recognition "that workplace dialogue is a key component of social accountability." ***The drafters added this requirement to clarify that companies have an active duty to ensure that they are open and available to their workers' comments and concerns.*** This is consistent with some other new duties in the 2008 standard, aimed at solidifying companies' duties to create and maintain a workplace environment that is respectful of individual workers, organizing and organized workers.

As was stated in the Definition Section at II.B.5 above, that definition of worker representative should be used when auditing this clause. Under 9.3, the company has the duty to ensure that all non-management personnel have the right and thus opportunity to vote for his/her worker representative.

The representative is to be a worker chosen by a recognized trade union, or otherwise, when there is no recognized trade union, elected by other workers. The worker representative's sole duty is to facilitate communication with management on matters relating to SA8000. S/he shall in no way substitute for a facility's union representative(s), if such is/are present at the facility.

The most significant change to this clause is the emphasis on workers' choice, which is embodied in the phrases 'workers have the right to representation' and 'workers may elect a SA8000 worker representative'. It is workers' choice whether or not and how to fill this function. While companies aren't required to have a worker representative, they must permit them and effectively communicate to

workers about this right. So, although a company could be certified without having a SA8000 worker representative, it must demonstrate that it allows worker representatives and how this was communicated to workers. Additionally, in cases where workers decide to not use such representation, auditors will need to investigate worker-manager communications further.

9.4 The revised standard adds: the requirement that changes (where appropriate/needed) need to be implemented; and that the SA 8000 worker representative participates in this management review.

It is intended that this participation be significant and meaningful. Again, this is another addition aimed both at respecting individual, organizing and organized workers and creating a positive environment for, in this case, a worker representative to have a truly significant impact on the review of management's worker policies. It is also intended to enable management to take advantage of workers' knowledge and insights, and to engage workers in improving the workplace.

9.6 This new standard states a substantial duty upon companies to consult the SA8000 Guidance Document. The drafters intended this provision to make it clear that the SA8000 Guidance Document is the only authoritative source of guidance on how to interpret the SA8000 standard, and therefore must be consulted.

Note to SA 8000 users: A revision to the Guidance Document to reflect the 2008 standard is underway. While it is being updated, SAI will, from time to time, send out advisories to interested stakeholders and all certified facilities, by their request or that of the CB with whom they work concerning the current interpretation of specific provisions of the 2008 standard. In the interim the 2004 Guidance Document continues to be relevant on most issues and should be read in combination with these Drafters' Notes on SA8000:2008.

9.7.a. The added clause here helps continue the supply chain requirements, asking suppliers to not only provide a written commitment to conform to (as before) but also require the same of their sub-suppliers.

9.7.c. Additionally, the revised standard newly states that companies require their suppliers and sub-suppliers to identify the "root cause" of social accountability issues and implement not only corrective action(s), but also preventive actions. The 2001 standard only required "remedial action". This new requirement recognizes that every non-conformance has its historical causes, present corrections needed and also calls for implementing a plan for the future that results in reliable and sustainable conformance. Current supply chain control managers and experts have found that this three-part response—identifying the root of a non-conformance, repairing it and then implementing a plan for future conformance—is the most effective at meeting the goal of total conformance with the standard.

9.8 Companies are now asked to evaluate and select their suppliers based on their performance and commitment to comply with SA8000.

9.9 This new clause is intended to make more explicit that a certified facility must do more than receive letters of commitment to conform from suppliers; they must also seek, within reason, to monitor their compliance.

9.11 The only distinction in this provision between the 2001 and 2008 editions of the standard is that companies are now required to provide “confidential” means for all personnel to report non-conformances with the standard to management and the worker representative. It is intended that with this new requirement personnel will now be empowered to strengthen the workplace complaints mechanism.

9.12 As has been discussed at **9.7c**, this new provision requires that when companies are addressing non-conformances they follow the stated process—identifying the root of a non-conformance, repairing it and then implementing a plan for future conformance. It is intended that using this process will be more likely to result in reliable and sustainable results.

9.14 The new elements in this portion of the standard make explicit what was previously expected: that a company must demonstrate its willingness to engage in dialogue with any interested stakeholder about its pursuit of total conformance with this standard. It proceeds to list nine different categories of interested stakeholders only as examples of who might be involved. The inclusion of this list is intended to alert companies to the wide universe and variety of “interested stakeholders” they could select for consultations, in order to increase the quality of their workplace and its standard conformance results.

9.15 The 2008 standard significantly alters a company’s expectations about being audited. An Auditor Advisory has been in place requiring auditors to conduct unannounced audits during the life of a facility’s certification. Although no facility has been reported to reject such an unannounced audit, this requirement now makes clear that they must participate in such audits when they are asked. Adding the auditing approach of an unscheduled audit visit is intended to strengthen the work of auditors and reduce cases of companies seeking to make short-term improvements, for audit purposes only.