



## SA8000<sup>®</sup> Certification Restrictions

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# 1. Introduction

The SA8000® Standard is universally applicable, and in principle, certification is possible in any state or industry. However, in order to maintain the Standard's commitment to respecting the spirit and norms of the International Labour Organization (ILO) standards and to preserve the integrity of SA8000 certificates, there are several specific restrictions to certification.

SAI has determined that certain industry sectors have norms and technical needs that present significant challenges to meeting the Standard requirements in practice. Additionally, countries may also present significant challenges in meeting the SA8000 Standard due to little to no mechanism to enforce existing local or national law or have laws that go against the Standard, therefore presenting a risk to its integrity and reputation.

The full list of restrictions is presented below and is updated on an ongoing basis.

## 2. Current Restrictions

### 2.1 Industries

SA8000 certification is *not* available for Maritime Activities<sup>1</sup>, Fishing Workplaces<sup>2</sup>, and Offshore Workplaces<sup>3</sup>. These industry sectors present challenges to various SA8000 requirements. Due to the specific working conditions and industry demands for such work, the ILO has formulated special labor standards for these sectors.

1. **Maritime Activities** covered by the ILO Maritime Labour Convention, 2006 (MLC) are excluded from SA8000 certification, because the MLC contains provisions that do not comply with SA8000's Working Hours and Remuneration requirements. The MLC came into force in August 2013 and contains various standards relating specifically to seafarers, including conditions for their employment for extended periods at sea. As such, it has specific allowances with regards to working hours.

The MLC does not cover work on fishing vessels, small traditional craft, vessels in sheltered or inland waters, or warships. Thus, **certification to SA8000 is available** for activities related to seafarers on vessels that navigate exclusively in inland waters or waters within, or closely adjacent to, sheltered waters or areas

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<sup>1</sup> Maritime Activities as determined by the ILO Maritime Labour Convention, 2006 (no. 186) (MLC): For SAI purposes, this includes activities that involve seafarers, which includes any persons employed or engaged or working in any capacity on board a ship.

<sup>2</sup> Fishing Workplaces: For SAI purposes, this is defined in general terms as commercial sea fishing activities.

<sup>3</sup> Offshore Workplaces: For SAI purposes, offshore workplaces include drilling platforms and oil rigs.

where port regulations apply. The determination of whether a ship is a certifiable workplace will depend on several factors, including definitions in local regulations.

2. **Fishing Workplaces** are excluded from SA8000 certification for the same reason given above for Maritime Activities. The SA8000 exclusion applies to operations involving any persons employed or engaged in any capacity or carrying out any occupation on board a fishing vessel. Though the ILO standards for fishing are less developed and have weaker adherence overall, the SAI Advisory Board recognizes the provisions of the Work in Fishing Convention, 2007 (No.188) and the MLC. These standards include provisions for working hours and remuneration that do not comply with SA8000's requirements.

However, **SA8000 certification may be available** for certain commercial fishing vessels that navigate exclusively in rivers, lakes, or canals. It may also be available for other limited categories of smaller vessels. The determination of whether a ship is a certifiable workplace depends on local regulations.

3. **Offshore Workplaces** are excluded from SA8000 certification because the working time schedules consistently exceed the working hour limits of the SA8000 Working Hours requirement.

## 2.2 Countries

There are currently no countries where SA8000 certification is restricted.

## 3. Previous Restrictions

### 3.1 Countries

#### **Myanmar (Burma)**

In 2002, SA8000 activities were restricted in Myanmar (Burma) respecting the ILO sanctions put in place due to the country's failure to implement the Forced Labour Convention. In June 2013, the ILO decided to lift its sanctions against Myanmar (Burma) in recognition of the progress that the country has made since 2002. Therefore, SA8000 activities are now allowed in Myanmar (Burma) as of November 2014.

#### **Pakistan**

In 2012, SA8000 activities were restricted in Pakistan due to issues that arose regarding the implementation of the Standard's Health and Safety requirements. After conducting a broad country-wide factory safety investigation, including a comprehensive review of the audit system, SAI strengthened the requirements of the SA8000 certification program during the 2014 revision. Therefore, new SA8000 activities are now allowed in Pakistan as of August 2017.