

Forced Labour and Child Labour Management and Mitigation

Purpose

Apex Oilfield Services may be exposed to operations where forced or child labour may occur. Apex Oilfield Services is committed to acting to prevent forced and child labour not only within internal processes, but also throughout the supply chain.

This Safe Work Practice (SWP) provides guidelines for Apex Oilfield Services to identify and respond to potential actions reflective of forced and child labour, and to establish worksite-specific preventative safety procedures. Where components reflective of forced and child labour are identified, action will be implemented to eliminate the threat, control its effects on the recipients, and provide workers within Apex Oilfield Services and its supply chain with the knowledge, skills, and abilities to use this SWP for their protection.

Scope

Communication and enforcement of expectations regarding forced and child labour will apply to all of Apex Oilfield Services workers, and where specified, Apex Oilfield Services supply chain stakeholders.

Definitions

Apex Oilfield Services has adopted the following definitions that are frequently used throughout the safe work practice, from the Fighting Against Forced Labour and Child Labour in Supply Chains Act:

Child Labour: Labour or services provided or offered to be provided by persons under the age of 18 years and that:

- Are provided or offered to be provided in Canada under circumstances that are contrary to the laws applicable in Canada;
- Are provided or offered to be provided under circumstances that are mentally, physically, socially, or morally dangerous to them;
- Interfere with their schooling by depriving them of the opportunity to attend school, obliging them to leave school prematurely, or requiring them to attempt to combine school attendance with excessively long and heavy work; or

- Constitute the worst forms of child labour as defined in Article 3 of the Worst Forms of Child Labour Convention, 1999, adopted at Geneva on June 17, 1999.

Forced Labour: Labour or service provided or offered to be provided by a person under circumstances that:

- Could reasonably be expected to cause the person to believe their safety or the safety of a person known to them would be threatened if they failed to provide or offer to provide the labour or service; or
- Constitute forced or compulsory labour as defined in Article 2 of the Forced Labour Convention, 1930, adopted in Geneva on June 28, 1930.

Procedure

1.0 Indicators of Forced and Child Labour Present Within the Workplace and Supply Chains

1.1 Indicators of Forced Labour Present Within the Workplace and Supply Chains

Apex Oilfield Services recognizes the indicators of forced labour established by the International Labour Organisation (ILO). Apex Oilfield Services does not participate in, support, comply or tolerate any indicators or forms of modern slavery reflected by forced labour.

It will use the indicators, as outlined below, to facilitate the identification of forced labour when performing a risk analysis within both internal operations, and supply chain operations, including, but not limited to:

- Abuse and Vulnerability-Individuals who have characteristics that set them apart from most of the population (e.g. race, disability, sexuality) have a higher incidence of experiencing forced labour;
- Deception-Situations where there has been a failure to provide stipulations of employment to a worker, often present in recruitment practices such as false promises of certain working conditions, wages, type of work, etc.;
- Restriction of Movement-Situations where an employer prevents a worker from entering or exiting a workplace at their discretion, and highly scrutinizes workers within the workplace (e.g. with cameras or guards);

- Isolation-Situations where workers' contact with others outside the workplace is restricted, and/or the business location may be secluded from other enterprises;
- Physical and Sexual harassment- Situations where workers experience pressure from employers to perform sexual acts or are physically abused;
- Intimidation and Threats- Situations often present when workers raise concerns about their working environment, and as a result, they are met with actions of intimidation by employers, resulting in an increased sense of vulnerability experienced by the worker (e.g. worsening of working conditions);
- Retention of Identity Documents- Situations where the employer retains personal identity documents or possessions, and often withholds them from the worker. As a result, the worker may be prevented from being able to access essential services, seek help from authorities, or apply for other jobs;
- Withholding of Wages- When wages are withheld from the worker, it may act as a mechanism to discourage the worker from applying to other positions;
- Debt Bondage- Situations where the employer leverages payment of debt for labour. It can create a power imbalance between the organization and the worker, causing the worker to feel bonded to the employer;
- Abusive working and Living Conditions- These consist of working conditions below that of the expected standard by society or those that the worker would never freely choose. Examples include:
 - Unsanitary and unhealthy working or living conditions; and,
 - Conditions or conditions where there is minimal privacy involved.

These conditions, in isolation, do not prove the existence of forced labour, as the conditions are often voluntarily accepted. They do however represent an often-seen associated factor of forced labor that should be a cause for further investigation into the potential presence of forced labour; and

- Excessive Working Hours- Situations where workers have to undertake higher working hours than allowed by national law, under threats of negative repercussions if there is non-compliance.

2. Indicators of Child Labour Present Within the Workplace and Supply Chains

Apex Oilfield Services recognizes the indicators of forced child labour established by the International Responsible Business Conduct Agreement (IRBC). Apex Oilfield Services does not participate in, support, comply with, or tolerate any indicators or forms of forced child labour. It will use the indicators, as outlined

below, to facilitate the identification of forced child labour, when performing a risk analysis within both internal operations, and within the supply chain, including, but not limited to:

- Unfree recruitment of children-Situations including recruitment of the child as any sort of agreement between the employer and the child's parents, with threat to the parents of penalty if the child was not to engage in work
- Work and life under duress-Duress may include but is not limited to
 - Forced overtime;
 - Work at an employer's home;
 - Working whilst under duress;
 - Restriction of freedom of movement;
 - necessities provided to the employee instead of wage;
 - Poor living conditions; and,
 - Threats of negative repercussions if the child was not to engage in the work
- Indicators of impossibility of leaving the employer-This can be indicated by;
 - Excessive video surveillance; and,
 - Threats of negative repercussions such as loss of benefits or employment for others within the family, threats of violence, withholding of wages, or further worsening conditions by the employer.

2.0 Performing an Investigation into Forced and Child labour Within Internal Workplace Operations and the Supply Chain

To ensure Apex Oilfield Services is not complicit in human rights abuses, forced and child labour, a Apex Oilfield Services designated employee or third-party organization, will investigate whether any of the indicators of human rights concerns, forced and child labour are present within operational undertakings. Investigative processes may include, but are not limited to:

- Audits;

- Consulting management and workers if they are aware of the presence of any indicators of forced and child labour being present within the workplace;
- Analyzing if the organizational practices adhere to best practices and industry standards concerning the reduction of forced and child labour;
- Identifying operational areas at increased risk of partaking in practices that may involve forced and child labour, such as policy and procedures, supply chains, employment of migrant workers, hiring processes, and overtime;
- Checking available external databases that publish information regarding suppliers' approach to forced and child labour; and,
- Utilizing supply chain management services or technology that have assessment tools regarding analyzing the ethical approach of supply chain companies.

3.0 Performing a Risk Assessment of Forced and Child labour Within the Workplace

Apex Oilfield Services will undertake a systematic approach to risk assessment and classification of forced and child labour within its operations. The use of the guidelines outlined in the Apex Oilfield Services's Hazard Identification and Assessment policy to identify related hazards, undertake a risk analysis of organizational tasks including the categorization and grading of risk, creation of risk management reports, and determination of the approach to controlling the hazard will be utilized when addressing forced and child labour. The Risk Analysis by Job Task form may be utilized throughout this process where applicable.

4.0 Control and Monitoring Measures Used to Address Forced and Child labour Within the Workplace

Apex Oilfield Services will implement control measures to eliminate forced and child labour within organizational operations, amongst subcontractor undertakings, and within its supply chain.

Where elimination is not possible, Apex Oilfield Services will implement control measures to mitigate the risk associated with forced and child labour. Where applicable, Apex Oilfield Services will implement control and monitoring measures related to mitigating the occurrence of forced and child labour as per ILO and IRBC stipulations, and other actions considered best practice, within internal operations and throughout the supply

chain. Monitoring mechanisms may be used to provide reporting data for any government-required reporting processes. These actions may include, but are not limited to:

ABUSE AND VULNERABILITY	
Control Measures	Monitoring Mechanism
Analyze recruitment processes and identify any potential abuses of vulnerability, then implement effective solutions to prevent abuses of vulnerability.	Implement approaches to monitor and record the presence of abuse or vulnerability. Eg. Recording the number of workers that are working with absent or expired documentation.
Ensure workers are aware of their rights during recruitment and employment. Ensure that discrimination throughout all operational processes is completely absent and prohibited, with workers trained in non-discriminatory practices. Ensure workers know where to seek help if they feel their rights have been violated during both the recruitment process and their employment tenure.	With consideration to confidentiality, record the amount of known number of incidents of reports of abuse, and/or legal assistance provided to workers within the organization related to abuse and vulnerability associated with work tasks.
Establish and make available grievance mechanisms to employees during both recruitment and employment. Encourage dialogue between employees about potential grievances they may have with managerial undertakings.	Conduct interviews with organizational workers and establish a process where workers feel comfortable discussing grievances within the workplace or reporting them to the applicable authority.
Provide life skill training to workers to ensure they understand situations where they, or others, may be experiencing forced labour.	Record the participation in the courses provided to employees regarding life skills.
DECEPTION AND DEBT BONDAGE	
Control Measures	Monitoring Mechanism
Adopt an ethical recruitment policy that adheres to the applicable national law.	Record the incidence of any reported breaches of human rights or employment law that are made by workers or employment candidates, and the incidence of use of recruitment companies who have known unethical practices. To further track and monitor the impact of human rights impact and performance of all workers including subcontractors,

DECEPTION AND DEBT BONDAGE	
Ensure all parties involved in the recruitment process can be known upon request. E.g. Recruitment agencies, company adverts, etc. Furthermore, investigate recruitment partners, considering those who undertake forced labour practices such as document retention, worker deception, etc.	the company can evoke a process as outlined by section 2.0 of this SWP.
Increase managerial involvement, or recruitment partner involvement, from ethically known companies, within the recruitment process, who are trained in, and enact non-deceptive practices.	
Support companies who may use deceptive practices, or where other gaps in human rights practices have been identified, to assist in achieving practices that are less likely to evoke forced and child labour. For any concerns related to human rights breaches or concerns, either internally or within the supply chain, the company will ensure that a process is established as outlined by the regional laws or best practices, to address the concerns effectively	
Restriction of Movement	
Control Measures	Monitoring Mechanism
Review organizational practices that may inhibit workers' freedom of movement, or excessive recording of workplace undertakings, and take action to remove these restrictions and actions. If restriction or recording of movement has been established as a safety mechanism, analyze its necessity and if there are more suitable alternatives available.	Record the incidence of actions or dialogue between workers and supervisors relating to removing restrictions to freedom of movement.
ISOLATION	
Control Measures	Monitoring Mechanism
Establish grievance mechanisms for individuals who may experience isolation.	Record the use of known grievance mechanisms regarding isolation and instances, where means of communication are provided, where they were otherwise absent.
Engage with stakeholders to facilitate enhanced communication with individuals isolated including undertakings such as the provision of cell phones or other means of communication	

PHYSICAL AND SEXUAL VIOLENCE	
PHYSICAL AND SEXUAL VIOLENCE	
Control Measures	Monitoring Mechanism
Establish policies and procedures for managing violence and harassment.	Record data concerning the incidence of reported harassment, gender-risk assessments completed, or committees present that directly address physical and sexual violence.
Identify gender risk through specific assessment.	
Where feasible, establish committees that investigate complaints of harassment, receive complaints, and enforce appropriate remedies aimed at reducing harassment, in accordance with law and company policy.	
Provide awareness training regarding harassment to all workers within the organization.	
INTIMIDATION AND THREATS	
Control Measures	Monitoring Mechanism
Educate workers on how to recognize intimidation and establish an environment where they feel comfortable reporting occurrences.	Record the occurrence of training concerning intimidation and threatening actions.
Interview workers in confidence to help manage potential situations where they may feel intimidated or threatened.	
RETENTION OF IDENTITY DOCUMENTS	
Control Measures	Monitoring Mechanism
Require companies to ensure that workers retain their identity documents	

RETENTION OF IDENTITY DOCUMENTS	
and provide individuals with safe storage they can access at any time.	Record statistics concerning any incidence of companies retaining documents from individuals.
WITHHOLDING OF WAGES	
Control Measures	Monitoring Mechanism
Ensure all workers are fairly compensated according to national employment law.	Record the known incidence of companies that do not fairly compensate their employees, incorporate the use of digital wage payment systems, utilize alternate digital payment methods, and incidence of companies withholding wages.
Incorporate the use of digital payment wage systems that register working records and payments.	
When individuals may not have access to digital payment systems, incorporate the use of other digital alternatives that provide tracking of payment. E.g. An E-wallet.	
Provide copies of payslips to workers with information concerning the number of hours worked, pay deductions and pay rates.	
Investigate suppliers directly, or through legal authority who are, or are suspected, of withholding wages, as to if this is appropriate.	
ABUSIVE WORKING AND LIVING CONDITIONS	
Control Measures	Monitoring Mechanism

ABUSIVE WORKING AND LIVING CONDITIONS	
Ensure any worker housing adheres to local legislation, and all workers are provided adequate working conditions.	Record reports or directly observed incidents of abusive working and living conditions.
Conduct training regarding effective communication between workers and supervisors around working conditions and safety risks.	
EXCESSIVE WORKING HOURS	
Control Measures	Monitoring Mechanism
Analyze working hours systems that may concern the undertaking of overtime and ensure the way it is undertaken is absent of threats or coercion and adheres to industry standards.	Record any incidence of coercion or threats associated with overtime occurrence.

As a further risk assessment and control measure Apex Oilfield Services may request evidence of what policies, procedures, and remediation undertakings suppliers have enacted to address forced and child labour indicators from their suppliers.

Apex Oilfield Services will communicate and highlight to workers, the relationship with related policies within the workplace concerning forced and child labour. Apex Oilfield Services will ensure there is no retribution for workers making concerns of forced and child labor known to management, and create an environment where there is no fear of retribution or negative consequences, as a result of reporting concerns related to forced and child labour within operational undertakings.

For any suppliers or organizational practices where it may be suspected that forced and child labour may be taking place, Apex Oilfield Services will increase scrutinization with an increased frequency in the monitoring of related practices.

Apex Oilfield Services will abide by all applicable laws concerning age of employment and child labor outlined by the Canada Labour Standards Regulations. Furthermore, Apex Oilfield Services will ensure operations are conducted in assurance with regional human rights laws

5.0 Review and Training

Apex Oilfield Services will provide employees with education regarding the indicators of forced and child labour. Apex Oilfield Services management will be trained in the definition of forced labour outlined in this policy. In addition, Apex Oilfield Services may provide those involved with supply chain management, further training to facilitate their ability to effectively recognize the indicators of forced and child labour, and how to manage the risk effectively.

The risk management process outlined within this SWP concerning forced and child labour will be regularly reviewed internally by management in consultation with workers, with areas of improvement actioned as needed. The results of the review will be compared to industry standards and what is considered best practice, with any more effective practices identified, and established within the workplace as applicable.

6.0 Remediation to Individuals Affected as a Result of Forced and Child Labour Within the Workplace and Supply Chain

Apex Oilfield Services may provide access to remediation services including, but not limited to, financial assistance, counseling, and/or legal aid to workers who may have experienced forced and child labour. In situations where Apex Oilfield Services knows forced or child labour has occurred within suppliers' organizations, Apex Oilfield Services may contact authorities, provide financial remuneration or direct the organization to relevant educational resources that educate supervisors and management about more ethical practices that address forced and child labour.

Any individuals who violate the stipulation of this SWP, or undertake indications of forced and child labour either by staff internally or in the supply chain, may be subject to a company disciplinary review and resulting actions.

7.0 Reporting Performance and Engagement of Reduction in Forced and child labour Within the Supply Chain

Apex Oilfield Services will communicate with staff any updates or significant positive or negative performance related to operations concerning the forced and child labour policy via internal communication methods with all Apex Oilfield Services workers.

References

- Government of Canada- Fighting Against Forced Labour and Child Labour in Supply Chains Act. <https://laws.justice.gc.ca/eng/acts/F-10.6/>
- Government of Canada-Human trafficking. <https://www.canada.ca/en/public-safety-canada/campaigns/human-trafficking.html>
- Worst Forms of Child Labour Convention -Article 3, 1999. https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182
- Forced Labour Convention -Article 2, 1930 (No. 29). <https://www.ohchr.org/en/instruments-mechanisms/instruments/forced-labour-convention-1930-no-29#:~:text=of%20the%20Conference-,Article%202,has%20not%20offered%20himself%20voluntarily.>
- Government of Canada- Canada Labour Standards Regulations. https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._986/page-1.html
- International Labour Organisation- Indicators of Forced Labour. https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_203832.pdf
- International Responsible Business Conduct Agreement- International Responsible Business Conduct Agreement. <https://www.imvoconvenanten.nl/-/media/imvo/files/kleding/child-labour/8-framework-indicators-child-labour.pdf>
- International Labour Organisation- Combatting forced Labour: A Handbook for Employers and Business https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_101171.pdf
- International Labour Organisation- Eradicating forced labour. https://flbusiness.network/wp-content/uploads/2022/09/ilo_gbnfl-what_works_report_final_sep22.pdf