

GLOBALG.A.P. Risk-Assessment on Social Practice (GRASP)

GRASP Module – Interpretation for Republic of ALBANIA

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English Version

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No.	Control Point	Compliance Criteria	Interpretation for Republic of Albania
1	EMPLOYEES' REPRESENTATIVE(S)		
	<p>Is there at least one employee or an employees' council to represent the interests of the staff to the management through regular meetings where labor issues are addressed?</p>	<p>Documentation is available that demonstrates that a clearly identified, named employees' representative(s) or an employees' council representing the interests of the employees to the management is elected or in exceptional cases nominated by all employees and recognized by the management. The election or nomination takes place in the ongoing year or production period and is communicated to all employees. The employees' representative(s) shall be aware of his/her/their role and rights and be able to discuss complaints and suggestions with the management. Meetings between employees' representative(s) and the management occur at accurate frequency. The dialogue taking place in such meetings is duly documented.</p>	<p>For GRASP compliance, in addition to the local law, the farm and/or PHU shall have a representative or a form of representation when the farm has more than 1 employee (employee concept is defined in section 9.2 of the GRASP General Rules).</p> <p>Any producer with minimum of one (1) employee shall have a form of employees' representation that can be applied to meet the GRASP requirements as indicated in the different control points with respect to the employees' representative (ER).</p> <p>The ER or in alternative scenarios, the person(people) responsible for the system of representation shall be present during the assessment.</p> <p>ER or Employees Council has the obligation to defend the rights of employees by ensuring the proper application of labor standards and to inform them about issues that may have impact on labor relations.</p> <p>This form or representation could take any form (could be a person, group of people, several temporally appointed people, etc.) as long as:</p> <ul style="list-style-type: none"> • It is independent from management • It is decided by the employees • It is communicated to the employees by fair voting or nomination. In case of nomination the document justifying why elections could not take place should be available. Also voting should be available to be shown in documentary evidence. • It is recognized by the employees <p>This person/ these persons must be acknowledged by the management of the firm. The selection of employees' representative must be clearly documented and available. The representative is obliged to inform the employees about his activities, the activities of the employer, the contents and conclusions of the meetings with the employer, and to adequately address the complaints and suggestions to the employer by the employees. The trail of these activities must be present. There should be a system that replaces the worker representative roles in all other CPs in which there is a specific</p>

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			<p>activity for the Employee Representative. The representative is obliged to inform the employees about his activities and the activities of the employer regarding the review and resolution of the complaints and suggestions addressed by the employees. The evidence of these activities should be available. The role of Employees' representative can be filled out by any other form of representation already acknowledged in the local law such as Trade union representative, employee's council or general employees' representative.</p> <p>According to Law Nr. 7961, date 12.07.1995 Labor Code. Articles 176-181, employees have the right to register a Union or otherwise an organization to represent the employees and protect their rights.</p> <ol style="list-style-type: none"> 1. Employers' and Employees' Organization; 2. Employees Union; <p>1. Employers' and Employees' Organization In accordance with Article 177 and of the Labor Law, Employers may establish an organization with a minimum of 5 members, and Employees may form an organization with a minimum of 20 members. The main purpose of these organizations is to protect the rights of its members. The employee's Organization must have its statute which must contain:</p> <ol style="list-style-type: none"> a. the name of the organization; b. the place where its headquarters are located; c. its goals; d. conditions for admission, resignation and expulsion of members; e. rights and duties of members; f. the composition and functioning of the governing bodies, as well as the duration of the mandates; g. as the case may be, affiliation to a federation or confederation; h. measures taken in case of distribution. <p>The organization is organized based on some principals:</p> <ol style="list-style-type: none"> 1. It freely organizes its activity; and designs its own program. 2. It must conduct its activity in accordance with the legislation in force.

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			<p>3. Discrimination against members is prohibited.</p> <p>4. Termination of the employment contract, by the employer, without the consent of this organization, shall be invalid.</p> <p>5. Changing the terms of the employment contract can be done only with the consent of the employee and the organization.</p> <p>6. The employer must create the necessary conditions and facilities for the elected representatives of the employees' organizations for the normal exercise of their functions, which are defined in the collective labor contract. For this purpose, the employer must:</p> <ul style="list-style-type: none"> a) to allow their entry into the working premises; b) allow the distribution of notices, brochures, publications and other documents of the employees' organization; c) to give them the necessary time to participate in the activities of these organizations inside and outside the country; ç) to allow and create facilities in the work environment for the collection of membership fees of the organization, as well as for the organization of meetings and meetings. <p>7. Employee's rights, acquired in more than two consecutive collective agreements, cannot be challenged by the employer.</p> <p>8. Representatives of trade unions enjoy the protection provided in this article even after the end of the mandate, for a period of not less than 1 year.</p> <p>2. Employees' Union According to Article 4 of Law 7516 "For the Employees' Unions" employees have the right to organize an Employee Union with a minimum membership of 200 employees.</p> <p>The unions may organize itself based on economy sectors/industries, profession, region, etc. Employees' Union must have its statute, and be registered in the Court of Tirana District.</p> <p>When more than one member, the ER should be called Workers</p>

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			<p>Council. In Workers Council foreign employees should have their representative, in spite of the fact if there is not any Employees' Union registered.</p> <p>ER or Employees Council has the obligation to defend the rights of employees by ensuring the proper application of labor standards and to inform them about issues that may have impact on labor relations.</p> <p>Ref.:</p> <p>Labor Code Law Nr.7961 date 12.7.1995: https://qbz.gov.al/preview/c1c18a6c-5f3e-457d-b931-de505b3c7ed0</p> <p>Law for the Employee's Union: Nr. 7516 date 07.10.1991 https://qbz.gov.al/eli/ligj/1991/10/07/7516/0c9ba630-97a1-4307-a0f6-3ee2dc91b9a8;q=N%C3%8B%20LIGJIN%20NR.7516.%20DAT%C3%8B%207.10.1991%20%E2%80%9CP%C3%8BR%20SINDIKATAT%20N%C3%8B%20REPUBLIK%C3%8BN%20E%20SHQIP%C3%8BRIS%C3%8B%E2%80%9D</p>
2	COMPLAINT PROCEDURE		
	<p>Is there a complaint and suggestion procedure available and implemented in the company through which employees can make a complaint or suggestion?</p>	<p>A complaint and suggestion procedure appropriate to the size of the company exists. The employees are regularly informed about its existence, complaints and suggestions can be made without being penalized and are discussed in meetings between the employees' representative(s) and the management. The procedure specifies a timeframe to answer complaints and suggestions and take corrective actions. Complaints, suggestions and their follow-up from the last 24 months are documented.</p>	<p>Farm management shall indicate clearly the system for complaints according to their needs and the local law.</p> <p>Employee representative shall inform the auditor about the efficiency of the system and how this is evaluated considered in the meeting with management.</p> <p>There shall be a system that replaces the employees' representative roles, e.g. complaint box, workers' meeting with management where complaints are discussed.</p> <p>The system shall be accessible in all workers' languages and/or consider lack of ability to read or write (oral instructions).</p> <p>The articles 8-10 in the Labor Code guarantees the fundamental rights of the employees such as: Prevention of exploitation of employees, Prevention of Discrimination, Freedom to form organization and unions, and to blow the whistle when the employee detect or have doubts for any corruptive action (Law 60/2016).</p> <p>Regardless the size, any company must set up a complaint</p>

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			<p>procedure according to their needs that allows employees to submit complaints and proposals (also anonymously). There must be a deadline for answering proposals (e.g. one month). The employee representative named in control point 1 has to be involved in the procedure.</p> <p>The complaints procedure must be accessible to the employees and has to be explained to them in a language they understand. Complaints together with their replies and the measures taken have to be archived for two years.</p> <p>The employees' representative shall inform the auditor about the efficiency of the system and how this is evaluated considered in the meeting with management</p> <p>And for larger entities, according to Whistle blower Law each public entity having more than 80 employees and each private entity having more than 100 employees, must have a separate unit to facilitate the complaints and allegations made by the employees for the existence of any corruptive action, according to this Law.</p> <p>"Whistle blower" is an individual who applies for a job, or is employed, or has previously worked for a public authority or private entity, regardless of the nature of the employment relationship or its duration, and whether or not he is paid, which signals a suspected corruption act or practice.</p> <p>"Whistle Blow" is the reporting of information by the whistleblower to the responsible unit or Institution for suspected acts or practices of corruption, committed at his place of work in the public authority or private entity.</p> <p>"Internal signaling" is the reporting performed by the Whistleblower within the responsible unit of the organization, according to article 10 of this law.</p> <p>"External signaling" is the reporting performed by the Whistleblower to the Higher Institution, according to article 11 of this law.</p> <p>The whistleblower is offered protection for whistleblowing carried out in conditions of trust, of an act or practice suspected of corruption, according to the criteria provided in this law.</p> <p>Signaling is done by any means of communication, in written form or orally at the relevant Institution or responsible unit and contains at least:</p> <p>a) the identity data of the whistle blower;</p>

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			<p>b) contact details of the whistleblower; c) a description of the facts and circumstances known by the whistleblower to the suspected act or practice of corruption, accompanied by relevant evidence, as far as possible; d) in the case of external signaling, the legal reasons and the circumstances of the fact, as far as possible, by the whistleblower, for the use of the external signaling mechanism.</p> <p>The whistleblower may choose to remain anonymous and the reporting is accepted if the reasons for the anonymity are clearly stated and justified and the reporting data provide a sufficient basis for administrative investigation of the alleged act of corruption.</p> <p>Ref.: Labor Code Law Nr.7961 date 12.7.1995: https://qbz.gov.al/preview/c1c18a6c-5f3e-457d-b931-de505b3c7ed0</p> <p>Law Nr.60/2016 date 20.06.2016 “For whistle blower” https://qbz.gov.al/eli/ligj/2016/06/02/60-2016</p>
3	SELF-DECLARATION ON GOOD SOCIAL PRACTICES		
	<p>Has a self-declaration on good social practice regarding human rights been signed by the management and the employees’ representative(s) and has this been communicated to the employees?</p>	<p>The management and the employees’ representative(s) have signed, displayed and put in practice a self-declaration assuring good social practice and human rights of all employees. This declaration contains at least commitment to the ILO core labor conventions (ILO Conventions 111 on discrimination, 138 and 182 on minimum age and child labor, 29 and 105 on forced labor, 87 on freedom of association, 98 on the right to organize a collective bargaining, 100 on equal remuneration and 99 on minimum wage) and transparent and non-discriminative</p>	<p>The self-declaration shall indicate firm consideration even for those ILO conventions that were not ratified by the respective country. The self-declaration shall include the willingness to comply and actively have processes to protect those rights.</p> <p>It shall explain how the employee representative shall be able to present complaints on the rights included in the declaration. Wording shall be implemented with the alternative method to file complaints and how the declaration will be communicated to the workers.</p> <p>Subcontracted labor shall be included in the scope of GRASP and its obligations.</p> <p>Albania has ratified the ILO with two specific Laws: Law Nr. 9991 and 9992 date 18.09.2008. https://qbz.gov.al/eli/fz/2008/150/eacc8d62-ef0e-4fc9-8fa9-fcde0c844dc6;q=ligji%209991</p> <p>Relevant to ILO conventions ratified by Albania, the following laws</p>

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			<p>and regulations are enacted so far:</p> <p>C-29 In relation to physical abuse. Law no.7961 date 12.7.1995</p> <p>C-52 On paid annual leave. Law no.7961 date 12.7.1995</p> <p>C098 - Right to Organize and Collective Bargaining Convention, 1949 Ratified in 1957</p> <p>C-100 Regarding equal pay for men and women for equal work. Law no. 9991 date 18.9.2008</p> <p>C-102 On social security (minimum standards) - Law no. 9442 date 16.11.2005</p> <p>C-105 For the abolition of forced labor. Law no. 8086 date 13.3.1996</p> <p>C-111 On discrimination in the field of employment and profession. Law no. 8086 date 13.3.1996</p> <p>C-131 On setting the minimum wage. Law No. 8775 date 23.4.2001</p> <p>C-138 Regarding the minimum age for employment. Law no. 8086 date 13.3.1996</p> <p>C-156 For workers with family responsibilities. Law no. 9773 date 12.7.2007</p> <p>C-168 For the promotion of employment and protection against unemployment. Law No. 9547 date 1.6.2006</p> <p>C-171 For night work. Law Nr.7961 date 12.7.1995</p> <p>C-175 Part-time work, Law Nr.7961 date 12.7.1995</p> <p>C-177 Home work, Law Nr.7961 date 12.7.1995 and Law no. 8909 date 6.6.2002</p> <p>C-182 For the most severe forms of child labor-. Law No.8774 date 23.4.2001</p> <p>C-183 Protection of motherhood, Law no. 8829 date 5.11.2001</p> <p>Other Relevant Laws:</p> <p>Law Nr. 10221 date 04.02.2010 “For the prevention of discrimination”.</p> <p>https://qbz.gov.al/eli/fz/2010/15/e954b332-0d78-48cf-936d-bcac381b7d55:g=diskriminim</p>
4	ACCESS TO NATIONAL LABOR REGULATIONS		

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	<p>Does the person responsible for the implementation of GRASP (RGSP) and the employees' representative(s) have knowledge of or access to recent national labor regulations?</p>	<p>The person responsible for the implementation of GRASP (RGSP) and the employees' representative(s) have knowledge of or access to national regulations such as gross and minimum wages, working hours, trade union membership, anti-discrimination, child labor, labor contracts, holiday and maternity leave. Both the RGSP and the employees' representative(s) know the essential points of working conditions in agriculture as formulated in the applicable GRASP National Interpretation Guidelines.</p>	<p>It shall be guaranteed, that access to the labor regulations is always available when the employees' representative and RGSP are present on the farm. If the access is electronically provided, the auditor shall check what resources are provided to guarantee access to the information every time that workers are present. The person responsible for GRASP implementation shall have close cooperation with ER to facilitate his/her role for access to national regulations.</p> <p>Evidence of access to national legislation (what is the access and how) shall be provided to auditor during assessment and shall be cross- checked with the Employees' Representative.</p> <p>Most of employment related issues (such as working hours, union rights, minimum age, maternity leave, annual leave, overtime, health insurance, pension contribution etc.) are an integral part of the Labor Law, however other Laws play important role in the employment regulations and these laws are:</p> <p>Labor Law Tax on Income Law Social Insurance Law Discrimination Prevention Law Health and safety at the work place Law</p> <p>Links:</p> <p>Labor Law Nr.7961 date 12.7.1995: https://qbz.gov.al/preview/c1c18a6c-5f3e-457d-b931-de505b3c7ed0</p> <p>Law Nr. 10221 date 04.02.2010 "For the prevention of discrimination". https://qbz.gov.al/eli/fz/2010/15/e954b332-0d78-48cf-936d-bcac381b7d55;q=diskriminim</p> <p>Law no. 8438 date 28.12.1998 "Tax on income" https://www.tatime.gov.al/c/6/70/tatimi-mbi-te-ardhurat Law no. 9136 date 11.09.2003 "Law for social insurance" https://www.tatime.gov.al/c/6/73/kontributet-e-sigurimeve-shoqerore-dhe-shendetesore</p>

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			<p>Law no. 10237 date 18.02.2010 "Safety at workplace". https://inspektoriatipunes.gov.al/wp-content/uploads/2021/05/4-Liqji-10237-date-18.02.2010-PER-SIGURINE-DHE-SHENDETIN-NE-PUNE-.pdf</p>
5	WORKING CONTRACTS		
	<p>Can valid copies of working contracts be shown for the employees? Are the working contracts compliant with applicable legislation and/ or collective bargaining agreements and do they indicate at least full names, nationality, a job description, date of birth, date of entry, wage and the period of employment? Have they been signed by both the employee and the employer?</p>	<p>For every employee, a contract can be shown to the assessor on request on a sample basis. The contracts correspond with the applicable legislation and/or collective bargaining agreements. Both the employees as well as the employer have signed them. Records contain at least full names, nationality, job description, date of birth, the regular working time, wage and the period of employment (e.g. permanent, period or day laborer etc.) and for non-national employees their legal status and working permit. The contract does not show any contradiction to the self-declaration on good social practices. Records of the employees must be accessible for at least 24 months.</p>	<p>All employees shall be informed in writing and with comprehensible data about their employment conditions and its compliance with national legal requirements.</p> <p>In Republic of Albania, it is mandatory that each employee has an Employment Contract, as stipulated in articles 12-25 of the Labor Law.</p> <p>In more details article 21 of Labor Law says that the Employment contract form must include the following:</p> <ol style="list-style-type: none"> 1. The employment contract is concluded in writing. It may be amended in writing if the parties agree to do so. 2. An employment contract is considered concluded when the employee accepts the performance of a job or service, for a certain or indefinite period of time, within the framework of the organization and according to the orders of the employer and that, based on these circumstances, is performed only against payment. 3. The employment contract must contain in particular: <ol style="list-style-type: none"> a) the identity of the parties; b) place of work; c) general job description; ç) date of commencement of work; d) duration, when the parties enter into a fixed-term contract; dh) duration of paid leave; e) the notice period for the termination of the contract; ë) the constituent elements of the salary and the date of its payment; f) normal weekly working time; g) reference to the collective agreement in force; gj) probationary period; h) types and procedures of disciplinary measures, if there is

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			<p>no collective contract;</p> <p>4. For special and justifiable cases, if the contract is not concluded according to points 1 and 3 of this article, the employer is obliged to conclude it within 7 days from the day of employment.</p> <p>5. When the employee is required to work outside the Republic of Albania, for a period of more than one month, the employer, after obtaining the consent of the employee, must provide him with a written document, which must contain at least the information of required in point 3 of this article, as well as additional information, as follows:</p> <ul style="list-style-type: none"> a) duration of employment abroad; b) the type of currency in which it will be paid; c) if necessary, cash or in-kind benefits for employment abroad; ç) if necessary, the conditions governing the return of the employee. <p>For foreign employees, there must be a valid work permit and residency permit available.</p> <p>All records pertaining the work relationship must be verifiable for at least 24 months.</p> <p>Links: Labor Law Nr.7961 date 12.7.1995: https://qbz.gov.al/preview/c1c18a6c-5f3e-457d-b931-de505b3c7ed0</p>
6	PAY SLIPS		
	Is there documented evidence indicating regular payment of salaries corresponding to the contract clause?	The employer shows adequate documentation of the salary transfer (e.g. employee's signature on pay slip, bank transfer). Employees sign or receive copies of pay slips / pay register that make the payment transparent and comprehensible for them. Regular payment of all employees during the last 24 months is documented.	<p>Pay slips shall consider language or education barrier to potential understanding of evidence of payment.</p> <p>Ensure that all the information requested by the local laws is transparent and comprehensible for workers on the pay slips.</p> <p>According to Albanian Labor Law, Article 21, paragraph (ë), the employment contract must contain details of the salary.</p> <p>According to Albanian Labor Law Section XI (article 109-134) talks about Employee's Salary and in particular it entails details such as:</p>

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			<p>Definition of salary, amount of salary, Minimum salary Bonuses and remunerations, deductions, payment methods, dates of payment etc.</p> <p>In particular, Article 118 and 119 of the Labor Law requires the employer to disclose to the employee the details of the calculation for each pay period if it is necessary.</p> <p>Article 118 of Labor Law for “Method of payment” say: 1. The salary is paid only through the banking system. It must be paid in Albanian currency, except in cases provided otherwise by agreement between the parties. ... 1/1. The employer makes available to the employee, periodically, in verifiable ways and means, before or immediately after the execution of the salary, evidence of all elements of the salary, the benefits received and the withholdings withheld, according to the legislation in force.</p> <p>Article 119 of Labor Law for “Details of salary calculation” say: 1. The employer gives the employee for each salary the calculation which includes the amount of salary, the basis of calculation, if this is variable, as well as all deductions from it. 2. When the salary is not calculated on time, the employer is obliged to provide the necessary information to the employee.</p> <p>The information must be verifiable for at least 24 months.</p> <p>Links: Labor Law Nr.7961 date 12.7.1995: https://qbz.gov.al/preview/c1c18a6c-5f3e-457d-b931-de505b3c7ed0</p>
7	WAGES		
	Do pay slips / pay registers indicate the conformity of payment with at least legal regulations and/or collective bargaining agreements?	Wages and overtime payment documented on the pay slips / pay registers indicate compliance with legal regulations (minimum wages) and/or collective bargaining agreements - as specified in the GRASP National Interpretation Guideline. If payment is calculated per	<p>The objective of the control point is to verify the level of wage with any reference that indicates the compliance with the national law. Evidence of this shall be presented by the producer.</p> <p>There is a legal minimum wage in Albania. Most wages are negotiated between the employer and the employee but they cannot be lower than that legal minimum. Legal minimum is defined by the Government of Albania periodically (mostly each</p>

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		<p>unit, employees shall be able to gain at least the legal minimum wage (on average) within regular working hours.</p>	<p>year).</p> <p>The current minimum wage for Albania is shown on this website: https://wageindicator.org/salary/minimum-wage/albania</p> <p>Article 78 of the Labor Law for “Duration of work and daily rest” say: The normal daily working time is not more than 8 hours. It is determined either by a decision of the Council of Ministers, by the collective contract or by the individual employment contract, and must be within the limits of the maximum weekly working time. 2. For employees under 18 years of age, the daily duration of work is not more than 6 hours per day. 3. The daily rest is at least 11 hours without interruption during the day or in case of need for two consecutive days.</p> <p>Article 90 of the Labor Law for “Maximum overtime allowed” say: 1. The maximum number of overtime hours is determined in the collective contract or individual employment contract. The employer may require additional working hours, but not more than 200 hours per year. 2. The performance of additional weekly hours may not be required when the employee has performed 48 working hours per week. In special cases, for a period of up to 4 months, you can work more than 48 hours per week, but the average weekly working time, for this period, should not be more than 48 hours. 3. The Council of Ministers establishes special rules for performing overtime hours for jobs that are particularly difficult or harmful to health. It is forbidden to perform additional working hours by pregnant women and after the birth of a child, until the child reaches the age of 1 year. It is prohibited to perform additional hours for persons with disabilities. 4. With the authorization of the Labor Inspectorate, the maximum number of overtime hours may be exceeded in cases of force majeure or urgent work for the benefit of the population.</p> <p>Article 91 of Labor Law “Consideration for the overtime” 1. The employer for the additional working hours that are not</p>

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			<p>compensated with leave must pay the employee the normal salary and an additional not less than 25 percent of it, unless otherwise provided in the collective contract.</p> <p>2. The employer, in agreement with the employee, may compensate the additional working hours with a break of at least 25 percent longer, which corresponds to the duration of the additional hours and which is given within 2 months from the day of performing the overtime work, with the exception of cases where otherwise provided in the collective agreement.</p> <p>3. Additional working hours performed during the weekly rest or on public holidays are compensated with leave or salary at least 50 percent higher than the additional hours worked or normal salary, unless otherwise provided in the collective contract. This compensation also includes the compensation included in the preceding paragraphs.</p> <p>Article 95 of the Labor Law “Employee register” Employers are required to keep up-to-date payroll and contribution payroll records for all employees who work for them and submit this register whenever required by labor inspectors and authorized tax administration inspectors. Employers must keep a register, according to the provisions in this law, where to record for each employee the date of commencement of work, the duration of leave due, the dates on which the leave was taken and the salary paid for paid annual leave.</p> <p>Article 111 of Labor Law “Minimum salary” 1. The salary cannot be lower than the minimum wage determined by a decision of the Council of Ministers. 2. The minimum wage is determined on the basis of: a. of economic factors, requirements of economic development and reduction of unemployment, increase of production; b. the needs of employees and their families, considering the overall standard of living of employees in the country, income received from social security and living standards of different social groups.</p> <p>Article 123 of the Labor Law “Inviolable salary” gives some indication regarding the minimum amount of salary over which no deductions can be withheld for whatever purpose. This minimum</p>

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			<p>nondeductible salary mostly is defined by the court.</p> <p>Article 126 of Labor Law “Work related Reimbursable expenses”</p> <ol style="list-style-type: none"> 1. The employer reimburses the employee for all expenses arising from the performance of work. When the employee is sent to work outside his place of work, the employer pays him the necessary expenses for this case. 2. The collective labor contract or the written contract may provide that the expenses incurred by the employee himself, will be paid in the form of a certain amount as an advance calculated on the basis of one working day, one week or one month. The adjustment of the calculation is valid only in cases when it covers all necessary expenses. 3. Contracts that provide for the inclusion of part or all of the reimbursement in the employee's salary are invalid. 4. Contracts under which the employee must bear all or part of the costs themselves are invalid. <p>Links:</p> <p>Labor Law Nr.7961 date 12.7.1995: https://qbz.gov.al/preview/c1c18a6c-5f3e-457d-b931-de505b3c7ed0</p>
8	NON-EMPLOYMENT OF MINORS		
	Do records indicate that no minors are employed at the company?	Records indicate compliance with national legislation regarding minimum age of employment. If not covered by national legislation, children below the age of 15 are not employed. If children - as core family members- are working at the company, they are not engaged in work that is dangerous to their health and safety that jeopardizes their development or prevents them from finishing their compulsory school education.	<p>Children or young workers of company management shall be included in the GRASP assessment.</p> <p>For GRASP compliance, no young worker (between 15 and 18 years) shall work in any activity that is dangerous to their health and safety, jeopardizes their development or prevents them from finishing their compulsory school education.</p> <p>In accordance with Article 98 of Labor Law, children younger than 16 years old, usually are not allowed to work, except for children from the age of 15 to 16 who may be employed only during school holidays and only in “Easy works” as provided in Article 99 of this Law.</p> <p>And in accordance with Article 99 of labor Law, children between 16 and 18 years may be allowed to carry some so called “easy work” as defined by the Law.</p> <p>“Easy work”, in the sense of the Law, is any work that does not affect:</p>

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			<p>i) the safety, health or development of children; ii) the participation of children in school, in vocational guidance or training programs approved by the responsible institutions, or the ability of children to benefit from this education.</p> <p>According to Article 78 of the Labor Law, the daily working hours for employees under 18 years old cannot exceed 6 hours.</p>
9	ACCESS TO COMPULSORY SCHOOL EDUCATION		
	<p>Do the children of employees living on the company's production/handling sites have access to compulsory school education?</p>	<p>There is documented evidence that children of employees at compulsory schooling age (according to national legislation) living on the company's production/handling sites have access to compulsory school education, either through provided transport to a public school or through on-site schooling.</p>	<p>It is a GRASP requirement, that when there are minors living in the farm premises, the administration shall:</p> <ol style="list-style-type: none"> 1) Keep a list with the location, name, age, parents' information of the minors 2) Provide evidence that the families have been notified of the necessity that their children go to school. <p>This control point only can be marked as non-applicable when there are no minors living on the premises. However, according to the Framework Law on Pre-school Education in Albania, pre- school education is an integral part of the educational system and in the year before going to primary school it is mandatory for all children of pre-school age. According to Article 22 of Law Nr. 69/2012 for Primary and Secondary Education in Albania, Primary or Basic Education is compulsory, free and it is provided to all children between 6-16 years old.</p> <p>Links: Labor Law Nr.7961 date 12.7.1995: https://qbz.gov.al/preview/c1c18a6c-5f3e-457d-b931-de505b3c7ed0 Law Nr. 69/2012 For Primary and Secondary Education https://arsimi.gov.al/wp-content/uploads/2017/10/Liqji_Parauniversitar.pdf</p> <p>Another useful Link. https://eacea.ec.europa.eu/national-policies/eurydice/content/albania_en</p>

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10	TIME RECORDING SYSTEM		
	Is there a time recording system that shows working time and overtime on a daily basis for the employees?	There is a time recording system implemented appropriate to the size of the company that makes working hours and overtime transparent for both employees and employer on a daily basis. Working times of the employees during the last 24 months are documented. Records are regularly approved by the employees and accessible for the employees' representative(s).	<p>For GRASP compliance, a time recording system shall be included even when is not mandatory by the local law.</p> <p>If a list is used as recording system, it shall be available to be checked by the employees at any time. The document used shall be transparent (to the employee and the employer) and record working time and overtime. The time recording system shall consider language or education barriers.</p> <p>The records must include the working hours, breaks, overtime, holidays and leave days. These records must be verifiable for at least 24 months and the representative of the employees must have access to it anytime.</p> <p>When the entity organizes work in shifts, at night, the employer may organize the working week and working schedule in a different way and it is obliged to keep daily records on overtime work conducted by employees.</p> <p>The employer may ask the employees to work overtime. Overtime hours are not allowed for people with disabilities.</p>
11	WORKING HOURS AND BREAKS		
	Do working hours and breaks documented in the time records comply with applicant legislation and/or collective bargaining agreements?	Documented working hours, breaks and rest days are in line with applicant legislation and/or collective bargaining agreements. If not regulated more strictly by legislation, records indicate that regular weekly working hours do not exceed a maximum of 48 hours, during peak season (harvest), weekly working time does not exceed a maximum of 60 hours. Rest breaks/days are also guaranteed during peak season.	<p>For GRASP compliance, the total number of hours, including overtime and ordinary, SHALL NOT exceed 60 hours per week, in any week of the year, this shall be checked by auditor, in reference to the Local Laws:</p> <p>According to Albanian Law, normal working hours are 40 hrs per week as stipulated in Article 83 of Labor Law.</p> <p>Art. 90 of the labor law states: (2) No weekly additional hours may be required when the employee has completed 48 working hours per week. In special cases, for up to 4 months, work may be carried out for more than 48 hours per week, but the average weekly working time for this period should not exceed 48 hours.</p> <p>One workday lasts for eight hours not including the breaks. The employer may ask the employees to work overtime.</p> <p>According to article 90 the maximum overtime hours is 8 hours per</p>

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			<p>week not exceeding 200 hours per year. This number can be exceeded only with permission of Labor Inspectorate. Overtime hours are not allowed for people with disabilities.</p> <p>Overtime hours, late shifts hours and working hours on the weekend and official holidays are paid at least with 25% higher rate.</p> <p>According to article 92 of Labor Law, the employees are entitled of 4 calendar weeks as paid annual vacation.</p> <p>Breaks are defined by Labor Law in article 54, where every employee who is working at least 6 hours has a right to a 20-minute break without pay. If the working time is 9 hours long, the employee is entitled for another break of min. 20 minutes. For pregnant women this break is no less than 30 minutes.</p> <p>Links: Labor Law Nr.7961 date 12.7.1995: https://qbz.gov.al/preview/c1c18a6c-5f3e-457d-b931-de505b3c7ed0</p>
ONLY APPLICABLE FOR PRODUCER GROUPS INTEGRATION INTO QMS			
QMS	Does the assessment of the Quality Management System (QMS) of the producer group show evidence of the correct implementation of GRASP for all participating producer group members?	The assessment of the Quality Management System of the producer group demonstrates that GRASP is correctly implemented and internally assessed. Non-compliances are identified and corrective actions are taken to enable compliance of all participating producer group members	

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ADDITIONAL SOCIAL BENEFITS			
R 1	What other forms of social benefit does the company offer to employees, their families and/or the community?	Please specify (incentives for good and safe working performance, bonus payment, support of professional development, social benefits, child care, improvement of social surroundings etc.).	