

ASI Workers' Rights and Health & Safety Working Group – Call 4 – Meeting Notes

28 July 2025

Agenda points:

1. Welcome and introductions (5 min)
2. Summary of feedback, update since last call (10 min)
3. OHS – prioritisation (15 min)
4. Non-discrimination and equal opportunities – plenary discussion & prioritisation (25 min)
5. Wages and Working Hours – plenary discussion (30 min)
6. Next steps (5 min)

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Discussion Notes:

1. Welcome and summary of input

- ASI shared an update on the project progress so far and since the last call in late June:
 - The draft now included comments from the last call and the Standards Committee, which had discussed the draft on 18 July. ASI had engaged technical experts on labour rights and OHS to carry out additional reviews of the draft. There had also been a public interactive webinar to update on the Standards on 24 July.

2. Occupational Health and Safety (OHS) Prioritisation of Requirements

- ASI introduced some background around the OHS-related changes proposed in V4 of the Performance Standard. The aim is to maintain alignment with ISO 45001 and still have a H&S management system at the foundation

- However, this draft aims to also 1) call out specific critical elements of the H&S management system, to give this further emphasis, and 2) introduce more aluminium-specific OH&S risks, given ASI's focus specifically on the aluminium sector
- As the number of requirements compared to V3 has increased across most content areas, the next phase of work will also need to look at filtering down, so that less critical requirements might move to guidance
- The Working Group engaged in an interactive exercise on the Canva board to review the draft H&S management system-related requirements and identify those which are considered most essential vs those which could be removed or moved to guidance. Input from this exercise will be shared with the full Working Group via the Sharepoint site and will be incorporated into the next iteration of the draft
- The WG also discussed the following points related to the OHS section:
 - Linking senior management compensation to H&S outcomes can be problematic, as this is typically based on self-reporting of H&S data, and can lead to mis-reporting or manipulation of data
 - On the other hand, other WG members suggested this should be a minimum requirement (not leading practice) at least for H&S. Other ESG areas such as diversity and inclusion would be more difficult
 - More leading indicators would be good – could ASI explore this together with IAI? ICMM used to have some leading indicators in this area but were not widely used or maintained

3. Non-discrimination and Equal opportunities

- The Working Group undertook the same prioritisation exercise on requirements under the *Non-discrimination and Equal Opportunities* section of the draft. This will be shared with the Working Group and be reflected into the draft.
- There was also discussion around the following points:
 - Recent Executive orders in the US have led to caution around publicising targets on diversity/non-discrimination/equal opportunities – even having internal targets that are publicly available in this area may be seen as risky. It is difficult to predict future policies in this area. ASI responded that since V4 of the PS will only roll out in 2027 (earliest) and will be active at least until 2032 or so, we need to think about future-proofing to the best degree possible. We do expect to have an derogation process which would allow for exceptions in cases like this (e.g. regional exemption due to changes in laws or regulation). This issue can also be flagged for the legal review to be carried out ahead of public consultation
- On requirement 12.2 (outcome-based requirement – requiring entities to demonstrate improvement on diverse representation in the workforce).
 - ASI introduced some background – the proposed leading practice requirement had been proposed after suggestions that we shouldn't focus just on gender, given differing profiles of different companies. The suggestion was to go beyond just equal-opportunities and try to adapt to the context of each company.

- The Working Group discussed the challenges on setting and achieving the proposed targets – improvements year on year was not a realistic expectation given the demography of where many companies were based. Also this approach gives flexibility, there are also challenges in identifying underrepresented groups in a consistent and meaningful way.
- On representation of interview panels – requiring 100% of panels to be diverse would be too challenging. It could be better to reference non-bias training or to ensure panels are diverse as far as possible. One Working Group member thought turnover rates were a good measure – but it is important to understand underlying reasons, and that disparities were well understood.
- The Working Group discussed the option of not setting a specific metric, but requiring improvements against any targets relating to equal opportunities/diversity and inclusion. One Working Group member asked whether the number was important if the quality of work was not being taken into account (e.g. a % increase of women in the workforce had been achieved, but those women were not satisfied/happy in their positions). Were there options to measure change/progress/incremental shifts in organisation rather than setting specific targets?
- Next steps: ASI will work on a re-draft and take one more round of sounding-board input from the Working Group ahead of the first public consultation

4. Working hours and wages

- Living wage – ASI provided some background – driver in this section was to move from v3 which required entities to respect the entitlement to a living wage and to pay at least the minimum wage. With version 4, the intention was to move towards living/decent wage concepts.
 - The criteria as drafted currently would cover (all) workers, not limited to direct employees.
 - Labour rights experts had suggested ‘softer’ alternative language – to move away from targets/numbers /benchmarks towards ensuring workers are able to have a decent level.
 - The recent Standards Committee discussion also suggested ASI should be more prescriptive in terms of methodologies to use for calculating living/decent wage.
- The Working Group discussed the proposal and raised the following points:
 - Definitions and concepts of living/decent/minimum wage vary widely from country to country
 - There was some support for the ‘alternative formulation’ proposed in the draft. Aim should be not just to support working poor, but to improve. Under decent wage proposal, things like level of education are not clearly defined, would be hard to audit
 - Anker methodology can be complicated to implement fully and can be difficult to audit. Other measures could be used – average level of income of a nation set as

minimum or measures that were easier to check. It was discussed if existing Living Wage benchmarks could be used as starting point? ASI to review what exists and how it might match up against countries where ASI certified Entities operate).

- Consensus that we should move to concepts of living/decent wages – “we should not shy away from this push”. Similar to the diversity section, the Working Group agreed it was important to try to future-proof the standard, thinking about roll-out in 2027 and then the active lifetime of V4 for another 5+ years. The Working Group agreed that living wage concepts are the right direction to move towards.
- It was noted that it will be more challenging to apply to all contractors than for own employees, but not including contractors could lead to more outsourcing of human resources. Where unions/CBAs in place contractors are reasonably well protected/well placed in wage negotiations, but this won’t apply in all contexts.
- There was a suggestion to consider a 2-part approach as per UN Global compact – living wage for direct employees in the shorter term, vs longer term commitment for suppliers/ contractors
- ASI will redraft with a view of providing a couple of options for consultation; noting that the premise to beyond minimum wages is well-supported by the Working Group.
- Working Hours – ASI introduced the background – 21.4 and 21.5 – new requirements brought in on maximum working hours and overtime. On overtime the focus had been on considering exemptions on voluntary overtime for exceptional circumstances including shutdowns.
- Discussion points raised:
 - Some general support for the proposed approach in V4 versus current PS
 - Working hours and overtime (O/T) is a sensitive issue especially in the US and with labour unions, where CBAs may allow more than 60 hours and unions don’t want to renegotiate overtime.
 - Agreed that monitoring of H&S impacts is most critical with overtime – can expand this beyond fatigue to include other things e.g. stress, chemical exposure limits, other impacts that can accumulate over time.
 - Suggest to reframe 21.5, to emphasise H&S monitoring and consider replacing ‘reduce O/T’ with ‘manage O/T’ and include more consultation with workers/ worker representative structures
 - Consider including having a system to flag excessive overtime to senior managers and require sign-off (many companies have this in place)
- On one hand unions may consider limits to overtime as punitive, on the other hand, this issue ties in with the debate on living wages – workers should be able to make a living/ decent wage with core hours, not be reliant on structural overtime.

- As a voluntary standard, ASI will need to consider whether there should be a 'good practice' limit to the maximum hours workers are permitted to work (even if they are willing to work more, for overtime payments).

5. Next steps

- Feedback will be incorporated into the working draft and shared out with the Working group ahead of the next meeting
- Next call – September to be confirmed based on scheduling.