

MINIMUM REQUIREMENTS

The BHP Foundation has Minimum Requirements for recipients of Foundation funds. The Grantee must ensure that the Project is undertaken in compliance with the Minimum Requirements.

The Grantee must:

- ensure that Workers are adequately informed, skilled and resourced to understand and comply with the Minimum Requirements;
- provide a grievance mechanism that is trusted and accessible to allow Workers, Participants and others to raise complaints about issues related to these Minimum Requirements. The mechanism must include a clear commitment to non-retaliation against complainants;
- make Grantee Personnel reasonably informed of the Foundation’s email account safeguarding@bhp-foundation.org as an alternative mechanism for reporting any concerns in regard to the Minimum Requirements that the complainant may not wish to raise with the Grantee; and
- have processes that allow for the investigation, remediation and prevention of violations relating to Minimum Requirements.

In this schedule:

A **Worker** is a person Engaged (by the Grantee, a contractor or a Sub-Grantee) to provide their labor for or in support of a Project, including volunteers.

Engaged includes via employment or contract (written or verbal).

Facilitation Payment is a payment or thing of value (typically of low value) given to a Government Official to expedite or secure the performance of a routine government action.

MINIMUM REQUIREMENTS	
Category	Requirement
Compliance with Laws	When using Foundation funds or working on a Foundation-funded Project, the Grantee must ensure compliance with all Laws as may apply to the Grantee and/or the Project. If local Law allows an activity, practice or standard that is not consistent with these Minimum Requirements, the Grantee must exceed legal requirements. If the local Law is in conflict with a requirement under these Minimum Requirements, the Grantee must comply with the Law while seeking to honor the Minimum Requirements including international human rights standards to the extent possible.
Corruption, Bribery, Fraud and Sanctions	<p>Bribery, corruption, fraud and breaches of Sanctions Laws are prohibited.</p> <p>No payment, gift or anything else of value may be offered, promised, given or authorized to be given, directly or through an intermediary, to:</p> <ol style="list-style-type: none"> 1. a Government Official to influence official action; or 2. anyone else to influence them in their role or to encourage them to perform their work disloyally or otherwise improperly. <p>Facilitation Payments using Foundation funds are prohibited. Expenses such as hospitality and travel must be reasonable, for a proper purpose and adequately recorded.</p>

Category	Requirement
Terrorism financing	Foundation funds must not be used to support terrorism, fund terrorist organizations or finance acts of terrorism.
Modern Slavery and Child Labor	<p>No forced, bonded, involuntary labor or any other form of Modern Slavery may be used in relation to the Project.</p> <p>Children must not be hired to work before completing their compulsory education (as determined by applicable local Laws) and in any case not before the age of 15 years. No one under the age of eighteen may undertake work that is mentally, physically, socially, or morally dangerous or harmful.</p>
Freedom of Association	Workers' rights to Freedom of Association and collective bargaining must be respected.
Wages, Penalties and Working Hours	<p>Workers must be paid, at a minimum, wages and benefits (including overtime where relevant) at national legal standards or local industry benchmarks, whichever is higher. In nation states where no minimum wage laws or regulations exists, workers must be paid a living wage that provides an adequate standard of living for its workers and their dependents.</p> <p>Allowances and wages must not be deducted or withheld as a disciplinary measure or for any other reason that is not permitted by Law.</p> <p>Full payment of wages and other entitlements must be made in a timely manner.</p> <p>Working hours shall not exceed the national legal standards or local industry benchmarks, whichever provides greater protection for the worker.</p>
Non-Discrimination and Diversity	Workers and Participants must be treated fairly and without discrimination (including based on race, color, gender, religion, national origin, age, disability, political beliefs, marital status, sexual orientation or family responsibilities).
Health, Safety and Security	<p>The health, safety and security of Workers and Participants must always be safeguarded.</p> <p>This must include taking adequate steps to prevent accidents or injury and minimize exposure to hazards which may have negative impacts on physical and mental health.</p>
Preventing Exploitation, Abuse and Harassment	Workers and Participants must be treated with dignity. Threatening behavior, violence, coercion, sexual exploitation or abuse, or verbal or psychological harassment or abuse must not be accepted.

Category	Requirement
Safeguarding Children and Vulnerable Adults	<p>The Project must not create or facilitate situations of harm, abuse, exploitation, maltreatment or neglect of children or Vulnerable Adults.</p> <p>Without limiting the foregoing or the requirements of any relevant Laws, all Workers who will have contact with children or Vulnerable Adults as a result of their Engagement must be subject to appropriate due diligence (including criminal background checks where permitted in the relevant jurisdiction), provided with training on child and/or Vulnerable Adult (as relevant) protection and safeguarding, and be required to report any concerns regarding the impact of the Project on the wellbeing of any child or Vulnerable Adult.</p>
Participants and Community Interaction	<p>The human rights of Workers and Participants must be respected, including cultural, Indigenous and environmental rights. The human rights of women, Indigenous people, Vulnerable Adults, and marginalized or at-risk people must be given particular attention, including in consultation and consent processes.</p>
Environmental Protection	<p>In conducting the Project the Grantee must use reasonable efforts to safeguard the natural environment from activities that may contribute to harm including from pollutants, waste, unsustainable resource extraction and use and ecosystem degradation.</p>
Lobbying and Politicking	<p>Foundation funds must not be used to:</p> <ul style="list-style-type: none"> • carry on or fund propaganda or attempt to influence legislation (including referendums) in any jurisdiction (Lobbying activities); or • influence or attempt to influence the outcome of any public election or to carry on, directly or indirectly, or fund, any voter registration drive (Politicking activities).
Data privacy and cybersecurity	<p>Cybersecurity, data protection, and personal data must be managed in accordance with applicable data protection and data privacy laws and in consideration of Workers and Participant rights.</p>
Misstatement or misleading conduct	<p>Recipients of Foundation funds must not materially mischaracterize or overstate environmental, social or other objectives, outcomes or achievements (including by engaging in conduct which is known as <i>greenwashing</i>, or any other types of impact-washing). All reporting of activities, objectives, outcomes or achievements (whether to the Foundation, third parties and/or the public) must be supported by a reasonable basis.</p>