Dataport und Electronics Watch

Dataport Und Electronics Watch – Ein Ansatz zur Umsetzung von Sozialstandards in der nachhaltigen Beschaffung, den auch andere Beschaffungsstellen anwenden können

10. Fachkonferenz für sozial verantwortliche IT-Beschaffung
9. November 2022

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Peter Pawlicki, Electronics Watch

dataport

electronics watch

Verantwortungsvolle öffentliche Beschaffung. Arbeitsrechte in der Elektronikindustrie.

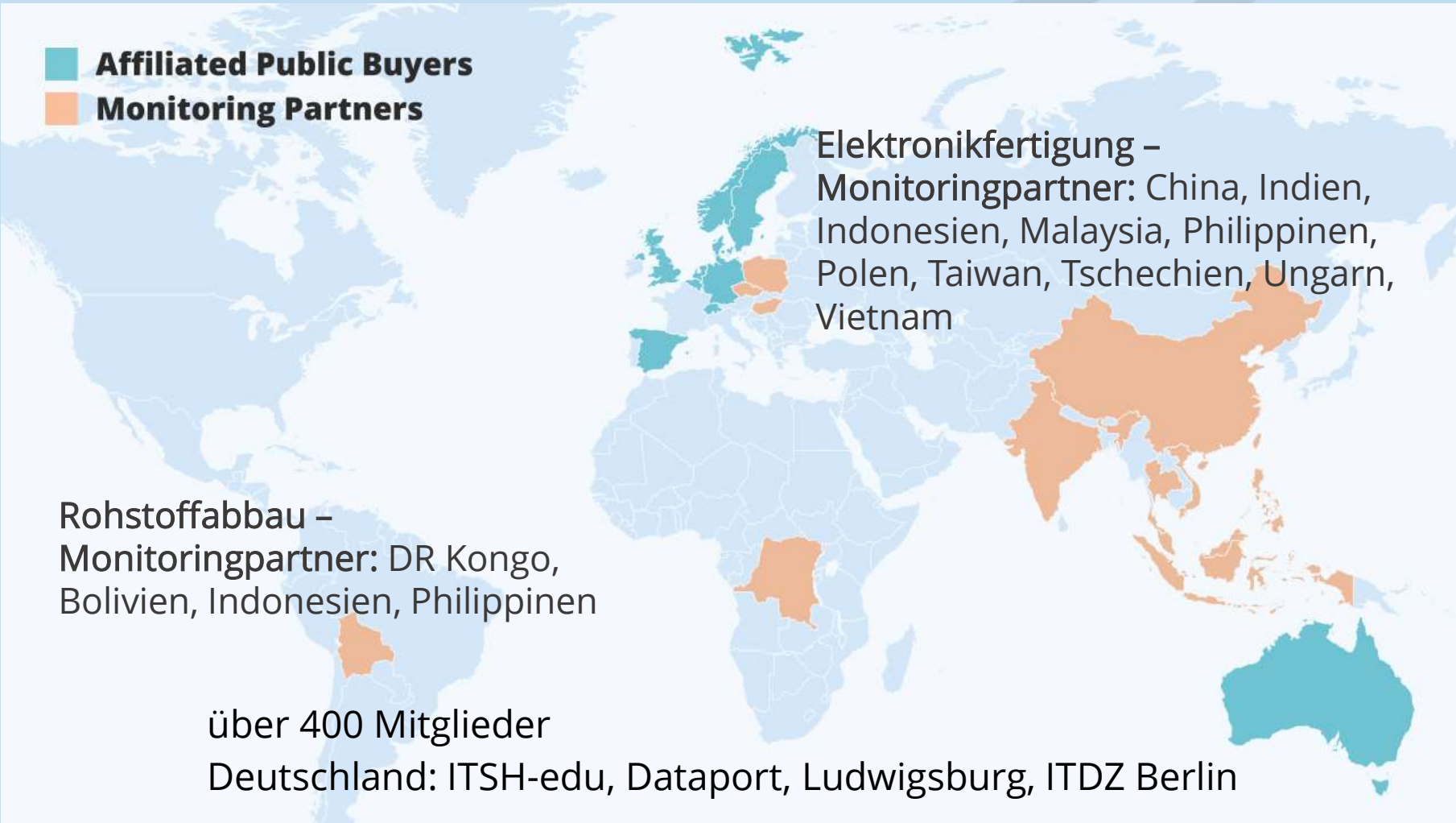
KURZGEFASST
Was Electronics Watch ausmacht

- EW koordiniert unabhängige Überwachungs- und Abhilfemaßnahmen, um öffentlichen Einkäufern zu helfen, die Rechte der Arbeitnehmer in ihren Lieferketten zu schützen

→ Enge Zusammenarbeit zwischen Beschaffungs-abteilungen erhöht ihre Durchsetzungsstärke und vereinfacht die Schnittstelle für die Industrie

ZUSAMMENARBEIT

Die Electronics Watch Netzwerke



Elektronikfertigung – Monitoringpartner: China, Indien, Indonesien, Malaysia, Philippinen, Polen, Taiwan, Tschechien, Ungarn, Vietnam

Rohstoffabbau – Monitoringpartner: DR Kongo, Bolivien, Indonesien, Philippinen

über 400 Mitglieder

Deutschland: ITSH-edu, Dataport, Ludwigsburg, ITDZ Berlin

ZUSAMMENARBEIT MIT DER INDUSTRIE

Responsible Business Alliance – RBA

Phase 1: Resulting in Version 1 Factory Report	Timeline[1]
1. Electronics Watch releases Version 1 of factory report to RBA.	0
2. RBA, in partnership with members, reviews the list of factory buyers. RBA notifies Electronics Watch if any buyers listed in the report are inaccurate and if there are additional factory buyers that are RBA members and not listed in the report.	10
3. RBA consults with member companies and notifies Electronics Watch that it will follow up on the issues listed in the Table of Issues and Recommendations in the Version 1 report that RBA and RBA members agree are in scope. The factory to be investigated shall not have a voice in the decision on which issues to investigate. While the presumption is that RBA will address all In-Scope issues, RBA can exclude issues and explain why they are out of scope. This may include times when the RBA member chooses not to engage. In this case, RBA would still investigate the issue as part of membership compliance but would not have permission to discuss with Electronics Watch. The goal is that the parties will strive to reach consensus on issues to investigate within the timeline allotted for this step.	20
4. Electronics Watch makes any necessary corrections to the buyer list in the report and adjustments to the Table of Issues and Recommendations, reflecting issues that RBA has agreed to address, and sends a revised report to RBA.	5
5. A) RBA shares the report with all RBA affected members, and the factory in the report, then notifies Electronics Watch that it has done so. B) In parallel, Electronics Watch notifies affected affiliates that there is a report on a factory in their supply chain and that the process of engagement with RBA and companies has begun. The notice names the factory, the affected RBA members, and summarizes key issues. It also identifies issues RBA has determined to be outside the scope of investigation if applicable, including the reasons provided by RBA for excluding those issues.	10
Phase 2: Resulting in Version 2 Factory Report	
6. RBA investigates as soon as possible, which may include reviewing a recent existing investigation or audit, or scheduling a new investigation or audit, and notifies Electronics Watch of when it will take place and the type of steps planned (such as VAP/SVAP/CMA/investigation[2]), including methods to be used to gather data. If issues arise that result in a delay in the process the RBA notifies Electronics Watch and explains the issues. In all cases the objective is to move to corrective action as soon as possible.	45
7. When initial investigation is complete RBA notifies Electronics Watch and identifies the audit firm.	30
8. RBA replies to each issue listed in the Version 1 report's Table of Issues and Recommendations. The reply includes RBA's initial findings in detail including the nature and level of the evidence for the findings. Not all investigations will result in an audit; however, with permission of the auditee, RBA will share the actual audit report.[3] Electronics Watch shares RBA's initial findings (not the audit report) with affected affiliates.	45[4]
9. RBA provides the closure findings or its assessment of the status of findings in detail including the nature and level of the evidence.[5] Not all investigations will result in an audit; however, with permission of the auditee, RBA will also share the actual closure audit report.[6]	45[7]
10. Electronics Watch provides a statement of evaluation of the process to RBA. RBA shares this evaluation with affected member companies.	10
11. RBA notifies Electronics Watch and convenes a final alignment meeting to discuss non-confidential issues relating to the process of the case and to identify lessons learned. The factory, affected RBA members, and affected Electronics Watch affiliates will be invited to the meeting.	15
12. Electronics Watch prepares Version 2 of the report and shares with RBA.	15
13. RBA, in partnership with affected members, reviews Version 2 to ensure changes made are accurate and there are no factual mistakes. RBA may also suggest changes to the presentation of the report (not the content) in the interest of promoting constructive engagement between the parties and affected companies.	15
14. Electronics Watch releases Version 2, with corrections if necessary, to affiliates.	10
15. In the spirit of this partnership, the RBA is given the opportunity to have a statement included, in its entirety, in the Version 2 report. A comment by Electronics Watch on the RBA statement is allowed.	5
Phase 3: Resulting in Version 3 Factory Report	
16. In the event that a Version 3 public report is created, it will be shared with the other party.[8]	15
17. The party that did not draft Version 3 reviews the report and notifies the other party of factual errors and desired changes. In the spirit of this partnership, the other party is given the opportunity to have an unedited statement included in the Version 3 report. A comment on the statement is allowed.	20
18. The party that drafted Version 3 corrects factual errors, makes a best faith effort to address additional suggested changes, and sends the final Version 3 report to the other party.	10
19. Either or both parties release Version 3 to the public, with the other party's statement, after two-day wait period.	2

- Industrieverband der weltweit führenden Elektronikunternehmen
- Seit Anfang 2021: RBA-Vereinbarung - Terms of Engagement / Bedingungen für Zusammenarbeit
- März 2022: neue Verhandlungen

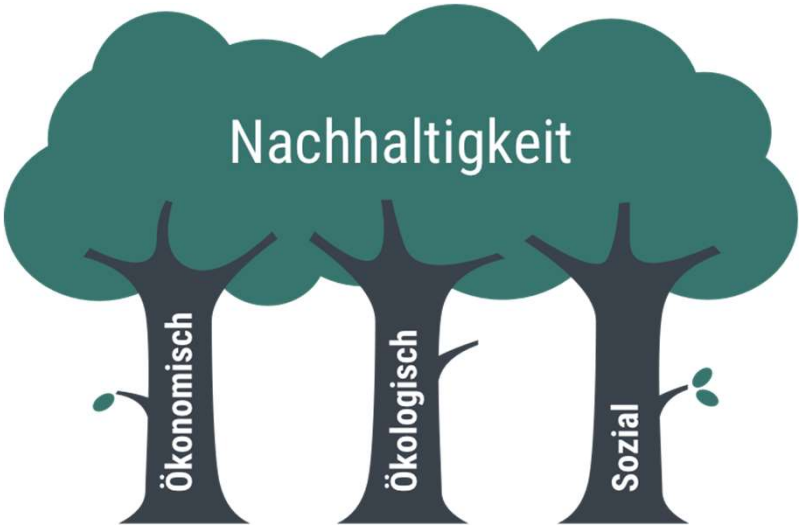
Dataport-Verbund

Dataport ist der IT-Partner für den öffentlichen Sektor:

- Für die Länder Schleswig-Holstein, Hamburg, Bremen, Sachsen-Anhalt
- Für die Kommunen in Schleswig-Holstein
- Für die Steuerverwaltungen in Mecklenburg-Vorpommern und Niedersachsen

Ziele

- Ökonomisch, ökologisch, sozial nachhaltig
- Verbesserung der Arbeitsbedingungen
- Kontrolle/Nachweis „der“ ILO Normen
- Entlang der komplexen Lieferkette und des gesamten Lebenszyklus
- Große Nachfrage nutzen, Verantwortung übernehmen



Was bisher geschah…

- Einkaufskooperationen
- Erfahrungen mit vielseitigen Ansätzen sammeln:
  - Eignungskriterien (UMS)
  - Lebenszyklusanalyse
  - Gütezeichen (etwa TCO certified)
  - Bieterkonzepte
  - Berichtswesen (Auditeinsicht)
  - BeschA Mustervereinbarung
  - Electronics Watch
- Dialoge führen
  - Bieterdialoge, Verhandlungen
  - Werksbegehungen
  - Netzwerke

Erfahrungen mit EW vor Mitgliedschaft

- Bei den Werksbesichtigungen lagen detaillierte EW-Berichte vor: Compliance Report Foxconn in Pardubice, Czech Republic
- Siehe Fachkonferenz Leipzig: NGO- und Firmensicht auf Arbeitsbedingungen mit Marek Čaněk (Monitoring für Electronics Watch), Björn Claeson (Electronics Watch), Siegfried Dewaldt (HP)
- Electronics Watch Releases Compliance Report on Migrant Worker Recruitment Processes and Working Conditions at Cal-Comp Electronics (Thailand)
- Erfahrungsaustausch mit EW und ITSH edu
- Vertragsbedingungen für Lieferverträge von Electronics Watch = deutsch
- Electronics Watch und RBA einigen sich auf Bedingungen für Zusammenarbeit

Erfahrungen mit EW seit Mitgliedschaft ab 2021

- Verhandlungsverfahren mit Teilnahmewettbewerb
- Hardwarevergabe (NB, Desktop, Monitore), Transition 2022, Beginn 2023
- Bieterworkshops gemeinsam mit EW
- Bieterfragen gemeinsam mit EW beantwortet
- Zuschlag inkl. EW-Vertragsbedingungen
- Einführungsworkshop abgeschlossen
- Zeitplan für regelmäßige Workshops steht
- Bisherige Zusammenarbeit mit Bechtle, HP und TPV positiv
- Transparenz der Lieferkette bzgl. für konkrete Produkte zugesagt

BEDEUTUNG FÜR ITK-BESCHAFFUNG IN DEUTSCHLAND

Standardisierung

- Modell Electronics Watch ist wichtiger Marktstandard
  - Dataport, HAW-Hamburg, ITSHedu
  - ITDZ Berlin und Ludwigsburg in absehbarer Zeit
- Expertise für Beschaffungsstellen im Vergabeverfahren und im Vertragsmanagement kommt von Electronics Watch
  - Offenlegung der Lieferkette, Überprüfung, Konstruktive Zusammenarbeit Lieferkette
- Sorgfaltspflichtengesetz / Lieferkettengesetz