

RTDD ROAD TRANSPORT
DUE DILIGENCE

COMPASS.

Road transport human
rights due diligence
framework **the road to
responsible transport**





This guidance document aims to support shipping companies in fulfilling their human rights due diligence obligations in European road transport by guiding their suppliers towards pragmatic and measurable steps to ensure compliance.

RTDD PROCESSES

The RTDD Foundation and its methodology are based on worker-centred field investigation and research.

Building and maintaining trust and relationships with workers is the most crucial element of investigating compliance. The RTDD worker-centred approach reveals the world of the drivers as it really is. It exposes actual and potential risks, their negative impacts on workers, and their root causes.

The RTDD method has three interdependent processes:

1 Minimum standards

working with participating shipping companies to ensure their policies, codes of conduct, and supplier and tender policies meet or exceed compliance with applicable legislation and regulations, and international road transport standards.

2 Monitoring

monitoring the compliance of transport suppliers with the standards, and reporting the findings directly to the respective shipping company.

3 Remediation

where non-compliance is identified, the shipping company engages in a series of agreed escalating remedies with the transport supplier concerned, in consultation with the RTDD Foundation. This process aims to address the root causes of non-compliance, remedy negative impacts, and raise the standards of non-compliant transport suppliers.



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INTRODUCTION

1

European road transport supply chains span across 27 EU Member States and beyond. While these supply chains operate under a common framework of EU regulations and directives, they are also subject to diverse national legal regimes. Truck drivers—of various nationalities—along with their employers and other transport providers, form the backbone of these operations.

Despite the existence of dedicated road transport legislation in Europe, the sector continues to face significant challenges, including non-compliance with legal requirements, human rights violations, weak enforcement, lack of transparency, and driver shortage.

Human rights risks in cross-border road transport are largely invisible, hidden in opaque and often substandard employment practices, as well as complex and non-transparent subcontracting chains. As a result, individual drivers are exposed to human rights violations that contribute to labour shortages.

Meanwhile, compliant transport providers face unfair competition, leading to a loss of market share to non-compliant operators.

Employers are responsible for ensuring that drivers' rights are respected. Member States, in turn, have a duty to monitor and enforce applicable laws. Shipping companies (those that contract transport suppliers to transport their goods) increasingly identify European road transport as a high-risk area within their supply chains. A growing number of these shipping companies are increasingly committed—and in many cases legally required—to conduct human rights due diligence to identify, prevent, and mitigate such risks.

The Road Transport Due Diligence Foundation (RTDD) provides a worker-centred approach to human rights due diligence. It maps the contracting chain from the shipping company to the ultimate transport company and individual truck driver and intends to provide a clear picture of compliance and non-compliance through on-the-ground engagement with workers and desk research.

For shipping companies, RTDD delivers insight into road transport supply chains. It provides a safe and constructive environment to discuss concerns about supply risks and potential violations. It further identifies where and how steps towards remedy can be taken.

With the **RTDD Model**, shippers are assisted with:

- ▶ Developing **Minimum Standards** as outlined in this document.
- ▶ **Monitoring and Reporting** of findings.
- ▶ **Remediation strategies** as outlined in this document.

Most shippers and transport suppliers have Codes of Conduct and requirements in place that prohibit labour and human rights abuses. However, while these codes and requirements typically cover relevant topics at a high level, they often lack the specificity, monitoring and enforceability required to address the unique risks of the European road transport sector.

This guidance document aims to support shipping companies, their contracted transport suppliers and their potential subcontractors with practical and pragmatic guidance in fulfilling their human rights due diligence obligations.



LEGAL SCOPE

WITHIN THE EU

2

The requirements outlined in this document derive from both sector-specific road transport legislation and broader labour law frameworks. From a supply chain perspective, these requirements primarily apply to transport companies and the direct employers of drivers.

Clarification of supply chain actors

Transport supply chains potentially involve multiple layers of contracting. Between the shipping company and the transport company that directly employs the driver, there may be several intermediary actors. These can include freight forwarders, logistics providers, or other transport operators.

Transport companies (carriers)

Entities that physically perform the transport and directly employ drivers. These companies are directly subject to road transport and labour legislation and are required to have a transport community licence provided by the Member State of establishment.

Intermediary suppliers (e.g. freight forwarders, logistics providers)

Entities that organize transport services but typically subcontract the execution to transport companies. While they may not directly employ drivers, they play a critical role in structuring the supply chain and influencing subcontracting practices.

Although intermediary suppliers may not carry out transport operations themselves, they remain relevant from a due diligence perspective. They are typically contractually required to support their customers in identifying and mitigating risks within the supply chain, including risks related to subcontracted transport providers.

Europe's legal framework consists of several layers

- **EU Regulations:** Directly applicable and binding across all Member States without the need for national implementation. Examples include rules on driving and rest times.
- **EU Directives:** Establish binding objectives but require Member States to transpose them into national law. An example is the Posting of Workers Directive, which impacts the applicability of minimum wages and – if applicable – CLAs.
- **National (domestic) law:** Includes all legislation enacted at the national or local level. This covers areas such as employment conditions, immigration rules, and the issuance of work permits or residency rights for third-country drivers.
- **Soft law requirements:** In addition to requirements arising from applicable legislation, companies are expected to respect internationally recognized human rights standards and principles of responsible business conduct such as the UN Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct.

In recent years, the EU has introduced the Mobility Package, a set of legislative measures designed to balance the social protection of drivers with the freedom to provide cross-border transport services. This package builds on and refines existing regulations while introducing new requirements through both Regulations and Directives.

At a broader level, the Charter of Fundamental Rights of the European Union—a primary EU legal instrument with constitutional status—enshrines fundamental rights applicable across the EU. It establishes that every worker has the right to fair and just working conditions, including respect for their health, safety, and dignity, as well as limits on working hours, adequate rest periods, and paid annual leave.



KEY REQUIREMENTS AND MEASURES TO ENSURE COMPLIANCE

3

This RTDD Guidance does not introduce new legal requirements. Rather, it consolidates and structures existing obligations, translating them into practical expectations that shippers may apply to their transport suppliers to ensure and verify compliance.

The following **Key Requirements** are based on existing legislation and obligations and highlight relevant issues and risks identified in the industry.

- ▶ A transport company shall organise the work of its drivers in such a way that they are able to comply with the applicable regulations.
- ▶ To ensure that all drivers activities are properly recorded and paid.
- ▶ To ensure that travel time, to and from the vehicle, where the vehicle is located, neither at the driver's home nor at the operational centre where the driver is normally based, is properly documented and paid.
- ▶ To ensure that all multi-manning activities are properly documented and paid.
- ▶ To ensure that drivers do not work for more than six consecutive 24-hour periods and that travel to or from the vehicle does not take place during weekly rest periods.
- ▶ To ensure that drivers take their regular weekly rest periods, when not at home, away from the vehicle and in suitable accommodation organised and paid for by their employer.
- ▶ To ensure that the driver's regular return is organised, facilitated, and paid for.
- ▶ To ensure that the employers of subcontracted and agency drivers comply with applicable posting requirements.
- ▶ To identify when posting requirements apply to directly employed drivers carrying out international transport operations and to ensure compliance with those requirements.
- ▶ To prevent drivers from paying recruitment fees and to protect them from abusive recruitment practices.
- ▶ To ensure that drivers have access to a transparent company grievance mechanism.

The **Implementation Measures** guide transport suppliers in ensuring and verifying compliance, and allow shippers to check whether suppliers have identified the key requirements and taken appropriate action.

A Management system goal

B Policy

C Procedures

D Monitoring

E Documentation

This is the first version of the RTDD public guidance to support shippers and their contracted transport suppliers.



1.0

A TRANSPORT COMPANY SHALL
**ORGANISE THE WORK OF ITS
DRIVERS IN SUCH A WAY THAT
THEY ARE ABLE TO COMPLY WITH
THE APPLICABLE REGULATIONS.**

DRIVING AND REST TIMES

ORGANISATION OF DRIVERS' WORK

LAWS AND REGULATIONS

Regulation (EC) No 561/2006

Article 10.2

A transport undertaking shall organise the work of drivers referred to in paragraph 1 in such a way that the drivers are able to comply with Regulation (EEC) No 3821/85 and Chapter II of this Regulation. The transport undertaking shall properly instruct the driver and shall make regular checks to ensure that Regulation (EEC) No 3821/85 and Chapter II of this Regulation are complied with.

Article 10.3

A transport undertaking shall be liable for infringements committed by drivers of the undertaking, even if the infringement was committed on the territory of another Member State or a third country.

A Management system goal

To ensure that the human resources (HR) staff and driver dispatchers are instructed to organise drivers' work in such a way that drivers are able to comply with the regulations. Ensure these are implemented across the business down to all subsidiaries. Ensure these are implemented across all subcontractors.

B Policy

A policy shall be in place under which the company commits to ensuring that HR personnel and driver dispatchers are adequately trained to organise drivers' work in such a way that drivers are able to comply with applicable regulations.

C Procedures

- ▶ Provide training materials and written instructions for HR personnel and driver dispatchers on organising drivers' work in a manner that enables compliance with applicable regulations.
- ▶ Ensure that HR personnel and driver dispatchers receive appropriate training.
- ▶ Inform HR personnel and driver dispatchers that organising work in compliance with applicable regulations is not only a legal requirement but also essential for maintaining road safety.
- ▶ Ensure that drivers are never instructed or encouraged to act in breach of applicable regulations.

D Monitoring

On a monthly basis, the company should select a sample of HR personnel and drivers dispatchers to:

- ▶ verify that drivers' work has been organized in compliance with applicable regulations.
- ▶ validate whether HR and dispatchers understand the relevance of the requirement.
- ▶ select a sample of drivers associated with individual dispatchers (see sections below) whose tachograph data and dispatcher instructions will be validated.

E Documentation

- ▶ Training materials and instructions for HR personnel and dispatchers.
- ▶ Tachograph data and dispatcher instructions.



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TO ENSURE THAT **ALL DRIVER ACTIVITIES ARE PROPERLY RECORDED AND PAID.**

DRIVING AND REST TIMES RECORDING OF ACTIVITIES

LAWS AND REGULATIONS Regulation (EU) No 165/2014

Article 34.5

Drivers shall:

- a** ensure that the time recorded on the record sheet corresponds to the official time in the country of registration of the vehicle;
- b** operate the switch mechanisms enabling the following periods of time to be recorded separately and distinctly:
 - I** under the sign:  **driving time**
 - II** under the sign:  **other work** which means any activity other than driving, as defined in point (a) of Article 3 of Directive 2002/15/EC, and also any work for the same or another employer within or outside the transport sector;
 - III** under the sign:  **availability**, as defined in point (b) of Article 3 of Directive 2002/15/EC;
 - IV** under the sign:  **breaks or rest**

A Management system goal

To ensure that drivers are properly trained and instructed to record activities in accordance with legal requirements and that all working hours are remunerated. Ensure these are implemented across the business down to all subsidiaries. Ensure these are implemented across all subcontractors.

B Policy

A policy shall be in place under which the company commits to ensuring that drivers receive appropriate training, that the company bears or reimburses all training costs, and that all working hours are properly recorded and paid.

C Procedures

- ▶ Provide training materials and written instructions to drivers on how to accurately record their activities (driving, other work, availability, breaks, and rest periods).
- ▶ Ensure that time spent on training is treated as paid working time and that drivers are not required to bear any training costs.
- ▶ Inform drivers that accurately recording activities is both a legal requirement under driving and rest time regulations and essential for the correct calculation of remuneration.
- ▶ Ensure that all working hours are accurately reflected in pay slips and time records.

D Monitoring

On a monthly basis, the company should select a sample of drivers to verify that drivers:

- ▶ have received the required training and instructions.
- ▶ understand that recording requirements are linked to salary calculation.
- ▶ record vehicle movements.
- ▶ have all travel hours visible on their pay slips and timesheets.

E Documentation

- ▶ Training materials and instructions for drivers.
- ▶ Tachograph data.
- ▶ Pay slips and timesheets.

1.2

TO ENSURE THAT TRAVEL TIME TO AND FROM THE VEHICLE, WHERE THE VEHICLE IS LOCATED, NEITHER AT THE DRIVER'S HOME NOR AT THE OPERATIONAL CENTRE WHERE THE DRIVER IS NORMALLY BASED, IS PROPERLY DOCUMENTED AND PAID.

DRIVING AND REST TIMES

RECORDING OF ACTIVITIES TRAVEL TIME TO AND FROM THE VEHICLE



LAWS AND REGULATIONS Regulation (EC) No 561/2006

Article 9 (2)

Any time spent travelling to a location to take charge of a vehicle falling within the scope of this Regulation, or to return from that location, when the vehicle is neither at the driver's home nor at the employer's operational centre where the driver is normally based, shall not be counted as rest or a break unless the driver is on a ferry or train and has access to a bunk or couchette.

Article 9 (3)

Any time spent by a driver driving a vehicle that falls outside the scope of this Regulation to or from a vehicle that falls within the scope of this Regulation, when the vehicle is not at the driver's home or at the employer's operational centre where the driver is normally based, shall count as other work.

A Management system goal

To ensure that, where drivers take over or hand over vehicles at locations other than the employer's operational centre in the country of establishment, travel time is recorded and remunerated. Ensure these are implemented across the business down to all subsidiaries. Ensure these are implemented across all subcontractors.

B Policy

A policy shall be in place under which the company commits to ensuring that drivers receive appropriate training, that the company bears or reimburses travel costs, and that all travel hours are properly recorded and paid.

C Procedures

- ▶ Provide training materials and written instructions to drivers on how to record travel time when travelling to or from a vehicle.
- ▶ Inform drivers that such travel time constitutes paid working time and that its accurate recording is both a legal requirement under driving and rest time regulations and essential for the correct calculation of remuneration.
- ▶ Ensure that all travel hours are accurately recorded and reflected in pay slips and time records.

D Monitoring

On a monthly basis, the company should select a sample of drivers to:

- ▶ verify that drivers have received the required training and instructions.
- ▶ validate whether drivers understand that recording requirements are linked to salary calculation.
- ▶ verify whether recording requirements have been respected by analyzing tachograph data or other recording methods.
- ▶ validate whether all travel hours are visible on pay slips and timesheets.

E Documentation

- ▶ Training materials and instructions for drivers.
- ▶ Tachograph data.
- ▶ Pay slips and timesheets.



1.3

TO ENSURE THAT **ALL MULTI-MANNING ACTIVITIES ARE PROPERLY DOCUMENTED AND PAID.**

DRIVING AND REST TIMES

MULTI-MANNING



LAWS AND REGULATIONS Regulation (EC) No 561/2006

Article 4(o)

'Multi-manning' means the situation where, during each period of driving between any two consecutive daily rest periods, or between a daily rest period and a weekly rest period, there are at least two drivers in the vehicle to do the driving. For the first hour of multi-manning, the presence of another driver or drivers is optional, but for the remainder of the period it is compulsory.

Directive No 2002/15/EC

Article 3

(b) 'periods of availability' shall mean: for mobile workers driving in a team, the time spent sitting next to the driver or on the couchette while the vehicle is in motion.

A Management system goal

To ensure that all multi-manning arrangements comply with legal requirements and that each driver's activities are recorded and remunerated. Ensure these are implemented across the business down to all subsidiaries. Ensure these are implemented across all subcontractors.

B Policy

A policy must be in place in which the company commits to ensuring that when using multi-manning, all hours are documented and paid.

C Procedures

- ▶ Provide training materials and written instructions to drivers on how to accurately record their activities (driving, other work, availability, breaks, and rest periods).
- ▶ Inform drivers that accurately recording activities is both a legal requirement under driving and rest time regulations and essential for the correct calculation of remuneration. Emphasize that all working hours, including those performed in multi-manning operations, must be recorded and remunerated accordingly.
- ▶ Ensure that all working hours, including those worked in multi-manning operations, are accurately recorded and reflected in pay slips and time records.

D Monitoring

On a monthly basis, the company should select a sample of multi-manning drivers to verify that:

- ▶ drivers have received the required training and instructions.
- ▶ validate whether drivers understand that recording requirements are linked to salary calculations.
- ▶ based on tachograph data, verify that all working hours are accurately reflected on pay slips and timesheets.

E Documentation

- ▶ Training materials and instructions for drivers.
- ▶ Tachograph data.
- ▶ Pay slips and timesheets.



2.1

TO ENSURE THAT DRIVERS DO NOT WORK FOR MORE THAN SIX CONSECUTIVE 24-HOUR PERIODS AND THAT TRAVEL TO OR FROM THE VEHICLE DOES NOT TAKE PLACE DURING WEEKLY REST PERIODS.

DRIVING AND REST TIMES

THE START OF WEEKLY REST



LAWS AND REGULATIONS

Regulation (EC) No 561/2006

Article 6.1:

A driver shall take daily and weekly rest periods.

Article 6.6

A weekly rest period shall start no later than at the end of six 24-hour periods from the end of the previous weekly rest period.

A Management system goal

To ensure that drivers commence their weekly rest period no later than the end of six consecutive 24-hour periods and that travel to take over or hand over vehicles at locations other than the employer's operational centre does not take place during the weekly rest period. Ensure these are implemented across the business down to all subsidiaries. Ensure these are implemented across all subcontractors.

B Policy

A policy shall be in place to ensure that drivers are provided with their weekly rest periods and that no travel is arranged during such rest periods.

C Procedures

- ▶ Provide training materials and written guidance on the requirements relating to weekly rest periods.
- ▶ Inform the HR department, driver dispatchers, and drivers that weekly rest must commence no later than the end of six consecutive 24-hour periods, and that travel (to take over or hand over a vehicle) or other work must not take place during the weekly rest period.
- ▶ Ensure that the organisation of drivers' routes and activities reflects the requirement.
- ▶ Ensure that drivers take their weekly rest periods in accordance with the requirement.

D Monitoring

On a monthly basis, the company should select a sample of drivers to verify that:

- ▶ drivers have started their weekly rest periods in accordance with applicable requirements and have not travelled during those rest periods.
- ▶ validate whether drivers understand that travel is not permitted during weekly rest periods.

E Documentation

- ▶ Training materials and instructions for drivers.
- ▶ Tachograph data and timesheets.

2.2

TO ENSURE THAT **DRIVERS TAKE THEIR REGULAR WEEKLY REST PERIODS, WHEN NOT AT HOME, AWAY FROM THE VEHICLE AND IN SUITABLE ACCOMMODATION ORGANISED AND PAID FOR BY THEIR EMPLOYER.**

DRIVING AND REST TIMES

REGULAR WEEKLY REST

LAWS AND REGULATIONS Regulation (EC) No 561/2006 Mobility Package update Regulation (EU) No 2020/1054

Article 1(8)(c)

The regular weekly rest periods and any weekly rest period of more than 45 hours taken in compensation for previous reduced weekly rest periods shall not be taken in a vehicle. They shall be taken in suitable gender-appropriate accommodation with adequate sleeping and sanitary facilities.

Any costs for accommodation outside the vehicle shall be covered by the employer.

A Management system goal

To ensure, on a weekly basis, that any regular weekly rest period is planned and taken outside the vehicle in suitable accommodation organised and paid for by the employer. Ensure these are implemented across the business down to all subsidiaries. Ensure these are implemented across all subcontractors.

B Policy

A policy shall be in place under which the company commits to ensuring that regular weekly rest periods are taken outside the vehicle and that suitable accommodation is organised and paid for by the company.

C Procedures

- ▶ Maintain a definition of suitable accommodation based on common sense (privacy, sanitation, and safety), ensuring that it provides conditions more favourable than those in a vehicle.
- ▶ Ensure that a network of suitable accommodation facilities is available where drivers can take their regular weekly rest periods.
- ▶ When planning drivers' work schedules, identify in advance the weekends during which drivers will take their regular weekly rest periods.
- ▶ Where a regular weekly rest period is to be taken away from home, arrange suitable accommodation in accordance with applicable regulations.
- ▶ Communicate the accommodation details to the driver and, where necessary, assist with travel arrangements. Clearly inform drivers that the company will bear the costs of accommodation and travel.

- ▶ Instruct the driver to manually record any travel time to and from the accommodation and the vehicle in the tachograph, where required by applicable regulations.
- ▶ Ensure that end-to-end travel is not undertaken during the minimum required 45-hour regular weekly rest period.
- ▶ Verify that the driver has complied with the instructions provided and that the regular weekly rest period has been taken in accordance with applicable requirements.

D Monitoring

On a monthly basis, the company should select a sample of drivers to verify that:

- ▶ suitable accommodation has been organised and paid for.
- ▶ drivers have been properly instructed and assisted.
- ▶ drivers have spent their rest outside the vehicle.
- ▶ travel time to and from the accommodation has been correctly recorded in the tachograph (see section of recording activities) and has been paid.
- ▶ drivers have complied with the instructions provided.
- ▶ where the requirement has not been respected, identify and document the root cause.

E Documentation

- ▶ Training materials and instructions for drivers.
- ▶ Accommodation invoices.
- ▶ Driver travel expenses to and from the vehicle.
- ▶ Tachograph data.

2.3

TO ENSURE THAT **THE DRIVER'S REGULAR RETURN IS ORGANISED, FACILITATED AND PAID FOR.**

DRIVING AND REST TIMES

RETURN OF THE DRIVER

LAWS AND REGULATIONS

Regulation (EC) No 561/2006 Mobility Package update Regulation (EU) No 2020/1054

Article 8a / Article 1(6)(d)

Transport undertakings shall organise the work of drivers in such a way that the drivers are able to return to the employer's operational centre where the driver is normally based and where the driver's weekly rest period begins, in the Member State of the employer's establishment, or to return to the drivers' place of residence, within each period of four consecutive weeks, in order to spend at least one regular weekly rest period or a weekly rest period of more than 45 hours taken in compensation for a reduced weekly rest period.

Where the driver has taken two consecutive reduced weekly rest periods in accordance with paragraph 6, the transport undertaking shall organise the work of the driver in such a way that the driver is able to return before the start of the regular weekly rest period of more than 45 hours taken in compensation.

The undertaking shall document how it fulfils that obligation and shall keep the documentation at its premises in order to present it at the request of control authorities.

A Management system goal

To ensure, on a weekly basis, that any required return is arranged and that the return journey is properly documented and remunerated. Ensure these are implemented across the business down to all subsidiaries. Ensure these are implemented across all subcontractors.

B Policy

A policy shall be in place under which the company commits to ensuring that the driver's return is arranged and properly documented.

C Procedures

- ▶ Ensure that drivers' return obligations (every three or four weeks, as applicable) are planned, facilitated, documented, and fully funded by the company.
- ▶ When planning drivers' work schedules, identify in advance when drivers are required to return to their home or the company's operational centre.
- ▶ Arrange and facilitate the required return.
- ▶ Clearly communicate that the company will bear the travel costs and that travel time should be recorded and hours of travel (when handing over a vehicle) will be paid.
- ▶ Verify that the driver has complied with the instructions provided and that the return has been properly documented.

D Monitoring

On a monthly basis, the company should select a sample of drivers to:

- ▶ verify drivers' returns have been planned, organised, and facilitated.
- ▶ validate whether drivers have returned as planned.
- ▶ verify when drivers have not returned as planned, identify and document the root cause.

E Documentation

- ▶ Training materials and instructions for drivers.
- ▶ Documentation related to the planning, facilitation, and organisation of drivers' returns.
- ▶ Tachograph data.
- ▶ Documented root cause analyses for cases in which drivers did not return.

3.1

TO ENSURE THAT THE EMPLOYERS OF SUBCONTRACTED AND AGENCY DRIVERS COMPLY WITH APPLICABLE POSTING REQUIREMENTS.

POSTING OF WORKERS

DRIVERS EMPLOYED BY LABOUR AGENCIES OR INTER-COMPANY PARTNERS

LAWS AND REGULATIONS

Directive 96/71/EC

Article 1.3

This Directive applies to companies that:

- a post workers to the territory of a Member State on their own account and under their direction, under a contract concluded between the undertaking making the posting and the party for whom the services are intended, operating in that Member State, provided there is an employment relationship between the undertaking making the posting and the worker during the period of posting; or
- b post workers to an establishment or to an undertaking owned by the group in the territory of a Member State, provided there is an employment relationship between the undertaking making the posting and the worker during the period of posting; or
- c being a temporary employment undertaking or placement agency, hire out a worker to a user undertaking established or operating in the territory of a Member State, provided there is an employment relationship between the temporary employment undertaking or placement agency and the worker during the period of posting.

A Management system goal

To ensure that the applicability and type of posting are correctly determined and that drivers' remuneration complies with applicable legislation and is communicated transparently to drivers. Ensure these are implemented across the business down to all subsidiaries. Ensure these are implemented across all subcontractors.

B Policy

A policy shall be in place under which the company commits to ensuring that drivers employed through temporary work agencies or group companies are remunerated in accordance with all applicable legislation, including EU posting rules, and that clear and detailed remuneration information is provided to drivers on a monthly basis.

C Procedures

- ▶ Ensure that contracts with temporary work agencies and group companies contain specific clauses requiring compliance with all applicable posting requirements and employment legislation.
- ▶ Where more favourable employment conditions apply, ensure that the drivers concerned are informed of their rights, the applicable conditions, and the procedures for reporting any instances of non-compliance.

D Monitoring

On a monthly basis, the company should select a sample of drivers and require the labour agency or intercompany partner to:

- ▶ provide timesheets, daily allowance records, and proof of payment.
- ▶ verify that the information corresponds with the employees' timesheets, applicable minimum wage requirements, and tachograph data, and that all payments have been made.
- ▶ periodically interview a sample of drivers to validate whether the requirements are respected.

E Documentation

- ▶ Contracts with labour agencies and/or inter-company partner companies.
- ▶ Written communications informing drivers of their rights.
- ▶ Documentation provided by the driver's employer, including timesheets, pay slips, daily allowance statements, and proof of payment by bank transfer.



3.2

TO IDENTIFY WHEN POSTING REQUIREMENTS APPLY TO DIRECTLY EMPLOYED DRIVERS CARRYING OUT INTERNATIONAL TRANSPORT OPERATIONS AND TO ENSURE COMPLIANCE WITH THOSE REQUIREMENTS.

POSTING OF WORKERS

DIRECTLY EMPLOYED DRIVERS

LAWS AND REGULATIONS

Directive 96/71/EC Mobility Package update Regulation (EU) No 2020/1057

Article 1

Specific rules on the posting of drivers. This Article establishes specific rules as regards certain aspects of Directive 96/71/EC relating to the posting of drivers in the road transport sector and of Directive 2014/67/EU relating to administrative requirements and control measures for the posting of those drivers.

Article 1(7)

A driver performing cabotage operations as defined in Regulations (EC) No 1072/2009 and (EC) No 1073/2009 shall be considered to be posted under Directive 96/71/EC.

Article 1(8)

A posting shall, for the purpose of Article 3(1a) of Directive 96/71/EC, be considered to be ending when the driver leaves the host Member State in the performance of the international carriage of goods or passengers.

A Management system goal

To ensure, at the level of individual transport operations, that the applicability of posting rules is correctly determined and that drivers' remuneration complies with applicable legislation and is communicated transparently to drivers. Ensure these are implemented across the business down to all subsidiaries. Ensure these are implemented across all subcontractors.

B Policy

A policy shall be in place under which the company commits to ensuring that drivers are remunerated in accordance with all applicable legislation, including EU posting rules, and that clear and detailed remuneration information is provided to drivers on a monthly basis.

C Procedures

- ▶ Ensure that the applicable remuneration elements (including wages, overtime rates, allowances, and other statutory entitlements) for each relevant country are kept up to date.
- ▶ When calculating a driver's monthly remuneration, identify all countries in which the driver was subject to posting rules during the relevant pay period.

- ▶ For each posting period, determine whether the remuneration applicable in the host country is more favourable than the remuneration provided under the driver's employment contract.
- ▶ For periods during which the driver was posted to countries with more favourable remuneration conditions, determine the remuneration applicable under the host country's legislation.
- ▶ Calculate the remuneration due for each posting period based on the applicable working hours and hourly rates, and applicable allowances.
- ▶ Clearly document hourly wages per country, daily allowances (per day per country), and posting-related calculations on the pay slip and in the supporting payroll records, distinguishing remuneration from allowances and expense reimbursements.
- ▶ Pay the driver through a traceable bank transfer, clearly distinguishing between net salary, net daily allowances, and expense reimbursements.
- ▶ Provide the driver with the pay slip, timesheet, and details of hourly wages (per posting) and daily allowances (per day per country) and posting-related remuneration calculations.

D Monitoring

On a monthly basis, the company should select a sample of drivers to validate:

- ▶ that the payable hours recorded in the tachograph data and/or timesheets are also on the pay slip.
- ▶ whether posting has been identified, its duration determined, and any more favourable hourly wage identified and paid.
- ▶ for each date and country, the amount of daily allowance paid and whether any more favourable daily allowance has been identified and paid.
- ▶ whether the correct number of hours, posting indications, and daily allowances are reflected on the pay slips and/or timesheets.
- ▶ whether the payments have been made and whether net salary, net daily allowances, and expense reimbursements are clearly distinguished.

E Documentation

- ▶ Tachograph data and work time records.
- ▶ Cargo documents or other documentation used to verify posting activities.
- ▶ Pay slips and timesheets.
- ▶ Bank transfer statements.



4

TO PREVENT DRIVERS PAYING RECRUITMENT FEES AND TO PROTECT THEM FROM ABUSIVE RECRUITMENT PRACTICES.

PROHIBITION ON THE PAYMENTS OF RECRUITMENT FEES



KEY SOFT LAW STANDARDS

- ILO Fair Recruitment Principles & Guidelines - fair recruitment, prohibition of worker-paid recruitment fees, and protection of migrant workers from abusive recruitment practices.
- UN Guiding Principles on Business and Human Rights (UNGPs) - human rights due diligence, responsible recruitment, supply-chain expectations, and remediation of forced labour risks.
- OECD Guidelines for Multinational Enterprises (OECD Guidelines) - responsible business conduct due diligence across own operations, subsidiaries, suppliers, and business relationships.
- IOM IRIS Ethical Recruitment Standard - ethical recruitment, Employer Pays Principle, transparency, and access to remedy.

A Management system goal

Ensure drivers are recruited responsibly by setting clear recruitment practices aligned with international standards. Ensure these are implemented across the business down to all subsidiaries. Ensure these are implemented across all subcontractors.

B Policy

An internal responsible recruitment policy must be implemented which clearly prohibits recruitment fees across the company and its subcontractors. A Supplier Code of Conduct should be in place under which the company sets out clear standards expected of suppliers concerning responsible recruitment including the prohibition of recruitment fees.

C Procedures

- Develop internal responsible recruitment guidelines to provide clear instructions on what is required of relevant internal employees and/or external recruitment agencies that are responsible for driver recruitment.
- Roll out internal training on modern slavery/human trafficking/responsible recruitment to all relevant staff involved in hiring.
- Provide requirements/guidelines to recruitment agencies and set strict requirements to abide by standards in commercial contracts.
- Conduct driver interviews to review effectiveness of existing process, verify internal and external practices, determine any gaps/weaknesses in the current approach, and any improvements needed to ensure effectiveness as a verification tool.

- Provide subcontractors with the new policy/guidelines for foreign driver recruitment and require that they provide these to internal employees or recruitment agencies that are responsible for recruiting drivers (e.g. adding terms into or as a supplement to the recruitment agency contract clause); ensure they are informed of new expectations.

D Monitoring

- Monitor effectiveness through periodic surveys, quizzes, or structured interviews with recruitment staff to test understanding of the responsible recruitment guidelines and identify gaps. Where gaps are found, assess root causes and update guidance, training content, or delivery as needed. Refresh training for staff whose understanding is insufficient.
- Refresh training and awareness raising for staff who lack sufficient awareness/understanding of the guidelines.
- Conduct staggered driver interviews (after hiring and after probation is complete) to test whether recruitment staff complied with standards.
- For agency-recruited drivers, conduct equivalent staggered interviews to assess agency compliance and require corrective action where gaps are identified.
- Periodically, select a risk-based sample of subcontractors and verify that they have received and cascaded the responsible recruitment policy/guidelines to relevant internal staff and recruitment agencies. Review evidence such as signed acknowledgements, training records, updated recruitment agency contracts/clauses, and worker interview results. Where gaps are identified, document root causes, require corrective action, and track completion.

E Documentation

- Staff assessment records and gap/root-cause analysis.
- Training materials, attendance records, and completion results.
- Driver interview records, recruitment files, contracts, and fee/deduction checks.
- Agency driver interview records, agency contracts, compliance checks, and corrective actions.
- Subcontractor acknowledgements, cascade evidence, contract clauses, audit/interview findings, and corrective action tracker.

5

TO ENSURE THAT DRIVERS HAVE
**ACCESS TO A TRANSPARENT
COMPANY GRIEVANCE
MECHANISM.**

ACCESS TO

(COMPANY) GRIEVANCE MECHANISMS



KEY SOFT LAW STANDARDS

- ▶ UNGPs - access to remedy and operational-level grievance mechanisms.
- ▶ OECD Guidelines - grievance mechanisms, remediation, and responsible business conduct due diligence.
- ▶ ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy - grievance handling and worker-management relations.
- ▶ ILO Fair Recruitment Principles & Guidelines - access to remedy for recruitment-related abuses, including recruitment fees.
- ▶ IOM IRIS Ethical Recruitment Standard - access to remedy and complaints handling in ethical recruitment.
- ▶ UN Global Compact Principles 1, 2 and 4 - human rights, non-complicity, and forced labour.

A Management system goal

Ensure drivers have access to an operational, robust, and transparent company grievance mechanism. Ensure these are implemented across the business down to all subsidiaries. Ensure these are implemented across all subcontractors.

B Policy

A policy should be in place under which the company sets out its principles to provide access to remedy for employees and external stakeholders. The policy should detail procedures for handling grievances, including remediation of recruitment fees or related fees paid by drivers, and must also include a commitment to non-retaliation.

C Procedures

- ▶ Establish a basic grievance procedure covering how grievances are received, logged, reviewed, escalated, resolved, and documented, including non-retaliation and confidentiality. The mechanism must respect the eight UNGP effectiveness criteria.
- ▶ Provide at least one accessible grievance channel for drivers, available in languages understood by foreign drivers. Drivers must be able to use it both anonymously and non-anonymously.
- ▶ Assign a responsible person or team to receive and handle grievances, with clear escalation to management where serious issues are raised.
- ▶ Maintain a simple grievance log tracking the issue, date received, actions taken, outcome, and whether remediation was provided.

- ▶ Define a basic remediation process for recruitment fees or related costs paid by drivers, including repayment where substantiated.
- ▶ Communicate the grievance procedure and channels to drivers during onboarding and in driver materials, including the commitment to non-retaliation.
- ▶ Inform subcontractors of the channel and request that they communicate it to any driver involved with the company's business.

D Monitoring

- ▶ Periodically review the grievance log to confirm that grievances are recorded, reviewed, escalated where needed, resolved, and documented within reasonable timelines.
- ▶ Test whether drivers are aware of the grievance procedure, available channels, confidentiality, and non-retaliation commitment through a sample of driver interviews or surveys, including foreign drivers where relevant.
- ▶ Review whether grievance channels are practically accessible to drivers, including language accessibility and whether drivers feel able to raise concerns without retaliation.
- ▶ Assess whether responsible grievance handlers understand the procedure, non-retaliation requirements, escalation routes, and remediation expectations, and refresh training where gaps are identified.
- ▶ Check a sample of closed grievances to confirm that actions taken, outcomes, and any remediation provided were appropriate and documented.
- ▶ Where recruitment fees or related costs are raised, verify that the issue was assessed and that repayment or other remediation was provided where substantiated.
- ▶ Periodically check whether subcontractors have been informed of the channel and asked to communicate it to their drivers where relevant.

E Documentation

- ▶ Grievance procedure and communication materials.
- ▶ Grievance log/register, including actions, outcomes, escalation, and closure dates.
- ▶ Driver interview/survey records and awareness-check results.
- ▶ Evidence of language-accessible grievance information for foreign drivers.
- ▶ Grievance handler training materials, attendance records, and understanding/effectiveness checks.
- ▶ Closed grievance files, investigation notes, remediation records, and repayment evidence where relevant.
- ▶ Subcontractor communications and evidence of cascade to drivers where available.





RTDD ROAD TRANSPORT
DUE DILIGENCE



INTERNATIONAL
TRANSPORT
WORKERS'
FEDERATION



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WHO ARE WE?

Our worker-centred approach to supply chain monitoring improves conditions for truck drivers while helping shipping companies comply with their due diligence obligations. Our research provides an insider view of the human and labour rights risks in European road transport.

ABOUT RTDD

RTDD (Road Transport Due Diligence) is a worker-centred model of human rights due diligence for road transport supply chains. Built in cooperation with shipping companies. Based on the UN Guiding Principles, OECD Guidelines, and the 2019 ILO Guidelines on Decent Work and Road Safety.



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