

Cocoa Supplier Training on Forced Labour

Lesson 9: Interviewing Vulnerable Workers



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To understand guidelines and best practices for conducting interviews with vulnerable workers and

To introduce the Guide to Interviewing Workers



Importance of worker interviews

When alerted to potential problems at a work site, before deciding on a course of action, supplier or cooperative field staff should try to interview any workers suspected of being victims of forced labour or human trafficking.

Workers can provide:

- ▶ insight into their situations
- ▶ information for the investigation
- ▶ recommendations for how their situation can be improved

Important approaches and safeguards

- Respect needs of the worker
- Use gender-sensitive approaches
- Treat the worker respectfully
- Take action to make the worker feel comfortable and secure

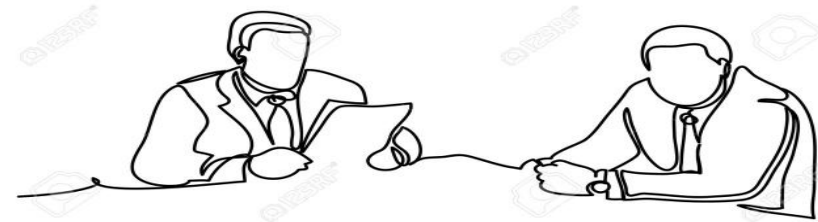


Avoid passing judgement on the worker and their situation. Some may have been traumatized and feel embarrassed, which could prevent them from communicating with the interviewer in a positive manner.

‘Do No Harm’. It is critical that the interviewer does not make the situation worse for the worker including increasing the risk that they will be retaliated against.

Positive worker interview techniques

The purpose of these techniques is to help the worker feel they have agency and power in the interaction, and comfortable with the interviewer.



Positive techniques include:

- Hold the conversation somewhere undisturbed, away from management
- Use simple, nonconfrontational terms
- Take breaks when needed
- Put the worker at ease by explaining the role of the monitor, the purpose of the meeting, and what will happen after the interview

Confirm that the worker and interviewer understand each other:

- Listen carefully
- Ask the worker follow-up questions when needed to confirm the worker understands
- Repeat what the worker said back to validate inspector understanding

***Most importantly,
ensure the worker understands that they are not to blame.***



Remember that the key objective of the interview is to **listen** to the worker and to try to assess:

- ▶ Why they are working there
- ▶ How they came to be employed at that location
- ▶ How they are treated at work
- ▶ What will happen if they stop working there

Protocols for worker interviews



Give the worker the choice to participate or not



Provide opportunities to ask questions



Interview workers in a nonthreatening, welcoming location, away from employers and supervisors



Conserve time to avoid impacting the worker's pay



Use simple language, avoid jargon

Change course or stop if the worker becomes upset or emotionally shut down

Ideally, someone with professional counselling experience would be available when the interviewer suspects issues of trafficking or other highly traumatic experiences such as physical, sexual, or emotional abuse.

Be alert for signs of coaching or concealing and distorting information

Identify signs by evaluating their demeanor, triangulating information, and asking open-ended questions.

Strategies for effective worker interviews

Workers may be more open when interviewed in small groups.

- ▶ The interviewer should start by making a personal introduction.
- ▶ Increased confidence from the group setting may empower workers to talk about working conditions and their employer.



Project friendliness and understanding

When sincere, this can also go a long way toward breaking the ice with workers and other informants.

Ensure that women and girls are able to speak with a female agent.

Women and girls are usually more willing to discuss sensitive topics like sexual harassment if interviewed by a woman.





Why might a worker suffering from exploitation try to conceal their conditions from a monitor?

How will you handle things if a worker you are interviewing is visibly frightened or upset?

Guide for Interviewing Workers

- ▶ The following guide can be used by monitors or community liaisons to determine what **questions to ask** when interviewing workers.
- ▶ It is unlikely that the liaison will want to ask every question in the guide.
- ▶ Instead, it can be used as a **menu of options** to guide the interview depending on the work situation being investigated.
- ▶ **Additional models** for interview questions are available in tools from ICI and Rainforest Alliance

Questions re: starting employment

Starting employment

- Tell me about when you started working here.
- Did somebody help you get this job?
- Did you feel that person treated you fairly? Why or why not?
- Did you sign a contract for the job or was it a verbal agreement? Any witnesses to the agreement?
- Now that you've been working here for a while, is it mostly like what you expected or mostly different? How so?
- Did you have to pay any money to get this job? If so, how much? To whom did you pay the fee? Did you have to borrow money to pay the fee?
- What is the repayment schedule for the fee?
- What did they tell you about the job in advance?
- What went into making the decision to take this job/start doing this type of work?
- Did anyone pressure you? If so, how/tell me about it.
- How did your family feel when you started working here?
- What was your first day here like? How did you feel when you started? Has that changed since?

Red Flags to look for:

- ▶ Deception about the nature or conditions of the job
- ▶ Recruitment by a third party/middleman, particularly any actor that charged workers fees for recruitment services
- ▶ Workers don't have contracts, or contracts aren't written in a language that they understand
- ▶ Actual terms and conditions of the job are worse than the promised terms
- ▶ Workers were pressured into accepting the job
- ▶ Workers went into debt to pay fees for recruitment

Questions re: fair treatment and harassment

Fair treatment/abuse/harassment

- How do people treat you? Is your boss/employer/supervisor kind and understanding? Can you give me an example of how they show it?
- If you could change anything about how you're treated, what would you change?
- Do you feel you're treated the same or differently than other workers? In what ways? Why do you think that might be?
- Tell me about the best time/happiest day you've had since you started work here. What about the worst time/day?
- What happens if workers make a mistake? Are they punished? How? Have you ever been punished?
- Are some supervisors/managers nicer than others? Why?
- What would you do if you felt like you weren't being treated well? Is there anyone who could help you? Do you worry about being retaliated against if you do complain?
- Have you ever seen any of your colleagues treated badly/unfairly? Can you tell me about it?

Red Flags to look for:

- ▶ Worker feels intimidated or threatened by employer, manager/supervisor, or associated party
- ▶ Worker has experienced (or been threatened with) physical, verbal, or sexual abuse
- ▶ Worker has seen other colleagues experience (or threatened with) physical, verbal, or sexual abuse
- ▶ Worker faces punishment or retribution for mistakes

Questions re: health and safety

Health and safety

- Are there any tasks that you especially don't like to do? Why?
- Are there any tasks that make you scared/nervous/uncomfortable? Can you avoid that task? Why or why not?
- Is there anything that could be fixed/addressed/changed to make those tasks less scary?
- Were you aware of potential hazards of the job before you started? How was this communicated?
- Do you have all the protective equipment you need?
- Did you have to pay for the equipment? If so, is the price reasonable? Were you told you would have to pay for the equipment before starting the job?
- Were you ever trained in how to carry out certain tasks safely?
- Have you ever gotten hurt or sick from working here? What happened?
- Did you get to see a doctor?
- How often does that happen?
- Does it happen to other workers here?
- How do you feel physically at the end of the day/work hours? Does anything hurt physically? Are you tired?
- How do you feel emotionally?
- What do you do when you leave and go home?

Red Flags to look for:

- ▶ Worker expresses or shows fear or anxiety about tasks
- ▶ Worker reports doing potentially hazardous tasks that the employer or recruiter did not mention prior to worker accepting the job
- ▶ Worker reports illness, injury, pain, or fatigue
- ▶ Worker cannot remove themselves from dangerous situations or tasks

Questions re: wages

Wages

- Tell me about how and when you get paid. (hourly, daily, or piece rate, percentage of harvest, cash, check, direct deposit, crop or company store voucher)
- Are you paid on time?
- Are you paid by the employer or the recruiter?
- Has your pay ever been delayed or withheld? If so, what was the reason?
- Do you think this is a fair amount/fair system? Why or why not?
- Are different groups of workers paid different rates even if doing similar work?
- Do children or other family members work with hired workers to help them meet a quota or earn a decent living under piece-rate schemes?
- If so, do they receive their own wages or piece-rate wages for their individual work?
- Do you receive any sort of explanation of your earnings, like a payslip? (This could be informal, like a handwritten note listing hours worked and rate per hour.)
- Is the payslip in a language you understand? If not, how do you understand what is written in it?
- Does it clearly indicate wage calculations and any salary deductions?
- Are any deductions taken out of your wages? If yes, for what?
- If the deductions are not statutory government deductions, do you think this is fair? Why or why not?
- If the deductions are statutory government deductions, e.g. social security, do you know if they are paid to the requisite body on your behalf? How do you verify that deductions are paid to the requisite government body on your behalf?
- Were you aware these deductions would be taken from your pay when you accepted the job?

Questions re: wages (continued)

- Are you in debt to anyone at work? Do you owe anyone money? If so, who?
 - How did that debt originate?
 - Will you be able to pay it off?
- What types of things do you spend your wages on? Are you happy about this?
- Do you control your earnings? If not, who does? Why?

Red Flags to look for:

- ▶ Wages or earnings are not what the worker was led to believe at the time of recruitment/hiring
- ▶ Worker is paid less than the legal minimum wage for the sector
- ▶ Worker receives majority of earnings in 'in-kind' payments, or the promise of such payment (like receiving a bicycle at the end of a harvest season)
- ▶ Worker is paid in lump sums (such as at the end of the season) rather than regularly
- ▶ Worker does not understand wage/payment system and/or is not provided with any justification or documentation of earnings
- ▶ Worker does not maintain control of their earnings or must hand them over to a third party
- ▶ Worker is indebted to recruiter/middleman or employer
- ▶ Significant deductions are taken from worker's earnings, particularly for items like food and housing
- ▶ Workers are paid in vouchers to use at company-owned stores instead of in cash

Questions re: hours of work

Hours:

- Tell me about what time you normally start and end work?
- How many hours do you usually work per day? Per week?
- Do you ever work overtime? Can you say no to overtime? Will you face penalties for saying no?
- Are quotas or piece-rate systems used?
- Can a worker earn the relevant minimum wage without working overtime under the quota system?
- Does the wage system motivate use of family or child labour?
- How much time do you get to rest each day?
- How much time do you have to rest each week? Do you have at least one full day off each week?
- Do the hours that you have to work prevent you from doing other things in your life you want to do? (like sleeping, socializing, etc.)

Red Flags to look for:

- ▶ Worker works long daily hours that exceed legal limits
- ▶ Worker is not granted time off each week
- ▶ Worker is forced to work overtime
- ▶ There are not enough workers employed to meet production targets, quotas, or processing volume
- ▶ Number of workers doesn't expand to meet seasonal requirements
- ▶ Employer's records of work hours are inconsistent with hours reported by workers
- ▶ Workers are unable to earn minimum wage under piece-rate schemes without working overtime

Questions re: freedom of movement

Freedom of movement

- Are there any restrictions on workers' freedom of movement in the workplace during working hours? If yes, what are these restrictions?
- Do security personnel ever restrict freedom of movement in the workplace for reasons other than workplace security?
- Are workers ever restricted from or monitored when using the toilet facilities?
- Are workers free to get drinking water whenever they wish?
- Are workers free to perform religious obligations without restriction?
- Are workers free to leave the workplace immediately after their required work hours?
- If the worker lives in housing operated by the employer or labour recruiter, are they required to live there as a condition of recruitment or continued employment?
- Are workers free to come and go as they please during non-working hours? If not, what are the restrictions on freedom of movement?
- Do workers in employer-provided housing have a curfew? Are there any housing rules and regulations that workers believe unreasonably restrict their personal freedom?

Red Flags to look for:

- ▶ Workers experience restricted freedom of movement in their workplace or living areas
- ▶ Workers experience constant surveillance by employer or supervisor
- ▶ Employer or supervisor contributes to environment of isolation
- ▶ Workers experience employer- or supervisor-imposed limitations on their freedom of movement that have negative consequences on other areas of their lives (e.g., ability to see their family, pursue religious activities, socialize, organize freely, access healthcare, etc.)

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