

Cocoa Supplier Training on Forced Labour

Lesson 10: Communicating with the Farmer to Address Issues

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To help participants appreciate how to communicate with the farmer in a way that is likely to create positive change in the workplace

Supply chain monitors are key actors in the fight against forced labor

Because of their access to coop managers, farmers, and workers, private sector supply chain monitors and community liaisons are in a unique position to play a critical role in combatting forced labour.

Monitors are exposed to a wide variety of workplaces and practices and can provide advice and suggestions for improving workplace conditions.

Given their abilities, community monitors should be an active and robust partner in any country's forced labour elimination strategy.



Monitors and community liaisons as key actors

Monitors and community liaisons should play a role as advisors and facilitators for farmers and workers, thereby

- Imparting knowledge and offering advice and suggestions for improving workplace conditions
- Ensuring that company, national, and international standards for human rights are upheld



Collaborative approaches to promoting compliance

Community liaisons and monitors as advisors and facilitators

Their position and experiences allow them to provide:

- information on company policies and legal obligations
- advice, suggestions, and technical information for improving workplace conditions

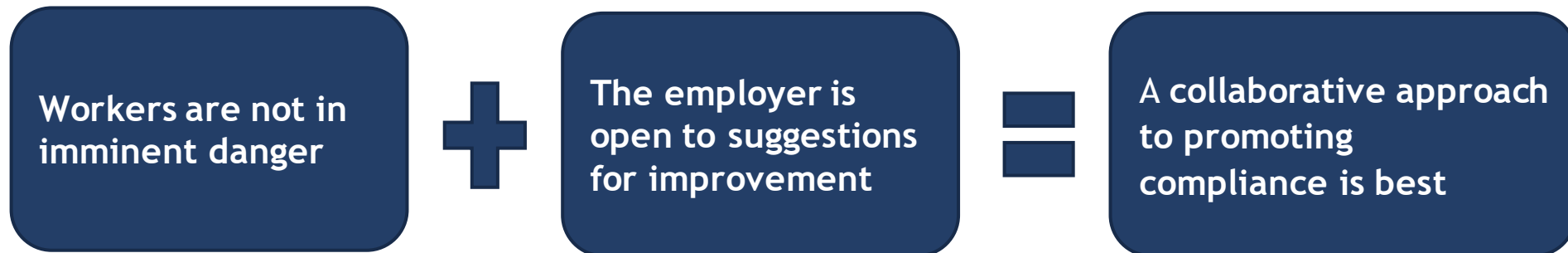
Benefits of the approach

Advice and guidance help employers better understand their obligations and can lead to fewer unintended violations.

Employers may feel supported by the company agents and have higher levels of trust, making them less likely to hide troublesome issues or practices.

Monitors can work as problem-solvers rather than as strict enforcers.

Collaborative approaches to compliance are appropriate when:



The compliance approach will be *less* effective if:

- ▶ There is **no real threat of enforcement**. Those with no interest in complying voluntarily will ignore standards.
- ▶ People feel that **others are ‘getting away with it’** and consequently have an unfair advantage. This tends to weaken one’s own commitment to respecting standards.
- ▶ Community monitors and liaisons do not provide **sufficient information and practical support** to help farmers understand their obligations and ensure that they meet them.



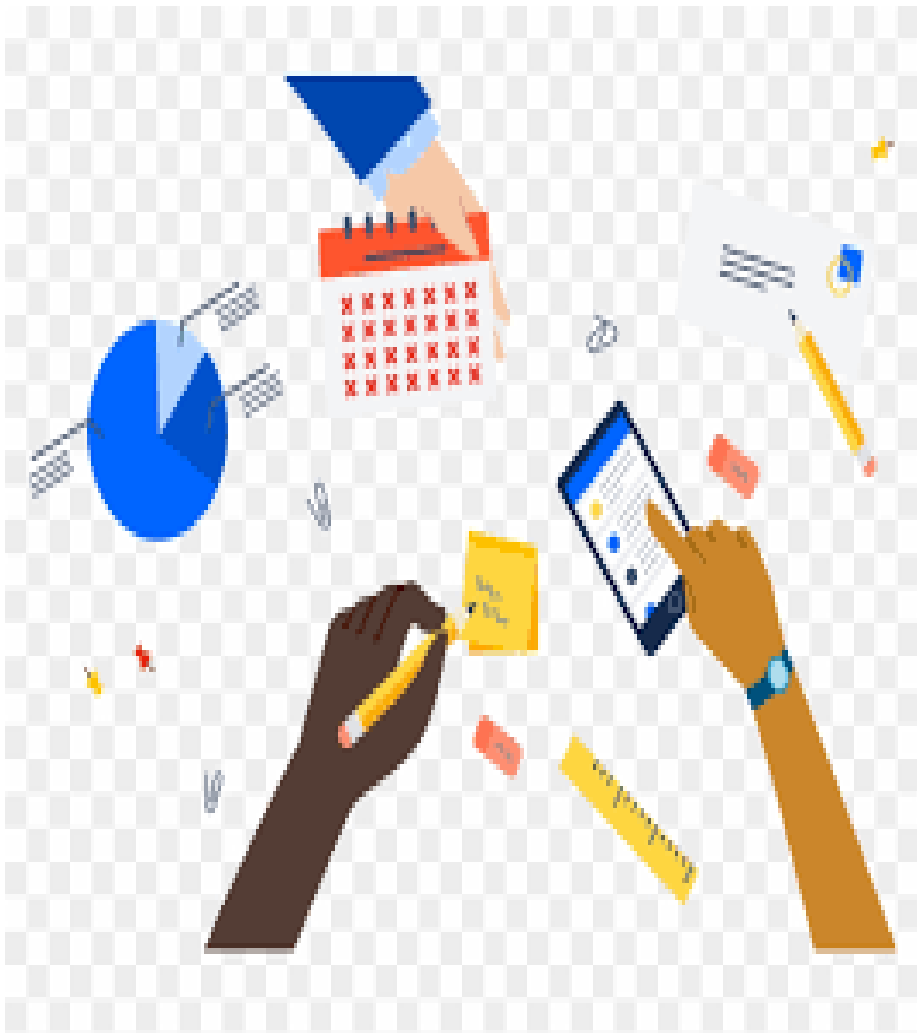
Compliance-oriented approach: action plans

Action plans allow both farmers and supplier representatives to quickly note changes and improvements made as a result of a past consultation.

Action plans should be based on:

The steps needed to achieve greater compliance

Realistic targets and expectations based on evidence of the farmer's capacity to make changes and take action



For an action plan to be effective, monitors and community liaisons should:

1. Determine what **action** or actions they wish the farmer to take and why
2. **Follow up** with the employer to ensure that suggested improvements were made, and implemented in a timely manner

Effective action plans should include:

- ✓ A description of **milestones and deadlines** for achieving tasks
- ✓ A description of the **roles of stakeholders** (i.e., expectations of the farmer and supplier representative, but potentially also roles to be played by third parties such as external mediators or others providing support to workers or the farmer)
- ✓ For both farmers and workers, details of where to access **necessary information or support to help achieve compliance**

Benefits of action plans

- Help ensure that offences are not repeated
- Provide record to help ensure accountability

Potential action plan items

Depending on the situation, an **employer action plan could include** the following good practices:

During recruitment and hiring:

- ▶ Reach out directly to migrants about employment opportunities, rather than use labor recruiters
- ▶ Hold preliminary discussions with workers on the nature of work and terms and conditions
- ▶ Provide employment contracts in language understandable to the workers
- ▶ Provide witnessed verbal contracts for workers who may struggle to understand written ones
- ▶ Provide permanent employment contracts to casual or contract workers doing work that can be considered permanent, including sharecroppers
- ▶ Provide safe and free transportation of workers from home to the work locations
- ▶ Provide free preparation of paperwork for workers required for employment
- ▶ Ensure that any monetary advancement provided to the workers for travel or as confirmation of employment does not pose a risk of debt bondage

Potential action plan items

During employment:

- ▶ Introduce workers to the plantation/ farm/factory management
- ▶ Allow workers an opportunity to negotiate working conditions and compensation
- ▶ Ensure that management sets and monitors realistic work targets, with acceptable working hours and provision of fair compensation
- ▶ Arrange for housing/accommodation of the workers (free of cost, of sufficient quality, and without restrictions of movement)
- ▶ Ensure that effective mechanisms are in place to address and resolve worker grievances or complaints that may arise while working
- ▶ Ensure that workers have access to services such as medical, childcare in the case of families, schools for the children of workers, legal advice, etc.
- ▶ Ensure that workers are paid actual compensation in cash and in-kind benefits according to the company's wage disbursement schedule
- ▶ Provide free repatriation of the workers at the end of their contracts



Additional resources for risk mitigation are available from ICI

QUELQUES ACTIONS DE PRÉVENTION ET DE REMÉDIATION DU TRAVAIL FORCÉ ?

- Assurer une large diffusion et explication des textes de lois prohibant le travail forcé ;
- Sensibiliser à la lutte contre le travail forcé dans les communautés productrices de cacao ;
- Assurer l'éducation et l'information des personnes considérées comme particulièrement vulnérables, les employeurs et la population ;
- Prendre des mesures efficaces pour identifier, libérer et protéger toutes les victimes de travail forcé et permettre leur rétablissement et leur réadaptation ;
- Mettre en place des mécanismes communautaires fonctionnels de lutte contre le travail forcé ;
- Prendre des sanctions contre les auteurs ;
- Assister les victimes selon leurs besoins.



Assurons aux travailleurs des conditions de vie et de travail respectant leur dignité

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A series of resources have been developed by the International Cocoa Initiative (ICI) for supply chain monitors to help mitigate risk and remediate indicators or cases of forced labor that are identified in the field.

These include:

- ▶ Model contract between farmer and worker
- ▶ Checklist of topics to be covered for use by witnesses to verbal contracts
- ▶ Guidance for Ghana and Côte d'Ivoire on country-specific actions to take to prevent forced labor through mitigation of risk or remediation of forced labor indicators or cases

Witness checklist

If you are a witness to a contract between an employer and a worker for a cocoa farm, check the following...

Information to check	Comment
 Is the worker over 18? <input type="checkbox"/>	
 If the worker is aged 15-17, is it understood by the employer that the worker will only perform non-hazardous tasks appropriate for their age? <input type="checkbox"/>	
 Does the worker have their...	

1. This agreement is between...

The employer

First Name and Surname: _____

Identity document:
Select type: Passport
 ID card
 Birth certificate
 Other: _____

Number: _____

Home address: _____
District: _____

Tel: _____

Many ICI resources are available in accessible graphic formats!

What is an example of a time when you have used a collaborative approach to convince a farmer to change behavior? Did it work?



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Enable Training Toolkit, Fair Labour Association, p. 32

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