



Sustainable Tobacco Programme



STP TRAINING

PEOPLE PILLAR

2017



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INTRODUCTION

- By working with its farmers, Northern Tobacco ensures that the safety and labour rights of permanent and temporary employees working on farms are protected.
- The STP Manufacturers (BAT) are committed to progressively eliminating **child labour** and other labour issues where they are found and to achieving safe and fair working conditions on all farms.
- The People Pillar is based on the labour standards of the International Labour Organization (ILO) Declaration on Fundamental Principles and Rights at Work and other relevant ILO conventions.



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INTRODUCTION (CONT.)

- Farmers are expected to strengthen workplace policies and practices in order to prevent **child labour** and other forms of illegal, unfair or unsafe work.
- Farmers and Northern Tobacco are expected to apply this Pillar in a diligent and transparent manner and to work together to continuously improve agricultural labour practices. In all actions concerning children, **the best interests of the child shall be primary concern.**
- **The measurable standards dealing with safe and sanitary working environments, Green Tobacco Sickness (GTS), Crop Protection Agents (CPA) and availability of water are always applicable to both hired workers and family members.**



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P.2 CHILD LABOUR ON FARMS (HRW)

Guiding Principle

- **There is no child labour.**
- Child labour is work for which the child is too young.
- Child labour is work that is mentally, physically, socially or morally harmful to children.
- Child labour is work that interferes with a child's schooling. This is the case when the work deprives the children the opportunity to attend school, makes them leave school prematurely, or requires children to try and



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P.2 CHILD LABOUR ON FARMS (CONT.)

- Combine school attendance and educational achievement with long hours and heavy work.
- The term "child" means boys and girls of less than 18 years of age.
- According to the ILO, children participating in light work, including help on the family farm is generally regarded as appropriate, provided it does not affect the health and personal development or interfere with their school attendance or their participation in vocational orientation or training programmes.
- No person under 18 years of age can perform hazardous work.
- Hazardous work is defined as ***"work which is likely to jeopardise a child's physical, mental or moral health, safety or morals"***.



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P2.1 EMPLOYMENT OF CHILDREN ON FARM

- There is no employment or recruitment of **child labour**.
- Farmers must be aware of the regulatory requirements with regards to the recruitment and hiring of children.
- Farmers must verify the ages of all people directly or indirectly recruited.



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P2.2 EXPOSURE OF PEOPLE BELOW THE AGE OF 18 TO HAZARDS ON THE FARM

- **No person below the age of 18 years old should perform any type of hazardous work.**
- Hazardous work is defined as “***work which is likely to jeopardise a child’s physical, mental or moral health, safety or morals***”.
- In terms of Section 11 of the Labour Act [Chapter 28:01], no employer shall cause any person under the age of 18 years to ***perform any work which is likely to jeopardise that person’s health, safety or morals*** such as:
 - Exposure to physical, psychological or sexual abuse;
 - Working underground, under water, at dangerous heights or in confined spaces;



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P2.2 EXPOSURE OF PEOPLE BELOW THE AGE OF 18 TO HAZARDS ON THE FARM (CONT.)

- Working with dangerous machinery, equipment and tools or which involves the manual handling or transport of heavy loads:
- Working in unhealthy environments which may expose them to hazardous substances, agents or processes or temperatures, noise levels or vibrations, which may damage their health;
- Working under particularly difficult conditions such as working for long hours or during the night or where they are unreasonably confined to the premises of the employer or parent;
- Having physical contact with wet green tobacco.



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P2.3 CHILDREN ON FARMS (HRW)

- A child between the age of 16 and 18 years old may assist on his or her family farm provided:
- The work does not interfere with their education;
- They are only given safe jobs to do that only involve light work;
- They are provided with PPE where necessary;
- A responsible adult is always present and supervising their work;
- The work includes training;
- They do not work at night;
- There is a strict limit on hours spent at work each day and week, so that they have enough time for education, for rest and leisure activities;



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P3. FORCED LABOUR

- **All labour is voluntary. There is no Forced Labour or Human Trafficking**

P3.1 PREVENTION OF BOND, DEBT AND THREAT

- Provide workers with written contracts in a language that they can easily understand, specifying their rights with regard to payment of wages, overtime and their right to leave employment;
- Pay workers individually and directly;



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P3.1 PREVENTION OF BOND, DEBT AND THREAT (CONT.)

- Demonstrate that any debts incurred were voluntary, are not from unreasonably priced goods or service charges, and that workers can repay debts within a reasonable time;
- Keep detailed records for workers that demonstrate that farmers have taken responsibility for the hiring process and have not deducted cost related to the hiring process from worker wages;



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P3.2 FREEDOM TO LEAVE EMPLOYMENT

- **Workers are free to leave their employment at anytime with reasonable notice.**
- Specify in the worker's contract how quickly and under what conditions workers can leave employment;
- Show that wage payments are up to date;
- Have the financial resources to pay workers the outstanding wages if they want to leave;
- Do not retain the original identity documents of any worker.



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P3.3 FINANCIAL DEPOSITS

- **Workers are not required to make Financial Deposits with employers.**
- Taking deposits cannot be part of the hiring process.
- If a deposit is taken when an employee is hired, this gives the employer the means to prevent workers from leaving and directly contributes to a condition of forced labour.



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P3.4 WITHHOLDING OF PAYMENTS

- **Worker Payments are not withheld by farmers beyond the legal and agreed payment conditions.**
- Workers must be paid in line with the provisions of the Labour Act or the relevant Collective Bargaining Agreement;
- The worker should be provided with a letter of employment, which sets out the conditions of employment including the payment of wages;
- Growers must maintain payroll records and issue pay slips indicating what has been paid to workers and the date payment was made.



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P3.5 RETENTION OF IDENTITY DOCUMENTS AND VALUABLES

- Farmers do not retain the original identity documents or valuable of any worker.
- Holding the original identity document or valuable limits the worker's ability to leave employment on their own free will.
- Avoid holding any original identity documents – even when workers are willing to give their original documents. If there is a need for these documents for worker documentation, photocopies should be held instead;



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P3.5 RETENTION OF IDENTITY DOCUMENTS AND VALUABLES (CONT.)

- Only keep valuables or original identity documents on behalf of workers in a way that ensures they are accessible to the worker at all reasonable time.

P3.6 PRISON AND COMPULSORY LABOUR

- The farmer does not employ prison or compulsory labour whether voluntary or involuntary.



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P4 SAFE WORKING ENVIRONMENT

- **Farmers must provide a safe environment for their workers and family members working in tobacco to prevent accidents and injury and to minimise health risks.**

P4.1 SAFE ENVIRONMENT, INJURY AND ILLNESS

- Maintain farms in a clean and tidy condition, avoiding any unnecessary hazards such as dangerous tools or materials, poorly stored CPA's etc.;
- Provide suitable quality first aid cover and quick access to first aid kits in all locations on the farm;
- Make all workers aware of first aid providers and how to contact them;
- Have an emergency plan whereby everyone knows what to do in the case of a medical emergency, fire or extreme weather event;



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P4.1 SAFE ENVIRONMENT, INJURY AND ILLNESS (CONT.)

- Maintain records of all major accidents and illnesses on the farm and, if required by law, report them to the authorities;
- Provide, as necessary, in the event of injury or illness on the farm:
 - Transport for workers to receive medical attention;
 - The prompt arrival of medical personnel to attend to the affected worker at the farm;
 - Accommodation where workers are cared for when they are ill.
 - Provide adequate training to workers so they understand the potential hazards on the farm and, as far as possible, avoid harm.



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P4.2 GREEN TOBACCO SICKNESS (GTS)(HRW)

Green Tobacco Sickness (GTS)

- Is a potential risk to those working with the green tobacco plant.
- GTS is a form of *nicotine poisoning* that may be contracted by handling wet green tobacco leaves.
- The nicotine from the plant mixes with the moisture on the leaves, and then upon contact, the nicotine is absorbed through the skin, causing nicotine poisoning.



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P4.2 GREEN TOBACCO SICKNESS (GTS) (CONT.)

- Growers should train and inform workers about GTS preventative measures specifically:
- Informing workers about the causes and symptoms of GTS;
- Ensuring workers wear long-sleeved shirts, gloves and/or raingear to minimise skin exposure to the green plant;
- Advising workers to periodically change wet or tobacco-soaked clothes;



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P4.2 GREEN TOBACCO SICKNESS (GTS) (CONT.)

- Limit harvesting work to less than seven hours a day, where possible;
- When possible, restrict work to cooler, drier conditions and avoid fieldwork until leaves have dried after rain;
- Allow workers to take breaks periodically;
- Ensuring the workers wash their hands and body with warm soapy water after working with green tobacco;
- Keep updated training records confirming that the workers involved in topping, reaping and loading barns have received appropriate training on GTS.



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P4.2 GREEN TOBACCO SICKNESS (GTS) (CONT.)

- Given the potential risk of GTS, pregnant or breastfeeding woman must not be involved in reaping tobacco.
- The person harvesting the tobacco may contribute to making tobacco wet through sweating; this should also be considered when assessing the likelihood of GTS occurring.



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P4.3 SECURE STORAGE OF CROP PROTECTION AGENTS (HRW)

- Crop Protection Agents (CPAs) must be stored in a lockable storage cabinet/cupboard and in a manner that prevents unauthorised access.
- CPAs are stored in accordance with the CPA manufacturers' recommendations;
- CPAs are stored in lockable storage cabinet/cupboard that prevents unauthorised access;
- CPAs are stored in a manner that protects the environment in the event of spillage;
- CPAs are not decanted into containers unless the decanted product is labeled correctly with all the appropriate warnings and directions. Any redundant labels should be removed.



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P4.3 HANDLING AND USE OF CROP PROTECTION AGENTS (CPA) (HRW)

- No person under the age of 18, pregnant woman or nursing mothers can handle or apply CPAs;
- Appropriate Personal Protective Equipment (PPE) must be provided to all workers involved in the handling, storage and use of CPAs and they are trained on how to use it appropriately;
- CPAs should only be used in accordance with the manufacturer's written instructions and applicable regulations;
- Only trained workers using PPE should handle or apply CPAs or other hazardous substances. Training should include:



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P4.3 HANDLING AND USE OF CROP PROTECTION AGENTS (CPA) (CONT.)

- The appropriate use of CPAs with respect to dosage, time of application, application method, re-entry, and pre-harvest intervals;
- Safe storage and handling of CPAs.
- Spraying equipment should be regularly checked and maintained in good condition. Leaking handheld or knapsack sprayers should not be used to apply CPAs.
- Safety training records for handling and use of CPAs should be kept up-to-date;
- Records should be kept for all CPA applications, confirming those who carried out the work.



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P4.5 RE-ENTRY TIMES AFTER CPA APPLICATION

No people working on the farm (hired workers and/or family members) enter a field where CPAs have been applied, unless and until it is safe to do so.

- Be aware of the time interval between the application of any specific CPA to an area or crop and when people can go into that area without PPE;
- The re-entry times set should be effective in protecting people (and animals) against poisoning by CPAs, if they enter a treated area without PPE;
- Re-entry times indicated on CPA manufacturers' labels or product data sheets should be complied with as a minimum;
- Signs (or other known markers), should be posted adjacent to sprayed areas warning people (including workers and members of the public) that spraying has occurred and indicating when it will be safe to enter the field without PPE.



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P4.6 BREAKS AND ACCESS TO CLEAN DRINKING AND WASHING WATER

- **People working on the farms (hired workers and/or family members) are entitled to regular breaks, and have to have access to adequate quantities of safe drinking and washing water close to where they work and live at all times.**
- Workers should have access to the same quality and quantity of clean drinking and washing water that the grower uses. Water also needs to be available in the fields, curing barns or at home, if the grower provides workers with accommodation



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P4.7 ACCOMMODATION PROVIDED TO HIRED WORKERS

- **Hired workers' accommodation, where provided, is clean, safe and meets the basic needs of the workers and conforms to the country's laws.**
- Workers accommodation provided by growers should be:
 - At least comparable to expected living standards in the region;
 - Equipped with toilet facilities;
 - Equipped with adequate heat or ventilation depending on the climate;
 - Provided with reasonable quantity of personal space;
 - A safe distance from fields or other areas where potentially hazardous substances such as CPAs are applied or stored.



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P5 FAIR TREATMENT(HRW)

- **Farmers must ensure Fair Treatment of workers. There is no harassment, discrimination, physical or mental punishment or any other abuse of workers and their families.**

P5.1 PHYSICAL ABUSE AND INTIMIDATION

- The grower determines the working atmosphere on the farm and should set an example and not use physical force against workers and their families. Neither should the managers on farms.



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P5.1 PHYSICAL ABUSE AND INTIMIDATION (CONT.)

- This means that nobody should:
- Be beaten by hand or with an object;
- Work in excessive heat or cold;
- Be refused breaks to eat, drink or use sanitary facilities within reason;
- Be incarcerated (be restrained or locked up)
- Threatening this kind of punishment is equally unacceptable.



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P5.2 SEXUAL ABUSE AND HARASSMENT

- There is zero tolerance for sexual abuse or harassment of workers and their families;
- Any reports of sexual abuse or harassment of workers and their families are reported and investigated thoroughly with appropriate action being taken including, where appropriate, reporting the matter to the Police;
- Toilets and accommodations are secure and fitted with lockable doors.



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P5.3 VERBAL ABUSE AND HARASSMENT

- The grower should ensure:
- No continuous and systematic pressure on an individual or group of workers and their families in order to demean them and make them afraid;
- To stop anybody who is constantly insulting, humiliating or shouting abuse at workers and their families;
- Action taken against verbal abuse and harassment and, if circumstances warrant this, discipline and dismissal of persistent offenders will follow;
- A clear policy against verbal abuse and harassment that is known to managers, workers and their families.



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P5.4 DISCRIMINATION

- Workers should be hired only on the basis of their experience and ability to perform the required tasks. There should be no discrimination against specific workers when assigning tasks, applying sanctions, giving rewards or dismissing workers.
- There should be no discrimination on the basis of:
- Race, colour or social origin;
- Gender;
- Religion;
- Political Affiliation;
- Union membership or status as a worker representative;
- Ethnicity, citizenship or nationality;
- Pregnancy;
- Disability;
- Sexual orientation.



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P5.5 SUPPORT MECHANISM (HRW)

- The best solution is for workers to bring their grievances directly to growers with an expectation that appropriate action will be taken without fear of reprisal.
- On larger farms, some approaches that could be used are:
- Weekly or monthly meetings with workers or their representatives;
- Complaint boxes for farm workers to use anonymously if they choose



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P6 FREEDOM OF ASSOCIATION

- **Farmers must recognise and respect workers' rights to Freedom of Association and to bargain collectively without fear of reprisal, intimidation and harassment.**
- Grower policies and contracts with workers do not restrict rights to Freedom of Association, e.g. workers can decide themselves to join or not to join unions or other organizations of their choice;
- Upon hiring, workers are not asked about their union affiliation;
- There are active worker representatives on the farm chosen by other workers;
- Growers negotiate terms and conditions of work with the workers' representative if there is a union or association;
- Growers never discipline or terminate a worker's contract for union or worker association activity;
- Workers are not promoted, demoted or transferred based on such affiliations;
- Growers do not pressure workers to join one organisation or another.



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P6.1 WORKERS' RIGHT TO FREEDOM OF ASSOCIATION

- Workers should within reason, be allowed to gather freely to talk about work and to discuss forming or joining a union or other topic. Growers must not dismiss, move workers to a harsher job as punishment, or otherwise discipline workers for such activities.

P6.2 COLLECTIVE BARGAINING

- Workers are free to form or join unions or any other representative organisations of their choice, and negotiating their terms and conditions as a group.



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P6.3 FARM WORKERS' REPRESENTATIVE

- Workers may want to have worker representatives and they may want to choose some of their fellow workers to talk about the terms of their employment. Growers must, within reason, accommodate the workers' freedom to choose their own representatives. If workers, a union, or worker representatives want to talk to the farmer about the terms of their jobs, growers should discuss or negotiate in good faith.



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P7 INCOME, WORK HOURS AND BENEFITS FOR FARM WORKERS

- **Income earned during a pay period or growing season will always be inline with the requirements of the Collective Bargaining Agreement for the Agricultural Sector. Workers will not work excessive or illegal work hours.**

P7.1 WORKING HOURS (HRW)

- Growers shall ensure that workers work hours in compliance with the appropriate Collective Bargaining Agreement;
- Growers should ensure that the workers employment contract should clearly state the number of hours that they expect them to work each week;
- Growers must keep time records for each worker;



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P7.2 WAGES (HRW)

- Growers shall pay workers wages as provided for in the appropriate Collective Bargaining Agreement;
- Growers should have documents showing each payment to the worker (e.g. employee signature on a pay slip, a bank transfer slip, or another written wage receipt system). Workers should sign, or receive copies of pay slips.



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P7.3 REGULARITY OF PAYMENT

- Growers should have regular paydays. Workers should be paid at least once per month and at minimum, in line with the provisions of the Collective Bargaining Agreement;
- Growers should inform their workers about the timing of their paydays when employing them.



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P7.4 BENEFITS, HOLIDAYS AND LEAVE

- Growers must ensure compliance with the provisions of the appropriate Collective Bargaining Agreement in respect of leave, public holidays and other benefits;
- Growers must ensure that the workers employment contract makes reference to leave, public holidays and other benefits that the worker may be entitled to.



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P7.5 OVERTIME WORK (HRW)

- Growers shall ensure that that whenever they require workers to work overtime that the work is voluntary;
- Growers shall ensure that where overtime is worked, the overtime wages are paid in accordance with the provisions of the appropriate Collective Bargaining Agreement



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P8 COMPLIANCE WITH THE LAW

- **Growers must comply with all laws and regulations of the country relating to employment.**

P8.1 FARM WORKERS' LEGAL RIGHTS

- Workers must be informed of and understand their conditions of employment and legal rights when they commence work with the grower;



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P8.2 WRITTEN CONTRACTS FOR FARM WORKERS AND EMPLOYEE RECORDS (HRW)

- Growers and workers must have entered into a written employment contract and workers must receive a copy of the contract;
- Growers must keep files with copies of documents that relate to the employment of their workers i.e. contracts, pay slips, copies of identity documents, disciplinary matters etc.



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P8.3 TERMS AND CONDITIONS OF EMPLOYMENT

- Terms and conditions of employment contracts must be in accordance with the country's labour laws.
- Growers must keep files with copies of documents that relate to the employment of their workers i.e. contracts, pay slips, copies of identity documents, disciplinary matters etc.



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THANK YOU