

THIRD PARTY ASSESSMENT

Universal Leaf Tanzania

Tabora Region

AGRICULTURAL LABOR PRACTICES CODE



Control Union Certifications

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GLOSSARY OF TERMS and ACRONYMS

ALP	Agricultural Labor Practices
ALP Code	PMI's labor practices code with seven ALP Code Principles
ALP Code Principle	Short statements that set expectations of how the farmer manages his farm in seven focus areas
ALP Country Team (or CT)	Inter-department group charged with ALP implementation
ALP Program	Agricultural Labor Practices Program
ALP Technician	Leaf Technician specialized in the ALP Program
ATTT	Association of Tanzania Tobacco Traders, extension and logistics service provider to PMI suppliers
CA	Corporate Affairs
CU	Control Union
Contact farmer	Farmer through which ULT/ATTT communicate to other farmers
CPA	Crop Protection Agents
EHS	Environment, Health, Safety and Security Department of a PMI entity
ELRA	Employment and Labour Relations Act of Tanzania
Family farm	A farm that depends mainly on family members for the production of tobacco
Farm Profiles	A data collecting tool developed by PMI with Verité to track the socio-economic status of the farms, systematically gather detailed information about, among other things, the type of labor employed, farming activities that minors may be involved in, and hiring
FCV	Flue-cured Virginia tobacco
LT	Leaf Technician
GAP	Good Agricultural Practices
GTS	Green Tobacco Sickness
Leaf tobacco supplier	A company that has a contract with PMI to supply tobacco but is not a farmer
Migrant labor	Migrant labor refers to labor that comes from outside the farm's immediate area. Migrant labor can come from a neighboring region in the same country, or from a different country
Measurable Standard	A Measurable Standard defines a good labor practice on a tobacco farm and help us determine to what extent the labor conditions and practices on a tobacco farm are in line with each of the ALP Code principles
NGO	Non-Governmental Organization
OC	PMI Operations Center (Lausanne, Switzerland)
Phase 1	Startup of ALP Program (training, communications, outreach)
Phase 2	ALP Program full implementation (monitoring, addressing problems)
Piece work	Payment at a fixed rate per unit of production/work
PMI	Philip Morris International
PPE	Personal Protection Equipment
Primary Society	Name for farmer associations in Tanzania
Prompt Action	A situation in which workers' physical or mental well-being might be at risk, children or a vulnerable group – pregnant women, the elderly - are in danger, or workers might not be free to leave their job
Sharecropping	A system of agriculture in which a landowner allows a tenant to use/rent the land in return for a share of the crops produced on the land.
STP	Sustainable Tobacco Production
Support mechanism	A way for workers to access information and get support in difficult situations and for workers and farmers to get support in mediating disputes. Farmers have access to additional services to improve labor and business practices.
TTB	Tanzania Tobacco Board
ULT	Universal Leaf Tobacco Tanzania

1. ALP Program background and assessment overview



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AGRICULTURAL LABOR PRACTICES PROGRAM

In 2011, Philip Morris International Inc.¹ (PMI) launched a worldwide Agricultural Labor Practices (ALP) Program to progressively eliminate child labor and achieve safe and fair working conditions on tobacco farms. This program applies to all tobacco farms with which PMI or PMI's suppliers hold contracts to grow tobacco for PMI. The ALP Program consists of (1) an Agricultural Labor Practices Code, setting clear standards for all tobacco farms growing tobacco that PMI ultimately buys; (2) an extensive training program for all PMI and supplier's staff that are directly involved with tobacco growing, in particular the field technicians that provide regular visits to the farms; (3) a multi-layered internal and external monitoring system; and (4) involvement of governmental and non-governmental (NGO) stakeholders in improving labor practices and enhancing the livelihoods of tobacco growing communities.

The ALP Program was developed and is being implemented in partnership with Verité, a global social compliance and labor rights NGO. Control Union Certifications (CU) was commissioned by PMI to develop the external monitoring component of the ALP Program working in tandem with PMI's strategic partner Verité carrying out assessments at PMI suppliers and contracted tobacco farms worldwide. All PMI suppliers submit annual reports and are assessed regularly on their performance. For the ALP Program implementation, internal reviews are also being performed in all countries where tobacco is sourced to assess both initial progress and challenges in the program's implementation. The third party assessments that constitute the external monitoring component of the ALP Program are periodic reviews of PMI leaf tobacco suppliers and contracted tobacco farms worldwide undertaken by CU. In this initial stage of implementation, these third party assessments focus solely on the implementation of the ALP Program. They specifically focus on the progress in implementing the ALP Code framed against the strategic objectives set by PMI.

The ALP Code contains seven (7) principles²:

- 1. Child Labor**
There shall be no child labor.
- 2. Income and Work Hours**
Income earned during a pay period or growing season shall always be enough to meet workers' basic needs and shall be of a sufficient level to enable the generation of discretionary income. Workers shall not work excessive or illegal work hours.
- 3. Fair Treatment**
Farmers shall ensure fair treatment of workers. There shall be no harassment, discrimination, physical or mental punishment, or any other forms of abuse.
- 4. Forced Labor**
Farm labor must be voluntary. There shall be no forced labor.
- 5. Safe Work Environment**
Farmers shall provide a safe work environment to prevent accidents and injury and to minimize health risks. Accommodation, where provided, shall be clean, safe and meet the basic needs of the workers.
- 6. Freedom of Association**
Farmers shall recognize and respect workers' rights to freedom of association and to bargain collectively.
- 7. Compliance with the Law**
Farmers shall comply with all laws of their country relating to employment.

¹ For the purposes of this Code, "PMI" refers to Philip Morris International, Inc. or any of its direct or indirect subsidiaries. Where used, "supplier" refers to a company with a contract to supply tobacco to PMI but is not a farmer.

² The full ALP Code is contained in appendix 2.

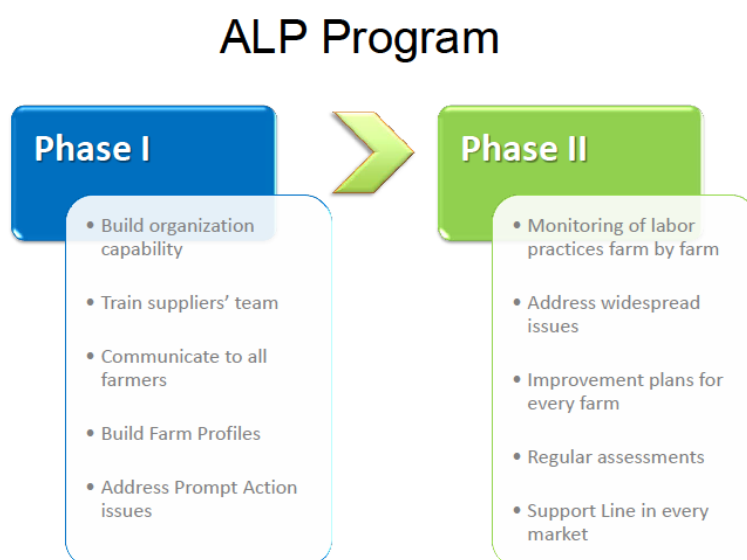
The implementation of PMI's ALP Program has been divided into two phases³:

Phase 1

- Management personnel and field technicians understand the ALP Code and the implementation approach, ensuring capacity of people and the processes in place to roll-out and manage the ALP Program;
- Communicate the ALP Code, requirements and expectations to all farmers;
- Document Farm Profiles for every contracted farm, identifying risk areas and tracking communication efforts to farmers;
- Being aware and engaged to identify situations and incidents at farms that should be both reported and addressed immediately.

Phase 2

- Collect detailed information about labor practices on every contracted farm;
- Systematically assess each farm for status of the Measurable Standards outlined in the ALP Code;
- Create and implement an improvement plan for each farm to improve the implementation of all required standards;
- Identify and implement corrective and/or preventive measures to identify and address the root causes of potential situations not meeting the standards and risks found on the farms;
- Report systematically on the progress that is being made;
- Support mechanism in place.



(Source: Verité & PMI, 2011)

³ Often, there is not a strict distinction between the two phases during ALP implementation. In practice, many countries start to consider how to address and respond to situations not meeting the ALP Code and to monitor progress before formally finishing Phase 1.

2. ULT assessment: Scope and methodology



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The ALP Program was launched in 2011 and this report is Control Union's fourth external assessment. Tanzania was the first African market to be assessed and the Tabora region was selected to be assessed by CU for both ULT and PMI's other supplier operated there. The two companies cooperated to implement the ALP through a partnership with the Association of Tanzania Tobacco Traders (ATTT), of which ULT was a 65% shareholder, with the remaining 35% owned by PMI's other supplier. Due to the fact that ULT and PMI's other supplier operating in the region cooperated through their partnership with ATTT, the reports for these two companies are almost identical. At the time of the assessment in February 2014, ULT was implementing Phase 1 of the ALP Program and completed the second crop season under the ALP Program.

2.1 Opening meeting

On 6 February 2014, CU started the assessment with an opening meeting with ULT senior management, ALP Country Team representatives, ATTT management and field personnel, PMI Regional ALP Coordinators and a representative of the OC. During this meeting, CU presented the assessment's objectives and plan. Together with ATTT, ULT provided an overview of the implementation of ALP.

2.2 Staff interviews and ALP Program documentation

The assessment of ULT's and ATTT's work during Phase 1 of ALP included individual interviews with ULT's senior management, staff and the ALP Country Team involved in the implementation of the ALP Program, including the ATTT management and field personnel. All interviews were conducted individually to ensure that interviewees could talk freely. In total, 13 leaf technicians, 4 ALP technicians and 14 staff members of ATTT were interviewed. Additionally, CU interviewed four ULT staff and two members of a Primary Society⁴. Interviews covered the following topics:

- General awareness of the ALP Program and knowledge of the ALP Code;
- Implementation of the ALP Program at supplier level;
- Responsibilities of management personnel;
- Internal training and communication on the ALP Program;
- Communication of the ALP Code to farmers;
- Internal system to collect information through Farm Profiles;
- System for reporting of Prompt Actions;
- Efforts undertaken to mitigate risks;
- Internal procedure to report Prompt Actions;
- Records showing the number of leaf technicians trained;
- Records showing the number of farmers included in ALP communication;
- Relationship between the three companies ULT, PMI's other supplier operating in the region, and ATTT;
- Relationship with external stakeholders.

ULT and ATTT provided all the relevant documentation related to the ALP Program implementation requested by CU, namely: Farm Profiles, farmer communication

⁴ Name for farmer associations in Tanzania.

materials, purchase contracts, Prompt Action reports, training records and company personnel records.

2.3 Farm sample selection

In total, CU visited 58 farms in the Tabora region supplying tobacco to ULT. According to CU's standard procedure to establish a representative sample, the minimum number of farms to be visited was 58, calculated from the square root of the combined number of farms contracted by ULT and PMI's other supplier operating in the region⁵ multiplied by a risk factor of 0.8. The resulting 110 farms was divided proportionally between the two suppliers (ULT: 58 farms and PMI's other supplier operating in the region: 52 farms).

Unannounced visits were conducted on the full sample of 58 farms. During the first three days of the assessment, CU visited six farms per day (18 in total). When selecting the farms, CU ensured that a maximum number of Primary Societies and leaf technicians were included in the sample. Each leaf technician was appointed to one Primary Society and responsible for the farms contracted through that particular farmer association. In addition to the Primary Societies and leaf technicians, the sample included all seven growing areas. On day four logistical challenges required CU to increase the number of randomly selected farms visited from six to ten per day. These challenges included long travel times and inaccessible farms. Increasing the number of farms per day also reduced the number of field days and total travel time.

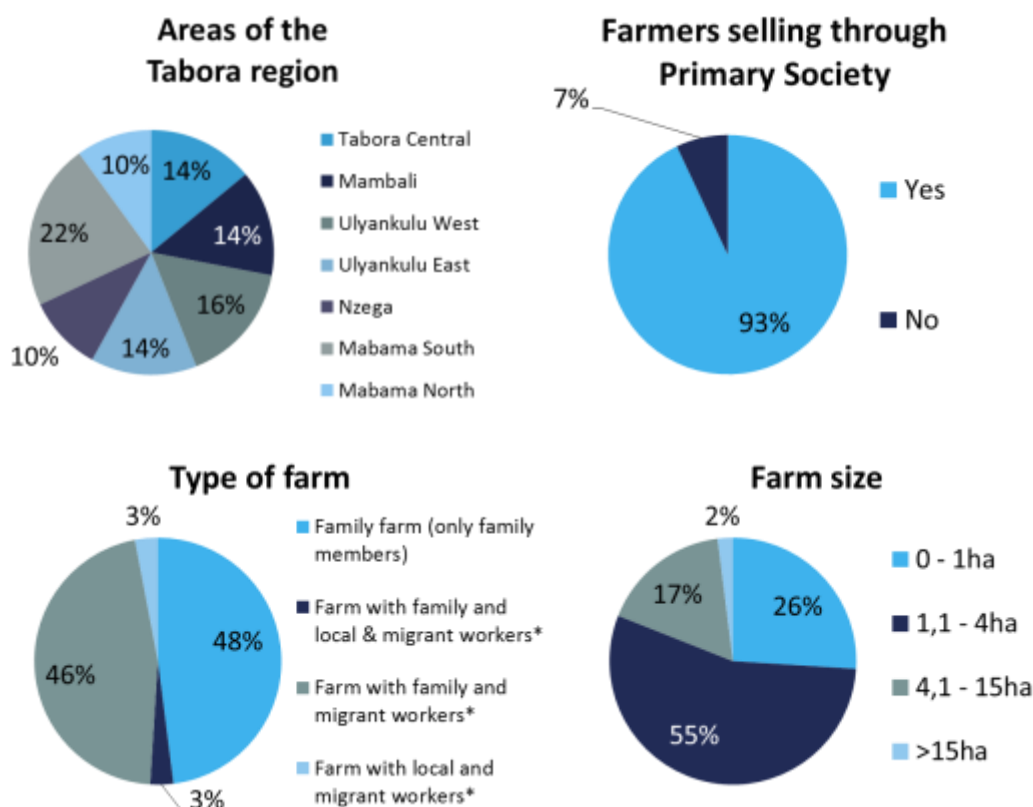
The farms supplying ULT were divided over seven growing regions: Tabora Central (11%), Mambali (12%), Ulyankulu West (17%), Ulyankulu East (17%), Nzega (19%), Mabama North (17%) and Mabama South (7%). In the Tabora region, 100% of the tobacco produced was Virginia Flue-Cured.

Among the farmers supplying tobacco to ULT, 81% of the farmers grew between 0.1 and 1.0 hectares of tobacco, 18.7% between 1.1 and 4.0 hectares, 0.1% between 4.1 and 15 hectares and 0.2% more than 15 hectares. While, this sample represents the total universe of farms in the different tobacco growing areas, the selection was purposely skewed towards larger farms employing more workers.

The largest proportion of farmers supplying ULT with tobacco was contracted via a Primary Society, acting as an intermediary party. The supplier then held contracts with the Primary Society. Farmers did not legally need to be contracted through a Primary Society and could also hold a contract directly with a tobacco company. From the farms visited, 93% of the farmers sold their tobacco via a Primary Society. The remaining 7% consisted of four farmers that were members of groups of independent farmers called "associations".

⁵ There were 18,709 farms in the Tabora region at the time of the assessment: 9,840 farms were sourcing to ULT and 8,869 to PMI's other supplier operating in the region.

The tables below summarize information on the sample of 58 farms.



*Migrant workers: Including both workers from neighboring countries and workers from other regions within Tanzania. Due to similarities in language and appearance, a worker's origins were difficult to distinguish by CU's local auditors.

2.4 Farm visits

On each farm, CU conducted individual interviews with the farmer to assess the effectiveness of ATTT's communication efforts during Phase 1 to verify:

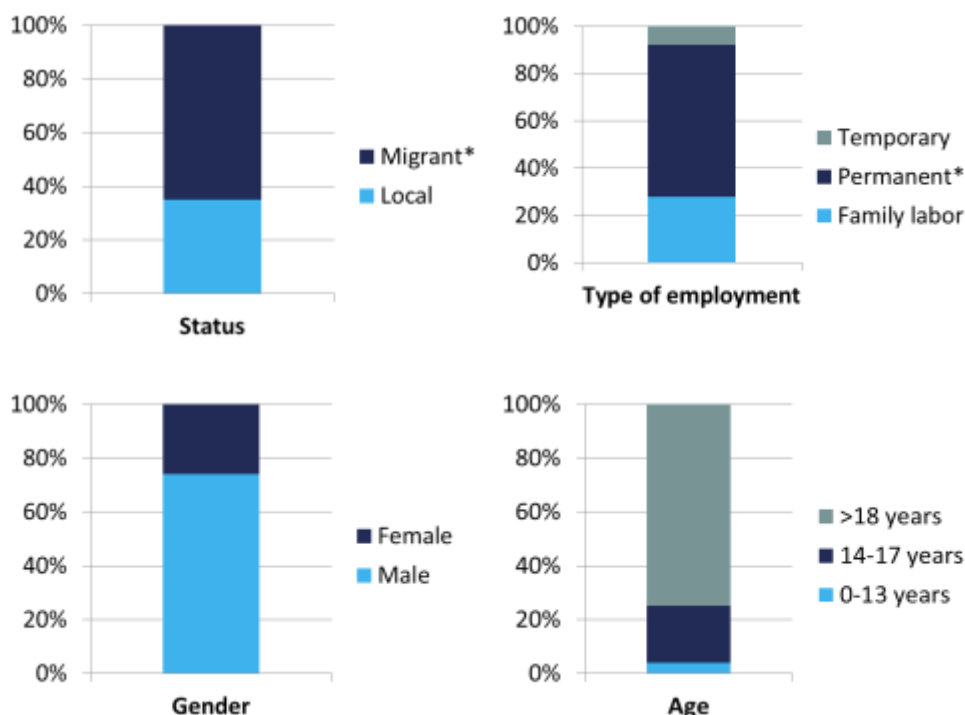
- whether farmers had received information about the ALP Code;
- their level of understanding and attitude towards ALP Code Principles;
- the extent to which farmers met the standards of the ALP Code.

When reviewing farm practices, CU used a variety of methods to collect the information in relation to all the ALP Code's Measurable Standards including: interviews with farmers and workers, verification of documentation and visual observation of fields, storage rooms, curing barns, working areas and housing. Before every interview, CU briefly explained the intention of the assessment and assured the interviewees that all information would be treated confidentially.

2.5 External workers and family members of the farmers interviewed

In total, 72 workers and family members of farmers were interviewed during the farm visits. The graphs below summarize the data collected on their status. To avoid bias, interviews with workers were conducted alone. On each farm, CU aimed

to interview different “types” of family workers and workers i.e. permanent and temporary workers, men and women, migrant and local. In addition to interviews, visual observation was an important assessment technique.



*Permanent = working for more than 1 consecutive month at a particular farm

*Migrant workers: Including both workers from neighboring countries and workers from other regions within Tanzania. These two types of migrant workers were difficult to distinguish due to the great similarities in appearance and language.

2.6 Closing meeting

The closing meeting was held in Dar es Salaam on 27 February 2014 when CU presented the initial findings of the assessment. The meeting was attended by ULT’s senior management and ALP Country Team representatives, the ATTT management and PMI Regional ALP Coordinators.

2.7 Preparation of the final report

The final, public report of the assessment is an important, external measurement of the progress of global ALP implementation in all countries where PMI sources tobacco. Public release ensures the intended transparency of the ALP Program. Key components of the reporting process include quality control by Verité, review and feedback by PMI and ULT and ATTT and market action planning. CU’s main responsibility is to author the final assessment report. While drafting the report, PMI and the local supplier may request clarifications on specific findings. After both PMI and the local supplier feel any findings have been clarified and understood, they prepare a market action plan or revise existing GAP/ALP Program plans to respond to the findings. This plan is included in Appendix 1.

3. Assessment implementation Phase 1 of the ALP Program



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This chapter documents the findings of the assessment of ULT's implementation for Phase 1 of the ALP Program. Phase 1 began with the implementation of training for management personnel and field technicians including:

- 1) Program objectives and expectations;
- 2) The meaning of the ALP Code Principles and Measurable Standards;
- 3) Techniques to communicate the ALP Code to farmers;
- 4) Tracking progress of communication and how to build a Farm Profile;
- 5) Identifying problems when visiting the farmers they support.

3.1 Conduct of the assessment

CU was satisfied with the cooperation and access to information provided by both ULT and ATTT. All persons interviewed willingly explained internal processes and provided information. However, during the farm assessments CU identified several cases of the leaf technician steering the farm selection process. For example, in at least three cases, leaf technicians claimed that the farm was inaccessible when it was actually reached easily. In at least five cases, leaf technicians tried to take CU to farmers they knew best. Furthermore, at least two cases of coaching of farmers and workers were identified where leaf technicians tried to influence what farmers and workers would say to CU. This was observed by the assessment team and became clear from the triangulation of answers of different interviewees. This is common in many markets in which third party assessments are conducted and understandable as leaf technicians want to show the best practices in the market. CU decided to adjust its selection methodology from pre-selected farms to a random selection (see also chapter 3.4). As a result, CU prevented these few cases from significantly influencing the final results of this report.

3.2 People and processes to manage the ALP Program

3.2.1 Internal structure for ALP implementation

At the time of the assessment an internal structure supported implementation of the ALP in the Tabora region. To start, ATTT was primarily responsible for the implementation of the program. In order to be better prepared for ALP implementation, ATTT had formed an ALP committee at national (1), regional (1) and area⁶ (7) levels⁷ and assigned a national ALP coordinator and a regional supervisor to control and monitor the progress of the implementation. In addition, seven ALP technicians had been appointed to support leaf technicians with the ALP Code implementation. ATTT's internal ALP team was also repositioned from field production to the Corporate Affairs department. Because it was more focused on people issues, it was considered better suited for leading the ALP Program. Equally important, ULT took responsibility for planning and resource management.

ULT response (see Appendix 1): *"The ULT Tanzania ALP Country Team has taken over the direct management of the ALP programme following the restructuring of ATTT, which including the disbanding of the ATTT ALP Country Team."*

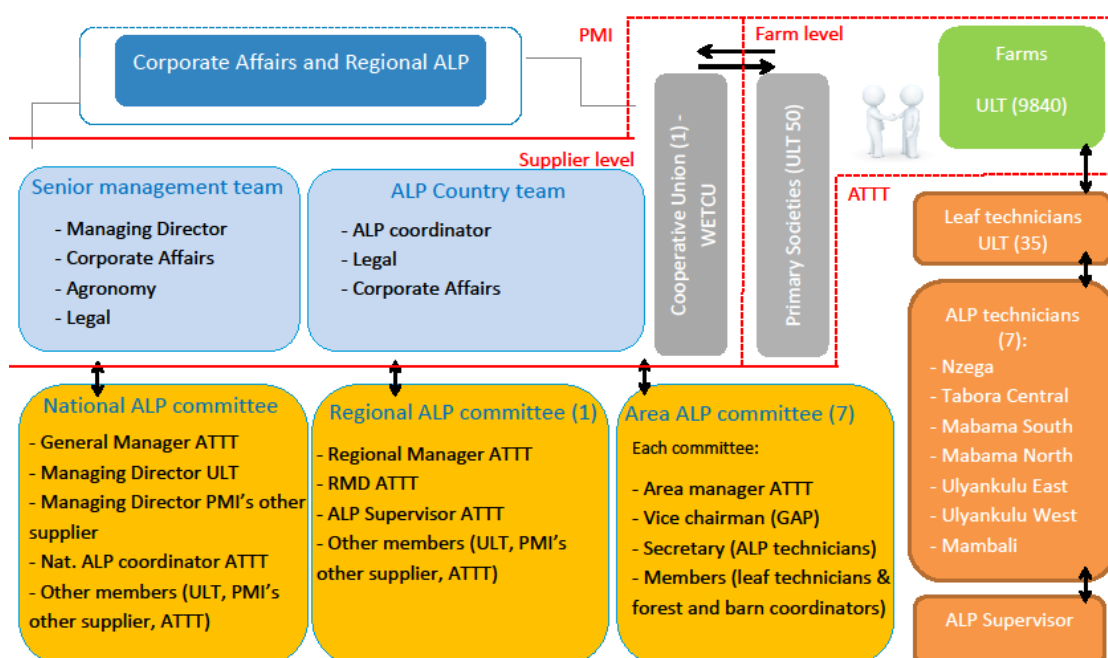
⁶ ULT divided the Tabora region into geographical "areas" of farms to improve oversight and allocation of resources.

⁷ Numbers refer to the number of committees active in the Tabora region.

"In addition, Field Technicians are continuously supported in their ALP roles by an enhanced team of 2 National ALP Coordinators and 26 ALP Sector Coordinators based across all growing areas. The restructuring of ULT Tanzania Field teams from separate ALP and Leaf technicians to each Field Technician providing a holistic approach to training in GAP, ALP and Forestry will also help to improve quality of training given to farmers."

In addition, ULT formed an ALP Country Team to roll out the ALP Program from the supplier's side: making decisions on ALP related issues with a business impact and to allocate resources for the program. ULT's senior management was also involved with the ALP Program participating in the national ALP committee and enforcing policies within the company. Finally, ULT management participated in a recently formed task force appointed by Tanzania's Ministry of Agriculture to address the most urgent problems related to the ALP in Tabora and other regions.

Organizational Chart: ULT's structure for ALP implementation



*All numbers mentioned refer specifically to the Tabora region

** The colors represent: PMI (dark blue), ULT (light blue), ALP committees (yellow), ATTT (orange), Cooperative Union and Primary Societies (grey) and the farms (green).

This complex operating environment with a large number of external stakeholders (PMI's other supplier operating in the region, ATTT, WETCU, TTB, the Ministry of Agriculture, and 50 Primary Societies) posed challenges for the implementation of the ALP Program. According to ULT, PMI's other supplier operating in the region and ATTT, this complex environment was due to the following factors:

- The majority of farmers supplied through a Primary Society,
- Imprudent lending from the Primary Societies and non-payment by farmers had resulted in farmers focusing on survival rather than ALP implementation,

- Slow registration process of farmers by the TTB⁸ retarded the communication of the ALP to (new) farmers,
- Lack of enforcement of laws relevant to the ALP Code by the government,
- Initial reluctance of WETCU⁹ to support the ALP and share information with ATTT. Since the start of the Taskforce obligating WETCU to cooperate, this dynamic has improved.

ULT response: *"Communications between Banks, Primary Societies, Unions and ULT Tanzania is being further strengthened, the main objective being to work collaboratively to reduce potential farmer debt. In Tanzania, merchants such as ULT Tanzania no longer provide crop finance to farmers. The Tanzania Government introduced crop reforms mandating that inputs be purchased through the unions and distributed to their farmers through Primary Societies. Under this restructuring the Primary Societies negotiate loans with the banks on behalf of their members in order to finance the inputs."*

"After each sale of tobacco, ULT Tanzania will communicate with the respective Primary Society and banks to indicate anticipated Loan Recoveries based on those sales. Through these procedures, the management of debts is transparent and it is hoped this process will lead to reduced debt issues faced by farmers."

3.2.2 Internal communication and reporting

The abovementioned structure was implemented to support the flow of information on the ALP between the different stakeholders. The national ALP committee held three, annual meetings while the regional and area ALP committees organized monthly meetings. During these meetings, issues concerning the ALP were discussed and action plans formulated. From these meetings, ATTT collated a monthly report to internally inform the ULT management on the progress of the ALP Program.

At the field level, leaf and ALP technicians in each area met weekly to discuss the ALP. These meetings focused on ALP related issues, experiences and the status in the field. These meetings were also used to report on Farm Profiles and Prompt Actions between leaf and ALP technicians (see chapter 3.5 for more information).

ULT response: *"The GAP Country Team now meets as a steering committee each quarter, to review the progress of the ALP Programme and implement improvements, as required. Specific issues are being dealt with through extraordinary meetings if or when required. In addition, the ALP Country coordinator teams will meet on a more regular basis, monthly or even weekly if or when required. Meetings will be recorded and feedback provided to the GAP Country Team."*

3.2.3 ALP training, roles and responsibilities

Several programs have supported implementation and training. To start in 2011, PMI conducted the initial training on the ALP Program. Between August 2011 and

⁸ The TTB registered farmers and provided them with a license to sell tobacco.

⁹ Western Tobacco Growers Co-operative Union; Cooperative Union for farmers and workers.

February 2012, all relevant staff from both ATTT and ULT were trained. Second, training of new staff and refresher training sessions were regularly performed by the national ALP coordinator, the ATTT Corporate Affairs manager or one of PMI's regional ALP coordinators. Cross trainings with ALP colleagues from Malawi and Mozambique were also organized to share practical experience.

As previously mentioned, leaf technicians also discussed the ALP on a weekly basis during meetings with ALP technicians ensuring a regular repetition of the ALP theory. Leaf technicians were also given an exam.

Although ATTT's and ULT's management both expressed their commitment to the ALP Program and were actively involved (see also chapter 3.2.1), specific ALP responsibilities were not yet included in the job descriptions of either the technical or management staff.

ULT response: *"Training and understanding is formally tested and assessed after each training session and entered in the FT's personal training log to enable management to continually improve training programs and Field Technician personal development objectives each year. Specific ALP-related responsibilities and Key Performance Indicators (KPIs) have been formally included in the job descriptions and objectives of all relevant personnel from Field Technicians to senior Agronomy Management since August 2015."*

Finally, ULT, PMI's other supplier operating in the region, and ATTT engaged with 85 external stakeholders including schools, teachers and village leaders to mitigate child labor through open dialogue, also involving them in ALP training sessions.

3.3 Communicating the ALP Code requirements to all farmers

3.3.1 The ALP communication strategy

All farms registered by ULT for the 2012/2013 crop season had been included in the ALP communication strategy and were subsequently trained on the ALP Code. CU was unable to verify if all farms registered by ULT for the 2013/2014 crop season were included as the farm list for that season was not available at the time of the assessment.

In Tabora, the communication strategy primarily focused on principles 1 (child labor) and 5 (safe work environment), perceived as the main problems in the region. Of the farms visited, the majority were aware of the ALP Code while 10% were still unaware. The farmers were least familiar with principles 6 (freedom of association) and 7 (compliance with the law) in parallel with the findings on the knowledge of leaf technicians (chapter 3.3.3). In line with the strategy, farmers were most familiar with principles 1 (child labor) and 5 (safe work environment) but the depth of their understanding could be improved. An example relating to child labor; farmers had a limited awareness of the legal minimum working age and hazardous work (see chapter 4.1). In addition, farmers lacked basic knowledge of safe work environment and the safety measures needed to create a safe work place (see chapter 4.5). However, a number of reasons prevented the communication strategy from being more effective.

First, the low leaf technician to farmer ratio (on average 1:242) meant that 60%¹⁰ of the farmers had no direct contact with a leaf technician. Some leaf technicians were responsible for more than 500 farmers. These farmers were targeted via group meetings, a "contact farmer," where the leaf technician consulted approximately 20 farmers per session. Other initiatives to reach farmers in the Tabora region included ALP farmer clubs¹¹, group meetings at market centers and roadshows. Regarding the ALP farmer clubs, 35% of the farmers were unaware of their existing membership in the club. They were automatically registered when they joined a Primary Society and had not been properly informed about either the existence of the club or their membership. ATTT acknowledged this challenge and had a three year plan to reduce the ratio to no more than 1:150 farmers.

ULT response: *"Since January 2015, company policy recommends a technician to farmer ratio that will allow for a minimum of six visits during the growing season for each farmer by field technicians. From an original ratio of 242 farmers per technician, this currently equates to a ratio of no more than 150 farmers per individual technician. This is being implemented in order to achieve alignment to the company's long term GAP & ALP objectives. With the improved one on one contact with farmers, Field Technicians are able to spend more time with individual growers for training and monitoring."*

"The FT visits and activities are recorded both on the farmer index card and MobiLeaf."

Second, the Phase 1 requirement "communication of the ALP to all farmers" was narrowly interpreted because leaf technicians literally only spoke with farmers about the ALP. A broader interpretation of this requirement included family members on family farms. For example, as spouses were often active participants in tobacco production, their involvement would likely accelerate both understanding and acceptance of topics including child labor and safe work.

Third, CU identified resistance among farmers to participate in the ALP Program. These farmers did not attend meetings and were reluctant to discuss and implement the ALP. As previously mentioned, unpaid debts with the Primary Society might be a factor and farmers focused more on financial survival rather than implementation of the ALP Code.

Fourth, while the majority of the farmers had a positive relationship with the leaf technician 17% of the farmers considered the relationship "average" or "bad." These farmers explained that the leaf technician did not visit them enough while some also associated the non-payment of the Primary Societies with the leaf technician, even when they were unrelated. The negative perception could be driven by the deficiency in the leaf technician to farmer ratio, or by a simple misunderstanding among farmers of the relationship between the leaf technician and the Primary Society.

Finally, CU identified a unique cultural challenge in the relationship between farmers and leaf technicians. In general, young leaf technicians were reluctant to

¹⁰ Based on Farm Profile analysis done by ATTT.

¹¹ 375 ALP clubs were formed in the Tabora region at the time of the assessment. The clubs were active on Primary Society level.

inform the farmer about ALP when the farmer was much older as they did not feel they were in a position to instruct or correct the farmer's practices. This is not unusual in hierarchical tribal, cultures.

In summary, increasing the number of leaf technicians should help increase the awareness and adoption of the ALP while building stronger relationships regardless of cultural norms.

3.3.2 Unregistered farmers

After changing the strategy for farm selection (chapter 2.3), CU met with farmers not registered with either a Primary Society or ULT. 8.6% of the farmers visited by CU (five in total) were unregistered with either organization with their tobacco sold to ULT via a contracted Primary Society. These unregistered farmers explained that they sell tobacco via another registered farmer. This approach could be influenced by debts with the Primary Society or from a lack of TTB number. Leaf technicians confirmed that they did not know these farmers so they were not included in the communication programs. ULT was aware of these unregistered farmers and explained that this issue started in the 2013/2014 crop season. According to ULT, an action plan was in place to register these farmers and include them in the ALP communication.

ULT response: *"From 2015, all Primary Society contracted farmers are identified on the ULT Tanzania and Primary Society purchase contract. In addition, ULT Tanzania requires each of the identified farmers to have a formal contract with the Primary Society with a copy provided to ULT Tanzania."*

"The contracted farmers are strictly prohibited from sub-contracting to unregistered farmers. This is enforced through Field Technician visits and the GPS identification of all fields and curing barns."

3.3.3 ALP communication methods and materials

In Tabora an extensive set of communication methods and materials was used to inform famers about the ALP Code. Written materials included a barn poster, leaflets, t-shirts and water containers printed with the seven principles. As 40% of the farmers were illiterate this undermined the potential impact of any written materials,¹² so ULT ensured that other media were used such as a weekly radio show, bulk SMS broadcasts and drama presentations.

CU identified two challenges with the value of the written materials being distributed to farmers. First, materials were not produced in sufficient quantities so did not reach all farmers. Second, ATTT reported that some farmers only spoke a tribal language and would not benefit from communication materials in Kiswahili.

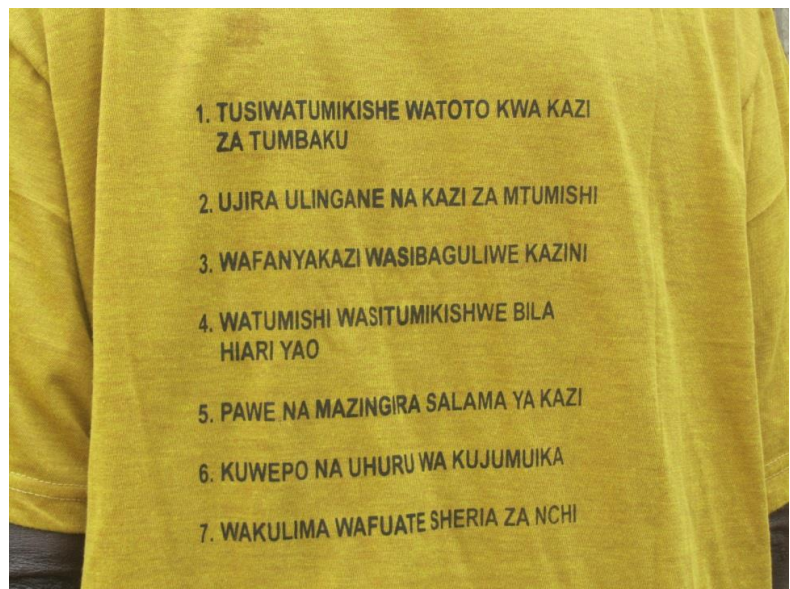
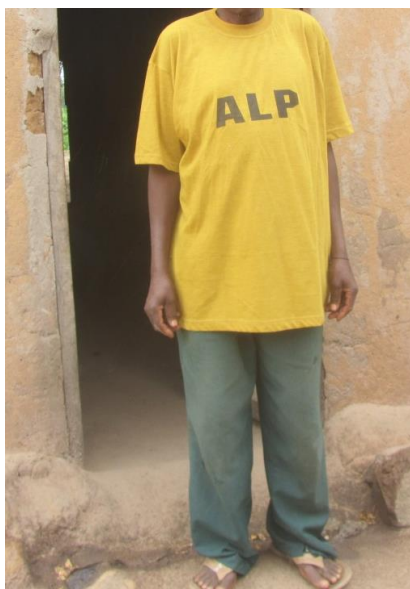
A clause on the ALP Code is a required inclusion in the farmer's growing contract. As the farmers were contracted through the Primary Societies, this should have been included in these documents. However, only child labor and social

¹² Percentage of illiteracy among farmers in the Tabora region provided by ATTT.

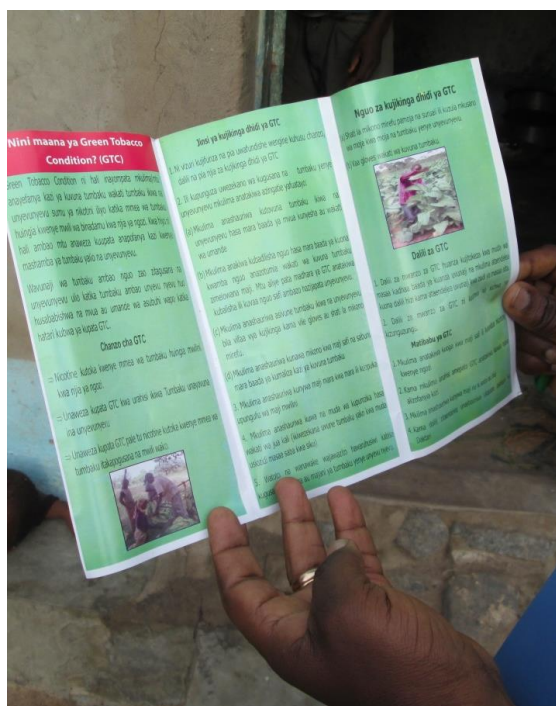
responsibility programs were mentioned in the contracts issued by the Primary Society.



ALP barn poster



ALP T-shirt with the seven ALP Code Principles written on the back



GTS leaflet (left) and a water container with the seven ALP Code Principles (right)

3.3.4 Understanding and perception of the ALP Program

As the primary source of information, farmers are dependent on the knowledge and access to leaf technicians. This makes their understanding critical for both knowledge transfer and adoption. During interviews with leaf technicians¹³, CU found that while all leaf technicians were familiar with the ALP Program, some had limited understanding of specific ALP Code Principles:

- Principles 1 (child labor) and 3 (fair treatment) were best understood with respectively 88% and 96% of the leaf technicians interviewed having a good understanding of these principles. Regarding Principle 1, the remaining 12% lacked knowledge of the activities that were allowed for specific age categories and/or mistakenly perceived that children in general were not allowed to work on tobacco farms at all.
- For Principle 2 (income and work hours), 62% of the leaf technicians interviewed had a good understanding while 38% were unclear of local laws on minimum wage, work hours, overtime payment and/or benefits.
- Regarding Principle 4 (forced labor): 58% of leaf technicians had a good understanding of forced labor. The remainder only considered physically coercing workers as applicable in this principle while practices like end of harvest payment without provision of advanced payments is also a risk of forced labor.
- Principle 5 (safe work environment): 52% of the leaf technicians interviewed had a good understanding of this Principle. While these leaf technicians were

¹³ All Leaf technicians contracted by ATTT were trained together, regardless of the Primary Society that was appointed to them and thus regardless to which supplier the farmers under their responsibility source tobacco. Furthermore, a number of Leaf technicians worked for several Primary Societies some of which were contracted by ULT and some by PMI's other supplier operating in the region. Therefore CU's analysis of the understanding and perception of the ALP Program, included all 26 interviewed Leaf technicians.

aware that PPE was required for protection for working with tobacco, they also considered the use of only gloves¹⁴ as sufficient protection.

- Principle 6 (freedom of association): 50% of the leaf technicians interviewed had a good understanding while the remainder felt it was irrelevant to discuss this topic with farmers due to a lack of labor unions in the region.
- For Principle 7 (compliance with the law): 38% of the interviewed leaf technicians had a good understanding of this principle making it the least understood. These leaf technicians primarily lacked knowledge about the legal requirements for contracts between farmers and workers.

ULT response: *"Field Technician and ALP coordinator training will be improved by translation of the ALP principles into Kiswahili for the 2016 crop with greater emphasis on the training of the weaker areas of a Technician's understanding."*

"Since August 2014, the ULT Tanzania GAP Country Team has implemented a programme of quarterly performance and understanding evaluations of all agronomy extension personnel (from divisional management through to Field Technicians). The objective is to identify each individual's strengths and weaknesses in relation to their GAP & ALP understanding and progressively improve their skills and knowledge, in order to transfer these effectively to all farmers. A competency profile of every Field Technician's knowledge and understanding of GAP & ALP is updated on an annual basis in order to highlight individual training requirements."

At the management level, both ULT and ATTT personnel had a good understanding of the ALP Program. One member of the ALP Country Team had received training just prior to the assessment and understandably, was not fully aware of the ALP Program and activities being implemented.

A specific gap was the staff's misunderstanding of migrant workers, perceived only as workers from other countries. According to PMI's definition¹⁵, this classification also includes workers from other regions within Tanzania. Similar to migrant workers from abroad, they are typically living far from home and are fully reliant on the farmers they work for so are similarly vulnerable to foreign migrant workers.

3.4 Building Farm Profiles for all contracted farms

In Phase 1 of the ALP Program, ULT is expected to build Farm Profiles for every contracted farm. PMI has developed a global template for suppliers and affiliates to collect information on socio-economic indicators including farm size, number of workers, age and number of children in the farmer's family, working status (for example part time, full time or migrant), the pay period for workers and living conditions. ATTT managed data collection of information and completed the PMI Farm Profile analysis. Thorough analysis was conducted on the information obtained through the Farm Profiles to better understand the primary risks and track progress in communicating the ALP Code.

¹⁴ The gloves present at the farms were too thin to provide proper protection and were not of a high enough quality to last the entire harvest season.

¹⁵ Migrant labor refers to labor that comes from outside the farm's immediate area. Migrant labor can come from a neighboring region in the same country, or from a different country.

3.4.1 Data gathering system for Farm Profiles

Farm Profiles were collected by the leaf technicians during either farms visits or group meetings. First, the information was enumerated into a physical form and then compiled into an Excel spreadsheet. The paper versions were grouped per Primary Society¹⁶ and stored in binders at the ATTT office. At the time of the assessment a digital system was still under development. Eventually tablet computers will facilitate the collection of Farm Profiles. During the assessment, CU had only access to the paper versions.

At the time of the assessment, CU could not confirm that 100% of the Farm Profiles had been completed. For 33% of the farms visited, no Farm Profile was present in the referenced binder. This could have been due to one of the following reasons:

- Farmers used several different names: ATTT clarified that farmers often used several names interchangeably, so the name reported by the farmer during the field visit could be different from the name in the Farm Profile.
- Unregistered farmers: As previously documented, five farmers were unregistered so no Farm Profile was available.
- For new farmers in the 2013/14 crop season, Farm Profiles had yet to be completed.
- Duplications: farmers sometimes registered at several different Primary Societies to ensure they received sufficient crop inputs. This created duplications in the farm list with Farm Profiles being filed in another Primary Society than that listed in the farm list.

3.4.2 Accuracy Farm Profiles

As no new Farm Profiles had been completed for the 2013/2014 crop season, their accuracy could not be verified by CU. The deadline for this task was planned for August 2014, the end of the tobacco season. However, several leaf technicians reported that this process had not started and no new Farm Profiles were provided to CU. According to ATTT, updating Farm Profiles at the beginning of the season was unlikely because of the large number of farmers in each region and the multiple levels of information that needed to be recorded at different stages of the production cycle.

Assurance of the accuracy of the Farm Profiles by leaf technicians was found to be limited. As 60% of the farmers did not have direct contact with a leaf technician, information was primarily collected during group meetings and based on farmer declarations rather than verification at individual farms.

The accuracy was also influenced by the attitude and needs of the farmers. First many were suspicious of why the data was being collected. Second, farmers reported that they did not understand the information written on the Farm Profile by the leaf technician; either because it was in English or because they were semi-literate. Finally, farmers interviewed requested more feedback and guidance from the leaf technician which decreased the time to collect data.

¹⁶ During the 2012/13 crop season there were on average 312 farms per Primary Society.

The existence of the five unregistered farmers meant that they had not been trained and there was no Farm Profile, so ULT was unaware of their farm practices and if they met the standards of the ALP Code.

ULT response:

"In October 2014, ULT Tanzania reviewed the procedure in which Farm Profiles were recorded and collected by Field Technicians. New measures included Farm Profiles being completed in Kiswahili to improve accuracy. All Farm Profiles were completed on-farm, to ensure confirmation of the data collected. ALP Area Coordinators conducted a 10% verification check per Field Technician to ensure understanding and data accuracy. In addition, a carbon copy of the Farm Profile in Kiswahili language was given to the Farmer as a reference for his/her own records. This was implemented with the intention to demonstrate to farmers the importance of keeping records and to increase transparency about the data being collected.

Pre-season confirmation and a master list of Farmers for whom every Field Technician is responsible, will also ensure annual Farm Profile targets are met without duplications or inaccurate farmer names. In addition, ULT Tanzania has complemented manual data collection with electronic data collection as of August 2015, through the MobiLeaf digital data collection system which streamlines the efficiency of Farm Profile collation."

"During the 2014/15 season, 20% of farmer data was collected with MobiLeaf. Over the 2015/16 season, 100% of farmer profile data will be collected electronically."

"A particularly important feature is that the application will highlight new issues or potential issues from previously entered data, thus providing an important feedback to the farmer by the Technician."

"The MobiLeaf system will replace all data gathering done with excel spreadsheets in the growing area and regional offices. This means that senior management will have access to live data enabling them to react to issues on the ground in a much shorter time scale."

3.5 Prompt Actions

PMI defines a Prompt Action situation as:

"a situation in which (1) workers' physical or mental well-being might be at risk, (2) children or a vulnerable group – pregnant women, the elderly - are in danger, or (3) workers might not be free to leave their job." (source: PMI, 2011)

Phase 1 of the ALP Program implementation primarily focuses on training and communication. However, even at this stage, PMI's expectation is that its suppliers will address Prompt Actions found on any farms in their supply chain. In May 2012, Phase 1 training included the response to Prompt Actions. To start, leaf technicians are expected to immediately report any Prompt Actions to the ALP coordinator, who provides them with guidance on how to address the issue or escalate it within the organization.

3.5.1 Prompt Action reporting mechanism

In the 2012/2013 crop season, the implementation of the Prompt Actions reporting mechanism was highly successful and resulted in 802 Prompt Actions being reported. According to ATTT, the number of Prompt Actions continued to increase, most likely due to the success of the reporting mechanism. At area level, the Prompt Actions were compiled and reported on a weekly basis to the management team. The findings were thoroughly examined in order to identify trends and root causes.

In regards to the training on reporting of Prompt Actions and the "Prompt Action book," CU identified three areas for improvement. First, the book could be developed in both English and Kiswahili. Some of the leaf technicians were not fluent in English and found it difficult to properly describe Prompt Actions. Second, the three categories of Prompt Actions defined by PMI were not clearly distinguished in the form. The third category of Prompt Actions, 'workers not permitted to leave their jobs,' was not clearly understood by all personnel involved in reporting and/or analyzing Prompt Actions. Finally, migrant workers and orphans were not identified as vulnerable groups in the Prompt Action book.

Generally, the leaf technicians interviewed had a good understanding of the concept of Prompt Actions but there was still some confusion, highlighting the need for additional training. For example, one leaf technician mentioned a lack of toilets at the farm as a situation that should be reported as a Prompt Action while another described Prompt Actions as "any violation with the ALP Code".

ULT response: *"Prompt Action recording books have been improved and translated to Kiswahili language. Prompt Actions and follow-ups are also recorded on the MobiLeaf tablets. In addition, all Prompt Action follow-up is monitored by ALP Sector Coordinators on a case-by-case basis. Reporting and analysis is communicated to all senior managers on a monthly basis. Continuous training of Field Technicians and close monitoring by ALP Coordinators will further improve Prompt Action understanding."*

"As a result of improved data collection systems and improved FTs knowledge, prompt action reporting increased from 802 cases in August 2013 to 2,811 in July 2015."

3.6 Support mechanism (Phase 2 requirement)

As explained in chapter 2, the creation of a support mechanism is a requirement under Phase 2 of the ALP implementation. At the time of assessment, ATTT was already implementing a pilot mobile support line in the Tabora region.

3.6.1 Pilot in Tabora region

One month prior to the assessment, ATTT launched a support line designed for both farmers and workers in cooperation with the local NGO Tabora Development Foundation Trust (TDFT).¹⁷ According to ATTT, TDFT received mobile calls and sent

¹⁷ For more information on TDFT: <http://tdft.or.tz>

a monthly report of cases reported. At the time of the assessment, the support line was only collecting data with no mechanism to address reported issues. 11 community activists were contracted to promote the support line among farmers and workers. In the future, the support line will receive and process grievances reported by farmers and workers.

4. Farm level assessment of ALP Code standards



THIRD PARTY ASSESSMENT

Universal Leaf Tanzania

Tabora Region

AGRICULTURAL LABOR PRACTICES PROGRAM

This chapter describes the findings of the field assessment and the current situation at farm level relating to the implementation of the ALP Code. At the time of this assessment, ULT was implementing Phase 1 of the ALP Program. With the important exception of Prompt Actions, ULT was not yet expected to engage with farmers or address all situations on farms that do not meet the ALP Code standards in a systematic way. This is the expectation of the Phase 2 implementation.

Before presenting CU's findings, it is important to understand the structure of the ALP Code as this guides CU's analysis of farmer practices. The ALP Code has seven ALP Code Principles, each with several Measurable Standards. ALP Code Principles are short statements that set expectations of how the farmers manage their farm in seven focus areas. These principles are designed to guide farmers on specific practices resulting in safe and fair working conditions.

A Measurable Standard defines a good practice and over time can be objectively monitored to determine whether and to what extent the labor conditions and practices on a tobacco farm are in line with each ALP Code Principle. Each chapter covers one of the seven ALP Code Principles and CU's findings regarding the extent to which the practices on farms contracted to supply tobacco currently meet the requirements of the Measurable Standards. Risks are also documented and include situations that may lead to problems in the future or about which a conclusion cannot be reached due to a lack of evidence.

4.1 ALP Code Principle 1: Child labor

Background

Minimum age regulations: The *Employment and Labor Relations Act (ELRA)* determines that the minimum age for working in Tanzania is 14 years, provided that the child has completed at least Standard 7 of the primary education. The ILO accepts a minimum working age of 14 years for developing countries such as Tanzania, and states that children between the age of 12 and 14 are allowed to help on their family's farm. The *Law of the Child Act 2009 (82)*³ constitutes a list of hazardous activities that cannot be performed by persons under 18 years which includes, *inter alia*, portage of heavy loads. In addition, this law defines hazardous work to mean any work which places a child at risk to suffer physical or mental injury. Furthermore, persons below the age of 18 are restricted from working at night between 8pm and 6am. Also, children shall not be employed or engaged in any kind of exploitative labor, meaning work that (a) deprives the child of his health or development; (b) exceeds 6 hours a day (c) is inappropriate to his age; or (d) the child receives inadequate remuneration (78).

ALP Code Principle 1

Child labor

'There shall be no child labor.'

Child labor: Overall findings and challenges

4.1.1 Prevalence of children working

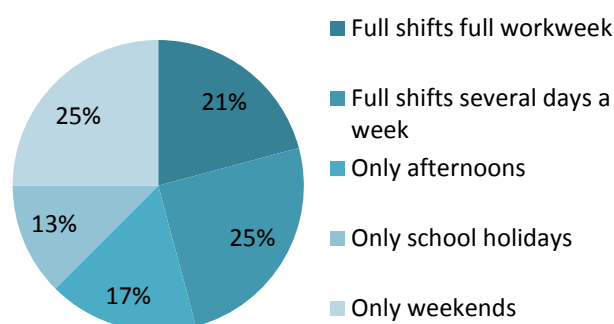
The number of farms on which CU found children below 14 (the legal minimum age for working) employed, was relatively low with only two farms; one farmer employed two children below 14 and one farmer five. CU also found child family members of the farmers helping out at the farm, a part of the local economy and culture; at 14% of the farms visited, children between 12 and 14 were found doing heavy work and/or children below 12 were helping on the farm. Also, at 34% of the farms visited, persons below 18 were found involved in hazardous work. In total, CU identified 50 children involved in tobacco related activities (20 children were employed at one farm). For the three different age categories, the table below sets out the number of children per activity and that children are engaging in hazardous activities including stringing tobacco, harvesting, and carrying tobacco leaves.¹⁸

	Children below 12 (total=7)	Children between 12 and 14 (total=13)	Children between 14 and 18 (total=30)
Sowing		7	25
Applying fertilizer*		5	20
Transplanting	1	7	22
Irrigation			18
CPA application/handling*	1	1	22
Harvesting*	1	7	26
Stringing tobacco leaves*	7	11	29
Carrying tobacco leaves*		6	27
(un) loading curing barns*			20
Monitoring curing barns*			18
Classifying		1	19

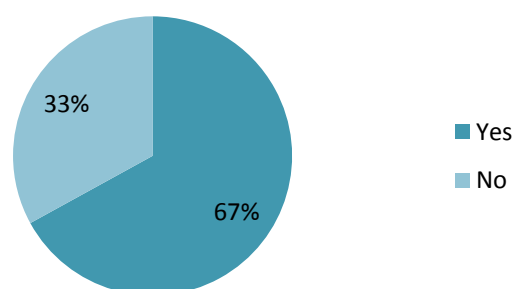
*This activity is considered to be hazardous for this age class.

The reported school attendance for school age children 14 years and under was 67% (24 in total). In the same age category; five worked full shifts the whole week, six children worked full shifts several days a week, six children only worked on the weekends, four children only worked in the afternoon and three children were working only on school holidays. Of the children between 15-17 (26 children in total), seven children worked full shifts the whole week, two children worked full shifts several days a week and two children only worked on weekend.

Frequency of work children 14 and below (Total = 24)



School attendance children 14 and below (Total = 24)



¹⁸ One child can do multiple activities.

Initiatives to address child labor

The ATTT entered into a partnership with the ECLT Foundation¹⁹ (Elimination of Child Labor in Tobacco growing) on a project called PROSPER²⁰. The project's goal was to reduce child labor in Tanzania's tobacco industry through targeted interventions in the Tabora region. This project started in July 2011, and planned to be active until December 2015 with a budget of 4.750.000 USD (combined for the Urambo, Sikonge and Tabora regions). The objectives were to protect: children (5-17 years old) from exploitative, hazardous, and worst forms of child labor in tobacco growing and legally working children (15-17 years old) in non-hazardous work in tobacco growing.

In addition, the ATTT involved school teachers to reduce absenteeism. Teachers in the Tabora region followed up on absent children and reported school attendance to the area ALP committee. The school teachers were also involved in the training on the ALP (see chapter 3.2.4).

ULT has taken the following efforts to address child labor:

1. *"ULT Tanzania will continue to engage farmers on the legal minimum working age with a new focus through training of farmers and their spouses/partners during each Technician visit and via multiple channels such as drama groups and radio programmes to achieve improved understanding of the target audience."*
"The spouse's attendance is recorded on the MobiLeaf system. In 2014/15, over 29,000 spouses were recorded as having attended training sessions which was over the 20,000 target set for the season. In future seasons, the target number of spouses will be collected at the time of farmer registration. The target is 100% of contracted farmers' spouses."
2. *"Another primary channel of communication identified, is through a Village Child Labour Committee (VCLC) which are already set up in some villages. Above these is the District Child Labour Committee (DCLC)."*
"The objective of developing these communication channels is to encourage deeper cultural awareness and behavioural change, particularly in relation to child labour."
3. *"During the 2015/2016 season, ULT Tanzania will collect and monitor data on all orphans at contracted farms, through the MobiLeaf system. The information includes: name, gender, age, school enrolment, school attendance, resident on or off farm and if any hazardous tasks are performed."*
4. *"Education is a key theme and objective in ULT Tanzania's approach to tackle child labour, and the company responds to many requests for help from various education authorities or from its own area managers with support for the refurbishment of schools. In the last few years, for example, ULT Tanzania has invested over 100,000,000 TZS (US\$ 46,055 at the current exchange rate) to refurbish or enlarge 7 schools, more than 31,000,000 TZS (US\$ 14,277) to supply desks to 6 schools and over 20,000,000 TZS (US\$ 9,211) to provide textbooks to 2 schools. These contributions have helped improve education conditions for approximately 2,500 children."*

¹⁹ More information can be found on <http://www.eclt.org/site/about-child-labour/agriculture-and-tobacco/>

²⁰ PROSPER: Promoting Sustainable Practices to Eradicate child labor in tobacco growing.

5. *"National conference "Pathways to Sustainability: Together We Can Eradicate Child Labour in Agriculture" (2015). ULT Tanzania actively engaged with the Government of Tanzania and supported a two and a half day conference organized through the Prime Minister's Office – Regional Administration and Local Government (PMO-RALG) and the Ministry of Labour and Employment (MoLE) in collaboration with the Elimination of Child Labour in Tobacco-growing Foundation (ECLT) and its implementing partner Winrock International."*
6. *"The board of ECLT on which ULT is represented agreed to fund a new Country Plan for 2016-2017 focused on advocacy and increased technical assistance to the government, district level coordination, youth employment, and targeted interventions to prevent child labour and promote school retention (e.g. Village Saving and Loans Associations, referral services, awareness raising)."*
7. *"In May 2015, the ILO and the ECLT entered into an agreement to develop global guidance on hazardous child labour and occupational safety in tobacco production and to support associated social dialogue in three pilot countries, including Tanzania. The deliverables, the process and the timelines still have to be finalized. ULT Tanzania will support the efforts made through this public private partnership."*

Child labor: Risks

4.1.2 Underlying factors that increase risk

In Tabora, the majority of the farms that sourced for ULT (48%) consisted of relatively small size farms fully reliant on family labor. Subsequently, CU identified four factors posing a risk of child labor. First, children traditionally helped on the farm, perceived and valued as a part of their education. Second, many farmers reported they could not hire worker because of limited cash flow. Third, adolescent marriage posed another risk for child labor. Finally, the availability of both primary and secondary schools in the Tabora region was insufficient, increasing the risk of children working on farms instead of attending school. On 55% of the farms visited, children were on hand because they either lived there or were accompanying their parents.

4.1.3 Awareness of hazardous work

78% of famers and 55% of the workers²¹ interviewed were aware of the meaning of "hazardous work." The remaining did not know that harvesting, CPA application, and working at heights are hazardous activities and should not be performed by persons under 18. In line with this finding, all 50 children found working on the farms were involved in one or more activities that are not allowed in their age category (see 4.1.1).

²¹ As explained in chapter 2, raising awareness among farmers is a requirement under Phase 1 of the ALP roll out, while raising awareness among workers is part of Phase 2. As ULT was in Phase 1 at the time of the assessment, raising worker awareness was not a requirement.

4.1.4 Awareness of legal minimum working age

79% of the farmers and 54% of the workers²² were aware of the legal minimum working age. The remaining either reported they did not know the legal age children could be employed or named an age higher or lower than the legal minimum working age of 14. This lack of awareness could lead to farmers hiring children below the required age limit.

4.1.5 Age verification

91% of the farmers that hired labor did not verify the age of the workers they employed. Even if the farmer was willing to verify the age workers, this was impeded by the lack of local identify documents.

Child labor: Analysis and Priorities

Given these findings, ATTT's choice to focus its communication efforts on child labor is logical. While the awareness levels of the legal minimum working age and hazardous work among both farmers and workers was relatively high, this had not yet translated into all-encompassing behavior change. Seven children below the legal minimum working age were employed and all 50 children identified by CU were involved in one or more activities that were not appropriate for their age.

Additional root cause analysis on the reported Prompt Actions and the underlying factors that increase risk could provide valuable input for implementing targeted initiatives to educate on this issue while considering how best to support the local culture of family tobacco farming.

4.2 ALP Code Principle 2: Income and work hours

Background

Minimum salary regulations: The minimum wage is regulated by the law. The employee representative union for the agricultural workers, Tanzania Plantation and Agricultural Workers Union (TPAWU) can only negotiate for better terms that are more than the minimum wage set by the law. At the time of the assessment, according to the *Labor Institutions Wage Order, 2013* (GN 196 of 2013), the gross minimum wage for employees in agricultural services in Tanzanian Shillings was as follows:

- 512.85 TZS per hour
- 846.50 TZS per day
- 23,078.70 TZS per week

ALP Code Principle 2

Income and Work Hours

'Income earned during a pay period or growing season shall always be enough to meet workers' basic needs and shall be of a sufficient level to enable the generation of discretionary income. Workers shall not work excessive or illegal work hours.'

²² As explained in chapter 2, raising awareness among farmers is a requirement under Phase 1 of the ALP roll out, while raising awareness among workers is part of Phase 2. As ULT was in Phase 1 at the time of the assessment, raising worker awareness was not a requirement.

- 46,157.40 TZS per fortnight
- 100,000.00 TZS per month

Salary payments must be made during work hours at the place of work on the agreed pay day and made in cash (unless the employee agrees otherwise). End of season payments are allowed. Remuneration shall be due and payable at the end of the contract period provided the employer may pay an advance before the due day on a mutually agreed day and, if such day is not agreed, at least once on completion of half the contract period. Such advance shall not be considered a loan and shall not attract interest.

Work hours regulations: The *ELRA* states that workers on tobacco farms can work a maximum of 9 regular hours per day, not more than 45 regular hours and six days a week. It is prohibited to require or permit a worker to work more than 12 hours on any day and for more than 50 overtime hours in any four week cycle.

Overtime hours must be paid one and a half times the regular wage. Night work should be paid at 1.05 times the regular wage. Overtime hours during the night should be paid 1.575 times (1.5×1.05) the regular wage. Work done on national holidays should be paid at two times the regular wage.

Benefits regulations: Benefits that apply to all workers: sick leave and overtime payment. Benefits only apply to workers who work for more than six consecutive months and include: paid annual leave (28 days), maternity and paternity leave (84 and 3 days).

Income and work hours: Overall findings and challenges

4.2.1 Minimum salary

61% of the farmers visited who contracted workers paid their workers less than the legal minimum wage in cash. The monthly salaries reported were between 37,500 and 150,000 TZS, while the minimum wage is 100,000 TZS per month. Of these workers, the ones who were paid on a daily basis, or doing piecework generated an income between approximately 3,000 up to 7,000 TZS a day, which in some cases is less than the daily minimum wage of 3,846.50 TZS. In one case, children stringing tobacco leaves were paid per string which resulted in a daily wage between 625 TZS and 875 TZS as they could not finish more strings in one day.

Some of the farmers reported that they were unable to pay their workers because of non-payment by their Primary Society or stated that the profit margins would be too low if they paid the legal minimum wage. Other farmers considered an in-kind payment of accommodation and food as part of their worker's salary but it was not formally documented.

4.2.2 End-of-the-harvest payments

Practically all migrant workers interviewed were being paid at the end of the harvest. Even though this payment schedule is legally permitted, the ALP Code discourages end of the harvest payment as it increases dependence of workers on farmers and therefore causes risks of forced labor. Furthermore, only a few farmers

provided advancements during the season as required by the law at least once on the half of the contract period.

4.2.3 Regular and overtime hours

48% of the farmers visited who contracted workers did not respect the maximum work hours. In general, work hours varied according to the production stage. For agricultural work, it is acceptable that schedules fluctuate especially during busy and harvest seasons. However, in the cases reported, workers were regularly engaged a full seven days and more than 48 hours a week especially true for workers in the curing barns. Although the monitoring of a curing barn is not hard labor as it involves waiting time during which the workers can rest, CU must consider the total hours accrued in a shift. The absence of documented work hours made it difficult to do any formal calculation of overtime hours and associated payments required. Consequently, none of the farmers visited paid overtime at the legal premium.

4.2.4 Legal benefits

None of the farmers visited who contracted workers for more than six consecutive months provided the legally entitled benefits to workers. This practice is in line with the low awareness on legal rights and benefits among both farmers and workers to be explained below.

Income and work hours: Risks

4.2.5 Awareness of legal rights

Both farmers and workers generally had limited awareness of the legal rights workers are entitled to. These figures are documented in the following tables:

	% of farmers unaware (Phase 1 requirement)	% of workers unaware (Phase 2 requirement)
Minimum salary	45%	82%
Work hours	17%	50%
Overtime	67%	84%
Legal benefits	95%	79%

4.2.6 Record keeping

None of the farmers visited who contracted workers recorded payments and 52% of the farmers who contracted workers did not record work hours or tasks completed. In addition, none of the farmers who contracted workers provided pay slips.

Income and work hours: Analysis and Priorities

CU's findings demonstrate that more efforts are required to inform farmers about the labor laws applicable to the ALP Code and consequently change their practices accordingly. The low level of awareness among both farmers and workers resulted in salary payments below the legal minimum wage, excessive work hours and lack of benefits. Migrant workers were especially vulnerable as they fully depend on the farmer for their income, food and accommodation. Farmers, however, could only pay them at the end of the harvest as they did not have sufficient cash flow to

provide monthly payments. Including this group of workers in the Prompt Action book could help obtaining a better picture of their situation. Also, together with raising awareness on legal requirements, assistance in record keeping could improve workers' position with regards to work hours and overtime. However, potential solutions for record keeping should consider the fact that approximately 40% of the contracted farmers were illiterate.

ULT response: *"...a Support mechanism for workers and farmers was rolled out in January 2014 as a pilot project in Tabora Region."*

"The Support mechanism is run by a third-party NGO, the Tabora Development Foundation Trust (TDFT), which is supported by the international NGO Winrock International. The support mechanism provides a means for farmworkers to anonymously or confidentially report and discuss any grievances including those related to income and work hours through either a call centre or local "community activists"..."

4.3 ALP Code Principle 3: Fair treatment

Background

Regulations: The *ELRA, No. 6 of 2004* protects employees from discrimination and/ or harassment:

- Section 7 (1) of the ELRA imposes a duty upon the employer to ensure that he promotes an equal opportunity in employment, and to strive to eliminate discrimination in any employment policy or practice.
- Section 7(2) of the ELRA requires an employer to register, with the Labour Commissioner, a plan to promote equal opportunity and to eliminate discrimination in the work place.
- Section 7 (4) of the ELRA prohibits an employer from discriminating, directly or indirectly, an employee, in any employment policy or practice, on any of the following grounds, namely: colour, nationality, tribe or place of origin, race, national extraction, social origin, political opinion or religion, sex, gender, pregnancy, marital status or family responsibility, disability, age or status of life.
- Section 7 (5) of the ELRA states that harassment of the employee shall be a form of discrimination and shall be prohibited if done on any or a combination of the above grounds.
- Section 7 (7) of the ELRA gives a right to an employee who has been discriminated to complain to the Labour Court."

ALP Code Principle 3

Fair treatment

'Farmers shall ensure fair treatment of workers. There shall be no harassment, discrimination, physical or mental punishment, or any other forms of abuse.'

Additionally, the *Employment and Labor Relations (Code of Good Practices) Rules (GN No. 42 of 16/02/2007)* under its regulation 28(3) went further to state that harassment of an employee, whether of sexual nature or otherwise constitutes a form of discrimination.

Fair treatment: Overall findings and challenges

4.3.1 Two cases of verbal harassment

At the majority of the farms visited, CU did not identify any practices suggestive of unfair treatment. Most farmers and workers interviewed confirmed that physical, sexual and verbal abuse was not a problem. Nevertheless, during two farm visits, workers reported that the farmers had shouted and insulted them.

Fair treatment: Analysis and Priorities

As only two cases of verbal harassment were identified by CU, unfair treatment does not seem to be widespread among the contracted farms. However, the implementation of a support mechanism will be important to obtain more information on this type of situation as it will provide an opportunity for workers to report incidents anonymously.

ULT response:

"Since 2014, a support mechanism was made available to farmers and workers in partnership with a local NGO, the Tabora Development Foundation Trust (TDFT). The support mechanism leverages on dedicated staffed, so called "community activists" (CA) due to their role of engaging with all relevant members of the communities from seven key areas of the Tabora Region. In addition, the support mechanism offers a toll-free line to allow an alternative avenue for workers and farmers to raise their concerns. Community Activists receive training from ULT Tanzania and support from TDFT management. All calls are confidential and issues identified are followed up and dealt with by the TDFT Community Activists."

"In the first year of operation, 67 cases were reported, most of which related to workers' payments, breach of contract, and unfair treatment."

"In 2015/16, all farmers and their workers in the target area will receive a business card containing details of the support mechanism. In addition, all Farmer Index Cards and Worker Contracts will have the support mechanism number printed on them. The Support mechanism will also be communicated to all farmers and workers in the target area through local radio broadcasts, leaflets, and posters."

4.4 ALP Code Principle 4: Forced labor

Background

Regulations: The *Tanzanian Anti-Trafficking in Persons Act (2008)* strictly forbids any type of human trafficking. Furthermore, official recruitment agencies are permitted, but informal labor brokers are prohibited. Additionally, The *ELRA* prohibits forced labor:

- *Section 6 (1) of the ELRA* states that, "Any person who procures, demands or imposes forced labour, commits an

ALP Code Principle 4

Forced labor

'All farm labor must be voluntary. There shall be no forced labor.'

- offence”.
- *Section 6 (2) of the ELRA* defines forced labour as including bonded labour or any work exacted from a person under the threat of a penalty and to which that person has not consented but does not include-
 - a. any work exacted under the *National Defence Act, 1966* for work of a purely military character;
 - b. any work that forms part of the normal civic obligations of a citizen of the United Republic of Tanzania;
 - c. any work exacted from any person as a consequence of a conviction in a court of law, provided that the work is carried out under the supervision and control of a public authority and that the person is not hired to, or placed at, the disposal of private persons;
 - d. any work exacted in cases of an emergency or a circumstance that would endanger the existence or the well-being of the whole or part of the population;
 - e. minor communal services performed by the members of a community in the direct interest of that community after consultation with them or their direct representatives on the need for the services.”

Forced labor: Overall findings and challenges

4.4.1 Migrant workers unable to leave their job

At 20% of the farms visited with contracted workers, migrant workers were required to stay until the end of the harvest in order to receive their salary. These workers did not receive any advance payments during the season. Because they had limited access to funds, this inhibited their freedom to leave their employment. These workers explained that if they left before the end of the harvest, the farmer could not afford to pay them their salary. Once the farmer received payment from the sale of tobacco, workers would be paid. According to the majority of these workers, in the previous crop season, it had taken several weeks or months before salaries were finally paid. In addition, if the farmers’ payment was delayed by the Primary Society, workers could not be paid on time and could not leave until they were paid. Some farmers did provide workers with food and other jobs in the same community while waiting to pay their final salaries.

ULT response: *“ULT Tanzania will further investigate and monitor migrant workers on farms. In addition to capturing the number of migrant workers from countries other than Tanzania, ULT Tanzania undertook to capture the number of migrant workers from other regions of Tanzania working on farms during the 2014/2015 season.*

This programme will be enhanced in the 2015/16 season with clearer identification through MobilLeaf data capture of types of migrants, whether from within or outside of Tanzania, languages spoken, payments types and frequency, and all risks associated with migrant labour that FTs need to be aware of.

This will help ULT Tanzania, and the FTs, identify workers who may be more at risk

due to their dependency on their employer. This information will be used to encourage the FTs to be more attentive to potential issues, in particular any end of season payments for workers. Migrant workers are being registered and monitored by FTs and the ALP country team through the farm profiles, MobiLeaf and the ALP monitoring reports."

4.4.2 Unethical employment practices

CU identified two cases in which migrant workers were employed under false pretenses. In one case, nine migrant workers were told beforehand that they would be contracted for irrigation on a tree nursery, but when arriving at the farm they had to work on tobacco. At another farm two workers had agreed to work on tobacco, but they had to work on other crops too. If they refused, money was deducted from their salaries.

Forced labor: Risks

4.4.3 Cultural practices

CU found one cultural practice that posed a risk of forced labor. In this case farmers had several wives who all managed their own plot of land with workers. The wives were not paid and had to manage some crops to feed the workers and cook for them. If the farmers would earn more, they would engage another wife to do the same. These farmers were from a certain tribe that is known for this practice. Although this could be considered family labor, there is a posed risk of forced labor as these women were not free to choose whether they wanted to work or not.

Forced labor: Analysis and Priorities

The abovementioned findings demonstrate that increased efforts are required to reduce the risks of forced labor at the contracted farms. As explained in chapter 3.3.4, there was a misunderstanding among ULT's staff regarding the term "migrant workers" as only workers from another country were included in this group. By identifying workers from other regions within Tanzania as migrant workers and training leaf technicians to monitor this group closely, ULT could obtain a better understanding of the risks associated with this type of employment. As is shown from the demographic information on workers presented in chapter 2.5, the majority of the workers come from other regions and thus should be considered migrant workers, who are typically more vulnerable than local workers.

4.5 ALP Code Principle 5: Safe work environment

Background

Regulations: Requirements by law on the safe work environment are embedded in the *Occupational Health and Safety Act (OHS), No. 5 of 2003* and the *Tobacco Industry Act, 2001* and the *National Environmental Management Act (EMA) (2004)*. The latter covers management of chemicals and toxic substances and is a framework law which sets the institutional responsibilities of various actors and directs the management of the environment.

Regulations important for safe work environment during the assessment were:

- The farmer has the obligation to ensure that no employee is exposed to: (a) Hazardous machinery and equipment, (b) harmful animals and insects, (c) infectious insects or allergens, (d) hazardous chemicals, (e) hazardous environment while doing work as agricultural worker.
- The farmer has the duty to properly dispose all chemical containers and chemical residues so they do not cause harm to human health and the environment.
- The farmer shall ensure that an adequate supply of safe drinking water is provided and maintained and is accessible to all workers.
- The farmer has to provide additional protective clothing to handlers of toxic materials or substances.
- PPP (CPA) has to be registered in the national list of approved pesticides.
- Workers have to be fully instructed to the danger they are likely to be exposed to and should have received sufficient training for the machine or process they are involved with.
- There should be a first aid box available on the farm. This box has to be distinctively marked as 'first aid' and should only contain appliances or stocks for first aid
- When an accident or injury occurs this should be reported to the chief inspector within 24 hours and thereafter a duly prescribed form should be send within 7 days.
- Tanzanian laws do not compel the employer to give accommodation to the employee. However, the practice has been that the employer provides accommodation or gives a housing allowance. Common knowledge dictates that where the employer decides to give accommodation, it shall be fit to be habitable. If not habitable and the employer allows the employee to continue to stay in the premises in case of any accident/loss the employer will be liable under occupiers liability. The obligation is also under *Occupational Health and Safety Act, No 5 of 2003*.

ALP Code Principle 5

Safe work environment

'Farmers shall provide a safe work environment to prevent accidents and injury and to minimize health risks.

Accommodation, where provided, shall be clean, safe and meet the basic needs of the workers.'

Safe work environment: Overall findings and challenges

4.5.1 Training and awareness of Green Tobacco Sickness

At 70% of the farms visited, workers and/or family members were involved in harvesting without being trained on GTS.²³ At these farms, workers were harvesting

²³ Generally the recommended action is to stop exposure - by resting, showering or washing, changing clothing, ceasing to work and drinking water. A doctor should be consulted if the symptoms persist. For further information see: <http://tobaccocontrol.bmj.com/content/7/3/294.full>

without protective clothing and were unaware of safety practices²⁴. 34 children and four pregnant/nursing women were involved in harvesting. These children are also included in chapter 4.1.1. Many workers and family members reported to have felt symptoms of GTS, but they were not aware this was caused by green tobacco. On most of the farms there was no appropriate PPE available.

Initiative to address Green Tobacco Sickness

ATTT implemented an initiative to address GTS, namely the provision of gloves to farmers. Also, farmers provided plastic bags that could be worn to protect against GTS. However, these items were considered inadequate as they did not provide proper protection to the workers: the gloves provided were too thin and could easily be torn during harvesting and the bags did not cover the arms and so did not fully protect the skin from contact with green tobacco leaves.

4.5.2 CPA handling and training

At 76% of the farms visited, workers and/or family members were involved in CPA application without being trained, including 24 children and two pregnant/nursing women. At 86% of the farms visited, the re-entry period of CPA was also not respected. Workers on these farms reported entering the field shortly after CPA application. Some farmers warned their workers or family members verbally, but no signs were placed in the field to warn external persons. These farmers said that no external persons ever walk in their fields or that they could smell when CPA was applied, which repelled them. As children had free access to the fields, they could easily walk into a recently sprayed field.

On the majority of farms surveyed, CPA storage was either non-existent, was without an appropriate lock or was kept inside the farmer's house. There was no collection service in place for the discarding of used CPA containers. While farmers could triple wash the empty containers before discarding them, CU found no evidence of this practice. CU also found two farmers burning their empty containers.

For topping, workers used 500 ml drinking bottles with a small hole in the cap to apply suckercide on the tobacco. The chemical was applied without any protective equipment and the bottles were filled from an open bucket. There were also no masks or other PPE available for protection during the spraying of CPA. In regard to CPA application, farmers stated that either they did not know where to buy appropriate PPE or could not afford it.

ULT response: "ULT Tanzania engaged with the Tanzania Tobacco Council (TTC) for the provision of a Personal Protective Equipment (PPE) Pack to every farmer on an annual basis. The relevant Unions supplying farmer inputs will be required to issue every farmer with a comprehensive PPE pack per hectare of tobacco cultivated,

²⁴ As explained in chapter 2, raising awareness among farmers is a requirement under Phase 1 of the ALP roll out, while raising awareness among workers is part of Phase 2. As ULT was in Phase 1 at the time of the assessment, raising worker awareness was not a requirement.

consisting of four pairs of work gloves, eye goggles, mouth masks and two light-weight protective ponchos covering 75% of the body. These will be included in the farmer inputs package in 2015/16 season. The type and quality of the PPE has been approved by the TTC. The pack will be delivered in a lockable box to be used for CPA storage."

"ULT Tanzania will be developing a programme in the 2016/2017 season for the collection and destruction of used CPA containers."

4.5.3 Clean drinking and washing water

The majority, 84% of farms visited provided clean drinking and washing water. A minority of 16% provided drinking water in dirty containers or provided no water at all. In general, there was a lack of potable water in some areas of the Tabora region.

4.5.4 Worker accommodation

Provision of worker accommodation appeared to be a challenge with 55% of the farms visited found to be inadequate. At these farms the following cases were identified;

- Workers sleeping in fertilizer bags
- Workers sleeping in curing barns
- Workers sleeping in the open air
- Housing without ventilation
- Lack of mattresses and mosquito nets
- Workers sleeping in the same room as the CPA storage
- Insufficient space for the number of workers
- Workers sleeping too close to operating curing barns
- Farmer housing without a buffer zone for the CPA

ULT response: "Action plans being put in place include:

- *Informing the farmer about the housing improvements he/she needs to make.*
- *Helping the farmer identify the priority areas and prepare an improvement plan.*
- *Inform farmer that a coordinator will contact him/her to follow-up on improvement plan previously agreed."*

Safe work environment: Risks

4.5.5 General safety measures

In order to ensure a safe and sanitary work environment for both family members and workers, it is important that farmers are aware of general safety hazards at the farm and take measures to prevent accidents, injury, and exposure to health risks. However, safety is still a concern and CU could not identify a farm without challenges to provide a completely safe and sanitary working environment. All farms had at least one of the following challenges:

- During topping usage of leaking CPA sprayers or improvised equipment, such as drinking bottles used to apply suckercide²⁵.
- No safety measures in curing barns: Some curing barns had strong ladders, but others had nothing to prevent falls. Also, in some curing barns the metal pipes were fully exposed (not covered with clay) causing a risk of falling leaves catching fire.
- Exposure to extreme heat and smoke: sometimes curing barns had to be repaired during curing, so workers worked in extreme heat and smoke.
- Inadequate resources to act in case of emergency: no fire extinguisher or first aid kit was available at any of the farms visited.
- Limited access to sanitation: many farms did not have sanitary facilities available for their workers. Because of cultural reasons, some tribes in the Tabora region did not use toilets.

4.5.6 CPA record keeping

95% of the farmers visited did not record the CPA applications they conducted. With a largely illiterate network of farmers, this may continue to be a challenge. Simultaneously, 59% of the farmers visited were unaware of the correct re-entry period after CPA application.

ULT response: *"For the new season which (as of August 2015), farmers will be required to record dates of CPA application and acknowledge whether PPEs were used. A section is provided on the Farmer Index Card for this information and it is also being recorded on the MobiLeaf system. The prevention of GTS is also covered on the ALP Index card and MobiLeaf. FTs are required to check this information on each visit and countersign the farmers' declarations. The information is being collected and analysed by the ALP country team through MobiLeaf."*

Safe work environment: Analysis and Priorities

ATTT's focus on safe work environment is logical. The situation at the farms demonstrated that both farmers and workers have insufficient knowledge about safety measures and therefore additional training is required. Cultural and long standing practices make change more difficult. In addition, farmers lacked financial means to ensure a safe and sanitary work environment as they were unable to purchase PPE, provide adequate accommodation or invest in their curing barns to make them safer. Additional root cause analysis is required to determine the best solutions for these issues. As these safety measures must be implemented at the farm, close monitoring and on-farm assistance by leaf technicians – which requires a higher leaf technician to farmer ratio – will be necessary to achieve any meaningful results. Therefore, ATTT's plan to increase the number of leaf technicians is very important.

²⁵ Suckercide is applied during the topping to inhibit vertical growth of the tobacco plant and ensure the plant invests its energy in the already grown leaves.

4.6 ALP Code Principle 6: Freedom of association

Background

Regulations: The *ELRA* provides for the right of freedom of association to employees. Section 9 (1) of the *ELRA* states that "Every employee shall have the right (a) to form and join a trade union; (b) to participate in the lawful activities of the trade union". Part IV of *ELRA* deals with collective bargaining: "Must be a registered trade union that represents majority of the employees; Recognized as exclusive bargaining unit agent for the employees; Parties have got the duty to bargain in good faith".

ALP Code Principle 6

Freedom of association

'Farmers shall recognize and respect workers' rights to freedom of association and to bargain collectively.'

Section 38 of the *ELRA* provides that: "trade union officials and representatives play an important role on behalf of their members in preventing discrimination and in promoting equal opportunity and good employment relations; trade unions shall not discriminate by unfairly refusing membership or offering membership or offering less favorable membership based on discrimination grounds such as discrimination against color, nationality, tribe or place of origin, race, national extraction, social origin, political opinion or religion, sex, gender, pregnancy, marital status or family responsibility, disability, HIV/AIDS, age or station of life."

The *ELRA* provides for the establishment of branch of a trade union at workplace and having workers' representatives.

Freedom of association: Overall findings and challenges

4.6.1 Labor unions

At the time of the assessment, TPAWU was the only union available to agricultural workers. This union was operational on a national scale, but could only be joined by permanent workers as the monthly fees requested by the union made association impossible for tobacco workers who were not paid until the end of harvest.

4.6.2 Worker representatives

Instead of joining a formal labor union, some workers appointed a single worker as their representative to negotiate with the farmer whenever necessary. Farmers welcomed this interaction and no evidence was found of farmers disrespecting the freedom of association.

Freedom of association: Risks

4.6.3 Awareness of freedom of association

76% of the farmers and 50% of the workers²⁶ interviewed were aware of the right of freedom of association and the purpose it served. The lack of awareness could create situations where workers cannot access the rights they are entitled to.

ULT response: "ULT Tanzania continues to work with Tanzania Plantation and Agricultural Workers Union (TPAWU) in an effort to increase the levels of awareness amongst workers in rural areas. The one-to one-system of Field Technician visits is allowing ULT Tanzania to provide further awareness to farmers on their responsibilities as employers with regards the recognition and respect of workers' rights to freedom of association, as well as to workers on their right to Freedom of Association."

Freedom of association: Analysis and Priorities

The general perception among 50% of the leaf technicians that freedom of association was irrelevant due to the lack of active labor unions in the Tabora region has most likely contributed to the limited awareness among both farmers and workers. Therefore, additional training of leaf technicians and farmers is required.

4.7 ALP Code Principle 7: Compliance with the law

Background

Regulations: Tanzanian law does not require the employer to issue a written employment contract to its employee. If a worker is employed for more than six consecutive months at one farm, the employer must supply an employee with a written "statement of particulars" (S. 15 of the *ELRA*), including:

- name, age, permanent address and sex of the employee;
- place of recruitment;
- job description;
- date of commencement;
- form and duration of the contract;
- place of work;
- hours of work;
- remuneration, the method of its calculation, and details of any benefits or payments in kind; and
- any other prescribed matter.

ALP Code Principle 7

Compliance with the law

'Farmers shall comply with all laws of their country relating to employment.'

²⁶ As explained in chapter 2, raising awareness among farmers is a requirement under Phase 1 of the ALP roll out, while raising awareness among workers is part of Phase 2. As ULT was in Phase 1 at the time of the assessment, raising worker awareness was not a requirement.

A contract with an employee shall be of the following types (S. 14 (1) of the *ELRA*).

- i. A contract for an unspecified period of time;
- ii. A contract for specified period of time;
- iii. A contract for a specific task

Compliance with the law: Overall findings and challenges

4.7.1 Statement of particulars

None of the farmers visited who contracted workers for more than six consecutive months had issued a "statement of particulars". In general, workers and farmers did not see the necessity of documenting the relationship which they considered to be grounded in mutual trust, driven by a local, tribal culture. Again illiteracy contributed to the absence of written contracts. Although there were seven farms with informal contracts, they were not compliant with the abovementioned legal requirements. The majority of these contracts were issued through the village leaders in the place of origin of the migrant workers. These village leaders also witnessed the contract, a practice beneficial to farmers and workers. In summary, farmers were ensured they were engaged with trustworthy workers and workers avoided exploitation. However, migrant workers from abroad without a work permit were unable to enjoy this protection.

ULT response: *"ULT Tanzania has developed a one-page Worker Contract template to be provided to every contract farmer and his/her workers. The contract is in Kiswahili and has been developed in consultation with, and approved by, the Ministry of Labour and the Tanzania Tobacco Board.*

The Worker Contract initiative was implemented in August 2015 and is designed as a training tool for farmers and workers to understand the minimum labour standards in Tanzania, as well as to provide workers with knowledge of their legal rights under the Tanzania Employment and Labour Relations Act of 2004 (as amended)."

Compliance with the law: Risks

4.7.2 Awareness of legal rights

None of the farmers visited who contracted workers properly informed the workers about their legal rights and employment conditions. The workers usually only knew their salary. Other rights, such as, minimum wage, work hours, overtime payment, benefits, employment contracts or statements of particulars, were unknown to them. Some farmers stated that they did not feel comfortable talking to the workers about their legal rights because they were not able to provide their workers with the benefits and working conditions they were entitled to by law. In addition, 38% of the farmers and 55% of the workers²⁷ were unaware of the legal requirements to issue a statement of particulars for workers who work for more than six consecutive months.

²⁷ As explained in chapter 2, raising awareness among farmers is a requirement under Phase 1 of the ALP roll out, while raising awareness among workers is part of Phase 2. As ULT was in Phase 1 at the time of the assessment, raising worker awareness was not a requirement.

Compliance with the law: Analysis and Priorities

The most important issue for this ALP Code Principle is the information on legal rights. As they are likely to be more vulnerable than local workers, this is especially important for migrant workers. Increased efforts are required to assist farmers in informing their workers of their legal rights, especially when illiteracy creates a barrier.

5. Concluding remarks



THIRD PARTY ASSESSMENT

Universal Leaf Tanzania

Tabora Region

AGRICULTURAL LABOR PRACTICES PROGRAM

Despite this complex environment with multiple, external stakeholders that pose challenges to the implementation of the ALP, extensive progress had been made in rolling out Phase 1 of the ALP Program. The combined size of the Tabora region and the influence of numerous external stakeholders had forced ULT to look for creative ways to reach the farmers to engage them with the ALP.

ULT is clearly committed to and engaged with implementing the ALP Program and fully cooperated with CU to ensure a successful assessment. With the initial progress, the dynamic character of the region requires additional efforts to move forward to Phase 2 with four key points of focus. First, the system for building Farm Profiles must be improved and the accuracy of the information collected will increase the understanding of the situation at the farms. Second, increasing the number of leaf technicians and the one-on-one communication with farmers is required to establish stronger relationships supporting better understanding and adoption of ALP communication to farmers. Third, all external stakeholders need to be better engaged to solve issues negatively affecting the acceptance of the ALP among farmers. This includes the role and credit provided by Primary Societies. Finally, unregistered farmers must be included in the communication and Farm Profiles are required to monitor these farmers and help improve the sustainable impact of the ALP Program.

In summary, the partnership strategy implementing the ALP Program in Tanzania is an effective model. At the time of the assessment, ULT faced challenges meeting the requirements in all seven ALP Code Principles with prioritization needed on child labor, income and work hours and safe work environment. These areas will only be improved with the use of additional staff and interactive training of farmers. With time and the continued commitment and collaboration between the two tobacco companies a better understanding will be facilitated for the wider adoption of the ALP Code to all farmers in the Tabora region.

Based on the ULT response and the ALP Programme action plan (Appendix 1), it can be concluded that ULT has taken CU's report seriously and it appears that much progress has been made since the assessment, including moving to Phase 2 of the ALP Program implementation. Promising improvements are described in the organizational structure, the training of field technicians, and data collection. Future assessments will determine whether these actions have achieved the desired results.

Appendices



THIRD PARTY ASSESSMENT

Universal Leaf Tanzania

Tabora Region

AGRICULTURAL LABOR PRACTICES PROGRAM

Appendix 1. ULT response and ALP Programme action plan

Universal Leaf Tobacco (ULT) Tanzania welcomes Control Union's comprehensive assessment and recommendations to further strengthen and improve the Agricultural Labour Practices Programme being implemented in Tanzania.

ULT Tanzania is pleased that Control Union has recognised the extensive commitment and efforts of the ALP Programme in Tanzania after only three years of implementation. ULT Tanzania also acknowledges that additional work is still required and welcomes CU's recommendations for enhanced improvements to the Company's ALP systems and processes.

ULT Tanzania's objective is the continuous improvement of all its contracted farmers to achieve long term sustainability and adherence to the principles of Good Agricultural Practices (GAP) and Agricultural Labour Practices Code (ALP).

The ULT Tanzania ALP Country Team has taken over the direct management of the ALP programme following the restructuring of ATTT, which including the disbanding of the ATTT ALP Country Team. With the assistance of PMI Africa Team, we have developed and implemented an extensive action plan in response to the recommendations given in Control Union's independent assessment.

People and Processes to manage the ALP Programme

Despite Control Union's positive appreciation of ULT Tanzania's commitment and extensive progress made to date in the implementation of the ALP Programme, CU identified and recommended four key areas for focus (Ref: 5. Concluding remarks – Page 46/47):

1. *Increasing the one-on-one communication with farmers and establish stronger relationships to facilitate the adoption of the ALP Code.*

1.1 As part of Universal Leaf Tanzania's long-term sustainable tobacco production strategy, the company has completed a major restructuring of its agronomy extension model between November 2014 and January 2015. This focused on improving the ratio of Field Technicians to Farmers to encompass a complete 'one-to-one' extension training and monitoring programme.

Since January 2015, company policy recommends a technician to farmer ratio that will allow for a minimum of six visits during the growing season for each farmer by field technicians. From an original ratio of 242 farmers per technician, this currently equates to a ratio of no more than 150 farmers per individual technician. This is being implemented in order to achieve alignment to the company's long term GAP & ALP objectives. With the improved one on one contact with farmers, Field Technicians are able to spend more time with individual growers for training and monitoring.

In addition, Field Technicians are continuously supported in their ALP roles by an enhanced team of 2 National ALP Coordinators and 26 ALP Sector Coordinators based across all growing areas.

The restructuring of ULT Tanzania Field teams from separate ALP and Leaf technicians to each Field Technician providing a holistic approach to training in GAP, ALP and Forestry will also help to improve quality of training given to farmers.

Having direct contact with the farmer and collecting information through farmer index cards and the MobiLeaf electronic data collection system will result in far more detailed information being recorded on farms. This data will be used to analyse and identify issues that require further attention to support the continued improvement in GAP and ALP compliance.

Direct contact with individual farmers provides far more detailed information relating to ALP issues and a far greater opportunity for the Field Technicians and ALP coordinators to monitor and address problematic practices.

Field Technicians are expected to visit each individual farmer at least six times over the growing season in addition to attending group meetings and training. The FT visits and activities are recorded both on the farmer index card and MobiLeaf.

Field Technician and ALP coordinator training will be improved by translation of the ALP principles into Kiswahili for the 2016 crop with greater emphasis on the training of the weaker areas of a Technician's understanding.

Training and understanding is formally tested and assessed after each training session and entered in the FT's personal training log to enable management to continually improve training programs and Field Technician personal development objectives each year.

1.1.2 Specific ALP-related responsibilities and Key Performance Indicators (KPIs) have been formally included in the job descriptions and objectives of all relevant personnel from Field Technicians to senior Agronomy Management since August 2015.

1.1.3 Since August 2014, the ULT Tanzania GAP Country Team has implemented a programme of quarterly performance and understanding evaluations of all agronomy extension personnel (from divisional management through to Field Technicians). The objective is to identify each individual's strengths and weaknesses in relation to their GAP & ALP understanding and progressively improve their skills and knowledge, in order to transfer these effectively to all farmers. A competency profile of every Field Technician's knowledge and understanding of GAP & ALP is updated on an annual basis in order to highlight individual training requirements.

1.1.4 The GAP Country Team now meets as a steering committee each quarter, to review the progress of the ALP Programme and implement improvements, as required. Specific issues are being dealt with through extraordinary meetings if or when required.

In addition, the ALP Country coordinator teams will meet on a more regular basis, monthly or even weekly if or when required. Meetings will be recorded and feedback provided to the GAP Country Team.

The increase in frequency of meetings will result in management having a better understanding of day to day ALP activities, provide support in developing solutions to issues and track implementation of individual farm improvement plans.

Examples of the improvements already being implemented by the GAP Country Team Steering Committee are:

- a. Development of the ALP monitoring programme to identify farmers with potential issues so as to provide extra monitoring and support.
- b. Development of the concept paper for the collaboration with Village Child Labour Committee (VCLC), District Child Labour Committee (DCLC), Gender Forum and Tabora Development Foundation Trust (TDFT), so that the tasks that constitute Hazardous work for children can be better understood at a community level.
- c. Model farmer: introducing a farmer mentoring speaker. Identifying an influential farmer who is well trained and who stands out as a role model in Primary Societies to further communicate about what constitutes hazardous work.

1.2 *Improving the accuracy of the information collected and the understanding of the situation at the farms.*

1.2.1 In October 2014, ULT Tanzania reviewed the procedure in which Farm Profiles were recorded and collected by Field Technicians. New measures included Farm Profiles being completed in Kiswahili to improve accuracy. All Farm Profiles were completed on-farm, to ensure confirmation of the data collected. ALP Area Coordinators conducted a 10% verification check per Field Technician to ensure understanding and data accuracy. In addition, a carbon copy of the Farm Profile in Kiswahili language was given to the Farmer as a reference for his/her own records. This was implemented with the intention to demonstrate to farmers the importance of keeping records and to increase transparency about the data being collected.

Pre-season confirmation and a master list of Farmers for whom every Field Technician is responsible, will also ensure annual Farm Profile targets are met without duplications or inaccurate farmer names. In addition, ULT Tanzania has complemented manual data collection with electronic data collection as of August 2015, through the MobiLeaf digital data collection system which streamlines the efficiency of Farm Profile collation.

The MobiLeaf system is based on a proprietary application running on an Android tablet with data synched to central servers. During the 2014/15 season, 20% of farmer data was

collected with MobiLeaf. Over the 2015/16 season, 100% of farmer profile data will be collected electronically.

The system will be used to collect information on all aspects of the farmer's tobacco growing and forestry programme as well as detailed Agricultural Labour Practices data. A particularly important feature is that the application will highlight new issues or potential issues from previously entered data, thus providing an important feedback to the farmer by the Technician.

All Technicians have been trained on the tablets which were rolled out during the 2014/15 season, with a number of challenges encountered due to the scale of the project. These included the registering of new farmers in the system, the movement of farmers between technicians and the misunderstanding of requirements on certain data capture screens.

These challenges will be managed more effectively in the 2015/16 season with a new training format. The MobiLeaf system will be fully updated and simplified for the crop season and training will be systematically rolled out, region by region by a strengthened training team.

The MobiLeaf system will have a dedicated management structure including training, IT and support functions to make sure the system runs smoothly and efficiently.

The MobiLeaf system will replace all data gathering done with excel spreadsheets in the growing area and regional offices. This means that senior management will have access to live data enabling them to react to issues on the ground in a much shorter time scale.

1.2.2 In October 2014, ULT Tanzania reviewed the procedure with which Prompt Actions were recorded and collected by Field Technicians, as well as the resulting follow-up procedures. Prompt Action recording books have been improved and translated to Kiswahili language. Prompt Actions and follow-ups are also recorded on the MobiLeaf tablets. In addition, all Prompt Action follow-up is monitored by ALP Sector Coordinators on a case-by-case basis. Reporting and analysis is communicated to all senior managers on a monthly basis.

Continuous training of Field Technicians and close monitoring by ALP Coordinators will further improve Prompt Action understanding.

All Field technicians and ALP Coordinators will receive training on Prompt Action reporting. The training will include the following elements:

- Identifying and distinguishing between compliant or non-compliant situations on farms;
- Procedures for identifying what Prompt Action should be taken and reported;
- Describing issues and ages for the Prompt Action;
- Follow-up actions and procedures.

During training, FTs will be assessed using the quality of their previously reported Prompt Actions and their understanding will be tested through role play of potential situations found on farms.

Training in Prompt Action reporting will continue throughout each season to ensure all field technicians understand and meet operating procedures. Training is conducted in structured sessions every quarter, as well as through unannounced FT visits by the ALP coordinator team.

The Prompt Actions are followed up and documented during the next visit by the FT, or if the case is critical, by an ALP coordinator or a Sector Manager in quick response.

Prompt Action reports are compiled in the Sector Office by the ALP Coordinator, these are then passed through the Regional Coordinators to National Office for analysis and reporting to ULT Tanzania. As a result of improved data collection systems and improved FTs knowledge, prompt action reporting increased from 802 cases in August 2013 to 2,811 in July 2015.

1.3 All external stakeholders need to be better engaged to solve issues negatively affecting the overall situation of the farmers.

1.3.1 Communications between Banks, Primary Societies, Unions and ULT Tanzania is being further strengthened, the main objective being to work collaboratively to reduce potential farmer debt.

In Tanzania, merchants such as ULT Tanzania no longer provide crop finance to farmers. The Tanzania Government introduced crop reforms mandating that inputs be purchased through the unions and distributed to their farmers through Primary Societies. Under this restructuring the Primary Societies negotiate loans with the banks on behalf of their members in order to finance the inputs.

Volumes of inputs required are now directly linked to contracted production and purchase volumes. These are agreed before the Primary Societies approach the banks for funding.

As per the provisions of the Tanzania Tobacco Council and Primary Society contracts (Clause 3.2), all stakeholders will communicate with other relevant parties on Primary Society and Farmer loan transactions and the recovery of those debts through tobacco sales.

After each sale of tobacco, ULT Tanzania will communicate with the respective Primary Society and banks to indicate anticipated Loan Recoveries based on those sales.

Through these procedures, the management of debts is transparent and it is hoped this process will lead to reduced debt issues faced by farmers.

1.4 Addressing the issue of unregistered farmers, given that in these cases there is no communication or visibility into the farm practices.

1.4.1 From 2015, all Primary Society contracted farmers are identified on the ULT Tanzania and Primary Society purchase contract. In addition, ULT Tanzania requires each of the identified farmers to have a formal contract with the Primary Society with a copy provided to ULT Tanzania.

These lists and contracts are the base from which farmers are allocated to Field Technicians for registration and the implementation of the ALP Program, from support, to training and systematic monitoring.

1.4.2 The contracted farmers are strictly prohibited from sub-contracting to unregistered farmers. This is enforced through Field Technician visits and the GPS identification of all fields and curing barns. The primary objective of clearly identifying every contracted farmer is to implement GAP through field extension support which helps farmers to improve the quality and productivity of their crops, respect for the environment with a particular focus on Forestry, and in meeting the ALP Code standards to achieve safe and fair working conditions on their farms.

Through this enhanced extension support, ULT Tanzania and its partners are working closely with farmers, to improve communication and training and to prevent, identify and progressively eliminate risks and issues faced on farms.

Through direct contracting, and the prohibition of sub-contracting, ULT Tanzania is ensuring that every farmer receives at least 6 visits from a Field Technician per season and therefore all purchased tobacco will come from farmers implementing the ALP program. Tobacco will not be purchased from unregistered farmers.

2. Farm level assessment of ALP Code standards

(REF: 4. FARM LEVEL ASSESSMENT OF ALP CODE STANDARDS – PAGE 26)

ULT Tanzania recognises many of the issues identified by Control Union during the farm level assessment are in the context of the existing socio-economic and cultural traditions present in the rural farming communities of Tanzania. ULT Tanzania is fully committed to working with all stakeholders on an industry-wide approach to address these issues by first understanding the root causes at farm level, followed by implementing tangible and measurable solutions to progressively improve the labour practices of all contracted farmers. Those issues identified by Control Union that are under the direct control of ULT Tanzania will be addressed as quickly as is practically possible.

2.1 Child labour prevention and elimination

While CU acknowledges the awareness levels of the legal minimum working age and hazardous work among both farmers and workers is relatively high, CU found this had not yet translated into all-encompassing behaviour change. ULT Tanzania will continue an integrated approach towards the prevention and elimination of child labour in the rural communities in which it has a presence.

The elimination of child labour and hazardous work for children is covered in one of ULT Tanzania's annual Sustainable Tobacco Production (STP) initiatives which will be a key measurable in ULT Tanzania's reporting for the 2015/16 crop season and beyond.

The initiative identifies a number of commitments towards managing this principle:

1. Expanding ALP training to all contracted farmers, their spouses and other members of the farming family. Training will also include hired workers;
2. Training in collaboration with other stakeholders, including village councils, school teachers, health officers;
3. Providing specific training and understanding on child labour and hazardous work for children at each Field Technician visit;
4. Developing innovative approaches to training, namely drama groups and radio programmes;
5. Model farmer: introducing a farmer mentoring speaker. Identifying an influential farmer who is well trained and who stands out as a role model in Primary Societies;
6. 100% completion and monitoring of ALP registrations;
7. Prompt actions management including causal factors and follow-up process and documentation;
8. The development of farmer improvement plans where issues are identified.

Through increased training and awareness programmes aimed at farmers and local communities, ULT Tanzania is continually working towards an improved understanding of the ALP codes relating to Child Labour, hazardous work for children and their requirements.

The Field Technicians will continue to receive training and communication on what is acceptable in relation to tasks that children can and cannot do when working with tobacco. In addition, the issues are clearly indicated both on Farmer Index Cards and on the MobiLeaf system.

Prompt Action reporting is used to report on and deal with child labour issues identified in the growing areas.

Child Labour: Ongoing and developing initiatives

2.1.1 ULT Tanzania will continue to engage farmers on the legal minimum working age with a new focus through training of farmers and their spouses/partners during each Technician visit

and via multiple channels such as drama groups and radio programmes to achieve improved understanding of the target audience.

ULT Tanzania recognises the role of women in the family business and will continue offering training to the wives of male farmers. Training offered to spouses will include: the differences between child labour and child work, understanding hazardous work for children, as well as for pregnant and nursing mothers and encouraging them to make sure children attend school.

Field Technicians are encouraging farmer spouses to attend meetings relating to the ALP principles. The spouse's attendance is recorded on the MobiLeaf system. In 2014/15, over 29,000 spouses were recorded as having attended training sessions which was over the 20,000 target set for the season. In future seasons, the target number of spouses will be collected at the time of farmer registration. The target is 100% of contracted farmers' spouses.

2.1.2 Another primary channel of communication identified, is through a Village Child Labour Committee (VCLC)²⁸ which are already set up in some villages. Above these is the District Child Labour Committee (DCLC).

These "DCLCs' and VCLCs" have been developed and implemented by current NGO projects such as the Eliminating Child Labour in Tobacco Growing Foundation's (ECLT) PROSPER²⁹ in Urambo, Sikonge and Kaliua. However, at present there are only a small number of these committees set up in the growing areas.

ULT Tanzania, through the previous ATTT structure, identified that these channels could be useful to enhance awareness and understanding of the ALP programme, communicate to a wider audience, effect buy-in from communities close to the farmers and encourage local government officials to participate in the programme to help address non-compliance issues identified.

The following actions are in progress:

- a. Gathering information as to where in ULT Tanzania operations DCLCs and VCLCs have been formed;
- b. Identifying where there are such Committees, if they were created for specific projects or are if they are an ongoing entity;
- c. Identifying the composition of the Committees at District and Village level;
- d. Identifying if there are any other key stakeholders in the committees to be included in communications.

²⁸ Formation of the Village Child Labor Committees is supported by the Government and a directive is in place for their formation under the guidance of the National Inter Sectorial Coordination Committee. (Ref Letter and Terms of Reference from the office of the Permanent Secretary of the Ministry of Labour, Employment and Youth Development of Tanzania. 3rd August 2007)

²⁹ PROSPER (Promoting Sustainable Practices to Eradicate Child Labour in Tobacco) is a program designed to complement efforts by the government, employers, workers, and civil society organizations in fighting child labor in the tobacco-growing sector in Tanzania. The program is funded by the Eliminating Child Labour in Tobacco Growing Foundation (ECLT).

The objective of developing these communication channels is to encourage deeper cultural awareness and behavioural change, particularly in relation to child labour.

Initially, these communication links will be initiated through the DCLC's already set up in Urambo, Sikonge and Kaliua. The effectiveness will be assessed at the end of the growing season to identify what could be changed or improved before rolling out to a larger area where the communities can support effective communication and relevant stakeholders support the initiative

2.1.3 Survey of orphan children living on tobacco farms

During the 2015/2016 season, ULT Tanzania will collect and monitor data on all orphans at contracted farms, through the MobiLeaf system. The information includes: name, gender, age, school enrolment, school attendance, resident on or off farm and if any hazardous tasks are performed.

2.1.4 Promote access to education

ULT Tanzania strives to reduce or eliminate the root causes of child labour. Many schools in rural areas are in bad condition or are overcrowded and fail to provide a good learning environment. Education is a key theme and objective in ULT Tanzania's approach to tackle child labour, and the company responds to many requests for help from various education authorities or from its own area managers with support for the refurbishment of schools. In the last few years, for example, ULT Tanzania has invested over 100,000,000 TZS (US\$ 46,055 at the current exchange rate) to refurbish or enlarge 7 schools, more than 31,000,000 TZS (US\$ 14,277) to supply desks to 6 schools and over 20,000,000 TZS (US\$ 9,211) to provide textbooks to 2 schools. These contributions have helped improve education conditions for approximately 2,500 children.

2.1.5 National Conference "Pathways to Sustainability: Together We Can Eradicate Child Labour in Agriculture" (2015)³⁰

ULT Tanzania actively engaged with the Government of Tanzania and supported a two and a half day conference organized through the Prime Minister's Office – Regional Administration and Local Government (PMO-RALG) and the Ministry of Labour and Employment (MoLE) in collaboration with the Elimination of Child Labour in Tobacco-growing Foundation (ECLT) and its implementing partner Winrock International. ULT Tanzania and ATTT also took an active part in the conference and ATTT made a presentation on the practices adopted by the tobacco sector to address child labour, with particular emphasis on the implementation of ALP.

The conference, which took place on 12-13 May 2015 in Dar es Salaam, brought together different sectors in agriculture, trade unions, authorities, NGOs, and community members to

³⁰ <http://tanzaniachildlabourconference.org/index.html>

discuss avenues for eliminating child labour in agriculture in Tanzania. The conference was attended by 140 people and covered the tobacco, sisal, tea and fishing sectors. The objectives of the conference were to:

- assess the child labour situation in agriculture in Tanzania based on prepared research and papers that consolidate efforts being made by stakeholders to address the problem;
- share best practices and sustainable solutions/approaches towards addressing child labour in agriculture, discuss and agree on priority actions towards the elimination of worst forms of child labour in agriculture, reach consensus on safe work for youth in agriculture or rural value chains and agree on lists of hazardous work;
- agree on strategies to accelerate progress towards addressing child labour in the agriculture sectors (farming, fisheries, livestock rearing) where the majority of child labour cases are found;
- strategize on ways to promote public-private partnerships (PPPs) in addressing child labour in agriculture;
- accelerate the implementation of the National Action Plan (NAP) to combat child labour and make recommendations for the new NAP;
- agree on strategies to promote district-level coordination and NAP implementation;
- agree on ways to streamline efforts to address child labour within child protection systems;
- develop an outcome document stipulating specific commitments and concrete action by sectors and actors/stakeholders, including the private sector, and mobilize resources.

At the end of the conference the various stakeholders summarized their recommendations to the government in a formal document³¹. Recommendations included:

1. mainstream the issue of child labour in national programs, policies and all sectors including agriculture and education;
2. build the capacity of the Ministry of Labour and Employment and the National Intersectoral Coordination Committee (NISCC) in coordination, dissemination of information and raising community awareness at all levels;
3. strengthen monitoring and evaluation mechanisms on child labour and build the capacity of District and Village Committees and Labour Officers;
4. the Government to review and evaluate the National Action Plan (NAP) with the Social Partners and under the leadership of the NISCC, ensuring the allocation of required resources;
5. the Government to establish and manage the shared/integrated Child Labour Monitoring Systems (CLMS);
6. develop a new NAP in the light of lessons from current NAP and involve all sectors including agriculture;

³¹ ECLT Foundation, <http://www.eclt.org/wp-content/uploads/2015/09/Pathways-to-Sustainability-Conference-Report-on-Conference-proceedings-J...-1.pdf>

7. engage full time, a dedicated focal point in the Ministry of Labour and Employment who will ensure the implementation of the Outcome Document and report to the NISCC;
8. ensure increased involvement of the media as one of the key stakeholders in campaigning against child labour;
9. the Ministry of Labour and Employment to continue with coordination of child labour interventions with close support from stakeholders;
10. undertake district capacity building on child labour and sensitize district authorities to make budgetary allocations for child labour interventions;
11. the NISCC should oversee all subsequent activities following the conference and report to stakeholders.

ULT Tanzania continues to be very involved in supporting the work of the NISCC and working with the ECLT implementing partners to engage with government in the fight against child labour. The NISCC has already met to define priorities of work.

2.1.7 ECLT Country Plan

By the end of 2015, the 54-month ECLT Country Plan to eliminate child labour in tobacco-growing in Tabora region will come to an end. The board of ECLT on which ULT is represented agreed to fund a new Country Plan for 2016-2017 focused on advocacy and increased technical assistance to the government, district level coordination, youth employment, and targeted interventions to prevent child labour and promote school retention (e.g. Village Saving and Loans Associations, referral services, awareness raising). The new project will start in April 2016, and ULT Tanzania has actively engaged with the ECLT and its implementing partners to support their efforts, including in defining priorities and areas of intervention.

2.1.8 Collaboration with the Eliminating Child Labour in Tobacco Growing Foundation (ECLT): Public Private Partnership with the International Labour Organization (ILO) to develop global guidance on hazardous child labour³²

In May 2015, the ILO and the ECLT entered into an agreement to develop global guidance on hazardous child labour and occupational safety in tobacco production and to support associated social dialogue in three pilot countries, including Tanzania. The deliverables, the process and the timelines still have to be finalized. ULT Tanzania will support the efforts made through this public private partnership.

³² http://www.ilo.org/pardev/partnerships/public-private-partnerships/WCMS_371395/lang--en/index.htm

2.2 Income & Work Hours and Compliance with the Law

2.2.1 ULT Tanzania has developed a one-page Worker Contract template to be provided to every contract farmer and his/her workers. The contract is in Kiswahili and has been developed in consultation with, and approved by, the Ministry of Labour and the Tanzania Tobacco Board.

The Worker Contract initiative was implemented in August 2015 and is designed as a training tool for farmers and workers to understand the minimum labour standards in Tanzania, as well as to provide workers with knowledge of their legal rights under the Tanzania Employment and Labour Relations Act of 2004 (as amended).

The contracts are provided to farmers through Primary Societies and directly by FTs who then explain the concept for those farmers who are illiterate.

ULT Tanzania understands this initiative may be slow to gain acceptance with farmers initially, but ULT Tanzania is positive that behaviour change and acceptance towards complying with the minimum legal income and work hours will progressively improve year on year.

In addition, farmers now agree under their Farmer Production Contracts to follow at least the minimum employment requirements as stipulated under the Employment and Labour Relations Act of 2004.

2.2.2 ULT Tanzania has also identified Income and Work Hours as an area that needs to be addressed and requiring effective initiatives for change. In this regard, a Support mechanism for workers and farmers was rolled out in January 2014 as a pilot project in Tabora Region. The Support mechanism is run by a third-party NGO, the Tabora Development Foundation Trust (TDFT), which is supported by the international NGO Winrock International.

The support mechanism provides a means for farmworkers to anonymously or confidentially report and discuss any grievances including those related to income and work hours through either a call centre or local “community activists” (see section 2.3 – Fair Treatment for more detail on the ongoing support mechanism).

2.3 Fair Treatment

2.3.1 Since 2014, a support mechanism was made available to farmers and workers in partnership with a local NGO, the Tabora Development Foundation Trust (TDFT). The support mechanism leverages on dedicated staffed, so called “community activists” (CA) due to their role of engaging with all relevant members of the communities from seven key areas of the Tabora Region. In addition, the support mechanism offers a toll-free line to allow an alternative avenue for workers and farmers to raise their concerns.

Community Activists receive training from ULT Tanzania and support from TDFT management. All calls are confidential and issues identified are followed up and dealt with by the TDFT Community Activists. On receipt of a call, the operator records as many details as possible,

contacts and mobilises the area CA who will follow-up and deal with the case. Cases are then reported through CAs back to TDFT headquarters. General information and data on the issues reported is shared with ULT Tanzania. It is important to note that TDFT does not share personal information with ULT Tanzania. In the first year of operation, 67 cases were reported, most of which related to workers' payments, breach of contract, and unfair treatment.

The rollout of the support mechanism was through an awareness campaign including 15,000 flyers, with at least one per farmer, distributed to and discussed with farmers and their workers through ULT's Field Technicians. The initial uptake and use of the support mechanism appears to be limited, however, further analysis is ongoing to evaluate its potential.

It is difficult to draw conclusions from a relatively small sample, but it does indicate that perhaps the biggest challenge faced is to make sure that all farmers and their workers fully understand the availability and reason for the mechanism and that all calls are confidential.

Following the first pilot, which ended in January 2015, the following actions were discussed and agreed with TDFT:

- Continue the pilot in the following crop season after a joint evaluation of the pilot phase to understand and develop answers to the challenges and weaknesses identified:
An assessment of the current support mechanism will take place in September 2015. Following this and subject to the findings of such an assessment, ULT Tanzania will support TDFT in implementing action plans to improve the functioning of the support mechanism before expanding the initiative to other growing regions because of its important role in providing a free, independent, confidential, support to tobacco farmers and their employees.
- Continue to focus efforts in the same areas during the 2015/16 season which will then be followed by an internal assessment and potential to expand to additional growing regions.

Action plans were also put in place to document the distribution of training materials and the training provided including the level of awareness of farmers and workers.

In 2015/16, all farmers and their workers in the target area will receive a business card containing details of the support mechanism. In addition, all Farmer Index Cards and Worker Contracts will have the support mechanism number printed on them. The Support mechanism will also be communicated to all farmers and workers in the target area through local radio broadcasts, leaflets, and posters.

The support mechanism is considered a key component of the effective implementation of ALP and ULT Tanzania will continue to support its implementation for farmers and their workers.

2.4 Forced Labour

2.4.1 As per Control Union's recommendation, ULT Tanzania will further investigate and monitor migrant workers on farms. In addition to capturing the number of migrant workers from countries other than Tanzania, ULT Tanzania undertook to capture the number of migrant workers from other regions of Tanzania working on farms during the 2014/2015 season.

This programme will be enhanced in the 2015/16 season with clearer identification through MobilLeaf data capture of types of migrants, whether from within or outside of Tanzania, languages spoken, payments types and frequency, and all risks associated with migrant labour that FTs need to be aware of.

This will help ULT Tanzania, and the FTs, identify workers who may be more at risk due to their dependency on their employer. This information will be used to encourage the FTs to be more attentive to potential issues, in particular any end of season payments for workers.

Migrant workers are being registered and monitored by FTs and the ALP country team through the farm profiles, MobilLeaf and the ALP monitoring reports.

Awareness and access to the Support Mechanism for all migrant workers is also a priority. This is being achieved through the distribution of business card size leaflets to all workers. It is hoped these will be easier for them to keep for future reference.

2.5 Safe Work Environment

2.5.1 ULT Tanzania has proposed a Sustainable Tobacco Production (STP) initiative for Safe Work Environment which will be a key measurable in our reporting for the 2015/16 crop season and beyond.

The initiative identifies seven key steps towards addressing this ALP principle:

1. Developing and implementing a Safe Working Environment strategy based on local conditions and implement at farmer level through training, demonstration and leaflets.
2. Ensuring all farmers receive a Personal Protective Equipment (PPE) Pack in their pre-season inputs (as described below in 2.5.2).
3. Ensuring all farmers receive appropriate documentation and training on and for:
 - safe storage, use and disposal of CPAs and fertiliser;
 - recording the application of CPAs;
 - identifying re-entry times on crops applied with CPA;
 - preventing and mitigating exposure to Green Tobacco Sickness.
4. Ensuring 100% contracted farms receive communication on ALP from Field Technicians, including safe work environment and clean, safe and adequate accommodation to farmers and workers.

5. Ensuring 100% of ALP Farm Profiles completed accurately for every contracted farm.
6. Farm-by-Farm monitoring of conditions on farms and adherence to the ALP Code Principles by Field Technicians through 6 visits per season to each farmer.
7. Prompt Action reporting by Field Technicians of 'immediate risk' conditions and subsequent follow-up and reporting to National office.
8. Address the area of worker accommodation as identified by Control Union. The objective of the STP is to increase the number of workers with access to decent accommodation.

Action plans being put in place include:

- Informing the farmer about the housing improvements he/she needs to make.
- Helping the farmer identify the priority areas and prepare an improvement plan.
- Inform farmer that a coordinator will contact him/her to follow-up on improvement plan previously agreed.

2.5.2 ULT Tanzania engaged with the Tanzania Tobacco Council (TTC) for the provision of a Personal Protective Equipment (PPE) Pack to every farmer on an annual basis.

The relevant Unions supplying farmer inputs will be required to issue every farmer with a comprehensive PPE pack per hectare of tobacco cultivated, consisting of four pairs of work gloves, eye goggles, mouth masks and two light-weight protective ponchos covering 75% of the body. These will be included in the farmer inputs package in 2015/16 season. The type and quality of the PPE has been approved by the TTC.

The pack will be delivered in a lockable box to be used for CPA storage.

2.5.3 The one-to-one system of Field Technician visits is allowing ULT Tanzania to provide direct training and documentation to all contracted farmers and their workers on a range of issues related to Safe Work Environment. These include safe storage and handling of Crop Protection Agents (CPA) and the prevention of Green Tobacco Sickness (GTS).

2.5.4 For the new season which (as of August 2015), farmers will be required to record dates of CPA application and acknowledge whether PPEs were used. A section is provided on the Farmer Index Card for this information and it is also being recorded on the MobiLeaf system.

The prevention of GTS is also covered on the ALP Index card and MobiLeaf.

FTs are required to check this information on each visit and countersign the farmers' declarations. The information is being collected and analysed by the ALP country team through MobiLeaf.

2.5.5 ULT Tanzania will be developing a programme in the 2016/2017 season for the collection and destruction of used CPA containers.

2.6. Freedom of Association

2.6.1 ULT Tanzania continues to work with Tanzania Plantation and Agricultural Workers Union (TPAWU) in an effort to increase the levels of awareness amongst workers in rural areas. The one-to one-system of Field Technician visits is allowing ULT Tanzania to provide further awareness to farmers on their responsibilities as employers with regards the recognition and respect of workers' rights to freedom of association, as well as to workers on their right to Freedom of Association.

Appendix 2. ALP Code

ALP Code Principle 1: Child labor

There shall be no child labor.

Measurable Standards:

- 1) There is no employment or recruitment of child labor. The minimum age for admission to work is not less than the age for the completion of compulsory schooling and, in any case, is not less than 15 years or the minimum age provided by the country's laws, whichever affords greater protection.³³
- 2) No person below 18 is involved in any type of hazardous work.
- 3) In the case of family farms, a child may only help on his or her family's farm provided that the work is light work and the child is between 13 and 15³⁴ years or above the minimum age for light work as defined by the country's laws, whichever affords greater protection.

ALP Code Principle 2: Income and work hours

Income earned during a pay period or growing season shall always be enough to meet workers' basic needs and shall be of a sufficient level to enable the generation of discretionary income. Workers shall not work excessive or illegal work hours.

Measurable Standards:

- 1) Wages of all workers (including for temporary, piece rate, seasonal, and migrant workers) meet, at a minimum, national legal standards or agricultural benchmark standards.
- 2) Wages of all workers are paid regularly, at a minimum, in accordance with the country's laws.
- 3) Work hours are in compliance with the country's laws. Excluding overtime, work hours do not exceed, on a regular basis, 48 hours per week.

³³ As an exception, pursuant to ILO Convention 138, developing countries may under certain circumstances specify a minimum age of 14 years.

³⁴ The same ILO convention 138 allows developing countries to substitute "between the ages 12 and 14 in place of "between the ages 13 and 15".

- 4) Overtime work hours are voluntary.
- 5) Overtime wages are paid at a premium as required by the country's laws or by any applicable collective agreement.
- 6) All workers are provided with the benefits, holidays, and leave to which they are entitled by the country's laws.

ALP Code Principle 3: Fair treatment

Farmers shall ensure fair treatment of workers. There shall be no harassment, discrimination, physical or mental punishment, or any other forms of abuse.

Measurable Standards:

- 1) There is no physical abuse, threat of physical abuse, or physical contact with the intent to injure or intimidate.
- 2) There is no sexual abuse or harassment.
- 3) There is no verbal abuse or harassment.
- 4) There is no discrimination on the basis of race, color, caste, gender, religion, political affiliation, union membership, status as a worker representative, ethnicity, pregnancy, social origin, disability, sexual orientation, citizenship, or nationality.
- 5) Workers have access to a fair, transparent and anonymous grievance mechanism.

ALP Code Principle 4: Forced labor

All farm labor must be voluntary. There shall be no forced labor.

Measurable Standards:

- 1) Workers do not work under bond, debt or threat and must receive wages directly from the employer.

- 2) Workers are free to leave their employment at any time with reasonable notice.
- 3) Workers are not required to make financial deposits with employers.
- 4) Wages or income from crops and work done are not withheld beyond the legal and agreed payment conditions.
- 5) Farmers do not retain the original identity documents of any worker.
- 6) The farmer does not employ prison or compulsory labor.

ALP Code Principle 5: Safe work environment

Farmers shall provide a safe work environment to prevent accidents and injury and to minimize health risks. Accommodation, where provided, shall be clean, safe and meet the basic needs of the workers.

Measurable Standards:

- 1) The farmer provides a safe and sanitary working environment, and takes all reasonable measures to prevent accidents, injury and exposure to health risks.
- 2) No worker is permitted to top or harvest tobacco, or to load barns unless they have been trained on avoidance of green tobacco sickness.
- 3) No worker is permitted to use, handle or apply crop protection agents (CPA) or other hazardous substances such as fertilizers, without having first received adequate training and without using the required personal protection equipment. Persons under the age of 18, pregnant women, and nursing mothers must not handle or apply CPA.
- 4) Workers do not enter a field where CPA have been applied unless and until it is safe to do so.
- 5) Workers have access to clean drinking and washing water close to where they work and live.

- 6) Accommodation, where provided, is clean, safe, meets the basic needs of workers, and conforms to the country's laws.

ALP Code Principle 6: Freedom of association

Farmers shall recognize and respect workers' rights to freedom of association and to bargain collectively.

Measurable Standards:

- 1) The farmer does not interfere with workers' right to freedom of association.
- 2) Workers are free to join or form organizations and unions of their own choosing and to bargain collectively.
- 3) Worker representatives are not discriminated against and have access to carry out their representative functions in the workplace.

ALP Code Principle 7: Compliance with the law

Farmers shall comply with all laws of their country relating to employment.

Measurable Standards:

- 1) All workers are informed of their legal rights and the conditions of their employment when they start to work.
- 2) Farmers and workers have entered into written employment contracts when required by a country's laws and workers receive a copy of the contract.
- 3) Terms and conditions of employment contracts do not contravene the country's laws.