



[2015]

FAIR LABOR ASSOCIATION INDEPENDENT EXTERNAL MONITORING AGRICULTURAL REPORT

COMPANY: Nestlé

COUNTRY: Ivory Coast

PROVINCE: Nawa

COMMUNITIES: Kouamé 2, Dioulabougou, Petit-Bondoukou 1

MONITOR: Societal Compliance Initiative

AUDIT DATE: October 8-16, 2015

PRODUCTS: Cocoa

NUMBER OF GROWERS/WORKERS INTERVIEWED: 60/78

NUMBER OF FARMS VISITED: 60

TOTAL AREA COVERED IN AUDIT: 422 ha

PROCESSES: Harvesting

To view more about the FLA's work with Nestle, please visit the FLA website [here](#).

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Code Awareness:

GEN 3 Develop a secure communications channel, in a manner appropriate to the culture and situation, to enable Company employees, Supervisors and employees of Seed organizers to report to the Company on noncompliance with the workplace standards, with security that they shall not be punished or prejudiced for doing so.

Noncompliance

Explanation: Nestlé published a toll-free number on its illustrated Code of Conduct COC to enable producers and workers to report any non-compliance they witness in their communities, or any grievance. Nestlé added a non-retaliation clause to its COC to protect anyone who raises grievance or report a non-compliance. However, the toll-free line is difficult to use for illiterate people, leading to multiple relays, and is in English. Additionally, the visited communities are not covered by fixed network phone service, while it is the only channel from which calls can be made.

Source: Observations; Record review; Interviews with IMS staff and producers; Trial phone calls

Plan Of Action: Nestlé has been looking for a nation-wide solution to help all farmers and workers' voice their concerns through an effective grievance mechanism. This is made difficult by the fact that the mobile network is fragmented, with 3 different mobile companies sharing the network, including in remote, rural areas.

While Nestlé continue to look for a solution at the national level, Nestlé will:

- Engage the cooperative to continue to raise farmers' and farm workers' awareness on all existing grievance procedures at the cooperative level through the system of lead farmers and farmer field schools.
- Engage the cooperative to provide suggestion boxes in all cooperative sessions and raise farmers' and farm workers' awareness around these boxes, including how to proceed in case of illiteracy.
- Pilot a new approach starting in March 2017 in one cooperative (another one that the one assessed here) that would empower the Community Liaison People to collect grievances from community members and pass them on to the cooperative, our suppliers or to us directly, as appropriate.

Deadline Date: March 2017

Child Labor: General Compliance Child Labor

CL.1 Growers shall comply with all local laws, regulations, and procedures concerning the prohibition of child labor.

Noncompliance

Explanation:

In their effort to fight against child labor, Nestlé and its partners are implementing actions in the visited communities through training, awareness campaigns, internal and external monitoring. A system for monitoring and remediation of child labor (CLMRS) is active in the assessed cooperative. These actions lead to visible results in terms of awareness and child labor occurrence.

However, some non-compliances that are mainly related to non-enrollment to school and involvement of children (producers' family members) in activities that may be risky for their age persist in some communities even if it is limited to some producers. In the community of Dioulabougou, monitors observed two girls of 6 and 10 years carrying oranges from the field of an interviewed producer to the village (located about 1 km away). Another boy of 13 years old, participating in brewing cocoa beans during drying, was observed in the same community. At first sight, these tasks can be considered minor and thus contributing to the socialization of children, as taking place in the family context. However, given the fact that: (1) these children do not attend school and, (2) according to the producer's interview, the boy of 13 years participates in the realization of any type of work in the farm and (3) the little girls perform repetitive tasks and carry heavy loads on a long distance, monitors concluded that these situations constitute violations of the child labor benchmarks.

In Petit-Bondoukou, monitors observed two children of 10 and 12 years involved in field activities of two interviewed producers. At the time of the visit, the 12-year old child was opening cocoa pods with a machete. This child is not a member of the producer's family nor its employee. He was accompanying his bigger brother who helped the producer within the framework of the community mutual assistance scheme (farmers from the same community helping each other during peak activity times like pods opening). However, that child does not attend school and does not have a birth certificate. In addition, he was conducting hazardous work according to international regulations and Nestlé COC. As for the 10-year old girl, the tasks she was performing were light. However, she is deprived of her right to education due to lack of financial means according to her aunt with whom she lives.

Source: Observations; Interviews with producers and the concerned children

Plan Of Action:

The CLMRS was implemented in this cooperative since November 2014 with a Child Labor Agent and 9 Community Liaison People actively monitoring the Child Labor situation on the ground. This includes conducting awareness sessions on Child Labor for the entire community and designing and implementing remediation activities according to identify cases and needs identified in each community.

154 awareness sessions on Child Labor have been conducted by Community Liaison People in SCAPB communities with 100% of communities covered and 99% of farmers reach. Remediation activities have been implemented according to the issues and needs identified in each community.

Currently, more than 79 children at risk of being involved in Child Labor have been identified through the Child Labor Monitoring and Remediation System. Remediation actions have already been implemented, for example by distributing 20 school kits to at-risk farmers' children.

Additional sessions will be conducted in the future including on the following topics:

- Minimum age of admission to employment.

- The effects of hazardous work on the children’s bodies.
- The importance of birth certificate and education for children

Following the FLA assessment visit, we have carried out the following activities through the Child Labor Monitoring and Remediation System:

Community liaison people sensitized the families of these children on the consequences of child labor on children physical and mental health and overall development, as well we on the importance to get a birth certificate for their children to facilitate their access to formal education.

The 2 girls from Dioulabougou are now attending school and actions are being taken to see if it possible to establish their birth certificate according to the law.

The first 10 years old from Petit-Bondoukou now attends school and the second one returned to school

Concerning the 13-year old boy from Petit-Bondoukou, it appears that he is not a member of the producer’s or worker’s families. He seems to live in a village out of the cooperative area. Our investigations showed that the boy wants to learn a job but there is not such an opportunity in this village. We’re currently assessing different options for him.

**Deadline
Date:**

December 2016

Child Labor: Proof of Age Documentation

CL.3 Company will assist the grower in maintaining proof of age documentation for all young workers in the farm and is recommended to maintain proof of age documentation for all workers in the farm, including long term and casual workers.

Noncompliance

Explanation: As part of the Child Labor Monitoring and Remediation System (CLMRS) implemented in the cooperative, Nestlé educates and assists producers in establishing birth certificates for their children. However, during their visits in the communities of Dioulabougou and Petit-Bondoukou, monitors identified children who still had no identification documents. Moreover, despite the fact that the concerned producers know the ages of these children (since they are family members), they do not take their age into account in the allocation of tasks they give them, such as hazardous work prohibited for children below 18 years. This is the case for the two children identified and described in CL.1 section above.

Source: Observations; Interviews

Plan Of Action: See CL.1
The establishment of birth certificates is one of the remediation actions that is typically carried out when appropriate as part of the Child Labor Monitoring and Remediation System. With the help of our implementing partner ICI, we are now assessing the possibility to establish a birth certificate for the 13-year old girl in close collaboration with the local authorities.
Nestlé will engage the cooperative to monitor all employment contracts between farmers and farm workers and get a hard copy of worker's personal identification documents or proof of age attached to the contracts.

Deadline Date: December 2016

Health and Safety: Personal Protective Equipment

H&S.7 All necessary personal protective equipment (PPE), such as gloves, eye protection, respiratory protection, etc., should be made available to relevant workers to prevent unsafe exposure (such as inhalation or contact with solvent vapors, dust, etc.) to health and safety hazards.

Noncompliance

Explanation: Regarding personal protective equipment (PPE): for applicators who are assigned by the cooperative to chemical application of the producers' farms, the identified risks are appropriate and they wear the right PPE. For male producers, the main PPE they use are boots and trousers to protect them from snakebites, thorns and wounds. In that regard, monitors consider that all the risks they face are not taken into account in their protection efforts. Even if monitors recognize the complexity of the situation in the Ivorian context due to the weight of tradition and the households' standard of living, they nevertheless noticed that producers and workers do not protect their eyes at the time of picking cocoa pods although they can get debris in the eyes. Female producers or members of producers' family, by tradition, usually wear sandals when going to farms. Finally, in the cocoa beans collection stores, staff rarely protect their nose and mouth when handling beans despite the significant amount of dust that emanates from these beans. These risks are not adequately taken into account in the companies' effort to raise awareness of producers and workers on Health & Safety risks.

Source: Observations; Interviews with IMS staff, producers, workers and women

Plan Of Action: Nestlé will engage with the cooperative to continue to raise farmer's awareness on the use of necessary personal protective equipment (PPE), such as eyes and nose protection and boots for women

In addition, Nestlé will pilot the distribution of eye protection equipment to farmers of 2 communities in 2 cooperatives. This will be done together with farmers' sensitization on the use and advantages of this kind of protection during farmer field school sessions. The level of use of eye protection by farmers will be evaluated after one year.

Deadline Date: March 2017

Health and Safety: Chemical Management and Training

H&S.8 All chemicals and hazardous substances, farm produce, and raw materials should be properly labeled and stored. The grower shall not use any banned (either by national or international laws) pesticides fertilizers, or any other agro chemicals in the farm. The grower shall ensure safe disposal of waste chemicals or empty containers of chemicals or packing materials. The grower/organizer/company will provide the necessary training to the worker with regard to handling of agro chemicals (pesticides, fertilizers, and other hazardous substances), their application and the use of personal protective equipment.

Noncompliance

Explanation: Despite the availability of trained and equipped chemical applicators and despite the awareness campaigns on the subject, some producers still avoid using this service offered by the cooperative and conduct chemical application by themselves. Monitors observed in the farm of a producer of Petit-Bondoukou, a worker - son of the producer - performing chemical application without proper Personal Protective Equipment. He was not wearing any protection for his eyes, nose or hands. In addition, he claimed he never received training on the subject.

Source: Observations; Interviews with producers and workers

Plan Of Action: After the FLA assessment, the farmer and his family have been sensitized on the use of pesticides, fertilizers, and other hazardous substances and on the importance of personal protective equipment (PPE).
The cooperative have five dedicated “applicators”, i.e. people adequately trained and equipped to use pesticides and fertilizers and to provide their services to farmers.
Nestlé will engage the cooperative to intensify farmers’ and workers’ awareness raising on the danger posed by chemicals and the importance of using the services of these “applicators”.

Deadline Date: July 2016

Health and Safety: Drinking Water

H&S.13 Company should make efforts to create awareness among growers and workers about clean drinking water. Growers shall not place any undue restrictions on drinking water in terms of time and frequency.

Noncompliance

Explanation: The community of Kouamé 2 has no source of potable drinking water. Despite the good will of the cooperative to set up village pumps for the welfare of the inhabitants, drilling could not lead to water sources. Community members use backwater to obtain water for consumption needs. The collected water is untreated and unsanitary. Community members are not trained nor educated on the appropriate measures to clean water before consumption.

Source: Observations; Interviews with producers

**Plan Of
Action:**

This is a widespread problem in rural areas in Ivory Coast. A Nestlé survey showed that around 37% of people do not have access to clean drinking water. Nestlé has a project with the International Federation of the Red Cross to refurbish water wells, build sanitation infrastructure, and educate children and adults about the importance of hygiene.

The cooperative has registered the need for drinking water of this village on the list of its social projects. Last year, the cooperative tried to build water pump without success. Nestlé will engage the coop to continue to raise farmers' and workers' awareness on drinking boiling water.

**Deadline
Date:**

July 2016