



2013

**FAIR LABOR ASSOCIATION**  
**INDEPENDENT EXTERNAL MONITORING**  
**AGRICULTURAL REPORT**

**COMPANY:** Nestlé

**COUNTRY:** Turkey

**PROVINCE:** Ordu-Giresun

**MONITOR:** FLA Turkey

**AUDIT DATE:** August 13 – 18, 2013

**PRODUCTS:** Hazelnuts

**NUMBER OF WORKERS:** 137 + 226 + 503 (3 locations) = 866

**NUMBER OF WORKERS INTERVIEWED:**

23 + 55 + 90 = 168

**NUMBER OF FARMS VISITED:** 11 + 10 + 21 = 42

**TOTAL AREA COVERED IN AUDIT:**

17 + 76 + 170 = 263 Acres

**PROCESSES:** Harvesting

To report the Executive Summary for this report, please visit the FLA website [here](#).  
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**Code Awareness: GEN.1**

GEN.1 Establish and articulate clear, written workplace standards. Formally convey those standards to company growers as well as to other supply chain partners and suppliers.

**Noncompliance**

**Explanation:** The company has a code of conduct (COC) and workplace standards; however, it was not communicated to supply chain organizers and growers. Nestlé provided an “ethical code for suppliers” as an annex to the sales agreement, but none of the suppliers were able to present that document to the monitors.

Sources: grower interviews, record review

**Plan Of Action:**

- |  |                                  |
|--|----------------------------------|
| <p>1. Nestlé is to recruit a Hazelnut Responsible Sourcing Traceability Coordinator. Main objectives of the position are to: a) drive the local responsible sourcing traceability operations related to hazelnuts in Turkey and b) represent Nestlé Responsible Sourcing activities externally.</p>                          | <p>January 2014</p>              |
| <p>2. <u>Prerequisite:</u> Clusterization of Nestlé’s supplying farms will be performed on pilot regions to increase transparency and focus on trainings and other activities.</p>   | <p>February 2014</p>             |
| <p>3. Roundtable meetings with Tier 1 suppliers to discuss implementation steps regarding removing child labor from Nestlé’s supply chain. Take measures so that there are no further incidences of child labor.</p> <p><u>Number of meetings:</u> 2</p>   | <p>February 2014</p>             |
| <p>4. To extend the impact of training activities in the settlement camps and investigate the possibility of obtaining support from a local civil society organization. Also, obtain support from people of expertise in NGOs regarding correctly communicating relevant labor practice topics in an appropriate manner.</p> | <p>February 2014</p>             |
| <p>5. Assess the possibility of alignment with ILO activities.</p> <p><u>Number of meetings:</u> 2 meetings with ILO Representatives</p>   | <p>February –<br/>March 2014</p> |

6. Develop a reporting line regarding communication of child labor and other labor rights violations: a) Nestlé will make a local toll-free phone number available for workers to use to report noncompliances and b) a procedure will be created on how to handle public complaints and include this communication channel on the COC flyer. February – March 2014

7. Nestlé will publish a written version of the COC in the form of a flyer in Turkish. Flyers will be distributed to: a) suppliers via Nestlé’s responsible personnel and b) growers and manaus (manaus are the mediators between growers and crackers/processors) via Tier 1 suppliers. These activities will start after March and be completed before harvest in August. One of the COC’s key components is child labor. March – April 2014

8. Together with COC a simplified pocket version of the Nestlé Supplier Code will be made available to Tier 1 suppliers for distribution to upstream suppliers (growers and manaus). March – April 2014

9. Nestlé Tier 1 suppliers will publish a printed template for farmers to record workers’ first name, surname, and age. Suppliers will also distribute them to farmers. Nestlé’s responsible sourcing personnel, Tier 1 suppliers, and manaus are to collect filled-in templates for analysis by Nestlé’s Responsible Sourcing personnel. (System #1) March – April 2014

10. Trainings, awareness raising meetings, and stakeholder (manaus and farmers) meetings in villages will be conducted. Comic version and other printed material will be attached to any verbal or face-to-face interactions with suppliers or farmers. Main topics to be covered will be child labor, labor standards, young workers (16 – 18), age verification process, child labor removal process, and health and safety. March – May 2014

Total number: Maximum 3 per cluster (to reach a minimum number of 150 farmers per cluster)

11. A scorecard (“self assessment”) for farmers to calculate their situation vs. illustrated version of COC will be created based on what exists within Nestlé in other commodities, such as milk, soya, and sugar. Scorecard will help farmers understand their current situation through a self evaluation. Tier 1 suppliers and Nestlé personnel will be trained on scorecard principles for self evaluation of the supply chain. May 2014

12. Meeting with local authorities, including governors and other segments of local society, to increase awareness about working conditions, labor standards, and the application of local regulations. June – July 2014

13. Before the harvest: Pre-harvest assessments will be performed by value chain stakeholders (Tier 1 suppliers and Nestlé personnel) regarding infrastructure (e.g., toilets, first aid kits, and potable water availability (through a checklist that will be prepared by Nestlé TR)). 5% of each cluster (25 farms per cluster) will be assessed before harvest and findings will be shared with Nestlé TR on a daily basis, to be reviewed with Nestlé Headquarters in Switzerland and FLA on a weekly basis. June – July 2014

14. Trainings in worker settlement camps to increase awareness; child labor, core labor standards, discrimination, and H&S topics will be covered. Trainings (100 people) with the lead of local NGO stated above and Nestlé staff as facilitators will be conducted. August 2014

Number of trainings: 2 in total (Preferably 1 per camp)

15. Distribution of a scorecard to farmers to calculate their situation vs. illustrated version of COC in order to understand their current situation in child labor. Collection of scorecard will be made at the end of harvest with “age verification” information collected through the value chain (Nestlé, Tier 1, manaus...) (System #2) August 2014

16. During harvest: Assessments will be performed by value chain stakeholders (Tier 1 suppliers and Nestlé personnel) regarding topics covered in trainings (e.g., child labor, H&S, labor practices, through a checklist that will be prepared by Nestlé TR). 5% of each cluster (25 farms per cluster) will be assessed and findings will be shared with Nestlé TR on a daily basis to be reviewed with Nestlé CH and FLA on a weekly basis. August 2014



17. If child labor is detected on a particular farm: a) Nestlé will further train farmer on Nestlé's requirements, b) track progress of remediation and make changes to preferred farm list accordingly, and c) local NGO will be informed in 24 hours to take action in the settlement camp where the child worker is staying with their family. Hence, relevant communication and training can be done by local NGO to prevent particular child workers from working in other gardens for the rest of the harvest period. (System #3) August 2014

18. Suppliers will continue their activities in the settlement of "healthy camps," which aim to provide free health services (e.g., dental care, hygiene) to children found in farms, camps, and villages around the sourcing areas. August 2014

19. Nestlé will evaluate the possibility of distributing first aid kits to farmers during awareness raising trainings. March 2014

**Code Awareness: GEN.2**

GEN.2 Ensure that all company growers as well as supply chain partners and suppliers inform their workers about the workplace standards orally and through the posting of standards in a prominent place (in the local languages spoken by workers) and undertake other efforts to educate workers about the standards on a regular basis.

**Noncompliance**

**Explanation:** Because the harvest season is short, growers do not have any permanent employees. As a result, the company only provides training for supply chain organizers and a few growers. Organizers and growers only know about child labor issues and agricultural best practices.

The company did not inform workers about workplace standards.

Sources: grower and organizer interviews

**Plan Of Action:** For remediation plans, please refer to Plan of Action #10 and #14 under the first finding above (Code Awareness, GEN.1).

**Deadline** March – May 2014

**Date:** August 2014

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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**Code Awareness: GEN.3**

GEN.3 Develop a secure communications channel, in a manner appropriate to the culture and situation, to enable Company employees, Supervisors and employees of supply chain partners and suppliers 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:** The company did not develop a secure channel for workers to communicate noncompliances. A company representative responsible for internal monitoring conducts monitoring visits at farms. During these visits, he speaks to growers and workers, but does not leave a phone number for workers to report noncompliances.

Source: interviews

**Plan Of Action:** For remediation plans, please refer to Plan of Action #6 under the first finding above (Code Awareness, GEN.1).

**Deadline Date:** February – March 2014

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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## Forced Labor: Free Disposal of Wages/Cash and In-Kind Compensation

F.7 Growers shall not limit in any manner the freedom of workers to dispose of their wages. Workers shall be compensated for their work directly through the provision of cash or its equivalent. The partial payment of wages in the form of allowances in-kind is permissible, provided: they are allowed under local law, and as long as legal limits are complied with; they are appropriate for the personal use and benefit of the worker and her or his family; and the value attributed to such allowances is fair and reasonable and receipt of in-kind compensation is voluntary.

### Uncorroborated Evidence of Noncompliance

**Explanation:** The payment system has some risks, which might lead to forced labor. Workers receive one lump sum payment at the end of the harvest. Even though there is no evidence of forced labor, workers might not receive their payment if they leave the workplace before the end of the season (this is a common industrial practice in the region, as prices are defined after the end of the harvest season). Additionally, growers are paid after the harvest, which is why workers receive payments late.

Source: interviews

**Plan Of Action:** Migrant labor is of direct concern for Nestlé. Our activities are primarily focusing on the remediation of child labor issues and we intend to focus on the migrant labor issue in coming years. In the meantime, during monitoring and remediation of child labor issues, if cases of forced labor are found we will gather the data, call for expertise from ILO, and remediate with our current tools and processes to at least raise awareness of the stakeholders involved.

**Deadline  
Date:**

**Action  
Taken:**

**Plan  
Complete:**

**Plan  
Complete  
Date:**

**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:** Growers at almost every farm employ children. Since the children did not have ID's with them, their ages were verified via interviews. The majority of interviewees were children of migrant workers who accompanied their parents to help generate income for their family.

Sources: worker interviews, farm walkthrough

**Plan Of Action:** For remediation plans, please refer to Plan of Action #9, #10, and #17 under the first finding above (Code Awareness, GEN.1).

**Deadline** March – April 2014

**Date:** March – May 2014

August 2014

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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**Child Labor: Child Labor**

CL.2 Growers shall not employ children younger than 15 (or 14 where the law of the country of production allows) or younger than the age for completing compulsory education in the country of production where such age is higher than 15.

**Noncompliance**

**Explanation:** During the farm visit, 37 children were observed working with their families. As their parents were migrant workers who worked on different crops from April to October, the children could not be left behind. As a result, children accompanied their parents to the harvest.

Source: farm walkthrough

**Plan Of Action:** For remediation plans, please refer to Plan of Action #9, #10, and #17 under the first finding above (Code Awareness, GEN.1).

**Deadline** March – April 2014

**Date:** March – May 2014

August 2014

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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### **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:** There is no documentation for proof of age. At the beginning of the season, growers verbally negotiate the number of workers with labor contractors. Then, workers arrive and begin working on the farm. At no point do growers feel the need to check workers' ID cards; they are only concerned with the number of workers on site.

Source: interviews

**Plan Of Action:** For remediation plans, please refer to Plan of Action #9, #10, and #17 under the first finding above (Code Awareness, GEN.1).

**Deadline Date:** March – April 2014

March – May 2014

August 2014

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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### Child Labor: Other Means of Age Verification

CL.4 In those cases where proof of age documentation is not readily available or unreliable, grower will take precautions to ensure that all workers are at least the minimum working age, including medical or religious records, school records or other means considered reliable in the local context.

#### Noncompliance

**Explanation:** There was no documentation for proof of age. During the contracting period, growers do not want any documentation for proof of age from the workers or labor contractors.

Source: interviews

**Plan Of Action:** For remediation plans, please refer to Plan of Action #9, #10, and #17 under the first finding above (Code Awareness, GEN.1).

**Deadline** March – April 2014

**Date:** March – May 2014

August 2014

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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### **Child Labor: Government Permits and Parental Consent Documentation**

CL.5 Growers shall abide by all the relevant rules and procedures where the law requires government permits or permission from parents as a condition of employment.

#### **Noncompliance**

**Explanation:** Families want their children to help them harvest gardens more quickly and earn more income. However, growers could not produce any consent letters for the children observed during this audit. According to Turkish Labor Law, children of 14 years of age or older can work in certain jobs, provided employers obtain a consent letter from their families.

Source: interviews

**Plan Of Action:** For remediation plans, please refer to Plan of Action #9, #10, and #17 under the first finding above (Code Awareness, GEN.1).

**Deadline** March – April 2014

**Date:** March – May 2014

August 2014

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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### Child Labor: Employment of Young Workers

CL.6 Growers shall comply with all relevant laws and regulations that apply to young workers, i.e., those between the minimum working age and the age of 18, including those relating to hiring, working conditions, types of work, hours of work, proof of age documentation, and overtime.

#### Noncompliance

**Explanation:** 28 young workers (between the ages of 15 and 18 years) were observed during farm visits. Like children, young workers come to work with their families during the season. However, these young workers were observed working the same hours and under the same conditions as their adult family members. They were not provided any special conditions as legally required (e.g., hours of work shall not exceed 8 hours a day and 40 hours a week).

Source: interviews

**Plan Of Action:** For remediation plans, please refer to Plan of Action #3, #4, #9, #10, #12, #13, #15, and #16 under the first finding above (Code Awareness, GEN.1).

**Deadline Date:** February 2014  
March – April 2014  
March – May 2014  
June – July 2014  
August 2014  
June – July 2014  
August 2014  
August 2014

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

### Child Labor: Hazardous Work for Young Workers

CL.7 No person under the age of 18 shall undertake hazardous work, i.e., work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of persons under the age of 18. Young workers between the ages of 15 to 18 years will not be involved in strenuous and hazardous work. Such work includes the application of agro chemicals, pesticides, and fertilizers, use of farm equipment tools and machinery, lifting or moving of heavy materials or goods, or carrying out hazardous tasks such as underground or underwater or at dangerous heights, or any other activity which may cause harm or would affect the well being of the young worker.

#### Noncompliance

**Explanation:** All young workers do the same work as adults. They work the same hours as adults and perform all of the same hazardous and strenuous tasks (e.g., carrying bags of hazelnuts).

Source: interview

**Plan Of Action:** For remediation plans, please refer to Plan of Action #3, #4, #9, #10, #12, #13, #15, and #16 under the first finding above (Code Awareness, GEN.1).

**Deadline Date:** February 2014  
March – April 2014  
March – May 2014  
June – July 2014  
August 2014  
June – July 2014  
August 2014  
August 2014

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

**Child Labor: Children on Premises**

CL.9 The grower will ensure that children (all children, including those residing in the farm) will not have access to areas such as machine / electric operation, application of pesticide and fertilizers, storage areas, and others where there are activities that can cause harm to the child.

**Noncompliance**

**Explanation:** 37 children were observed working with their families.

Sources: farm walkthrough, interviews

**Plan Of Action:** For remediation plans, please refer to Plan of Action #3, #6, #14, #15, and #17 under the first finding above (Code Awareness, GEN.1).

**Deadline** February 2014

**Date:** February – March 2014

August 2014

August 2014

August 2014

**Action  
Taken:**

**Plan  
Complete:**

**Plan  
Complete  
Date:**

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### **Child Labor: Removal and Rehabilitation of Child Laborers**

CL.10 If a child laborer is found working on the farms, the grower and the company shall ensure that the child is immediately removed from the farm and is rehabilitated and brought into the mainstream school system. The grower and company will make efforts to make this rehabilitation sustainable.

#### **Noncompliance**

**Explanation:** No rehabilitation of child labor issues was observed during the visits.

Growers generally provide accommodations for workers. Growers also accept that children are working on their farms. However, they do not notify the organizers or the company of this situation.

**Plan Of Action:** For remediation plans, please refer to Plan of Action #17 under the first finding above (Code Awareness, GEN.1).

**Deadline Date:** August 2014

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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### Harassment or Abuse: Grievance Procedure

H&A.12 Company shall have in place grievance procedures that allow first an attempt to settle grievances directly between the worker and the grower but, where this is inappropriate or has failed, it is possible for the worker to have the grievance considered at one or more steps, depending on the nature of the grievance and the structure and size of the enterprise. Company shall ensure that workers know the grievance procedures and applicable rules.

#### Noncompliance

**Explanation:** There is no grievance channel for workers on farms. Workers generally prefer not to talk to growers directly. Instead, workers prefer to present their grievances to supervisors. Supervisors act as intermediaries between growers and workers.

Sources: grower and worker interviews

**Plan Of Action:** For remediation plans, please refer to Plan of Action #6 under the first finding above (Code Awareness, GEN.1).

**Deadline Date:** February – March 2014

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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## Non-Discrimination: Employment Decisions

D.2 All employment decisions shall be made solely on the basis of a person's qualifications, in terms of education, training, experience, demonstrated skills and/or abilities, as they relate to the inherent requirements of a particular job.

### Noncompliance

**Explanation:** Some growers prefer not to hire migrant workers from the southeast of the country, who are predominantly Kurdish. These growers think migrant workers from the southeast lack experience in picking hazelnuts from trees.

Source: grower interview

**Plan Of Action:** Remediation of child labor remains our top priority versus resources allocated. In this case, we are committed to raise awareness during training and awareness sessions. If during our internal monitoring and remediation system on child labor, we find such evidence, we will share it with stakeholders to find a possible way forward and will contribute in upgrading practices.

**Deadline**

**Date:**

**Action Taken**

**Plan**

**Complete:**

**Plan**

**Complete**

**Date:**

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## Health and Safety: General Compliance Health and Safety

H&S.1 Growers shall comply with all local laws, regulations, and procedures concerning health and safety. In any case where local laws and the Workplace Code of Conduct are contradictory, the higher standards will apply. The grower will possess all legally required permits.

### Noncompliance

**Explanation:** Growers did not provide any H&S conditions for workers, such as providing gloves as personal protective equipment (PPE) and any other special clothes for workers. Some workers brought their own gloves and boots.

Source: grower interview

**Plan Of Action:** For remediation plans, please refer to Plan of Action #19 under the first finding above (Code Awareness, GEN.1).

Remediation of child labor remains our top priority versus resources currently allocated. In this case, we will investigate the feasibility of distributing core PPE, such as gloves, only to show best practices and lead by example. Of course, this will be part of the training and awareness sessions given to growers and farmers.

**Deadline Date:** March 2014

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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**Health and Safety: Document Maintenance/Worker Accessibility and Awareness**

H&S.2 All documents required to be available to workers and growers by applicable laws (such as health and safety policies, MSDS, etc.) shall be made available in the prescribed manner and in the local language or language(s) spoken by the workers if different from the local language. If the workers are illiterate, the company shall make an effort to provide pictorials that the workers can easily understand.

**Uncorroborated Evidence of Noncompliance**

**Explanation:** No documents were observed. The company has newly started to conduct the internal monitoring system. During this monitoring, the responsible person informs the growers about the child labor policy and does not give any documents to growers. H&S policy and procedures are not included in this monitoring system.

Sources: interviews, farm walkthrough

**Plan Of Action:** For remediation plans, please refer to Plan of Action #8, #10, and #14 under the first finding above (Code Awareness, GEN.1).

**Deadline** March – April 2014

**Date:** March – May 2014

August 2014

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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## Health and Safety: Written Health and Safety Policy

H&S.3 Company, in consultation with growers, organizers, and if possible workers, is required to develop a health and safety policy. The policy must, at the very least, be aimed at complying with legal minimum safety and health standards, regulations, and procedures and with the Workplace Code of Conduct.

### Noncompliance

**Explanation:** There is no written H&S policy in place. The majority of farms are small in size and family owned. Growers are not used to keeping documents as part of a farm management system.

Source: record review

**Plan Of Action:** Remediation of child labor remains our top priority versus resources allocated. In this case, we will draft and test the distribution of small posters explaining good H&S practices and policy at the farm level, primarily to raise awareness only.

**Deadline Date:**

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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### Health and Safety: Health and Safety Management System

H&S.4 The health and safety policy shall contain the framework for a comprehensive health and safety management system within which growers' responsibilities and workers' rights and duties, various responsibilities of designated personnel, procedures that enable workers to raise health and safety concerns, and procedures for reporting death, injury, illness, and other health and safety issues (for instance, near-miss accidents) are clear and regularly tested and reviewed.

#### Noncompliance

**Explanation:** [The majority of farms were small; there were no management systems in place for H&S requirements.](#)

[Source: interviews](#)

**Plan Of Action:** [Remediation of child labor remains our top priority versus resources allocated. In this case, we will draft and test the distribution of small posters explaining good H&S practices and policy at the farm level, primarily to raise awareness only.](#)

**Deadline Date:**

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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### Health and Safety: Communication to Workers

H&S.5 The health and safety policy shall be communicated to all workers in the local language or language(s) spoken by workers if different from the local language.

#### Noncompliance

**Explanation:** Growers were not informed about the H&S policy. There is no management system in place at the farm level; therefore, workers were not informed.

Sources: grower and worker interviews

**Plan Of Action:** For remediation plans, please refer to Plan of Action #8, #10, and #14 under the first finding above (Code Awareness, GEN.1).

**Deadline** March – April 2014

**Date:** March – May 2014

August 2014

**Action  
Taken:**

**Plan  
Complete:**

**Plan  
Complete  
Date:**

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## Health and Safety: Access to Safety Equipment and First Aid

H&S.6 Company should ensure that growers and workers have access to safety equipment and first aid.

### Noncompliance

**Explanation:** There are no first aid kits or safety equipment on the farms. Growers are not aware of the importance of this equipment, because they think that their farms are safe. In addition, the company has not provided H&S training.

Sources: interview, farm walkthrough

**Plan Of Action:** For remediation plans, please refer to Plan of Action #10 and #19 under the first finding above (Code Awareness, GEN.1).

**Deadline** March – May 2014

**Date:** March 2014

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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### 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:** Only some workers were observed wearing gloves. Growers are not aware that they must provide PPE for workers.

Sources: worker interview, farm walkthrough

**Plan Of Action:** For remediation plans, please refer to Plan of Action #19 under the first finding above (Code Awareness, GEN.1).

Remediation of child labor remains our top priority versus resources allocated. In this case, we will draft and test the distribution of small posters explaining good H&S practices and policy at the farm level, primarily to raise awareness only.

**Deadline Date:** March 2014

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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### Health and Safety: Rest Areas

H&S.14 Grower shall make provision for adequate rest area for workers in case of extreme weather, protection from animals and in case of health emergency.

#### Noncompliance

**Explanation:** Growers did not provide a designated rest area. The workers rested under trees on the farms.

Sources: farm walkthrough, worker interviews

**Plan Of Action:** For remediation plans, please refer to Plan of Action #13 under the first finding above (Code Awareness, GEN.1).

**Deadline Date:** June – July 2014

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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## Health and Safety: Living Quarters

H&S.15 In case the workers reside on the farms, the growers will ensure that living quarters are adequate, safe and do not pose any risk to the workers or their families.

### Noncompliance

**Explanation:** Some growers provided accommodation for workers near their own houses. However, these accommodations were not ideal for living, as there is limited space for family members; 7 – 8 people sleep in the same room.

Sources: worker interviews, house walkthrough

**Plan Of Action:** Remediation of child labor remains our top priority versus resources allocated. Adequate housing conditions is a core requirement of our Nestlé Supplier Code; we will promote this during grower and farmer training.

**Deadline Date:**

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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## Hours of Work: General Compliance Hours of Work

HOW.1 Growers shall comply with all local laws, regulations, and procedures concerning hours of work, public holidays, and leave.

### Noncompliance

**Explanation:** Daily working hours are excessive. At almost every farm, workers work more than 10 hours a day; workers typically work up to 12 hours per day, with a 1.5 hour break. This exceeds the the legal limit. According to Turkish Labor Law, weekly working hours shall not exceed 45 and daily working hours shall not exceed 11 hours, including overtime.

Sources: grower and worker interviews

**Plan Of Action:** During the monitoring and remediation system rollout on child labor, we will raise stakeholder awareness of this potential issue. If cases are being found, we will share them openly with stakeholders and seek for a dialogue to follow the law's guidance.

**Deadline Date:**

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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### Hours of Work: Rest Day

HOW.2 Workers shall be entitled to at least one day off in every seven-day period. In case workers have to work for several days without a day off due to the requirement of the production cycle, they can do so as far as they voluntarily agree to it.

### Noncompliance

**Explanation:** Growers are unaware that they need to provide workers with a rest day. Workers work until harvesting is finished. Local law requires that workers receive a rest day after every 6-day period. However, workers sometimes work 15 days without a day off. (The average harvest for each farm takes 15 days.) After the end of a farm's harvest, workers must find another farm to work on. Because the harvest season can be as short as a month, workers prefer to work continuously to maximize income.

Sources: worker interviews

**Plan Of Action:** During the monitoring and remediation system rollout on child labor, we will raise stakeholder awareness of this potential issue. If cases are being found, we will share them openly with stakeholders and seek for a dialogue to follow the law's guidance.

**Deadline Date:**

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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## Hours of Work: Overtime

HOW.4 No worker shall be expected to work for more than 8 hours per day, excluding the breaks. In extraordinary circumstances, the daily working hours can be extended to 10 hours.

### Noncompliance

**Explanation:** Workers were working 9.5 – 10 hours a day without receiving overtime pay. Local law requires that the workers must be paid extra for overtime after completing 45 hours of work a week. Growers make a verbal contract with labor contractors on daily wages and do not set hourly limits for the working day.

Source: worker interviews

**Plan Of Action:** During the monitoring and remediation system rollout on child labor, we will raise stakeholder awareness of this potential issue. If cases are being found, we will share them openly with stakeholders and seek for a dialogue to follow the law's guidance.

**Deadline Date:**

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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## Hours of Work: Overtime/Positive Incentives

HOW.5 Growers shall use positive incentive schemes to induce overtime and shall ensure workers know such incentive schemes.

### Noncompliance

**Explanation:** Workers were working 9.5 – 10 hours a day without receiving overtime pay. Local law requires that workers must be paid extra for overtime after completing 45 hours of work a week. None of the workers interviewed during this audit received overtime pay. Growers did not provide positive incentive schemes to encourage workers to work overtime.

Source: worker interviews

**Plan Of Action:** During the monitoring and remediation system rollout on child labor, we will raise stakeholder awareness of this potential issue. If cases are being found, we will share them openly with stakeholders and seek for a dialogue to follow the law's guidance.

**Deadline Date:**

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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### Hours of Work: Public Holidays

HOW.6 Growers shall provide workers with all public holidays as required under local laws, regulations, and procedures.

#### Noncompliance

**Explanation:** Growers are unaware that they are required to provide workers with a rest day on public holidays. The harvest period for 1 farm lasts between 10 and 15 days. If a public holiday occurs during the harvest, workers do not receive time off. Upon completion of the harvest at one farm, workers must find another farm to work on. As the season can be as short as 1 month, workers often are unable to rest.

Source: worker interviews

**Plan Of Action:** During the monitoring and remediation system rollout on child labor, we will raise stakeholder awareness of this potential issue. If cases are being found, we will share them openly with stakeholders and seek for a dialogue to follow the law's guidance.

**Deadline**

**Date:**

**Action**

**Taken:**

**Plan**

**Complete:**

**Plan**

**Complete**

**Date:**

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## **Wages, Benefits and Overtime Compensation: General Compliance Wages, Benefits and Overtime Compensation**

WBOT.1 Growers shall comply with all local laws, regulations and procedures concerning the payment of wages and benefits, including overtime compensation. In any case where laws and the FLA Workplace Code of Conduct are contradictory, the standard that provides the greatest protection for workers shall apply. Where provisions are lacking, growers shall take measures to reasonably accommodate matters concerning the payments of wages and benefits, including overtime compensation.

### **Noncompliance**

**Explanation:** Growers are paying workers less than the minimum wage. Additionally, because labor contractors deduct 10% from workers' minimum daily wages for their commission, workers receive even less.

Source: interviews

**Plan Of Action:** During the monitoring and remediation system rollout on child labor, we will raise stakeholder awareness of this potential issue. If cases are being found, we will share them openly with stakeholders and seek for a dialogue to follow the law's guidance.

**Deadline Date:**

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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## Wages, Benefits and Overtime Compensation: Minimum Wage

WBOT.2 Growers shall pay workers, the legal minimum wage or the prevailing regional wage, whichever is higher.

### Noncompliance

**Explanation:** Labor contractors deduct 10% from workers' minimum daily wages. As a result, workers receive less than minimum wage, which is illegal. Growers also need to make a payment to labor contractors that is separate from the workers' wages (according to Circular on Labor Contractors), but they pay the total amount to labor contractors and do not know how much contractors deduct as their commission.

Source: worker interviews

**Plan Of Action:** During the monitoring and remediation system rollout on child labor, we will raise stakeholder awareness of this potential issue. If cases are being found, we will share them openly with stakeholders and seek for a dialogue to follow the law's guidance.

**Deadline Date:**

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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### **Wages, Benefits and Overtime Compensation: Timely Payment of Wages**

WBOT.3 All wages, including overtime compensation shall be paid within legally-defined time limits. When law does not define time limits, compensation shall be paid at least once a month or as agreed between the worker and the grower.

#### **Noncompliance**

**Explanation:** Workers are paid only after harvesting is finished. Sometimes, workers had to wait until the products were sold to crackers and organizers to receive payment; this means that workers have to wait an additional 10 – 15 days to receive payment.

Source: worker interviews

**Plan Of Action:** During the monitoring and remediation system rollout on child labor, we will raise stakeholder awareness of this potential issue. If cases are being found, we will share them openly with stakeholders and seek for a dialogue to follow the law’s guidance.

**Deadline Date:**

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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## **Wages, Benefits and Overtime Compensation: Worker Wage Awareness**

WBOT.6 Grower/Organizer/Company will make an effort to educate workers so that the terms of employment, wages, benefits and deductions shall be clearly understood and acceptable by the worker.

### **Noncompliance**

**Explanation:** [Workers, particularly young workers, are not aware of the daily wage rates and payment scheme.](#)

[Source: worker interviews](#)

**Plan Of Action:** [During the monitoring and remediation system rollout on child labor, we will raise stakeholder awareness of this potential issue. If cases are being found, we will share them openly with stakeholders and seek for a dialogue to follow the law's guidance. This will of course be part of the generic awareness and training sessions given to growers and farmers.](#)

**Deadline Date:**

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**



### **Wages, Benefits and Overtime Compensation: Record Maintenance**

WBOT.7 Company shall make efforts to educate and assist the growers in maintaining records of wages provided to the worker in cash or in-kind or both, and such records shall be acknowledge by the worker.

#### **Noncompliance**

**Explanation:** There are no wage records. Instead of keeping payment records, growers maintain records of the total days worked, worker numbers, and hours worked during harvesting. These documents are thrown away at the end of the season. Growers make the full payment to labor contractors.

Sources: worker interviews, record review

**Plan Of Action:** For remediation plans, please refer to Plan of Action #10, #12, and #16 under the first finding above (Code Awareness, GEN.1).

**Deadline Date:** March – August 2014

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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