



EXTERNAL ASSESSMENT ALLIANCE ONE TOBACCO MALAWI LTD.

Virginia Flue-Cured farmers in Kasungu
and Mpherembe/Mzuzu



Agricultural Labor Practices Program

February, 2019

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EXECUTIVE SUMMARY



EXTERNAL ASSESSMENT
Virginia Flue-Cured farmers in Kasungu and Mpherembe/Mzuzu

Philip Morris International (PMI) requested Control Union (CU) to conduct an external assessment of the flue-cured Virginia (FCV) tobacco growing operations of its supplier Alliance One Tobacco Malawi Ltd (AOTM) in the Mpherembe/Mzuzu region (northern Malawi) and Kasungu region (central Malawi). This assessment, which took place in February 2019, evaluated the labor practices at contracted farms, and whether these were meeting the standards of the Agricultural Labor Practices (ALP) Code.¹ CU also evaluated AOTM's internal capacity to implement the ALP Program, their understanding of farm practices, and how they identified, recorded and addressed ALP-related issues.

For this assessment CU interviewed eleven AOTM management personnel, twelve leaf technicians, and two external stakeholders (an employee of the non-governmental organization YONECO², which was responsible for conducting the support mechanism pilot; and an employee of Lloyds of Bay, a consulting company which AOTM planned to contract for providing social worker trainings to local ALP committees later in 2019). In addition, over a period of one and a half weeks, CU visited 42 farms (21 in Kasungu and 21 in Mpherembe/Mzuzu)³, interviewing a total of 42 farmers, 16 family members and 90 external workers.

An information triangulation methodology was used to evaluate farm practices. The three sources included interviews, documentation, and observation, together with a "Five Whys Analysis" problem analysis. The "Plan, Do, Check, Act" cycle was adopted for analyzing AOTM's management approach.

As of 2019, AOTM based its ALP strategy on PMI's Step Change goals, focusing on child labor, minimum wage, availability and usage of personal protective equipment (PPE), and workers' accommodation. As part of this strategy, several initiatives were being planned and implemented, such as expanding the support mechanism, organizing various educational programs, improving workers' accommodations, and providing PPE, worker-contract templates and farmer record books.

AOTM had set up an ALP team within its leaf department, which was responsible for implementing the ALP Code at farm level, including the creation and updating of communication materials, training of leaf technicians and farmers, monitoring, and analysis of collected data. The field supervisors and leaf technicians held monthly meetings, which included discussion of ALP-related topics. The leaf technicians, who served as the main link between AOTM and the farmers, generally had an adequate knowledge on the ALP Code, particularly with regard to the Principles of Child Labor, Income and Work Hours, and Safe Work Environment. Communication of the ALP Code to the farmers took place through individual farm visits, group meetings, local ALP committees, and written materials such as farmer record books, leaflets and contract templates. Direct verbal communication proved to be the most effective. All but one of the farmers visited was aware of the ALP Code, and awareness among family members and workers was also relatively high.

As part of their farm visits, leaf technicians had to update the Farm Profiles (socio-economic information) and monitor adherence to the ALP Code. Twelve of the 42 Farm Profiles checked by

1. The main goal of the ALP Code is to eliminate child labor and other labor abuses progressively where they are found, and to achieve safe and fair working conditions on all farms from which PMI sources tobacco. For more information on the background of the ALP Program see <https://www.pmi.com/sustainability/good-agricultural-practices/upholding-labor-rights-on-the-farms>.
2. Youth Net and Counselling, a Malawian NGO
3. The original scope included Rumphi instead of Mzuzu, but this had to be changed in order to be able to conduct unannounced farm visits (see Appendix II)

CU (29%) did not fully correspond with the situation at the farm, mostly in terms of number of workers living or working on the farm. In addition, none of the seven farms with tenants (17%) were classified as such in the Farm Profiles. The leaf technicians had to visit each farm at least five times per season for systematic monitoring, which was conducted through AOTM's digital data collection system (GMS). In terms of reporting the findings the system did not differentiate between Prompt Actions and situations not meeting the standard; these were grouped as 'incidents'. At the time of CU's assessment only 89 incidents had been reported for the current crop year. This number is extremely low compared to the total number of AOTM farmers (>13,000), and none of the findings from CU were reported in the system, which indicates that there is considerable room for improvement in the reporting by leaf technicians. None of the farms visited by CU had a reported incident.

The main findings of the farm-level assessment were related to Child Labor, Income and Work Hours, and Safe Work Environment. Eight minors were found working in tobacco production at four farms in Mpherembe/Mzuzu (19%). Mostly they were helping with carrying and stringing tobacco leaves, which was generally falsely considered a non-hazardous task suitable for children by the farmers. Seven farms in Kasungu (33%) and four farms in Mpherembe/Mzuzu (19%) paid at least one of their workers below the legal minimum wage (20 workers in total). In addition, at two farms (5%) (one in each region) workers' wives were found to be helping their employed husbands without pay and without any contract or arrangement with the farmer. Furthermore, seven farms (17%) were found to work with tenants, whose pay entirely depended on their tobacco yield at the end of the season.

Awareness of the risks of GTS and CPA was high among farmers and workers, although they did not consistently act on this in terms of PPE use; in addition, they only associated GTS with harvesting, not with stringing or carrying tobacco. On ten Kasungu farms (48%) and six Mpherembe/Mzuzu farms (29%), CPA was not stored in a safe and locked storage, despite the storage box and instruction provided by AOTM. Furthermore, none of the farmers disposed of their empty CPA containers in a safe way. Ten farmers in Kasungu (48%) and five in Mpherembe/Mzuzu (24%) did not know the correct re-entry period after CPA application and only one farmer owned a warning sign to stop persons from entering the field within that period. At six Kasungu farms (29%) and three Mpherembe/Mzuzu farms (14%), CU considered the workers' accommodation to be unsafe, observing big cracks in the walls, holes in the roof, and dried tobacco being stored in the workers' bedrooms.

In terms of feedback received by CU, the general feeling among farmers and workers was that the ALP Code and AOTM's support had increased the safety on the farm (especially in terms of PPE use), had reduced child labor incidents and had increased the number of children going to school. In addition, the interviewed farmers reported that the written contracts reduced disputes about payment at the end of the season, and that the implementation of ALP had generally improved the relationship between farmers and workers.

The outcome of this assessment can be used as a tool to facilitate management with continuous improvement. CU acknowledges AOTM's commitment to addressing the issues identified and defining areas of improvement through the implementation of an action plan (see Appendix I).

MARKET AND COMPANY BACKGROUND



EXTERNAL ASSESSMENT

Virginia Flue-Cured farmers in Kasungu and Mpherembe/Mzuzu

Agriculture is the main industry in Malawi, with nearly 65% of the population employed in this sector. Tobacco is by far the biggest cash crop; with a share of 55% in commodity export it is a major contributor to the Malawian economy, followed by tea and sugar with a share of less than 10 percent each.⁴ Given that Malawi is the most tobacco-dependent economy in the world, the country and its population (of which about 50% live below the poverty line) are vulnerable to external shocks such as extreme weather events and decreased international demand for tobacco.

Burley is the main tobacco type grown in Malawi: in 2015 it accounted for 87% of total tobacco production. Other tobacco types produced are dark fired and flue-cured Virginia (FCV). Before 1989, tobacco production was tightly controlled by the government; only estate owners were eligible for obtaining a production license or were able to achieve the required production scale for selling tobacco leaves at the auctions. Only after liberalization of the tobacco economy in the early 1990s did it become possible for smallholder farmers to produce and sell tobacco, which resulted in a rapid growth in tobacco production.⁵

All tobacco produced in Malawi is still sold at auction floors; however, these days, large tobacco buying companies and their contracted farmers commit beforehand to buy/sell a specified amount. These pre-agreed sales are part of the companies' integrated production system (IPS) in which contracted farmers also receive crop inputs and technical support. In the Malawi market, the price paid for the tobacco is not agreed beforehand. The national Tobacco Control Commission sets a minimum price each year based on the costs of production, and the tobacco companies usually pay their farmers slightly above that level.

Alliance One Tobacco Malawi (AOTM) is the biggest tobacco buying company in Malawi and has been operating in Malawi for over 60 years (including through predecessor companies). AOTM's head office is located in Lilongwe and ten agronomy offices across the country to serve ten growing areas. For the 2019 crop season AOTM had direct growing contracts with over 13,000 farmers, of which 99.9 percent were smallholder farms. Around 19 percent of the contracted farmers grew flue cured Virginia (FCV) and 81 percent grew Burley. In 2019, AOTM's farmers were supported by a total of 472 permanent employees in the leaf department, including 179 leaf technicians, 10 area field administrators and 10 area field supervisors who were directly involved with the farmers.

4. Data for 2018, see Index Mundi – Malawi (https://www.indexmundi.com/malawi/economy_profile.html)

5. Food and Agriculture Organization – Tobacco in Malawi (<http://www.fao.org/3/y4997e/y4997e0i.htm>)

Chapter 1

IMPLEMENTATION OF THE ALP PROGRAM



EXTERNAL ASSESSMENT

Virginia Flue-Cured farmers in Kasungu and Mpherembe/Mzuzu

1.1. Commitment to the ALP Program

On their global website, AOTM's parent company Alliance One International (AOI) committed publicly to the elimination of child labor and the improvement of working conditions in tobacco crop production. The website provided information about the company's policy on sustainability and supply chain integrity and their commitment to the ALP Code. AOTM itself was also committed to ALP through own internal policies on Sustainable Tobacco Production (STP) and dedicated budget for initiatives on ALP implementation. Furthermore the Leaf Director presented the ALP Code as a solution for tobacco leaf integrity at the 30th annual congress of the Tobacco Association Malawi (TAMA).⁶

1.2. Strategy and objectives

At the time of this assessment, AOTM had adopted the four main global goals of PMI's Step Change approach as their focus for the 2019 season. These goals were:

- No children performing hazardous tasks in tobacco by 2022
- All workers paid at least the legal minimum wage by 2022
- Personal protective equipment (PPE) for crop protection agents (CPA) and against the green tobacco sickness (GTS) availability and usage for all workers/farmers by 2020
- All workers with access to safe and clean accommodation by 2020

AOTM had a number of initiatives planned for 2019, such as expanding the support mechanism, organizing various educational programs, and improving workers' accommodations. However, since these initiatives were not taking place within the scope of this assessment and/or had not yet been started, they are not evaluated in this report. Since ALP transcends company lines, some of these

initiatives were developed not only in cooperation with PMI, but also with Limbe Leaf Tobacco (the second biggest tobacco buying company in Malawi) and experiences and best practices were shared among companies. Ongoing initiatives within the scope of this assessment, such as providing PPE and contract templates, are discussed in Chapter 1.6.

AOTM's STP team conducted an annual risk assessment, based on results from monitoring and own experience. Risk levels were determined by the probability and severity of the incident and classified as acceptable, adequate, tolerable or unacceptable. The risk assessment covered risks on governance as well as risks with regard to behavior not meeting the ALP Code, specified detailed for each measurable standard. The highest risks identified were related to child labor, safe work environment, income and payment schedules. In the past, the annual risk assessment would provide the main basis for identifying strategy focus areas but currently the goals of PMI's Step Change approach play a more leading role.

Root cause analysis was not a structural part of AOTM's risk assessment. The company relied mostly on the local ALP committees⁷ and baseline studies. Leaf technicians did not document root causes in their reports on incidents observed at the farms.

AOTM's response:

"The intent of the [later in this report explained] ALP Committee Initiative is to not only raise awareness of ALP incidents but also identify the root causes. As a preventative measure to help address any potential risks before issues are identified, the ALP committees conduct an analysis for farms and families most vulnerable to ALP incidents."

As of 2019, AOTM was also required by PMI to adapt their sourcing strategy to allocate tobacco for PMI only from farmers who do not employ tenants.

6. <https://www.tamalawi.com/>

7. The ALP committees were local groups set up to support ALP training and farm monitoring. As from 2018/2019 they also act as mediators in case of disputes, as part of AOTM's support mechanism (see Chapter 2.3.3)

Malawi has a long history of producing tobacco in a land tenancy system, where tenants grow tobacco on a piece of land of a farmer (the landowner, who himself may have a contract with a tobacco company) and agree to produce a given volume of tobacco for a specific price, mostly at own risk if the yield turns out low. A 2015 study of the Malawi Centre for Social Concern (CfSC) found that tenancy labor in its current practice is often characterized by exploitative arrangements that marginalize and degrade the workers.⁸ In 2016 the Minister of Labor, Youth, Sports and Manpower Development, Henry Mussa, argued that the tenancy system is detrimental to the country's development and that it keeps a large proportion of farm workers trapped under the poverty line.⁹

In order to ensure that no tobacco from tenants would be allocated to PMI, AOTM decided to no longer contract any farmers with tenants (as of 2019). This decision was also included in the contracting standard operation procedure (SOP) for the leaf technicians. Nevertheless, CU found that seven of the 42 farms visited for this assessment (17%) still worked with tenants (two in Kasungu and five in Mphrembe/Rumphi), which shows that AOTM's goal has not yet been fully achieved. CU also found that AOTM's new requirement that farmers no longer work with tenants, even though included in the contracting procedure for leaf technicians, had been communicated to farmers only verbally; it had not yet been included into the contract between AOTM and the farmers, which still mentions the payment of workers per bale or kg as an accepted payment method, which is the payment method prevalent in the tenancy system.

AOTM's response:

"To meet the [above identified] objectives, AOTM has identified the following strategies:

1. Long-term grower consolidation program. This strategy will look to centralize the AOTM grower base,

creating a ratio of 75:1 farmers to Field Technicians (FTs). AOTM believes that this ratio will allow FTs to spend additional time on the farm focused on ALP monitoring, training of contracted farmers and workers, and thereby boost program compliance.

2. No individual under the age of 18 should be involved in any aspect of tobacco production. [...] AOTM believes that it will minimize confusion among farmers and local communities and allow the company to mitigate potential risks.

3. No farmer should contract with tenant workers. AOTM will not contract with farmers who employ tenant workers. AOTM believes this will reduce the risk of forced labor and human trafficking in its supply chain."

1.3 Internal capacity

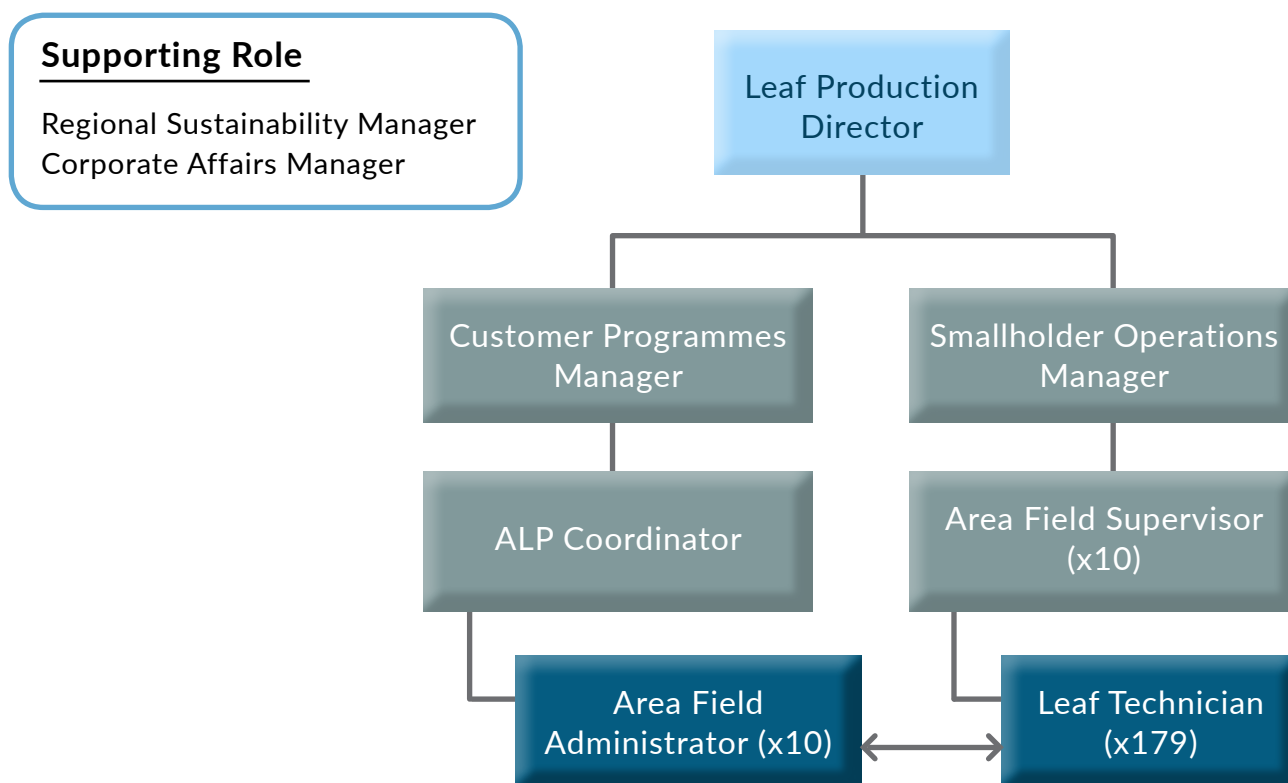
1.3.1. Dedicated organizational structure

AOTM had set up an ALP team as part of its leaf department (see graph below). Each of AOTM's ten area agronomy offices had an area field administrator who was supervised by the ALP Coordinator, who in turn was reporting to the Customer Programmes Manager (the former ALP Coordinator). The leaf technicians (leaf technicians), who served as the link between the management and the farmers, were also part of the internal structure for implementing the ALP Program. The leaf technicians interviewed by CU had an average of 77 farmers (both FCV and Burley) to look after, and were supposed to visit each farmer at least five times during the cropping season for ALP monitoring. AOTM worked in close contact with PMI Regional, receiving regular guidance and financial support for the implementation of the ALP Program and specific initiatives.

8. <http://tobacco.cleartheair.org.hk/wp-content/uploads/2016/01/CSC-Malawi-tenant-research-study-2015.pdf>

9. <https://www.business-humanrights.org/en/malawi-tenancy-system-benefits-investors-but-leaves-tobacco-farmers-trapped-under-poverty-line>

Internal structure for ALP implementation



1.3.2. Roles and responsibilities

The Steering Committee, consisting of the senior management staff, was responsible for communicating ALP updates and projects to PMI, and approving and supporting local projects for ALP implementation.

Overall responsibilities of the ALP team included:

- Rolling out the ALP Code, and coordinating the collection of farm data;
- Training area supervisors and leaf technicians to ensure proper implementation of the ALP Code;
- Testing the leaf technicians' knowledge through written tests after each training;
- Developing and updating communication materials for farmers;
- Developing and analyzing documentation for farm monitoring, including the development and implementation of action plans where necessary;
- Updating the risk assessment at least annually;
- Implementing and/or supporting projects and initiatives approved by the management team.

Leaf technicians were in charge of farmer trainings, which were held individually and in group meetings throughout the season, and were also responsible for visiting and monitoring the farms. It was their task to support farmers in all aspects related to growing tobacco, including: (i) recruiting new farmers; (ii) gathering farm data to complete the Farm Profiles; (iii) visiting farmers to provide production support throughout the season and training them on ALP; (iv) delivering inputs from AOTM to the farms; and (v) monitoring the practices on the farms, reporting situations not meeting the standard and Prompt Actions. All but one of the twelve leaf technicians interviewed (92%) confirmed that they had been supervised in their field work by their superior. The latter, the area field supervisors, were also paying unannounced visits to the farms to check and validate the data collected by the leaf technicians, the results of which were included in the technicians' performance reviews.

1.3.3. Training and knowledge of the ALP Program

Members of the Management Team and ALP Team received guidance on ALP from PMI Regional. The ALP Program had been rolled out through a formal training session in 2011. Management staff had sufficient understanding of the main purpose and content of the ALP Program. Awareness was highest regarding the Principles of Child Labor, Income and Work Hours, and Safe Work Environment, whereas Terms of Employment was mostly not understood as the requirement to inform workers on their legal rights.

The ALP Coordinator trained the area field supervisors and the leaf technicians four times per year, with the content of the training depending on the current crop stage. The leaf technicians' knowledge was tested through written tests.

CU's assessment of leaf technicians' knowledge of ALP Code Principles showed the following results:

1. **Child labor:** All twelve leaf technicians interviewed by CU were aware of the meaning of this ALP Code Principle. Furthermore, all leaf technicians were aware that the legal minimum age had been raised to 18, although three (25%) actually thought that this age was 19, not 18. When asked about hazardous tasks, none mentioned the complete list. The majority referred to application of chemicals (50%) or activities that can put a person at risk (50%), while stringing and harvesting were mentioned by only one technician (8%).
2. **Income and work hours:** In general, leaf technicians had a good understanding of this ALP Code Principle. All leaf technicians knew the correct legal minimum wage for Malawi. All leaf technicians were aware of the allowed work hours. Knowledge on overtime regulations and overtime payment was limited; only two leaf technicians (17%) correctly mentioned that overtime should be paid at 1.5 times the normal pay.
3. **Fair treatment:** Eleven leaf technicians (92%) could provide a basic explanation of this ALP Code Principle, but none provided a full explanation. Six leaf technicians (50%) mentioned that there should not be any discrimination or unequal treatment. Eight leaf technicians (67%) mentioned that there should be a respectful treatment of workers without harassment or violence. However, none mentioned that farmers must make themselves available to workers who want to discuss potential grievances.
4. **Forced labor and human trafficking:** Most of the leaf technicians (92%) could give a basic explanation of this principle, mentioning mostly that workers should be free to leave their job or that work should be voluntary (58%), that farmers should not employ prison labor (33%) that workers should not be working under debts (25%), or that farmers should not retain their workers' identity documents (25%). However, none mentioned that workers should be paid directly, or that payments should not be withheld.
5. **Safe work environment:** With regard to this Principle, the leaf technicians mainly mentioned that the farmers should provide workers' accommodations that meet the minimum standards (50%); that workers should not be subjected to any hazards or health risks (50%); and that PPE should be worn when applying crop protection agents (CPA) (25%). One (8%) mentioned that empty CPA containers should be punctured, but none mentioned the need of triple rinsing. Handling of green tobacco and the related risk of green tobacco sickness (GTS) was not specifically mentioned by any of the leaf technicians. Furthermore, none mentioned that farmers should observe a re-entry period after CPA application, and only one (8%) mentioned that farmers should provide clean drinking and washing water to their workers. One leaf technician (8%) did not remember anything of this principle.

6. **Freedom of association:** All leaf technicians had an adequate understanding of this ALP Code Principle.

7. **Terms of employment:** This principle was mostly understood as complying with the local labor laws or having a written contract in place. Six leaf technicians (50%) mentioned that workers should be informed about their tasks and payment, but only one specifically mentioned that workers should be informed about their legal rights.

1.3.4. Internal communication

The field supervisors held monthly meetings with their leaf technicians in the area offices, which included discussion of ALP-related topics. In order to develop and implement the new Step Change goals, regular meetings were held between the ALP team and the senior management. Informal communication among colleagues in the different local offices took place on a frequent basis.

The Steering Committee met at least three times per year. In preparation for these meetings the ALP Coordinator produced several reports, including a progress analysis on ALP implementation. These reports were sent on to PMI Regional after approval by the Steering Committee.

1.4. Communication of the ALP Code requirements to farmers

1.4.1. Communication strategy and tactics

AOTM started to communicate the ALP Code to farmers in 2011/2012. At the time of the assessment, communication efforts were focused mainly on the four prioritized Step Change goals, and more in general on the principles of Child Labor and Safe Work Environment, as these were considered the most important areas for improvement (as also indicated by the risk assessment).

To communicate the ALP Program to farmers, family members and workers, AOTM was using several methods: direct communication and training,

written information materials, radio broadcasts, and local ALP committees.

- **Direct communication and training through farm visits:** On average, leaf technicians visited each farm at least monthly, often also two to three times per month, for monitoring and support, including individual training of farmers and, occasionally, training of family members or workers.
- **Farmer group meetings:** Each area field team organized four farmer group meetings per season in the different villages, including group trainings and demonstrations of best practices by demo farmers.
- **Written communication materials:** AOTM had provided farmers with a 'farmer record book', which contained all relevant information on tobacco growing and the content of the ALP Code, including the legal framework. Additionally, AOTM had developed three posters (one on Child Labor, one on Safe Work Environment, and one on the remaining ALP Principles) and a flyer on the seven ALP principles including all measurable standards, which had been handed out to each farmer. All materials had already been updated to the revised version (2018) of the ALP Code. However, the flyers and posters, which were likely to be the only written materials seen by workers, lacked information on local laws and regulations such as legal minimum age, legal minimum wage and overtime regulations (this information was included only in the farmer record book). Furthermore, while the information on child labor and safe work environment was image-based and easily understandable, the information on the remaining ALP Code was text-heavy and lacked supporting illustrations.

In addition to the written materials described above, AOTM provided contract templates for farmers with hired labor, which included basic legal information. This was part of AOTM's policy to promote the use of written contracts (even though Malawi law only required a written statement, as opposed to a formal contract; see Chapter 2.7.2).

- **Radio broadcasts:** To communicate ALP-related topics, AOTM also made use of radio broadcasts.
- **Local ALP committees:** AOTM had set up local committees, each consisting of a traditional leader, a schoolteacher and a maximum of five farmers. These committees were intended not only to support the leaf technicians in farm monitoring, but also to give training and advice to farmers, hence supporting communication about ALP. The number of local ALP committees had been raised from 30 in the last season to 179 (i.e. one committee for each leaf technician) in the 2018/2019 crop season. As from 2018/2019 the committees also played a role in mediation (see Chapter 2.3.3).

The following table shows the level of awareness among the interviewed farmers, family members and external workers with regard to the ALP Code Principles. In line with AOTM's communication focus areas, the highest levels of awareness were found for the topics of Child Labor and Safe Work Environment, followed by Income and Work Hours.

Level of awareness of ALP Code Principles*

	Farmers (42)	Family members (16)	External workers (90)
Child labor	36 (86%)	8 (50%)	62 (69%)
Income and work hours	31 (74%)	4 (25%)	41 (46%)
Fair treatment	20 (48%)	1(6%)	34 (38%)
Forced labor and human trafficking	17 (40%)	2 (13%)	27 (30%)
Safe work environment	38 (90%)	5 (31%)	63 (70%)
Freedom of association	18 (43%)	2 (13%)	27 (30%)
Terms of employment	17 (40%)	1 (6%)	22 (24%)
None of the above	1 (2%)	6 (38%)	13 (14%)

* Note that these data only show whether the interviewees remembered the principles, and not whether they fully understood their meaning.

Interviewees who were aware of (at least some aspects of) the ALP code were also asked how they learned about it. As the table below shows, verbal communication efforts were generally more effective than written materials.

Means of communication through which the ALP Code was received

	Farmers (41 out of 42)	Family members and workers (87 out of 106)
Directly from the leaf technician	36 (88%)	52 (60%)
Farmer group meeting	39 (95%)	n.a.
Poster/Record book	17 (41%)	16 (18%)
Radio broadcast	1 (2%)	2 (2%)
Verbally from the farmer	n.a.	78 (90%)

1.4.2. Farmers' responsibilities

At the beginning of each crop season, farmers signed a new growing contract with AOTM. In addition to the ALP requirements and the obligation to participate in the ALP trainings, this contract included a clause on contract termination in case of three reported Prompt Actions. So far, no contracts had been terminated for ALP reasons as none of AOTM's farmers had more than two reported Prompt Actions. However, CU observed during the farm visits that some leaf technicians had also raised Prompt Actions only verbally, without documenting them in the system.

In addition, CU observed that the farmer contract for the current crop season still mentioned payment per bale, per kg or split shares as accepted payment methods for workers, even though AOTM had decided to no longer contract farmers working with tenants (see Chapter 1.2).

AOTM's response:

"Beginning in crop year 2020, AOTM revised this approach [the "three-strike approach" in which a farmer could have up to three types of the same Prompt Action incident per season before the company would consider terminating the farmer's contract with AOTM] to a "two-strike approach" to encourage further improvement among the farmer base. This approach is coupled with pre-contracting due diligence of farmers against this procedure."

1.5. Internal monitoring: data collection, accuracy, and addressing issues

At the time of the assessment, AOTM was collecting two types of ALP-related data from the farms: socio-economic information (Farm Profiles) and 'incidents' at the farm, which covered situations not meeting the standard and Prompt Actions. All information was collected digitally in the Grower Management System (GMS). Leaf technicians were supposed to

do at least five monitoring visits per season, but usually they would visit the farmers more frequently (e.g. for technical support unrelated to ALP).

1.5.1. Socio-economic data: Farm Profiles

The socio-economic information for Farm Profiles was collected at the beginning of each season during the contracting period, and was updated after every visit by the leaf technicians. For all farms visited by CU an updated Farm Profile was available.

When comparing the data reported in these profiles to actual farm situations, CU found that twelve profiles (29%) did not fully correspond with the situation observed at the farm. In general, temporary workers (who were hired for a short period, i.e. not seasonal) were not recorded in the profiles since their numbers could differ from day to day, but this meant that some farms were incorrectly classified as family farms while in reality they hired temporary workers during harvesting and curing. Furthermore, in six of these profiles (50%) the number of seasonal workers living on the farm did not match, and none of the cases with tenants (7 farms) were indicated correctly in the Farm Profiles.

1.5.2. Systematic monitoring: situations not meeting the ALP Code standards

The documented systematic monitoring in AOTM's digital data collection system (GMS) was split in two parts, there were general questions on the ALP and additionally the incident reporting which consisted of one main question, asking whether the farm met all ALP measurable standards. If the answer was 'yes' the monitoring was thereby completed in the system; if 'no', more options would appear to specify the findings. For the leaf technicians, the system did not differentiate between a situation not meeting the standard and a Prompt Action; this information was categorized later, when the accumulated data were analyzed.

10. For farms where workers were hired on a daily basis, it was challenging to keep the Farm Profile up to date in terms of the exact number of workers.

Monitoring data was available for all farms visited by CU. However, none of the findings identified by CU (see Chapter 2) were documented in the GMS and none of the visited farms had any Prompt Actions or other incidents reported in the system, which indicates insufficient reporting procedures and room for improvement by AOTM.

1.5.3. Prompt Actions

As mentioned above, the reporting procedure used by the leaf technicians did not differentiate between Prompt Actions and situations not meeting the standard; these were grouped as 'incidents'. The reporting procedure consisted of several steps. After identification of an incident the leaf technician had to stop the activity, inform the farmer and submit a report to the GMS system. Depending on the severity of the incident and the farmer's willingness to cooperate, the leaf technician had to return within six weeks to see if the situation had improved and to close the incident report in the system. If the situation was reoccurring, local groups such as the ALP committee or farmer club could be asked to mediate, or the case would be redirected to a higher management level within AOTM. As of 2019, severe breaches such as forced labor or child labor were also to be reported to the District Labor Office (DLO) or the village chief.

All twelve leaf technicians interviewed were aware of the procedure for follow-up; however, the timeframes they mentioned for closing the incident report differed from three days to six weeks. The majority of the leaf technicians (66%) had a correct understanding of the meaning of Prompt Actions. However, during CU's farm visits it became clear that some leaf technicians who had identified a Prompt Action (such as workers harvesting tobacco without gloves) and had created an action plan with the farmer and workers, had not actually reported the incident in the GMS system.

At the time of the assessment a total of 89 incidents (including Prompt Actions) had been reported by the leaf technicians for the current crop year; these were related to child labor (35%), income and work hours (2%), safe work environment (53%) and terms of employment (10%). The number of reported incidents is extremely low compared to the total number of contracted farmers (>13,000), or the findings by CU, which indicates that there is considerable room for improvement in the monitoring and reporting by leaf technicians, as well as in the management system for validating the work of the leaf technicians.

1.5.4. Data management and analysis

Leaf technicians were responsible for updating the Farm Profiles and reporting any findings on the ALP Code, using the GMS system on their smartphone. The updated and reported information was downloaded weekly by the management personnel for checking and creating reports. Data plausibility was checked by a data analyst, who also extracted the Prompt Actions from the list of incidents reported.

CU observed that the GMS did not allow leaf technicians to see the incidents reported in previous seasons (including Prompt Actions). This limits their ability to take previous findings into account and make an in-depth analysis of the issues observed, especially when they have not worked with the farmer in question before.

1.5.5. Improvement plans for individual farms

In case of an identified incident or Prompt Action, the leaf technicians had to fill out a report in the GMS and agree on an action plan with the farmer. In most cases these plans focused on reminding and educating the farmer about the correct practices, rather than analyzing the root causes and developing corrective actions to address these causes.

1.6. Address systemic and/or widespread issues

Based on the risks and issues identified (see Chapter 1.2), PMI's leaf tobacco suppliers are expected to address systemic and/or widespread issues through operational initiatives, community programs (which may be supported by a financial contribution from PMI) and engagement with key stakeholders.

At the time of the assessment, AOTM was implementing the following operational initiatives in the regions within the scope of this assessment:

- **Worker contract templates**

In order to help formalize employment and support farmers and workers in their agreements, AOTM provided the farmers with contract templates for their workers. Thirty-seven farmers (88%) had received the contract templates; written contracts (all based on this template) were found at 28 of these farms (76%), mostly for seasonal workers. The template included a table for recording worker attendance (hours worked) and for cash advances and in-kind payments. Although the workers' attendance was not always filled in, CU observed that cash advances and in-kind payments (such as food or soap) had been recorded in these tables. Three farmers (8%) mentioned that they did not find the templates useful because they had to fill in the workers' wages before they knew what price they would receive for the tobacco themselves. Positive feedback regarding the contract templates included that the contracts informed both parties of the agreement and helped to keep track of deductions and workhours, thereby reducing discussions or disagreements at the time of payment.

- **Farmer record book**

All farmers visited had received a 'farmer record book' (see Chapter 1.3.1). CU found that all books were being used and that the dates of leaf technicians' visits and CPA applications could be verified. All farmers mentioned to find the record book useful because it provided information on tobacco growing and also helped to document any farm activities.

Three other ongoing initiatives, which will be discussed in more detail in Chapter 2 (Farm Findings), were:

- Provision of improved PPE for CPA application, with new gloves, face shields, more durable dust masks, and overalls¹¹ (see Chapter 2.5);
- Provision of gloves for handling green tobacco leaves. These cotton gloves were provided for the first time in the crop year 2019; the recommendation was eight pairs of gloves per contracted hectare (see Chapter 2.5);
- Setting up local ALP committees functioning as a support mechanism in all operation areas (one committee per each leaf technician) (see Chapter 2.3).

11. See photos in Appendix IV

Chapter 2

FARM-LEVEL ASSESSMENT OF WORKING CONDITIONS REGARDING THE ALP CODE STANDARDS



EXTERNAL ASSESSMENT

Virginia Flue-Cured farmers in Kasungu and Mpherembe/Mzuzu

This chapter describes CU's assessment of the working conditions on farms with regard to the ALP Code Principles and Measurable Standards. ALP Code Principles are short statements 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.¹²

2.1. ALP Code Principle 1: Child labor

There shall be no child labor.

Main findings and challenges

2.1.1. Children working and activities performed

In the region of Kasungu, no evidence was found of children below 18 years of age working in tobacco production.¹³ However, in Mpherembe/Mzuzu, minors were found working in tobacco production at four farms (19%). At one of these farms, the farmer's children, aged 10, 12 and 13, were helping with carrying and stringing tobacco leaves, together with the 15-year old son of a worker. All four children confirmed to go to school and to help afterwards. At the second farm, two tenant's children, aged 16 and 17, were involved in carrying tobacco leaves and stringing. Both only occasionally went to school, because the family often could not afford the school fees, or even buy soap for washing their clothes. At the third farm, one of the seasonal workers was still 17 at the time of entering employment, he turned 18 a few months into the job. Finally, at the fourth farm, the 17-year old wife of a worker was helping her husband. She was not paid for this work.

AOTM's response:

"To better protect children under 18, as of the 2018-2019 crop year, AOTM has revised its ALP program to prohibit anyone under the age of 18 years from being involved in any tobacco-related activities. This directive is communicated to contracted growers and is incorporated into the training programs and communication materials for growers, workers and FTs accordingly.

In addition to the strategic change, AOTM has also begun implementing the following new initiatives:

Afterschool Activities Program - AOTM is implementing a pilot project in the Mchinji 2 Scheme in Mchinji District to encourage children to stay in school, reduce idleness, and promote safety and mental/social development through the provision of sporting equipment/infrastructure and indoor games. This project was initiated in September 2019 and will run through April 2020, with over 886 pupils expected to benefit. [...] Should the pilot project be successful in its objective of minimizing child labor risks, AOTM intends to rollout the program to an additional 25 schools over the course of the next three years.

Sustainable School Feeding Project - AOTM has identified that hunger is a driver in school absenteeism in areas where the company has found high incidents of child labor. To address this challenge, the company is implementing a pilot Sustainable School Feeding project in the Mchinji 2 Scheme in Mchinji District beginning in CY2019. Through this initiative, AOTM will work with the school to establish gardens which will, in time, serve as a food resource for students. The project will also involve updating the kitchens at local schools to include new pots, utensils, etc. and the provision of a maize miller."

12. The scope and methodology of the assessment are described in Appendix II.

13. Based on a reinterpretation of Malawi law, AOTM had communicated to their farmers that no person under 18 years of age would be allowed to work in any tobacco-related activity, as of the 2018-2019 crop year. Therefore, this report considers all tobacco-related work under 18 as child labor (including non-hazardous, light work allowed by the ALP Code for children between 15 and 18).

Underlying factors that increase risk

CU identified four underlying factors that increased the risk of child labor:

1. Awareness of the legal minimum working age was limited. Seven farmers (17%) and workers at 14 farms (34%) said they did not know what the correct legal minimum age was. Carrying tobacco or helping with stringing was generally considered non-hazardous and a good task for children.
2. Involving children in farm work is still common practice in Malawi. Children are expected to support the family income and share in the workload. CU observed children helping in tobacco at several neighboring farms (not necessarily contracted by AOTM).
3. In Malawi, child marriage is widespread: 42% of girls are married before the age of 18, and one in ten are married before their 15th birthday.¹⁴ It is common for wives to help their employed husbands, also in tobacco (see Chapter 2.3).
4. Malawi had only recently introduced a national ID as an instrument for checking ages (2018); it was not yet common practice to ask for the ID when hiring young workers.
5. Farmers want to teach their children how to farm, because school education may not ensure a job.

Analysis and priorities

Elimination of child labor was one of the main focus areas of AOTM. At the time of CU's assessment, the legal framework had just been re-interpreted to define child labor in a stricter way and the topic was also emphasized in AOTM's communication materials and trainings. However, many families

are living below the poverty line (see Market and Company Background) and children are expected to contribute to the family income. Additional efforts from AOTM are needed in order to reach their goal of eliminating child labor. Furthermore a lack in knowledge of hazardous tasks, including among the leaf technicians was identified by CU.

2.2. 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.

Main findings and challenges

2.2.1. Payment of workers

Of the 42 farms visited, only one farmer (in Mpherembe/Mzuzu) was not hiring workers; all other farmers hired workers. Many of these had more than one type of worker, including tenants, seasonal workers, and temporary workers hired for harvesting and curing. Seven farms in Kasungu (33%) and four farms in Mpherembe/Mzuzu (19%) paid at least one of their workers below the legal minimum wage.¹⁵ On most farms, workers were provided with food (either cooked meals or maize and salt) and received accommodation where needed. Fourteen of the farmers in Kasungu (66%) and seven farmers in Mpherembe/Mzuzu (35%) deducted these in-kind payments from the final cash payment.¹⁶ It was not possible for workers to refuse the in-kind payment and receive their full wage in cash.

14. <https://www.girlsnotbrides.org/child-marriage/malawi/>

15. The legal minimum wage in Malawi is 962 Kwacha per eight-hour working day

16. AOTM communicated to farmers that in-kind payment was allowed up to 50% of the total wage. For further legal information, see Appendix III

For the purpose of this assessment, workers' incomes were calculated as wage per month. If workers were employed on a daily basis their income was extrapolated to a monthly wage based on a full working week (eight hours per day, six days a week). The table below shows the calculated pay rates in three categories (below the minimum wage, at the minimum wage, and above the minimum wage) and the number of workers receiving this pay rate. Note that tenants are not included in these numbers; their situation is discussed further down this section. Furthermore, one worker is not included in this table, because the farmer in question had not

yet agreed on a wage for the season, stating that it was difficult to do this if he did not know yet how much he would receive for the tobacco.

Furthermore, the table differentiates between workers receiving the full payment in cash as specified in their contract (without deductions for the food and soap provided) and workers for whom the costs of food and soap was to be deducted from the total wage specified in their contract. Note that accommodation was provided free of charge and no fees were being deducted for this. The table shows the range of salaries paid per contract and the range of deductions as documented by the farmer.

		Breakdown of calculated salaries (MWK/month)			Salary range (MWK/month)		
		< 25,000	=25,000	>25,000	Min. salary	Max. salary	Average
Kasungu	Without deductions (n=19)	9 (47%)	3 (16%)	7 (37%)	10,000	27,000	21,540
	With deductions (n=30)	4 (13%)	14 (47%)	12 (40%)	13,750	27,778	25,354
	Deductions				889	15,789	7,208
Mpherebe/ Mzuzu	Without deductions (n=17)	6 (35%)	2 (12%)	9 (53%)	13,600	28,000	23,933
	With deductions (n=12)	1 (8%)	5 (42%)	6 (50%)	19,000	27,778	25,889
	Deductions				5,000	8,421	6,421

As the table shows, the amount deducted showed a substantial range. For one worker, the deduction for in-kind payment was higher than the allowed maximum of 50% of the total wage.

17. Based on the legal minimum wage, the monthly pay should be at least 25,000 Kwacha

The tenants workers (who were found at seven of the 42 farms visited) did not have a fixed income. In most cases they had one hectare of land to grow tobacco and expected to produce between 10 and 28 bales (about 100 kg each) for which they hoped to receive between 25,000 and 30,000 Malawi Kwacha (MWK) per bale. This would yield between 300,000 and 700,000 MWK per season (about ten months) as payment for the (usually) two persons working the crop. These expectations are based on previous seasons and results may differ substantially in the current crop season, in which, for example, due to rain and high humidity more days for curing were required. The Malawi Tobacco Commission has estimated that the production of FCV tobacco costs 367 man-days per hectare of tobacco per season. Based on the legal minimum daily wage of 962 MWK, this would amount to a minimum required pay of 353,054 Kwacha per hectare per season. According to this calculation, two tenants (one in Kasungu and one in Mpherembe/Mzuzu) earned less than the legal minimum wage, since they expected to earn 300,000 and 324,000 MWK per season, respectively. Usually, the landowners would provide the tenants with food (milled maize and salt, not necessarily enough for the season) and a small piece of land for growing own vegetables, free of charge. In addition, they would provide inputs for growing the tobacco. This is not included in above calculation.

At two farms (one in each region) women were found to be helping their employed husbands (mostly with stringing) without pay and without any contract or arrangement with the farmer. The husband also did not receive any extra pay for bringing in helping hands.

2.2.2. Payment schedule

End-of-season payment was practiced at most farms.¹⁸ According to the farmers and workers interviewed, the main reasons for this practice were, firstly, that farmers lacked the money to pay their workers throughout the season, having sufficient

cash funds only after selling the tobacco harvest, and secondly, that many of the workers wanted to be paid the full sum at the end of the season to be able to go home with a sufficient amount of money and not spend their wages before that. Although Malawi law allows for end-of-season payment if agreed between employer and employee, the ALP Code advises to pay the salary regularly and at least once a month, to reduce the risk of forced or indebted labor (see also Chapter 2.4).

AOTM's response:

"AOTM has developed the following strategies to address these [wage] challenges:

Business Planning and Financial Literacy Training - To help farmers better manage their finances, thereby increasing the amount of money available for worker payments, AOTM has engaged a third-party to implement a training program that will provide farmers with access to business planning and financial literacy information (i.e. Cost of Production, labor utilization, planning, budgeting, saving and investing for business growth).

Beginning in CY2019, AOTM plans to implement a Trainer of Trainers (TOT) program for Financial Literacy to over 7,000 farmers, as follows:

- *1309 farmers and 96 field staff trained in year 1 (TOTs)*
- *2,000 farmers trained in year 2*
- *1,900 farmers trained in year 3*
- *1,811 farmers trained in year 4*

Village Savings and Loans Association (VSLA) Training to farmers' spouses - In CY2019, AOTM trained 2,275 women on VSLA management and entrepreneurship. By training farmers' spouses on financial management, AOTM hopes to improve a farmer's management of household finances and increase the ability of farmers to properly pay workers and minimize risk of child labor."

18. Malawi law requires weekly or monthly payment, unless otherwise agreed between employer and employee.

2.2.3. Work hours and overtime payment

No evidence was found of farmers disrespecting the legal work hours on a regular basis outside of the harvesting and curing peak. At 15 farms in Kasungu (71%) and 16 farms in Mpherembe/Mzuzu (80%) workers were also involved in curing, in addition to their usual shift. This meant that they had to monitor the curing barns and the fire every two hours (on average) for around seven days in a row, per barn. Only at four of these 31 farms (13%) curing was paid at a premium,¹⁹ with payments ranging from 500 to 2,000 Kwacha per night of curing. None of the farmers provided overtime pay for overtime unrelated to curing. Often, they considered that overtime work was compensated by the low workdays at the beginning of the season; however, this practice is not in line with Malawi law, as maximum working hours are not set per season, but per week. At 11 of the 41 farms with workers (28%), overtime was not considered voluntary, as workers upon starting their employment had generally agreed to be involved in curing; here, the overtime was already included in the working agreement (without additional pay) and workers could not decide to not want to do the overtime that day. No evidence was found of workers not receiving at least one resting day per week outside of the curing period.

2.2.4. Legal benefits

On 26 farms (62%) workers did not get a day off on public holidays, although they were legally entitled to this benefit. According to Malawi law, workers employed less than a year are not entitled to any further benefits. Since all farms visited by CU worked with temporary and seasonal workers (employed for a maximum of 9 months per year), no further benefits were verified during this assessment.

Underlying factors that increase risk

In Mpherembe/Mzuzu, farmers at all farms (100%) and workers at 17 farms (81%) could state the correct legal minimum wage of 962 Kwacha per day. Awareness in Kasungu was lower; here, farmers at seven farms (33%) and workers at eight farms (38%) did not know the legal minimum wage. In addition, knowledge on overtime regulations was very limited in both regions.

Analysis and priorities

The ALP Code Principle of Income and Work Hours was a focus area for AOTM and part of the Step Change Goals. However, CU's findings demonstrate that there are still widespread issues related to this topic, especially in terms of pay rates, overtime arrangements, and unpaid labor by workers' wives. Furthermore, despite AOTM's measures, the tenant system still appears to be common among AOTM farms, and this system involves considerable risk of underpayment and the inability to allocate wages to the actual amount of work done per person. (see also Chapters 1.2 and 2.4).

2.3. 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.

Main findings and challenges

2.3.1. Treatment of workers

No evidence was found of sexual or physical abuse on the farms.²⁰

19. Under Malawi law overtime should be paid at 1.5 times the normal pay during the work week.

20. See Appendix III for legal details on fair treatment.

However, at one farm in Mpherembe/Mzuzu (5%) a case of verbal abuse was identified. Here, the farmer, who upon CU's arrival at his farm tried to hide the fact that he had workers, employed a family of four as tenants on his farm. All four reported that the farmer would shout badly at them if they made any mistakes, and the children also mentioned that when their monthly ration of maize was not enough and they went to ask the farmer for more, he denied to give them more maize and said they did not work hard enough to earn more food. Clear signs of fear and mistrust could be observed in all workers on this farm in the presence of the farmer.

2.3.2. Discriminatory practices

Two types of discriminatory practices were identified. First, in Malawi it is not common practice to employ women in tobacco, particularly for curing. Most women were hired (for activities other than curing) only if they were the wife of a worker, and mostly on a daily basis and on a verbal agreement. At one farm in Kasungu, the farmer specifically mentioned that he would never hire women as they could not do the same job as men. Secondly, especially in the case of tenants, it is common practice in Malawi to only employ the man, as head of the family, and not his wife, even though she usually helps her husband in tobacco production. These women are left empty-handed when something happens to their husband (see Chapter 2.4.1).

2.3.3. Support mechanism

Support mechanisms facilitate workers' access to information, assist workers in difficult situations, and mediate disputes between farmers and workers. PMI's leaf tobacco suppliers are expected to ensure that farmers and workers have access to such a mechanism.

AOTM had developed two different approaches to the support mechanism: providing a toll-free line and setting up local ALP committees.

The toll-free line was piloted in the current crop season in the Mchinji area and was being evaluated before further expansion into other regions. Improvement points had already been identified by the NGO responsible (YONECO, a local organization with experience in this field). The mechanism had been used a few times; however, in the majority of cases the worker who had made the complaint had left the farm by the time the farmer was identified, hence these grievances had not actually been solved. For the future, AOTM aimed at a closer collaboration between the toll-free line counsellors and the local ALP committees (see below). One point of concern noted by CU was that AOTM had received an overview of the cases showing the names of the farmers about whom the callers had complained. The anonymity of the callers was still ensured, but such overviews do pose a risk to the requirement of confidentiality.

AOTM's response:

"The Support Mechanism provides more opportunities to support farmers and workers to resolve problems that cannot be easily resolved at farm level. The pilot project was evaluated, and proved to not meet all the required success factors, and hence was not expanded.

Although the Support Mechanism was not expanded, it provided farmers and workers access to a channel where they could receive independent mediation, dispute resolution, and incident prevention services; information on better hiring practices; and avenues for workers to get redress. In the long-term, AOTM intends to have the Support Mechanism in all the areas where the company sources tobacco in Malawi."

The local ALP committees were an existing structure to provide local support in monitoring and training of farmers. Recently, AOTM had expanded the number of local committees from 30 to 179 (one for each

21. This area was outside of the scope of the present assessment, therefore awareness among farmers and workers could not be assessed with regard to the existence of the toll-free line.

AOTM leaf technician). Each committee consisted of one traditional leader, one schoolteacher, and a maximum of five farmers. In addition to supporting leaf technicians with monitoring and training, it was their task to mediate disputes between farmers and workers and to follow-up on the solutions. To provide these committees with the necessary soft skills and knowledge on how to handle sensitive topics, AOTM was in the process of hiring a social consultancy firm (Lloyds of Bay) for providing a social worker training to all committee members later in 2019.

Of the farmers in Kasungu, eight (38%) were aware of the existence of their local ALP committee; in Mpherembe/Mzuzu this number was 13 (62%). Of these farmers, none in Kasungu and six in Mpherembe/Mzuzu (46%) knew that these committees had a grievance mediation function in addition to their role in training and monitoring. This low awareness is likely due to the very recent expansion of the number of committees and the limited communication about their new function. So far, none of the persons interviewed had made use of their local ALP committee for any grievances.

The ALP Code requires access to a fair, transparent and anonymous grievance mechanism. At the time of the assessment this requirement was not yet fulfilled, as the local ALP committees could not ensure anonymity and also were not independent, given that they mainly consisted of farmers. Nevertheless, AOTM's current plan to expand and integrate the two approaches (toll-free line and local committees) is a potentially effective option, considering that the ALP committees know the local people and rely on culturally accepted structures (which makes it easier to mediate and solve grievances), while the toll-free line can provide anonymity and fair and independent counsel.

In addition to a formal support mechanism, the ALP Code requires that farmers should make themselves available to their workers to discuss potential grievances. Except for the verbally abusive farmer mentioned in Chapter 2.3.1, no cases were identified where farmers were unavailable to their workers.

Analysis and priorities

This principle was not a focus area for AOTM. Nevertheless, the company was taking important steps towards setting up a locally accepted support mechanism. Together with raising further awareness among farmers, workers and family members, these efforts will increase the possibilities for offering support in case of conflicts and promoting respectful cooperation between farmers and workers.

2.4. ALP Code Principle 4: Forced labor and human trafficking

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

Main findings and challenges

2.4.1. Involuntary labor

Forced/indebted labor was identified at two farms visited by CU (5%). The first case was forced labor observed at a farm in Kasungu, where the farmer demanded his workers, whose contract was for tobacco, to work in other crops as well (within their usual working shifts). As this was against the agreement, the workers stated that they wanted to leave but that the farmer told them that if they did, they would not receive any payment for the work already completed.

The second case was indebted labor observed at a farm in Mpherembe/Mzuzu, where the farmer had employed several tenants. One of the tenants had run away and had taken some farming tools with him. He had left his wife and toddler at the farm, without any money or food. The farmer hired a worker to finish the work and denied the wife any payment for the work already done by her husband since he had not completed his work and had stolen tools. The wife had also worked for the farmer but had no formal contract and hence could not claim any payments for herself. Lacking the funds to pay

for the bus to her home region she stayed with another tenant couple, helping them with work in exchange for food, but without further payment.

CU observes that the tenancy system carries an inherent risk of forced labor. Due to the nature of their contract it is not possible for tenants to leave the farm before the crop is harvested, because in that case they will not receive any money. Furthermore, the tenant system usually only employs the man, as head of the family, and not his wife, even though she usually helps her husband in tobacco production. These women are left empty-handed when something happens to their husband, which increases the risk of forced labor.

AOTM's response:

"AOTM has taken the strategic decision, effective CY2019, to not contract with farmers who employ tenant farmers. AOTM believes that this action will reduce the risk of forced labor and human trafficking in its supply chain."

No evidence was found of contracted prison labor, of workers being obliged to hand over their original identity documents or to pay a financial deposit.

2.4.2. Indirect payment

In addition to the indirect payment of tenants' wives at seven farms (17%), indirect payment was also identified at one farm in Mpherembe/Mzuzu (5%), where three couples were hired on equal terms, but the wages were always paid to the husband as head of the family. The persons in question all declared to CU that they would share their income. Indirect payment is seen as a risk of forced labor and farmers should ensure direct payment to all workers individually.

Analysis and priorities

This principle was not a focus area for AOTM. Although the issues identified by CU were mostly isolated cases, the vulnerable situation of tenants

and women, in particular, requires continued monitoring by the leaf technicians.

2.5. 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.

Main findings and challenges

2.5.1. Training and awareness of GTS

Awareness of GTS was high among both farmers and workers. All farmers were aware of the existence and avoidance of GTS; the same was true for workers at 38 farms (90%). GTS training was provided by leaf technicians and farmers. Generally, farmers had a better knowledge of GTS than family members or workers. The women who helped their husbands without a formal employment arrangement usually had not received any training on GTS.

Despite the high awareness, PPE use was limited. At none of the farms visited, complete sets of PPE were worn at all times by all persons handling green tobacco. During harvesting, the majority of persons involved were wearing at least long sleeves, at all farms (see Table below). However, stringing and carrying tobacco was falsely not considered a hazardous activity in relation to GTS and usage of PPE (or simply wearing long sleeves) was therefore very limited for these tasks, indicating a lack of understanding of the causes of GTS. CU observed three pregnant women and two nursing women handling green tobacco while wearing incomplete PPE; in one case, the mother had her baby tied to the front during stringing.

Use of protective clothing during harvesting	Kasungu (T=21)	Mpherembe/Mzuzu (T=21)
Complete protective clothing (Long sleeves, long pants, gloves, shoes, and rain gear in case of wet tobacco)	3 (14%)	7 (33%)
Long sleeves, long pants, gloves, rain gear	6 (29%)	6 (29%)
Long sleeves, long pants, gloves, shoes	1 (5%)	-
Long sleeves, long pants, gloves	3 (14%)	-
Long sleeves, gloves, rain gear	2 (10%)	-
Long sleeves, long pants, rain gear	-	1 (5%)
Long sleeves, gloves	5 (24%)	6 (29%)
Long sleeves, long pants	1 (5%)	-
Long sleeves	-	1 (5%)

AOTM's response:

"AOTM continues to provide all its farmer base with PPE appropriate to supplied CPAs, as well as for GTS prevention, in their farmer input packages. This PPE provision is coupled with cash advances as well as compliant, low-tox CPAs to help minimize potential ALP incidents. Field Technicians provide training on the use of the provided PPE."

2.5.2. Training and handling of CPA

Like for GTS, safety awareness with regard to handling CPA was high among both farmers and workers, although they did not consistently act on this.²² No evidence was found of persons applying CPA without any protective equipment²³; however, one nursing woman was reportedly being involved in CPA application. AOTM provided rubber gloves,

plastic overalls, dust masks and face shields to the farmers²⁴. Boots were not provided, which may explain why at 14 farms in Kasungu (67%) and 17 farms in Mpherembe/Mzuzu (81%) persons applying CPA said not to wear boots (or shoes) during CPA application because these were too expensive to afford on their own. In terms of wearing the equipment provided by AOTM, farmers and workers mentioned to wear dust masks at all Kasungu farms and 19 Mpherembe/Mzuzu farms (90%); plastic overalls at 17 Kasungu farms (81%) and 14 Mpherembe/Mzuzu farms (66%); gloves at 20 Kasungu farms (95%) and 19 Mpherembe/Mzuzu farms (90%); and face shields at 17 Kasungu farms (81%) and 18 Mpherembe/Mzuzu farms (86%). On one farm (2%) the equipment for CPA application was in poor condition: here, an old and rusty watering can was being used.

22. It should be noted that the main method to apply CPA at the farms visited was targeted application rather than spraying. Hence, people were less inclined to protect themselves

23. CPA application was not observed during CU's farm visits, hence this evidence is based on what farmers and workers answered to the question "What do you wear when applying CPA?", and on CU's inspection of the state of the PPE present at the farm.

24. For photos of the PPE provided by AOTM, see Appendix IV

At nine farms (21%) evidence was found of persons applying fertilizers without gloves. At one farm the milled maize for own consumption was being stored in an empty fertilizer bag.²⁵

On ten Kasungu farms (48%) and six Mpherembe/Mzuzu farms (29%), CPA was not stored in a safe and locked storage. AOTM had handed out a plastic box for storing CPA and had advised to keep the chemicals out of reach of children and install the box at a height of at least 1.5 meters. In most of these cases the CPA was stored in the farmer's home (which was usually not locked), under or next to the bed, on the couch or in a pile of clothes.

Proper disposal of empty CPA containers proved to be a major challenge: none of the farmers triple-washed and punctured their empty CPA containers before disposal, and none disposed of them correctly. In Kasungu, two farmers (10%) stored the empty containers in their home without rinsing, two farmers (10%) buried the containers or threw them into the toilet pit, nine farmers (43%) burned them without prior rinsing, and seven farmers (33%) said to rinse the containers first and then burn them. In Mpherembe/Mzuzu, one farmer (5%) said to rinse the containers and then throw them out into the field, three farmers (14%) buried the containers or threw them into the toilet pit, twelve farmers (57%) burned the containers without rinsing, and five farmers (24%) rinsed the containers at least once before burning them.

AOTM's response:

"AOTM plans to contract with a third-party in CY 2020 to collect and incinerate used CPA containers. AOTM will continue to monitor growers to ensure that CPA bottles are not re-used for drinking water, they are triple rinsed, punctured and incinerated, according to manufacturer recommendations and applicable laws."

Ten farmers in Kasungu (48%) and five in Mpherembe/Mzuzu (24%) did not know the correct re-entry period after CPA application; in most cases they mentioned a period longer than the time required by AOTM. Only one farmer (2%) mentioned to use a warning sign to ensure that nobody would enter the field after application, while 39 farmers (93%) reported to inform others verbally and to watch out that nobody would enter the field.²⁶

2.5.3. Clean drinking and washing water

No evidence was found of drinking and washing water not being available to family members and workers; however, occasionally workers had to fetch the water themselves or their wives would have to bring it to them. Not all farmers had access to a well or borehole close by; in those cases, the persons on the farm had to use the water from a local stream. None of the farmers had (portable) sanitary facilities at the field. Most of the work, especially stringing and curing, was done at the farmer's house or curing barn. Basic sanitary facilities were available in the living areas in all cases.

AOTM's response:

"All farmers are trained to use sanitary water sources. A pilot WASH program is on-going in the Mponela and Madisi Growing Areas to ascertain the feasibility of providing grower clubs with potable water through community boreholes and water tanks."

2.5.4. Workers' accommodation

Among the farms visited by CU, workers' accommodation ranged from single-room huts made of branches and mud, to brick houses with several rooms. In most cases, the rooms were shared (two workers, or one couple). Windows were mostly fully covered or non-existent. Although this made ventilation difficult it was sometimes requested by workers to prevent theft. Kitchen and sanitary facilities were mostly provided in additional buildings outside the workers' accommodation.

25. Fertilizer application could not be observed during the visits and underlies the same limitations as CPA application

26. It could not be observed whether someone actually stayed around the field to warn trespassers

At six Kasungu farms (29%) and three Mpherembe/Mzuzu farms (14%), CU considered the housing to be unsafe and not meeting the basic needs of the workers. This evaluation was based on observing clearly unsafe situations such as big cracks in the walls, holes in the roof, and dried tobacco being stored in the workers' bedrooms.

Housing was provided to all seasonal workers free of charge; however, on one farm the farmer just gave the workers a piece of land and told them to build their own home.

No accommodation was provided to local workers doing the curing; they would sleep next to the curing barn during monitoring breaks. Seasonal workers would do the same if the curing barns were located too far away from the workers' accommodation provided.

AOTM's response:

"To improve worker accommodation, AOTM plans to construct 780 workers' housing units in Kasungu, Madisi, Mponela, Lilongwe West and Mchinji Growing Areas between August 2019 and October 2020. The Accommodation Improvement Project will run in 2 phases, with phase 1 taking place in 2019 covering 400 farms and the other 380 to be completed by 2020. Below is the breakdown of the Accommodation Improvement Project Plan between August 2019 and August 2020:

- Lilongwe West x 67 housing units
- Mponela x 120 housing units
- Mchinji x 131 housing units
- Madisi x 292 housing units and
- Kasungu x 170 units

Survey results also indicated that 55% of farmers would be able to meet worker accommodation standards if building materials, such as iron sheets, cement and door/window frames, were provided. As part of this initiative, AOTM will provide such materials."

2.5.5. Safety at the farm

At three farms (7%) sharp farming tools were not stored properly but lying around in areas where children were playing. The majority of the farmers (38, or 90%) was able to provide transport to a medical facility in case of an accident. Four farmers (10%) had access to a first-aid kit and three farmers (7%) reported to have received a first-aid training. Furthermore, 15 farmers (36%) mentioned to have resources in case of fire. Mostly this related to having buckets of water.

Analysis and priorities

Safe work environment, especially PPE use and accommodation for workers, was a focus area for AOTM. This focus was evident in the field, as awareness on this Principle was found to be relatively high among both farmers and workers. Nevertheless, the understanding of the causes of GTS was limited to harvesting; many farmers and workers were not aware of the risks involved in stringing or handling green tobacco. In addition, unsafe CPA storage and unsafe disposal of empty CPA containers was found to be widespread, showing that this topic requires more attention. Furthermore, even though the number of clearly unsafe accommodations was low, the living conditions observed by CU were mostly very basic; hence, the ongoing efforts of AOTM to improve workers' accommodation deserve to be continued.²⁷

AOTM's response:

"AOTM will continue to raise awareness of priority issues such as hazardous farm tasks, the importance of wearing PPE while applying or handling CPAs, re-entry period for CPAs, Green Tobacco Sickness and safe accommodation for workers."

27. Initiatives outside of the regional scope of this assessment, as mentioned in Chapter 1.2; and the accommodation minimum standards set by AOTM

2.6. ALP Code Principle 6: Freedom of association

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

Main findings and challenges

2.6.1. Workers' right to freedom of association

No evidence was found of farmers disrespecting their workers' right to freedom of association. There were no active labor unions in the region of the assessment. Nevertheless, no evidence was found of farmers not allowing their workers to discuss common work goals and interests.

Analysis and priorities

This ALP Code Principle was not a focus area for AOTM as there were no unions or associations active in the region.

2.7. ALP Code Principle 7: Terms of employment

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

Main findings and challenges

2.7.1. Information on legal rights

Typically, farmers informed their workers about the basic employment conditions at their farm, such as the wage they would receive, the hours they needed to work, their tasks, and payment conditions. However, none of the farmers fully informed their workers about their rights in terms of legal benefits, the legal or recommended minimum wage, or the legal minimum rate for overtime hours.

This was found to be due to the farmers' lack of awareness that it was their responsibility to provide this information to their workers. In the cases where the farmers used the contract template provided by AOTM, basic legal rights were included in the copy given to the worker.

2.7.2. Written contracts

Malawi law did not require a formal written contract between farmers and workers, only a written statement containing the main employment conditions. However, AOTM promoted the use of formal written contracts and provided a template which included basic legal rights, a timesheet and table for documenting deductions and advances. Written contracts (all based on these templates) were present at 16 farms in Kasungu (76%) and at 12 farms (57%) in Mpherembe/Mzuzu.

At one farm, according to some workers their contract had only been filled out in the previous week, even though the signed date said the beginning of the season, several months earlier. At two other farms, the contracts did not match with the actual work practice. In one of these cases the contract showed a fixed sum at the end of the season, whereas in reality the worker was a tenant paid per bale of tobacco. In the other case, the workers had not signed the contract and had not received the copy; the farmer in question said that he had filled in the contract to satisfy AOTM's requirements but was not planning on actually paying this amount of money to his workers and therefore would not show or give them their copy because they could take this to the labor office. In several other cases, the contract was signed by both parties without the wage being specified.

CU observed that, in general, only seasonal workers received a written contract; temporary workers usually did not have a written contract in place. Furthermore, at two farms (one in each region) women were found to be helping their employed husbands without being paid themselves and without any contract or arrangement with the farmer (see Chapter 2.2.1 and 2.4.1).

Lastly, several farmers reported that it was very difficult to agree on a wage with the worker if they did not yet know which price they would get for their tobacco at the end of the season. Their growing contract with AOTM only specifies the volume to be delivered and bought, not a pre-agreed price.

AOTM's response:

"To address these issues, AOTM plans to intensify its training and sensitization for all contracted farmers to comply with Terms of Employment in accordance with Malawi Government regulations on labor. AOTM believes that an increase in number of farms using the contract template will lead to an improved understanding of the law and labor practices."

Analysis and priorities

AOTM was actively promoting the use of written contracts and provided farmers with contract templates. Although farmers did not yet fully understand that it was their responsibility to inform workers on their legal rights, increased usage of the contract templates is a first step toward better informing the workers. Furthermore, more effort should be put into improving the rights, direct pay and employment structures for women.

Chapter 3

ALP PROGRAM: FEEDBACK FROM FARMERS, WORKERS, AND OTHER STAKEHOLDERS



EXTERNAL ASSESSMENT

Virginia Flue-Cured farmers in Kasungu and Mpherembe/Mzuzu

Control Union asked farmers, family members and workers what had changed on their farms since the start of the ALP Program. The general feeling among farmers was that the ALP Code and AOTM's support had helped them to better understand and avoid the risks involved in tobacco farming, and that the program had helped to reduce child labor. In addition, the interviewed farmers reported that the written contracts (based on the templates distributed by AOTM) reduced disputes about payment at the end of the season, and that the implementation of ALP had generally improved the relationship between farmers and workers. Most of the feedback was positive and a good relationship with the leaf technicians was reported in all cases; however, some farmers complained about the late delivery of the PPE, so that harvesting had already started when the PPE arrived.

Workers and family members reported a decrease in child labor, a better knowledge on the risks involved in tobacco production and how to avoid them, as well as an increased usage of working contracts between farmers and workers.

Leaf technicians received feedback from farmers as well as workers and family members during their

farm visits. They would discuss their findings during meetings with their supervisors if considered relevant. However, there was no structured process for reporting these findings to the ALP team.

In addition to farmers, family members and workers, CU also interviewed two other stakeholders: (1) a representative of the non-governmental organization YONECO (Youth Net and Counselling), which had been in charge of the support mechanism pilot; and (2) a consultant from a social consultancy firm that would provide a social training to the local ALP committees later in 2019. Both parties gave positive feedback and were happy with their collaboration with AOTM. However, YONECO had identified several improvement points for the support mechanism pilot that AOTM will need to address, including a better integration with the work of the local ALP committees and a more thorough ALP training for the counsellors (who in the pilot had only received a one-day orientation at the beginning of the project). The trainings by Lloyds of Bay had yet to commence, but the training materials shown to CU looked promising and the consultant was optimistic about the feasibility and outcome of the training.

Chapter 4

APPENDICES



EXTERNAL ASSESSMENT

Virginia Flue-Cured farmers in Kasungu and Mpherembe/Mzuzu

Appendix I – AOTM’s Action Plan 2019

Introduction

Alliance One Tobacco (Malawi) Limited (AOTM or the Company) is committed to respecting and protecting human rights within the company and throughout its supply chain. In this regard, AOTM welcomes Control Union’s (CU) comprehensive assessment of the implementation of the Agricultural Labor Practices (ALP) program, conducted in the Kasungu, Mpherembe and Mzuzu districts in Malawi in February 2019. AOTM is encouraged that CU recognizes its extensive efforts in implementing the ALP program and the improvements that the company has made since CU’s previous assessment of the Kasungu district in February 2016. AOTM acknowledges that while many of its programs are having a positive impact, there is room to continuously improve working conditions on tobacco fields in Malawi.

AOTM is fully committed to strengthening its ALP program through farmer training, farm monitoring, and targeted initiatives to achieve tangible and measurable results over time. As noted by CU, AOTM has already developed and implemented a comprehensive set of initiatives to tackle many of the critical issues identified during the assessment. Findings from the most recent assessment have provided AOTM with helpful information, which in addition to our internal farm monitoring data, has driven the prioritization of particular issues and the development of a focused action plan for the 2020 crop season.

AOTM understands that effective implementation of the action plan will require allocation of sufficient resources and an increased level of engagement with contracted farmers, their families, and workers. AOTM is committed to achieving long-term sustainability of tobacco production in Malawi while helping all contracted growers make continuous improvement toward the implementation of the ALP principles.

ALP Program Strategy & Objectives

AOTM’s strategy to enhance and strengthen its ALP program is to bolster the visibility and importance of it within the Company’s contracted farmer base and local communities. By increasing the amount of time the Company spends working with farmers to help them understand the ALP program, as well as increasing community involvement, the Company has identified the following four objectives:

1. No children performing hazardous tasks in tobacco by 2022;
2. All workers paid at least the legal minimum wage by 2022;
3. All contracted farmers and workers provided with Personal Protective Equipment (PPE) to protect against any hazards from Crop Protection Agents (CPA) or Green Tobacco Sickness (GTS) by 2020; and
4. All workers have access to safe and clean accommodation by 2020.

To meet these objectives, AOTM has identified the following strategies:

1. **Long-term grower consolidation program.** This strategy will look to centralize the AOTM grower base, creating a ratio of 75:1 farmers to Field Technicians (FTs). AOTM believes that this ratio will allow FTs to spend additional time on the farm focused on ALP monitoring, training of contracted farmers and workers, and thereby boost program compliance.

2. **No individual under the age of 18 should be involved in any aspect of tobacco production.** While this standard is higher than both local law and the guidance set by the International Labor Organization (ILO), AOTM believes that it will minimize confusion among farmers and local communities and allow the company to mitigate potential risks.
3. **No farmer should contract with tenant workers.** AOTM will not contract with farmers who employ tenant workers. AOTM believes this will reduce the risk of forced labor and human trafficking in its supply chain.

Along with these adjustments in the strategic direction of the program, AOTM is continuing to improve program management, strengthen its existing communication materials and training programs, and work with external stakeholders. Since completion of the CU assessment, AOTM is developing and implementing the following new initiatives:

- After School Activities Program;
- Sustainable School Feeding Project;
- Business Planning and Financial Literacy Training ;
- Village Savings and Loans Associations Training;
- Worker Accommodation Improvement;
- Provision of Personal Protective Equipment; and
- Water Sanitation and Hygiene (WASH) programs.

Program Improvements and new initiatives are described in more detail throughout this action plan.

ALP Program Management – General Comments

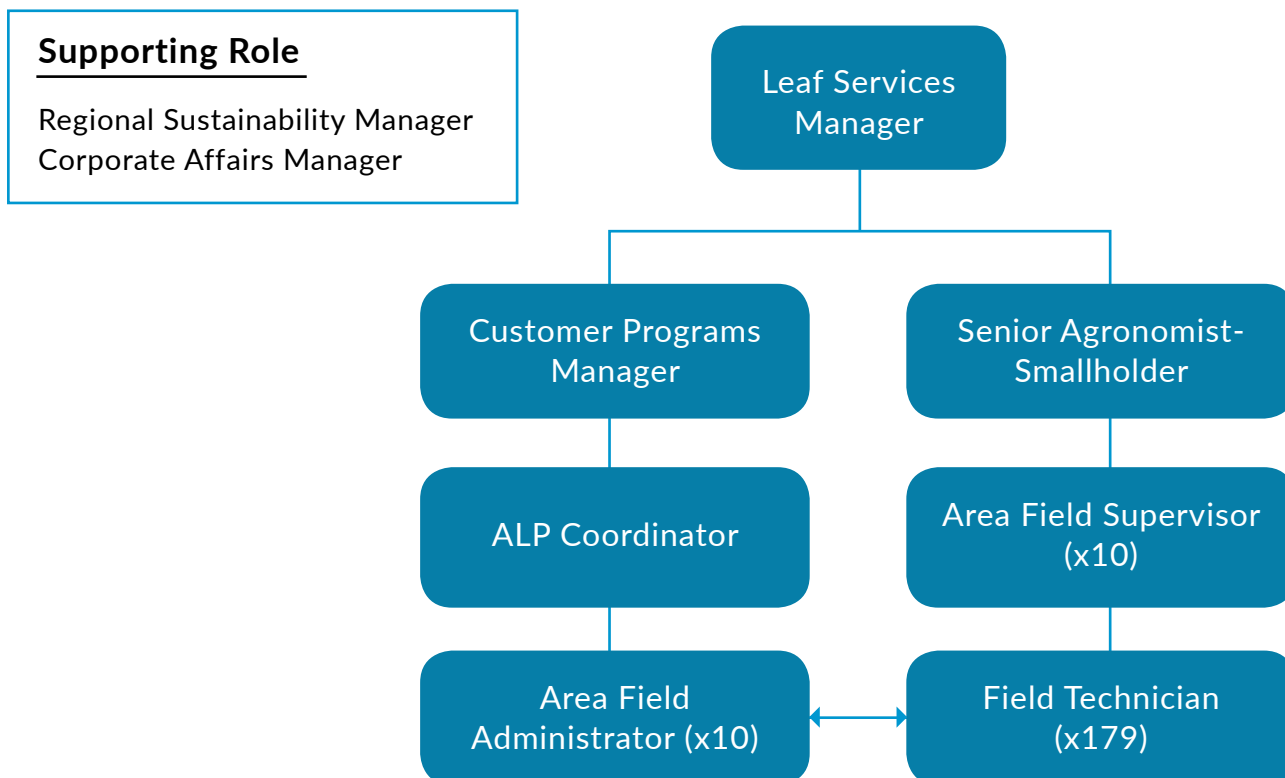
AOTM is focused on improving its existing ALP program by continuously adjusting its program management to drive success, enhancing communication and training material, actively monitoring farmers for program compliance, and engaging third-parties to support various initiatives. CU's analysis of the ALP program has provided AOTM with helpful feedback so that the company can continue to evolve its programs.

1) *ALP Program Management*

ALP program management starts with leadership in the AOTM head office in Lilongwe, Malawi. The company has a Steering Committee, consisting of senior management staff, responsible for communicating ALP updates and projects to customers and other stakeholders, and approving and supporting local projects for ALP implementation.

This team includes a dedicated ALP Coordinator who oversees implementation of ALP programs and activities in all growing areas where AOTM sources tobacco. The ALP Coordinator also leads an ALP team that is responsible for: rolling out the ALP Code, and coordinating the collection of farm data; training area supervisors and field technicians to ensure proper implementation of the ALP Code; testing the field technicians' knowledge through written tests after each training; developing and updating communication materials for contracted farmers; developing and analysing documentation for farm monitoring, including the development and implementation of action plans where necessary; updating the risk assessment at least annually; and implementing and/or supporting projects and initiatives approved by the management team.

At the field level, there are Area Field Supervisors (AFS), Area Field Administrators (AFA) and Field Technicians (FTs) who all work directly with contracted farmers to ensure that ALP standards are communicated, understood and implemented. FTs are trained on ALP throughout the crop cycle to ensure that they have the knowledge and capacity to communicate ALP requirements to the farmers effectively. AOTM also conducts additional training to FTs to address any shortcomings noted, and ensure the details of ALP principles are understood for application on assigned farms.



2) *Training and Communication*

Consistent communication with farmers is key to driving improvement in their labor practices. To enhance ALP knowledge and program compliance, AOTM communicates with farmers in a variety of ways, including:

a. Group Trainings

AOTM FTs host five ALP-specific group trainings for contracted farmers each season. The inclusion of workers and family members is encouraged at all training sessions to allow for a greater reach within the farming chain. Training is conducted at each major crop stage (Seedbeds, Land Preparation and Growing, Topping and Harvesting, and Marketing stages). This ensures that the content is focused on activities of a particular crop stage, with appropriate inclusion of ALP code at all trainings.

b. Individual Trainings

Contracted farmers, workers and mothers are continually re-trained on ALP issues, particularly what constitutes child labor and the risks associated with the employment of child labor, during individual farm visits. FTs visit farms at least 10 times per season.

c. Written Material

AOTM provides 100% of contracted farmers with written training and communication materials which include the Farmer Record Book (FRB), and ALP posters, leaflets and brochures.

The Farmer Record Book provides detailed information on all aspects of the ALP program and goes into particular detail regarding what constitutes child labor and the risks associated with the practice. AOTM includes a sample farmer employee contract template which prescribes standard working conditions, remuneration and adherence to ALP code.

Farmers or workers who are not fully literate are encouraged to get assistance from government Field Officers or FTs.

d. Radio broadcast messages

To ensure farmers who are not literate also receive the ALP messages, AOTM runs radio messages through Malawi's National Broadcasters Zodiak Broadcasting Station (ZBS), Malawi Broadcasting Corporation (MBC) and community radios such as YONECO FM and Radio Tigabane.

e. ALP Committees

As part of its community engagement initiative, AOTM developed ALP Committees to complement FTs' work with regards to farm monitoring and reporting. The committees help to sensitize local communities on ALP issues and form an important vehicle through which issues are communicated and addressed, alongside the implementation of any initiative. They also maximize the involvement of women in the ALP program, as these demographics are often catalysts of change in communities.

The intent of the ALP Committee Initiative is to not only raise awareness of ALP incidents but also identify the root causes. As a preventative measure to help address any potential risks before issues are identified, the ALP committees conduct an analysis for farms and families most vulnerable to ALP incidents.

The ALP Committees also include a complaint mechanism where farmers and workers can raise concerns or ALP incidents. This mechanism provides farmers and workers with an avenue to speak up about their concerns without fear of repercussion.

In addition, the ALP Committees provide social support where required (children removed from child labor, welfare, living conditions, etc.) and help to ensure proper labor laws and policies are understood and adhered to.

Since the most recent CU assessment, AOTM has expanded its number of ALP Committees from 30 to 179.

3) *Farm Monitoring & Incident Resolution*

AOTM has a strong system in place to monitor growers for compliance with the ALP program. This system involves both consistent farm visits, in which AOTM FTs collect data regarding farm operations and provide farmers with guidance on all aspects of crop production, as well as logging information from the visits into Alliance One's award-winning farm monitoring tool, Grower Management System (GMS).

The farm monitoring program involves a series of announced and unannounced visits. During the growing season, AOTM FTs visit farms at least 10 times for farm monitoring and extension activities. While FTs

monitor for ALP incidents throughout the entire season, there are a minimum of five visits per season specifically dedicated to ALP monitoring. FTs capture the data on a mobile device which then transmits the information to the central server where automated reports are generated for management review.

AOTM takes a continuous improvement approach to managing ALP incidents identified on farms. Recognizing that an incident often has a deeper root cause than immediately apparent, the FT will work collaboratively with the farmer to develop a solution and then follow-up with the farmer to ensure that it has been implemented. Historically, AOTM applied a “three-strike approach” in which a farmer could have up to three types of the same Prompt Action incident per season before the company would consider terminating the farmer’s contract with AOTM. Beginning in crop year 2020, AOTM revised this approach to a “two-strike approach” to encourage further improvement among the farmer base. This approach is coupled with pre-contracting due diligence of farmers against this procedure.

4) Stakeholder Engagement

Many of the human rights challenges in tobacco production in Malawi are tied to larger socio-economic issues within the country. Malawi is one of the poorest countries in the world, with a population of just over 18 million²⁸ and approximately 50% of those individuals live below the poverty line, according to the International Monetary Fund. Roughly 84% of the population lives in **rural** areas and nearly 11 million of those individuals are engaged in smallholder **subsistence farming**.

Despite the availability of new agrarian technologies with demonstrated productivity gains, farmers are often hesitant to adopt new farming practices without reliable and persuasive sources of information. This results in farmers relying on historical methods of production that increase the risk for potential human rights violations. It is critical that they receive messages from a variety of stakeholders in Malawi.

To truly address the root causes of human rights issues, AOTM must collaborate with third parties, including without limitation, the Ministry of Labor (MOL), the International Labor Organization (ILO), Eliminating Child Labor in Tobacco Foundation (ECLT), and other NGOs and industry stakeholders.

An example of AOTM’s commitment to stakeholder engagement is the Company’s recent efforts to operate a pilot support mechanism in Mchinji District through collaboration with YONECO (the Support Mechanism). This toll-free hotline was developed as a tool for data collection (Toll-Free Line) and as a way to improve communication between farmers and workers through case remediation. The Support Mechanism provides more opportunities to support farmers and workers to resolve problems that cannot be easily resolved at farm level. The pilot project was evaluated, and proved to not meet all the required success factors, and hence was not expanded.

Although the Support Mechanism was not expanded, it provided farmers and workers access to a channel where they could receive independent mediation, dispute resolution, and incident prevention services; information on better hiring practices; and avenues for workers to get redress. In the long-term, AOTM intends to have the Support Mechanism in all the areas where the company sources tobacco in Malawi.

AOTM has found the Support Mechanism to be beneficial in addressing concerns across all seven ALP principles.

28. <https://data.worldbank.org/country/malawi>

ALP Principle Assessments & Specific Actions

ALP Code Principle 1: Child Labor

AOTM does not permit the use of child labor in its supply chain or in the Company. During its assessment, CU identified eight minors working in tobacco production on four out of the sampled 37 farms.

The Malawi Government's Employment Act (CAP 55:02) – Employment (Prohibition of Hazardous Work for Children) Order 2012²⁹ outlines hazardous tasks with the tobacco industry, and provides that no individuals under the age of 18 can perform such tasks, with the exception of 16-18 year-olds that have received appropriate training, supervision and safety equipment.

In 2018, AOTM conducted a root cause analysis to better understand why, despite this regulation, farmers continue to utilize children in farming. The Company identified the following reasons:

- Casualness on the part of the farmers, despite training;
- Cultural desires to train children to become responsible citizens;
- Low literacy levels of parents/guardians which impact their view of the value of education;
- Lack of parental care; and
- Perceptions that children are a source of cheap labor.

To better protect children under 18, as of the 2018-2019 crop year, AOTM has revised its ALP program to prohibit anyone under the age of 18 years from being involved in any tobacco-related activities. This directive is communicated to contracted growers and is incorporated into the training programs and communication materials for growers, workers and FTs accordingly.

In addition to the strategic change, AOTM has also begun implementing the following new initiatives:

1) *Afterschool Activities Program*

AOTM is implementing a pilot project in the Mchinji 2 Scheme in Mchinji District to encourage children to stay in school, reduce idleness, and promote safety and mental/social development through the provision of sporting equipment/infrastructure and indoor games. This project was initiated in September 2019 and will run through April 2020, with over 886 pupils expected to benefit.

The initiative also looks at training teachers on the coordination of Physical Education & extra murals. In this regard, Mkomachilolo Primary School in Mchinji Scheme in Mchinji District was identified for implementation.

Should the pilot project be successful in its objective of minimizing child labor risks, AOTM intends to rollout the program to an additional 25 schools over the course of the next three years.

29. CAP 55:022 defines “children” as individuals 15 years of age or younger.

2) Sustainable School Feeding Project

AOTM has identified that hunger is a driver in school absenteeism in areas where the company has found high incidents of child labor. To address this challenge, the company is implementing a pilot Sustainable School Feeding project in the Mchinji 2 Scheme in Mchinji District beginning in CY2019. Through this initiative, AOTM will work with the school to establish gardens which will, in time, serve as a food resource for students. The project will also involve updating the kitchens at local schools to include new pots, utensils, etc. and the provision of a maize miller. Any excess food that is not consumed by students can be sold to the local community and the local community can also bring their maize to the school to mill for a small service fee. The intent is to allow the school to generate additional financial resources thereby supporting its sustainability.

3) School Improvement Projects

AOTM has provided materials and expertise to improve over 20 local schools since 2011, building and improving school blocks, teacher administration blocks, libraries, and student ablutions as well as providing desks for students. These long-term initiatives have positively impacted over 20,000 children in AOTM growing areas.

ALP Code Principle 2: Income and Work Hours

Control Union concluded that there was a lack of awareness among both farmers and workers regarding the minimum wage and overtime regulation. Specifically, Control Union identified multiple women helping their employed husbands (mostly with stringing) without pay and any contract or arrangement with the farmer, and the employed husbands did not receive any extra payment for bringing in helping hands. End-of-season payment was practiced at most farms, and workers did not get a day off on public holidays.

In 2018, AOTM conducted a Root Cause Analysis on Minimum Wage Payment which revealed a range of root causes including:

1. Lack of enough seasonal operating income by farmers,
2. Farmers' knowledge gap on labor laws, and
3. Farmers undermining workers.

AOTM has developed the following strategies to address these challenges:

1) Farmer-Worker Contract Templates

To encourage farmers to keep records of worker payments, AOTM provides Farmer-Worker Contracts and Time Sheets to 100 percent of contracted farmers. FTs and ALP supervisors check on the use of these templates during on-farm visits and also monitor for compliance that all in-kind deductions/ payments do not exceed the maximum allowable percentage of the total wage.

2) Business Planning and Financial Literacy Training

To help farmers better manage their finances, thereby increasing the amount of money available for worker payments, AOTM has engaged a third-party to implement a training program that will provide farmers with access to business planning and financial literacy information (i.e. Cost of Production, labor utilization, planning, budgeting, saving and investing for business growth).

Beginning in CY2019, AOTM plans to implement a Trainer of Trainers (TOT) program for Financial Literacy to over 7,000 farmers, as follows:

- 1309 farmers and 96 field staff trained in year 1 (TOTs)
- 2,000 farmers trained in year 2
- 1,900 farmers trained in year 3
- 1,811 farmers trained in year 4

3) *Village Savings and Loans Association (VSLA) Training to farmers' spouses*

In CY2019, AOTM trained 2,275 women on VSLA management and entrepreneurship. By training farmers' spouses on financial management, AOTM hopes to improve a farmer's management of household finances and increase the ability of farmers to properly pay workers and minimize risk of child labor.

AOTM has established 91 VSLAs (one per scheme) in 91 schemes in the Kasungu, Madisi, Mponela, Lilongwe West and Mchinji Growing Areas. This training will help create additional household income to enable minimum wage to be paid.

ALP Code Principle 3: Fair Treatment

CU found that there was an instance of verbal abuse and that there were instances of discrimination among the farmer base. The issue here is that one farmer would shout badly at the workers when they made mistakes. At another farm in Kasungu, the farmer specifically mentioned that he would never hire women as they could not do the same job as men. According to CU, none of the interviewed farmers were aware that the ALP committees had a grievance mediation function that they could access.

In addition to the grievance mechanism outlined on page 3, AOTM is implementing the following strategies to address these challenges:

1) *ALP Committee Program Expansion*

AOTM has expanded the number of local ALP committees from 30 to 179 (one for each AOTM field technician). These committees include a traditional leader, a schoolteacher, and a maximum of five farmers to support FTs with monitoring and training.

2) *Social Development Training*

In CY2020, AOTM plans to engage a social consultancy firm to provide social development training to all ALP committee members to strengthen local awareness and understanding of the Fair Treatment principle.

3) *Farmer Education*

All contracted farmers are educated on the importance of fair treatment and why they need to make themselves available to workers to discuss any work-related matters.

ALP Code Principle 4: Forced Labor and Human Trafficking

CU identified two instances of forced labor and other instances of indirect payment (or the risk thereof). According to CU, in one case where a husband/wife couple was hired, the husband was paid but the wife was not. CU saw a risk where workers had to wait for the farmer to sell his tobacco and therefore, could not leave. This is because the limited capacity of the market means that all the farmers' tobacco cannot be bought once but rather in phases.

As previously noted, AOTM has taken the strategic decision, effective CY2019, to not contract with farmers who employ tenant farmers. AOTM believes that this action will reduce the risk of forced labor and human trafficking in its supply chain.

For all contracted farmers who employ hired labor, AOTM is distributing written farmer-worker contract templates to help ensure that there is a mutual agreement between the farmer and his workers. The company is also providing template timesheets, which will help ensure the farmers pay workers wages in line with Malawi's legal minimum wage and the Malawi Employment Act.

ALP Code Principle 5: Safe Work Environment

CU identified a variety of issues regarding compliance with the Safe Work Environment principle, including a purported lack of PPE usage, improper use of equipment and storage, improper CPA container disposal, a lack of knowledge regarding proper field re-entry periods after CPA application, poor access to clean drinking and washing water, and inadequate housing for workers.

To address these challenges, AOTM is implementing the following actions:

1) Continued trainings focused specifically on the Safe Work Environment Principle

AOTM will continue to raise awareness of priority issues such as hazardous farm tasks, the importance of wearing PPE while applying or handling CPAs, re-entry period for CPAs, Green Tobacco Sickness and safe accommodation for workers. Printed materials are used to impart this information. CPA management training focuses on safe storage and safe usage through understanding and complying with the instructions on the CPA label. FTs conduct this training for workers and farmers with the intention of targeting as many people on the farm as possible.

2) Worker Accommodation Improvement Project

In CY2018, AOTM conducted a baseline survey on 14,882 contracted farmers of which 7,039 hired labor and provided accommodations to workers. The survey revealed that 48 percent of those who provided accommodations did not meet minimum accommodation industry standards.

In addition, AOTM conducted a "blitz survey" among 66 farmers to learn more about the root causes of these issues and better understand the type of support farmers needed. The analysis of these findings indicated that root causes ranged from:

- Land tenure issues where most farmers use borrowed/rented fields - an arrangement which is temporary in nature hence creating difficulties for farmers to meet minimum standards on accommodation;
- Lack of prioritization by farmers - Farmers tend to focus more on increasing hectares and food requirements, leaving accommodation as a low priority;

- High illiteracy;
- A view that proper accommodation is temporary and thereby is considered a waste of resources by some farmers; and
- Selfishness/pride/prestige from the farmers which results in a perceived gap between them and their workers.

To improve worker accommodation, AOTM plans to construct 780 workers' housing units in Kasungu, Madisi, Mponela, Lilongwe West and Mchinji Growing Areas between August 2019 and October 2020. The Accommodation Improvement Project will run in 2 phases, with phase 1 taking place in 2019 covering 400 farms and the other 380 to be completed by 2020. Below is the breakdown of the Accommodation Improvement Project Plan between August 2019 and August 2020:

- Lilongwe West x 67 housing units
- Mponela x 120 housing units
- Mchinji x 131 housing units
- Madisi x 292 housing units and
- Kasungu x 170 units

Survey results also indicated that 55% of farmers would be able to meet worker accommodation standards if building materials, such as iron sheets, cement and door/window frames, were provided. As part of this initiative, AOTM will provide such materials.

3) *PPE Provision*

AOTM continues to provide all its farmer base with PPE appropriate to supplied CPAs, as well as for GTS prevention, in their farmer input packages. This PPE provision is coupled with cash advances as well as compliant, low-tox CPAs to help minimize potential ALP incidents. Field Technicians provide training on the use of the provided PPE.

In CY19 all contracted farmers were supplied with a comprehensive PPE package for CPAs, which included new gloves, face shields, durable dust masks, and overalls, and GTS gloves. Farmers were provided with eight pairs of cotton gloves per hectare to protect against GTS.

4) *CPA Container Collection*

AOTM plans to contract with a third-party in CY 2020 to collect and incinerate used CPA containers. AOTM will continue to monitor growers to ensure that CPA bottles are not re-used for drinking water, they are triple rinsed, punctured and incinerated, according to manufacturer recommendations and applicable laws.

5) *Water Sanitation and Hygiene (WASH) Programs*

All farmers are trained to use sanitary water sources. A pilot WASH program is on-going in the Mponela and Madisi Growing Areas to ascertain the feasibility of providing grower clubs with potable water through community boreholes and water tanks.

Since 2012, over 125,485 people have benefitted from the implementation of AOTM's WASH programs:

Initiatives	Tobacco Farmers	Other Crops	Communities
Dams	3,756	4,025	9,500
Rural Boreholes	1,120	-	20,953
Shallow Wells	950	-	4,500
Peri-Urban Boreholes	-	-	80,616
Irrigated Crops	-	65	-
	5,826	4,090	115,569
Total Number of Impacted People	125,485		

- Over 20,000 people have benefitted from the 64 rural boreholes. In addition to donating the boreholes, AOTM provides training on how to maintain the borehole to support community ownership of the borehole. The community selects the members of the Borehole Committee, a critical element of sustainability.
- Over 45,200 urban dwellers have benefitted from the additional 10 school boreholes drilled under the peri-urban project.
- 740 people have been trained to maintain the boreholes.
- Over 411,065m³ of water has been provided to 3,756 tobacco farmers, 4,025 other farmers, and 9,500 surrounding communities.
- AOTM has enhanced awareness and compliance of water health and sanitation within the communities.

ALP Code Principle 6: Freedom of Association

AOTM supports the right to freedom of association and collective bargaining and recognizes the importance of these rights for farmworkers. CU did not find any evidence of farmers not respecting this right.

AOTM regularly trains its staff so that there is understanding of this principle and also emphasizes it through the ALP written material. FTs provide ongoing farmer and worker education regarding this principle through one-on-one visits and group training.

ALP Code Principle 7: Terms of Employment

CU found that none of the farmers interviewed fully informed their workers about various rights including legal benefits, the legal or recommended minimum wage, and the legal minimum rate for overtime hours. CU also found that some workers contracts had only been filled out in the previous week, some contracts did not match with the actual work performed, some workers had not signed the contract or received the copy, and some contracts failed to specify the applicable wage. CU also observed that only seasonal workers received a written contract; temporary workers usually did not have a written contract in place.

To address these issues, AOTM plans to intensify its training and sensitization for all contracted farmers to comply with Terms of Employment in accordance with Malawi Government regulations on labor. AOTM believes that an increase in number of farms using the contract template will lead to an improved understanding of the law and labor practices.

In CY 2019, AOTM distributed template contracts and timesheets that farmers can use with their workers to assist farmers in meeting Malawi's legal minimum wage as well as track other relevant data. Field Technicians provide guidance to farmers on the templates. Field Technicians and Area Field Supervisors verify that these documents are being used by farmers during their field visits.

Conclusion

AOTM has been committed to PMI's ALP program since its introduction in 2011, and the Company appreciates CU's acknowledgement of the positive changes that have occurred in its contracted farmer base both since the inception of the program as well as since the previous CU assessment. The company has already made progress in addressing many of the issues identified in the assessment and looks forward to continuing to drive improvement in these areas. AOTM is confident that the above-mentioned initiatives will enable the achievement of ALP targets set.

Appendix II – Scope and methodology

Assessment team

The team responsible for conducting this assessment consisted of three auditors (two from Kenya, one from Mozambique), three translators to the local languages Chichewa and Tumbuka, and two CU coordinators (one from Germany, one from the Netherlands).³⁰ The auditors conducted farm assessments and interviewed leaf technicians. The two coordinators interviewed AOTM management and external stakeholders. The auditors as well as the coordinators were trained by Verité and Control Union.³¹ This qualification process consisted of the following stages:

- Selection of candidates by CU;
- Webinars organized by CU to verify suitability of candidates;
- Completion of online training provided by Verité;
- Full week classroom training conducted by Verité with CU;
- Two-day refresher training by the CU coordinator prior to starting the field visits; and
- Shadowing during farm visits by CU coordinators.

Desk review

Prior to this assessment AOTM was requested to send documentation to CU to give the assessment team a better idea about the market characteristics and the management systems that were in place. Philip Morris provided the legal information that was relevant to the ALP Code (See Appendix III for more detailed legal information). This was important to ensure a thorough preparation of the assessment.

Opening meeting

On 11 February 2019, CU started the assessment with a meeting at AOTM's head office in Lilongwe, Malawi. This meeting was attended by AOTM's local management team, as well as PMI Regional. CU presented the objectives and approach of the assessment, while AOTM provided an overview of the market and company background, as well as milestones in ALP implementation.

Methodology for ALP implementation system review

The methodology used for evaluating AOTM's implementation of the ALP Program was based on the widely used PDCA³² cycle, which is a management method for the continuous improvement of processes and products. As part of this evaluation, CU spent two days (11 and 12 February 2019) at AOTM's head office. CU interviewed management staff, analyzed documentation and evaluated AOTM's systems, to better understand how the implementation of the ALP Program was organized. In total, CU interviewed eleven management personnel and twelve field personnel. Additionally, CU interviewed two stakeholders: one member of YONECO, the NGO that had conducted the pilot project on the support mechanism; and one employee of Lloyds of Bay, the social consultancy firm that was going to provide social trainings to the local ALP committees later in 2019. All interviews were conducted individually, so that interviewees felt comfortable to speak freely and raise any issues.

30. The coordinator from the Netherlands did not stay for the entire assessment, but only for the management assessment.

31. All three auditors had been trained by Verité in November 2017

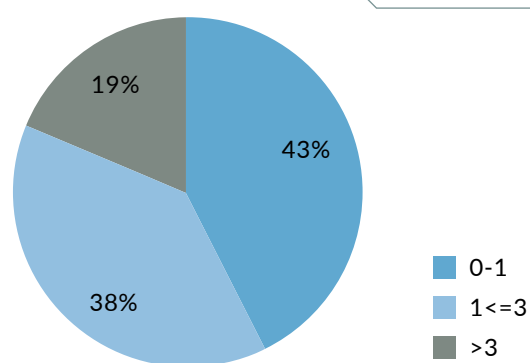
32. Plan, Do, Check, Act

Scope and farm sampling

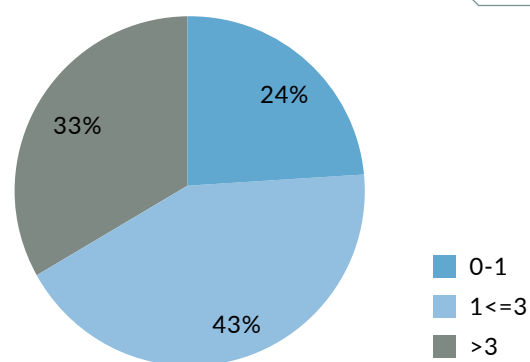


These farmers were supported by ten area field supervisors and 179 leaf technicians. To constitute a meaningful sample, CU needed to visit at least 41 farms, the square root of the total number of contracted farmers within the scope, as indicated by AOTM prior to the assessment. In total, CU visited 42 farmers (21 in Kasungu and 21 in Mpheremb/Mzuzu), which were sampled randomly or selected based on geographical spread. Over a period of 1.5 weeks CU visited 9-12 farms per day, where each field day was followed by a reporting day. The graphs below provide demographic information about the farms visited in the two regions assessed.

**Farm size Kasungu (n=21)
(ha contracted by AOTM)**



**Farm size Mpherembe/Mzuzu (n=21)
(ha contracted by AOTM)**

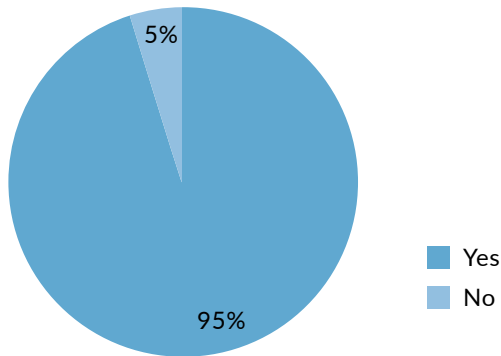


Tobacco production in Malawi is concentrated mainly in the central and northern region of the country. In addition to the headquarters in Lilongwe, AOTM operates two branch offices in Limbe (south Malawi) and Mzuzu (north Malawi) and ten Area Agronomy offices across the country. To ensure a manageable sample size, the present assessment focused on AOTM contracted farmers growing FCV tobacco in Mpheremb/Mzuzu (north Malawi) and Kasungu (central Malawi). (Note: The original scope included the Rumphi area instead of the Mzuzu area, but this had to be changed in order to ensure unannounced farm visits, see below).

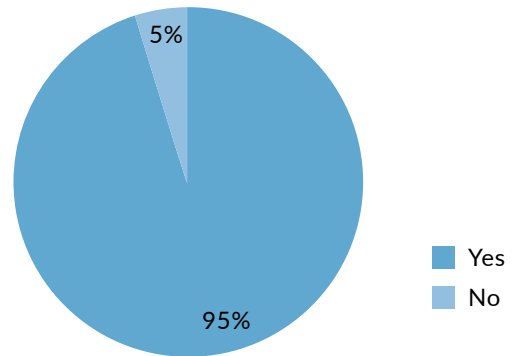
The majority of the farmers in the scope of this assessment (74%) grew tobacco on an area of less than three hectares. All of the farmers owned the land they farmed.

In 2019, AOTM had contracts with 13,348 smallholder farmers across Malawi, in addition to eight large commercial farmers and 16 AOTM farms.

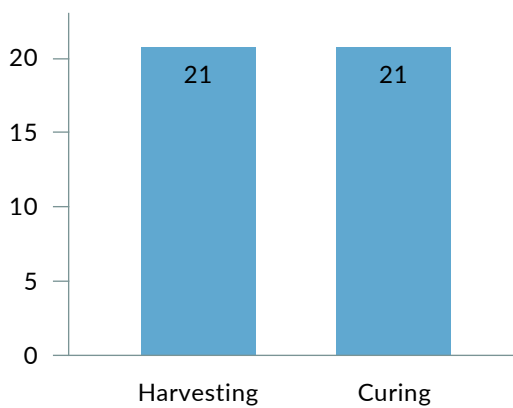
Previously contracted by AOTM Kasungu (n=21)



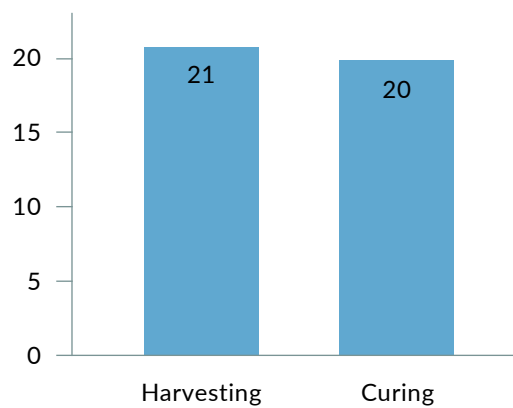
Previously contracted by AOTM Mpherembe/Mzuzu (n=21)



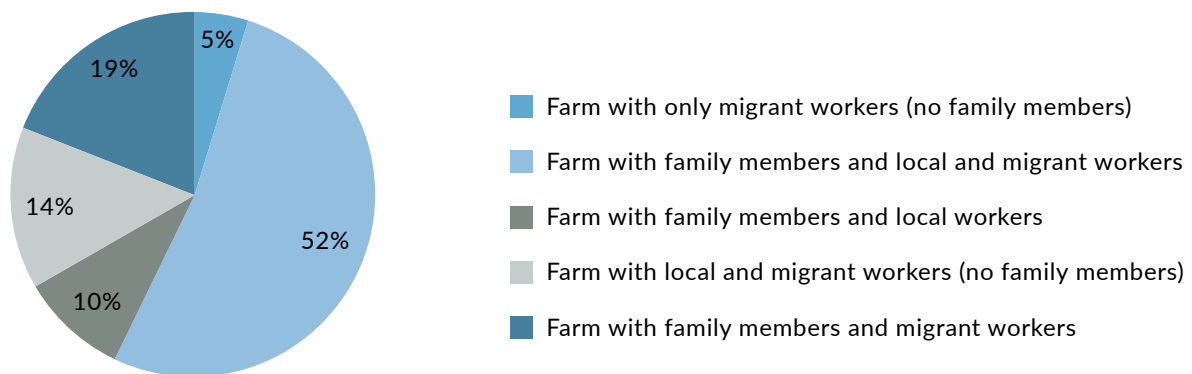
Stage of tobacco production Kasungu (n=21)



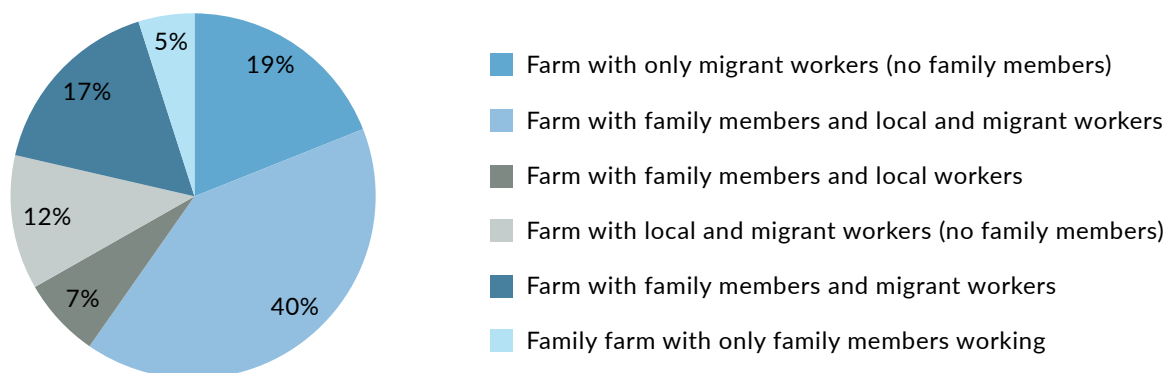
Stage of tobacco production Mpherembe/Mzuzu (n=21)



Type of farm Kasungu (n=21)



Type of farm Mpherembe/Mzuzu (n=21)



Except for one farm in Mpherembe/Mzuzu, all farmers were hiring workers at some point during the tobacco season.

The farm visits by CU are supposed to be unannounced. In order to achieve this, the tobacco company is informed about the names of the selected leaf technicians only the day before they are to join the visits, and the leaf technicians are informed of the names of the farmers to be visited only on the day of the visit itself, while in the car, and only for the next farmer to be visited that day. The reason for this is that CU wants to obtain a realistic picture of the farm practices, which is most likely to be seen when arriving unannounced. This procedure was also followed in the present assessment. Unfortunately, during the farm visits it became clear that all farmers and many workers knew the time period in which the visits would take place, and five farmers (12%) had been informed the night before or the same day that CU would most likely visit that day. CU therefore decided to adjust the scope, and switch from the Rumphu to the Mzuzu area to be able to arrive unannounced.

Methodology for ALP farm practices review

The methodology used during the farm visits was based on triangulation of information. Auditors were instructed to seek at least two, preferably three, sources of information. They used their

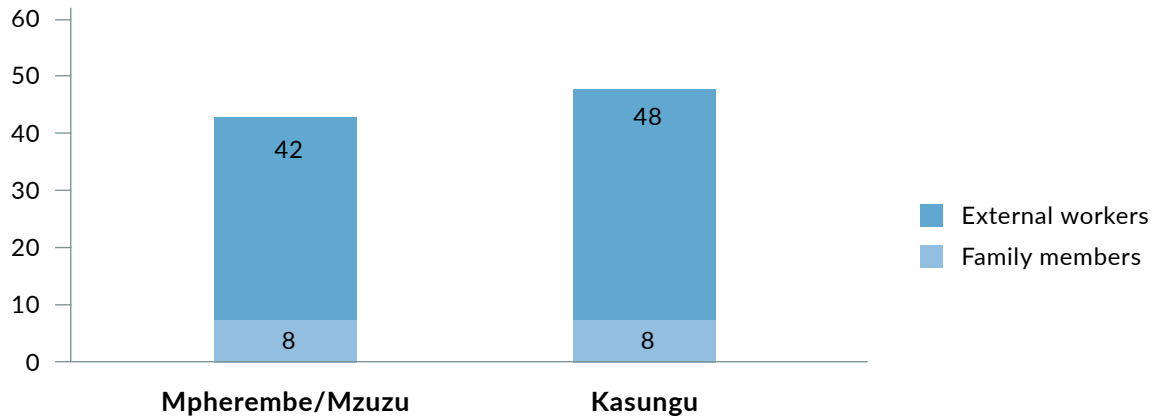
findings to draw conclusions about whether farm practices were meeting the standard of the ALP Code. These sources could be interviews with farmers, family members, or workers. Sources could also include documentation and visual observation of the farm area, field, storage facility, and curing barns. This methodology was also used to investigate the underlying factors that increase the risk of not meeting the standard. In addition to information triangulation CU also used the “Five Whys” methodology, a commonly used technique to obtain an understanding of problems, to investigate the reasons behind certain issues. Before every interview CU explained the objective of the assessment and assured interviewees that all information would be kept completely anonymous. Next to assessing labor practices, CU also verified the impact of AOTM management systems and the ALP Program, to see how this was perceived by leaf technicians, farmers, family members, and workers.

People interviewed

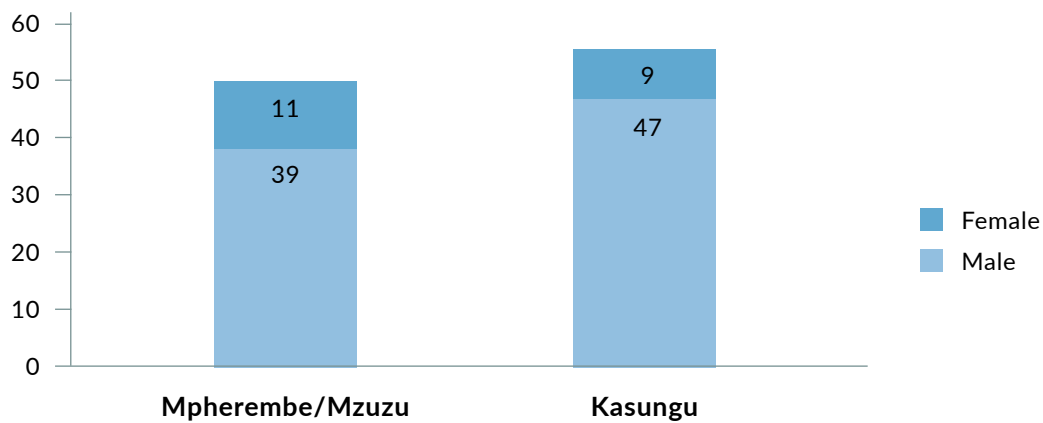
Whenever possible, interviews with workers and family members were conducted individually and without the farmer, to avoid undue bias. For the same reason, all interviews with farmers were conducted without the leaf technicians. In total, 148 persons were interviewed by CU (42 farmers, 16 family members and 90 external workers).

Demographic information on the 106 family members and external workers interviewed:

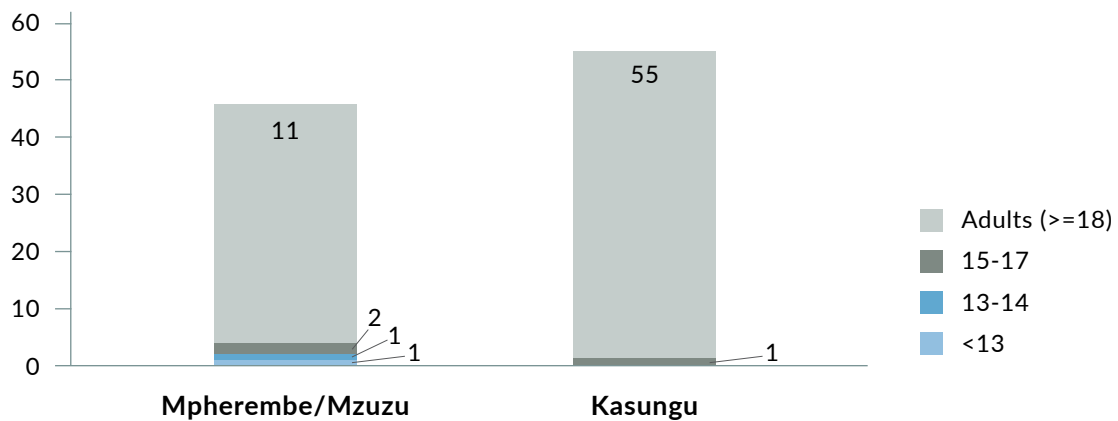
Type of interviewee



Gender



Age of interviewees



The number of interviewees below 18 only shows how many children were interviewed; this does not necessarily mean that they were working.

Closing meeting

On 11 April 2019 a closing meeting was held at AOTM's head office in Lilongwe, Malawi. Similar to the opening meeting, this meeting was attended by AOTM's management team and PMI Regional. After CU presented their initial findings, AOTM requested clarification of some items, which was followed by a constructive discussion on several topics. Overall, CU's findings were considered a useful base for taking action to improve AOTM's implementation of the ALP Program.

Reporting procedure

During the assessment, auditors reported after each field day to the coordinator. This person monitored the auditors' findings and provided feedback whenever necessary. The coordinator compiled all findings and combined these with the findings from the management assessment. Public release of CU's assessment report demonstrates PMI's commitment to transparency, which is an important component of the ALP Program. CU authored the final report, which was evaluated by Verité. PMI reviewed the report to ensure consistency of the presentation of CU's findings worldwide. Finally, AOTM reviewed the report to verify that all the information was correct, and to finalize their action plan based on this report.

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33. Leaf tobacco suppliers can start drafting their action plans after the closing meeting, as initial findings usually do not differ much from the final report.

Appendix III – Legal information

Author: PFI Partnerships – Local Suppliers Legal Team – PMI OC

Date of Original Analysis: Q1 2017

Date of Updated Analysis: December 24th, 2018

Principle 1 – Child Labor

Summary

ALP MEASURABLE STANDARDS	MARKET LEGAL STANDARDS			COMMENTS
	MATCHES	EXCEEDS	OPPOSES	
Minimum age for admission to work is not less than age for completion of mandatory schooling	Malawi matches with the minimum age of 14 ³⁴ , excepted for developing countries under the ILO Convention 138.			Except in the conduct of domestic work, Employment Act prohibits engagement of children aged below 14 in child labor. ILO Convention 138 refers to a minimum age of 15 for employment, Malawi is, pursuant to the derogation available to the developing countries, allowed to adopt the age of 14. Malawi ratified Convention 138 in 1999, making use of this derogation.
In any case, minimum age for admission to work is not less than 15 years OR the minimum age provided by law, whichever offers greater protection	Malawi matches with the minimum age of 14 ³⁵ , accepted for developing countries under the ILO Convention 138.			Children below 15 years of age may be allowed to work within a limited working hours subject to the above conditions
No person under 18 involved in hazardous work				Employment Act ³⁶ prohibits for any child aged below 18 in hazardous work. Paragraph 6(1) of the Ministerial Order ³⁷ prohibits a person under the age of 18 from carrying out hazardous work set out in the Schedule to the Order. Paragraph 6(2) of the Order states that such work shall not be prohibited where: (a) the person is aged between 16 and 18; (b) health and safety of that person is fully protected; and (c) the person has received adequate training in performing the activities.

34. Section 21 of the Employment Act.

35. Section 21 of the Employment Act.

36. Section 22 of the Employment Act.

37. Employment (Prohibition of Hazardous Work for Children) Order, 2012 [Gazette No. 1 of 2012] ("2012 Order").

<p>A child may only help on the family farm if it is light work AND if the child is between 13-15 years OR between 12 and 14 for light work in terms of the ALP, which ever affords greater protection</p>	<p>The farmers' own or dependent children may help on house hold chores within their home.</p>			<p>Work shall not be allowed between 8:00 p.m. to 6:00 a.m. for a child below 15 years of age</p>
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Applicable laws

- Constitution of Malawi.
- Employment Act [Cap. 55:01 of the Laws of Malawi].

Minimum age for employment (in tobacco)

- There is not a specific rule in tobacco.
- It is prohibited to engage any child aged below 14 in any child labour, including work in public or private agricultural undertaking, unless it is work done at home or at a vocational school or technical training.³⁸

Age (or ages) limits for compulsory schooling

- The Constitution encompasses the right to education, but it does not prescribe age limit for citizens to start attending school.
- Other than the Constitution, there are not specific references on the laws about this matter.
- Under s.13 of the Education Act of 2013, provision of primary education in government schools is compulsory for every child below eighteen (18) years of age.

Definitions of hazardous work (incl. agricultural activities that constitute hazardous work) as well as any tasks that workers under 18 are specifically prohibited from participating in by law

- It is prohibited the engagement of any person aged between 14 years and 18 years in any occupation or activity that is likely to be harmful to the health, safety, education, morals or development of such person or likely to be prejudicial to his/her attendance at school or any other vocational or training program i.e. hazardous work.³⁹ The Employment Act does not specify the type of activities prohibited under the Act. However, the Schedule to the 2012 Order includes the following on the list of hazardous work in the tobacco sector: topping and suckering activities or handling tobacco leaves in the harvesting process; handling or grading tobacco leaves in damp conditions or conditions of poor lightning or ventilation; and any other work involving tobacco in commercial tobacco estates or commercial tobacco farms.⁴⁰

38. Section 21 of the Employment Act.

39. Section 22 of the Employment Act.

40. Schedule 1 (c) (iii) of the 2012 Order. According to local leaf supplier and following its further consultations with the Ministry of Labor, the hazardous list of the Order needs to be reviewed, as the Ministry of Labor agrees that the listing of hazardous work in the schedule ending with an overall clause that makes all work hazardous is confusing and needs to be corrected. Local supplier and regional PMI team is following up this matter.

- The Labor Minister is empowered, in consultation with relevant organizations of employers and employees, to specify, by notice published in the Gazette, occupations or activities which, in his opinion, are likely to be a hazardous task/activity.⁴¹
- The Labour Minister promulgated the 2012 Order pursuant to section 22 (2) of the Employment Act. This 2012 Order⁴² prohibits all children aged below 18 from being engaged in hazardous work. ⁴³ However, a person aged 16 to 18 may be engaged in hazardous work in all sectors, including the agricultural sector, provided that⁴⁴:
 - i. The health and safety of such a person is fully protected from the hazardous work, and
 - ii. Such person has received adequate training to perform such hazardous work.
- As already provided above, the Schedule to the 2012 Order includes the following on the list of hazardous work in the tobacco sector: topping and suckering activities or handling tobacco leaves in the harvesting process; handling or grading tobacco leaves in damp conditions or conditions of poor lightning or ventilation; and any other work involving tobacco in commercial tobacco estates or commercial tobacco farms.⁴⁵
- In addition, the 2012 Order also includes the following on the list of hazardous work for the entire agriculture sector (including the tobacco sector): handling or applying agricultural chemicals, veterinary drugs, pesticides/insecticides in an agricultural undertaking; handling plants or soil immediately after the application of agricultural chemicals or during any other period specified in chemical labels; curing or processing agricultural products where there is exposure to temperatures or working at heights hazardous to safety, health and well-being of persons; and any other activity involving dangerous machinery, dangerous equipment or dangerous tools.
- It is an offence and subject to a fine and/or imprisonment on conviction with a maximum sentence of three years for any employer who fails to comply with any of the requirements of the 2012 Order.⁴⁶

Requirements applying to farmers' own children or other family members such as nieces and nephews helping on the farmers

- There are not specific references on the laws about this matter. By implication, Section 21 of the Employment allows labor by the farmers' own or dependent children if the children are helping on agricultural activities within their home.

41. Subsection 22(2) of the Employment Act.

42. The Labor Minister published the Employment (Prohibition of Hazardous Work for Children) Order, 2012 [Gazette No. 1 of 2012] (The 2012 Order).

43. Pursuant to section 22 of the Employment Act.

44. Paragraph 6 and Schedule of the 2012 Order.

45. Schedule 1 (c) (iii) of the 2012 Order. According to local leaf supplier and following its further consultations with the Ministry of Labor, the hazardous list of the Order needs to be reviewed, as the Ministry of Labor agrees that the listing of hazardous work in the schedule ending with an overall clause that makes all work hazardous is confusing and needs to be corrected. Local supplier and regional PMI team is following up this matter.

46. Paragraph 9 of the 2012 Order.

Other restrictions or requirements on the employment of workers under 18 years (e.g. limit on work hours, work permits, etc.)

- It is prohibited that a person aged between 14 and 18 work for more than 40 hours a week.⁴⁷
- These are the maximum working hours for a person under the age of 18, who is enrolled in school: (a) 20 hours in a week during the school term; (b) 40 hours in any week that falls entirely within the school holidays; (c) three hours on any school day which is followed by another school day; or (d) four hours on any school day followed by a non-school day, such as a Friday or the last day of a school term.⁴⁸
- It is prohibited that a person aged below 18 from working in an environment involving extreme temperatures below 6° C or above 30° C due to their potential to jeopardize the safety, health, welfare and comfort of persons below the age of 18: (a) unless the cold or hot temperatures are a result of natural climate conditions and adequate measure are taken to protect the person including – (i) adequate protective clothing is provided to maintain optimum body temperature; (ii) presence in such environment shall not exceed one hour of continuous work; (iii) adequate water breaks are taken at reasonable intervals taking into account individual susceptibility; (iv) adequate potable water or any beverage is made available and is conveniently accessible to all persons; and (v) the persons are acclimatized to such working environment; and that work does not exceed four hours every day.⁴⁹
- It is permitted for a person under the age of 18 to only lift weight which is substantially less than lifted by adult workers of the same sex and, in any case, must be reasonable so as not to jeopardize the safety, health and well-being of that person.⁵⁰
- Finally, it is required that the distance and weights which a person under the age of 18 may travel and carry respectively to be practically reasonable so as not jeopardize the safety, health and well-being of that person.⁵¹

47. Paragraph 3(1) of the 2012 Order.

48. Paragraph 3(2) of the 2012 Order.

49. Paragraph 5 of the 2012 Order.

50. Paragraph 7 of the 2012 Order.

51. Paragraph 8 of the 2012 Order.

Principle 2 – INCOME AND WORK HOURS

Summary

ALP MEASURABLE STANDARDS	MARKET LEGAL STANDARDS			COMMENTS
	MATCHES	EXCEEDS	OPPOSES	
Wages of all workers meet, at minimum, national legal standards or agricultural benchmark standards.	Minimum wage for all workers is at K962.00 per day.			<p>Effective 1st July 2017, the minimum wage, including agricultural workers, is K962 per day (equivalent to US\$1.20). The minimum daily wage relates to the normal 8 hour working day. If a worker is required to work outside the normal 8 working hours, overtime is payable. Overtime is payable at the rate of 1½ outside the working hours on each business day and at the twice a rate for non-business day.</p> <p>Please note that there is no sectorial minimum wage in Malawi by the date of this update.</p>
Wages of all workers are paid regularly, at a minimum, in accordance with the country's laws.	Yes, but workers can also be paid at the end of the season provided it is agreed by the worker.			<p>Law does not control the periods for paying wages, provided that the wages are not paid less often than once a week in the case of an employee whose wages are fixed by the hour, day or week, and not less than a month in the case of a permanent employee whose wages are fixed on a monthly or yearly basis. Seasonal workers and/or tenants can be paid on a monthly or weekly basis if it is agreed between the employer and the seasonal worker or tenant. The law does not provide a legal minimum payment frequency for tenants.</p>
Work hours are in compliance with the country's laws.	The normal hours of work of any employee shall not exceed eight (8) hours a day			<p>The regular maximum working hours are 8 hours in a day for 6-day week⁵². Where an employee is asked to work more than eight hours a day, he/she would be entitled to overtime.</p> <p>If a worker is employed for part-time, but would be staying at the farm for the whole season, such as a tenant, this would be deemed to be full-time employment, depending on the terms of the respective employment contract.</p>
Excluding overtime, work hours do not exceed, on a regular basis, 48 hours per week.	Employment Act ⁵³ sets the maximum working hours for an employee at 48 hours a week, excluding overtime.			

52. Section 36 of the Employment Act.

53. Section 36 of the Employment Act.

Overtime work hours are voluntary.	Yes ⁵⁴ , overtime work hours are voluntary.			The regular maximum working hours are 8 hours in a day for 6-day week ⁵⁵ . Where an employee is asked to work more than eight hours a day, he/she would be entitled to overtime.
Overtime wages are paid at a premium as required by the country's laws or by any applicable collective agreement.	Yes, overtime paid at a premium as prescribed under Employment Act ⁵⁶ .			See below the answer on the section 'Requirements that employers must meet to request overtime from workers...'
All workers are provided with the benefits, holidays, and leave to which they are entitled by the country's laws.	Yes, these are provided under Employment Act ⁵⁷ .			See below the answer on the section 'Laws on basic entitlements or benefits...'

Applicable laws

- Employment Act [Cap. 55:01].
- Workers Compensation Act [Cap. 55:03].
- Pension Act [No. 6 of 2011].
- Immigration Act [Cap. 15:03].
- Employment (Prohibition of Hazardous Work for Children) Order.

Laws on regular and overtime wages including laws on in kind payment (e.g. minimum wages, minimum wages agreed with unions, agricultural wage benchmark standards). If a minimum monthly wage is referenced, please indicate how many hours this wage represents

- The Minister of Labor has the authority, in consultation with responsible bodies of workers and employers, to fix scales of minimum wages.⁵⁸ Pursuant to this statutory provision, the Minister has effective 1st July 2017 set the minimum wage of workers, including in the agriculture sector, at K962.00 per day (equivalent to US\$1.20) [Gazette of 2017].
- Section 50 (4) of the Employment Act provides for payment in-kind where it is customary to do so. The Act does not prescribe a maximum amount of the salary being paid in kind, but the expectations are that payment in kind would comprise partial payment of the salary and not payment of the whole salary in kind. In the agriculture sector, it is customary to sell to the workers food rations, particularly maize, value of which is deducted from the salary payable to the workers. The law does not provide guidance on how to determine the value of the in-kind payment. Generally, the value would be an accepted market price for commodities that are sold (i.e. paid in kind) by farmers to workers e.g. maize.

54. Section 39 of the Employment Act.

55. Section 36 of the Employment Act.

56. Section 39 of the Employment Act.

57. Section 44 of the Employment Act.

58. Section 54 of the Employment Act.

Wage and hours laws specific to piece rate workers, seasonal workers, and migrant workers

- The same as the previous answer K962.00 per day (equivalent to US\$1.20).
- Workers can be paid at the end of the season provided it is agreed by the worker.

Other specific rules applicable to migrant workers including any legal requirements to ensure they are legally permitted to work

- Laws require every migrant worker to apply and obtain an appropriate permit in order to stay and work legally in Malawi. Permit applications are required to include proof that the employer has not succeeded to find a duly qualified person within Malawi to fill up the required position to be taken by a migrant worker.⁵⁹
- In addition, migrant workers are prohibited from changing employers within Malawi without the written approval of the Director General of the Department of Immigration and Citizenship Services.⁶⁰
- Be also aware that migrants may also be internal migrants, i.e. cross districts/cross regions. In these cases permits are not required.

Laws on payment of wages relevant to the frequency of payment in agriculture, for example, laws on whether end of season one-time payments are permissible

- The Employment Act does not control the periods for paying wages (provided that the wages are not paid less often than once a week in the case of an employee whose wages are fixed by the hour, day or week and not less than a month in the case of an employee whose wages are fixed on a monthly or yearly basis).
- Law requires employers to inform employees at the time of their appointment the intervals at which remuneration would be paid.⁶¹

Laws on regular and overtime hours (e.g. maximum work hours, requirements for overtime hours to be voluntary)

- It is allowed that parties agree in the employment contract the employee's working hours, and the law sets the maximum working hours for an employee at 48 hours a week, excluding overtime.⁶²
- The regular maximum working hours are 8 hours in a day for 6-day week. Where an employee is asked to work more than eight hours a day, he/she would be entitled to overtime.⁶³
- The Employment Act requires employers to ensure that employees do not work for more than 6 consecutive days without a period of rest, comprising at least 24 consecutive hours. There is no legal option for farmers/workers to waive the right of the 24-hour break after six consecutive working days.

59. Sections 21 and 25 of the Immigration Act.

60. Section 25 of the Immigration Act.

61. Subsection 27(3) (d) of the Employment Act.

62. Section 36 of the Employment Act.

63. Section 36 of the Employment Act.

Employers are also required to ensure that shift workers working six days a week do not work for more than 8 hours a day and shift workers working five days a week do not work for more than 12 hours a day.⁶⁴

- If a worker is employed for part-time, but would be staying at the farm for the whole season, this would be deemed to be full-time employment, again depending on the specific terms of the respective employment contract.

Requirements that employers must meet to request overtime from workers

- The Employment Act provides for three classes of overtime wages: (i) Ordinary overtime i.e. time worked on a working day in excess of the hours normally worked by the employee. Ordinary overtime is paid at an hourly rate of not less than one and half (1½) wage for one hour; (ii) Day off overtime i.e. time worked by an employee on a day on which he would otherwise be off duty. Day off overtime is paid at a rate of not less than twice the normal hourly rate; and, (iii) Holiday overtime i.e. time worked on a public holiday. Holiday overtime is paid at a rate of not less than twice the normal hourly rate.⁶⁵
- The Minister of Labor has the authority, in consultation with responsible bodies of workers and employers, to fix scales of minimum wages.⁶⁶

Laws on basic entitlements or benefits to be paid to workers (e.g. social security, health care, holidays, other leave entitlements etc.)

- Employees are entitled to a period of annual leave with pay (i.e. commensurate to their usual monthly pay) of not less than: (a) 18 working days if the employee works six days a week; and (b) 15 working days if the employee works five days a week.⁶⁷
- Employees are also entitled, upon completing 12 months of continuous service, to at least four weeks sick leave on full pay and eight weeks sick leave on half pay during each year payable at the normal rate of wages.⁶⁸
- Every female employee is entitled to at least eight weeks maternity leave on full pay every three years.⁶⁹
- Law provides for mandatory compensation to workers injured in the course of employment.⁷⁰
- Law requires every employer employing more than five employees to provide for pension.⁷¹
- Law sets the minimum statutory contributory rates at 10% and 5% for the employer and the employee respectively.⁷²
- The Pension Act exempts the following categories of employees/employers from Pension contributions: seasonal employees; tenants, holders of work permits, members of Parliament and domestic workers.

64. Section 36 of the Employment Act.

65. Section 39 of the Employment Act.

66. Section 54 of the Employment Act.

67. Section 44 of the Employment Act.

68. Section 46 of the Employment Act.

69. Section 47 of the Employment Act.

70. The Workers Compensation Act [Cap. 55:03 of the laws of Malawi].

71. Section 9 of the Pension Act [No. 6 of 2011 of the laws of Malawi].

72. Section 12 of the Pension Act.

Principle 3 – FAIR TREATMENT

Summary

ALP MEASURABLE STANDARDS	MARKET LEGAL STANDARDS			COMMENTS
	MATCHES	EXCEEDS	OPPOSES	
No physical abuse, threat of physical abuse, or physical contact with the intent to injure or intimidate	Gender Equality Act ⁷³ protects any person from any form of physical abuse.			
No sexual abuse or harassment	Gender Equality Act ⁷⁴ protects any person from any form of sexual abuse.			
No verbal abuse or harassment	Gender Equality Act ⁷⁵ protects any person from any form of verbal abuse.			Various special laws also provides for penalties involving verbal abuse or harassment such as the Magna Carta for Women, Anti-sexual Harassment law, etc.
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	Gender Equality Act ⁷⁶ protects any person from any form of discrimination.			The New Civil Code also provides for civil damages arising from discriminatory acts
Worker access to fair, transparent and anonymous grievance mechanism	Both the Constitution & Employment Act ⁷⁷ provides these rights.			

Applicable laws

- Constitution of Malawi.
- Gender Equality Act [No. 3 of 2013].
- Disability Act [No. 8 of 2012].
- Employment Act [Cap. 55:01].

Laws defining and prohibiting physical, sexual, or verbal threats, abuse, contact, or harassment

- Constitution grants every person: (i) the right to fair and safe labor practices and to fair remuneration; (ii) the right to form and join trade unions or not to form or join trade unions; and (iii) the right to fair wages and equal remuneration for work of equal value without distinction or discrimination of any

73. Section 5 of the Gender Equality Act.

74. Section 5 of the Gender Equality Act.

75. Section 5 of the Gender Equality Act.

76. Section 20 of the Constitution, section 5 of the Employment and section 13 of the Gender Equality Act.

77. Section 31 of the Constitution and section 4 of the Constitution.

kind, in particular on basis of gender, disability or race. Local courts have given examples of conduct that may be termed as unfair labor practices. Examples include: physical punishment or verbal abuse of the workers.⁷⁸

- Law prohibits any person from committing, engaging in, subjecting a person to, or encouraging the commission of any harmful practice.⁷⁹
- Harmful practice is defined by the Law as meaning a social, cultural or religious practice which, on account of sex, gender or marital status, does or is likely to undermine the dignity, health or liberty of any person or result in physical, sexual, emotional or psychological harm of any person.⁸⁰ Any person who contravenes section 5 is liable to a fine of K1,000,000.00 and/or imprisonment with a maximum period of five (5) years.
- Section 13 of the Disability Act [No. 8 of 2012] prohibits discrimination in any form of employment. Any person who contravenes this section is liable to a fine of K1,000,000.00 and/or imprisonment for 12 (twelve) month maximum period.

Laws defining and prohibiting discrimination

- Section 20 of the Constitution and section 5 of the Employment Act prohibit the discrimination of persons in any form; and all persons are, under any law, guaranteed equal and effective protection against discrimination on grounds of race, color, sex, language, religion, political or other opinion, nationality, ethnic or social origin, disability, property, birth or other status.

Protection of workers from discrimination (workers' rights and employers' obligations)

- Subsection 31(3) of the Constitution entitles every person to fair wages and equal remuneration for work of equal value without distinction or discrimination of any kind, in particular on basis of gender, disability or race.
- Section 5 of the Employment Act prohibits any discrimination on the grounds of race, color, sex, language, religion, political or other opinion, nationality, ethnic or social origin, disability, property, birth, marital or other status or family responsibilities in respect of recruitment, training, promotion, terms and conditions of employment or other related matters. Any person who contravenes this section is liable to a fine of K10,000.00 and/or imprisonment for two years.
- Section 6 of the Employment Act requires every employer to pay employees equal remuneration for work of equal value without distinction or discrimination of any kind, in particular, on basis of race, color, sex, language, religion, political or other opinion, nationality, ethnic or social origin, disability, property, birth, marital or other status or family responsibilities.

Laws on resources for victimized workers including any access to grievance mechanisms

- There are not specific references on the laws about this matter, but there are general rules regarding disputes and complaints procedures under the Employment Law.⁸¹

78. Subsection 31(1) of the Constitution.

79. Section 5 of the Gender Equality Act [No. 3 of 2013].

80. Section 3 of the Gender Equality Act.

81. See s64 of the Employment Act about Disputes and Complaints Procedures.

Principle 4 – FORCED LABOR AND HUMAN TRAFFICKING

Summary

ALP MEASURABLE STANDARDS	MARKET LEGAL STANDARDS			COMMENTS
	MATCHES	EXCEEDS	OPPOSES	
No work under bond, debt or threat	The Constitution ⁸² prohibits any forced labor.			
Workers must receive wages directly from the employer.			The Employment Act entitles an employee to directly receive wages or to nominate another person as a recipient of their wages ⁸³ .	This is a loophole in the law which gives a worker an option to nominate another person, such as a spouse. Spouses can compel each other to surrender wages by nomination of payment. This statutory requirement provides the minimum which must be complied with by the employer.
Workers are free to leave their employment at any time with reasonable notice, without threat or penalty	Workers are free to leave employment at any time with reasonable notice ⁸⁴ .			
Workers are not required to make financial deposits with farmers, labor contractors, or any other third party at the time of recruitment or at any point during employment	Workers are not required to make financial deposits with farmers, labor contractors or any other third party.			
Workers are not charged recruitment fees or other related fees for their employment by labor contractors	Workers are not charged recruitment fees or other related fees for their employment by labor contractors.			
Wages or income from crops and work done are not withheld beyond the legal and agreed payment conditions.	Subject to rights under the law, wages or income from crops and work done are not withheld.			
Farmers do not retain the original identity documents of any worker	Farmers are not allowed to retain the worker's original identity documents.			In practice, this may be abused as farmers tend to retain the documents as security.

82. Section 31 of the Constitution.

83. Section 50(3) of the Employment Act.

84. Section 29 of the Employment Act.

Where farmers are legally required to retain the original identity documents of workers, they provide secure storage protected from unauthorized access and ensure workers have access to their documents upon end of employment	The law does not require a farmer to retain the original documents.			
Where labor contractors are used, farmers verify their labor practices and ensure they are in line with the ALP standards	Malawi labour laws are silent.			
No employment of prison or compulsory labor	This is prohibited by the Constitution ⁸⁵ .			

Applicable laws

- Constitution of Malawi.
- Employment Act.

Legislation on forced labor (including any regulation on identity document retention or wage withholding)

- Section 27 of the Constitution prohibits any form of Slavery, servitude and forced labor.
- Section 51(1) and (2) of the Employment Act entitles every employee in the public or private agricultural sector to receive with each payment of wages an accurate itemized statement from the employer in writing in a form which sets out: the employee's gross wages due at the end of the pay period; the amount of every deduction from his wages during the pay period and the purpose for which each deduction was made; and the employee's net wages payable at the end of the pay period.

Legislation relating to limits or prohibitions on recruitment fees and deposits workers may be required to pay

- There is not express legislation on this. However, this would be caught up by common law under the principles of illegality.⁸⁶

Legislation regulating the operation of labor brokers and other third-party recruiters

- There is not express legislation on this.

Laws on prison labor

- Section 27 of the Constitution prohibits any form of Slavery, servitude and forced labor.

85. Section 27 of the Constitution

86. See s52 (1) (c) of the Employment Act.

Principle 5 – SAFE WORK ENVIRONMENT

Summary

ALP MEASURABLE STANDARDS	MARKET LEGAL STANDARDS			COMMENTS
	MATCHES	EXCEEDS	OPPOSES	
Farmers provide a safe and sanitary working environment	The Occupational Safety, Health and Welfare Act ⁸⁷ requires Employers to provide safe & sanitary working environment.			
Farmers take all reasonable measures to prevent accidents, injury and exposure to health risks.	The Occupational Safety, Health and Welfare Act ⁸⁸ requires Employers to prevent accidents, injury & exposure to health risks.			
No person is permitted to top or harvest tobacco, or to load barns unless they have been trained on avoidance of green tobacco sickness.				The Hazardous List prevents harvesting of tobacco leaves in damp conditions. ⁸⁹ In addition, and by construction, this may be covered under the Occupational Safety, Health and Welfare Act. ⁹⁰
No person is permitted to use, handle or apply crop protection agents (CPA) or other hazardous substances such as fertilizers, without having first received adequate training.	The law does not directly address the issue on fertilizers. By construction, this is covered under the Occupational Safety, Health and Welfare Act ⁹¹ .			
No person is permitted to use, handle or apply crop protection agents (CPA) or other hazardous substances such as fertilizers, without using the required personal protection equipment.	The law does not directly address the issue on CPAs. By construction, this is covered under the Occupational Safety, Health and Welfare Act ⁹² .			

87. Section 13 of the Occupational Safety, Health & Welfare Act.

88. Section 13 of the Occupational Safety, Health & Welfare Act.

89. 2012 Order, s1 (c) (ii).

90. Part VI of the Occupational Safety, Health & Welfare Act.

91. Part VI of the Occupational Safety, Health & Welfare Act.

92. Part VI of the Occupational Safety, Health & Welfare Act.

Persons under the age of 18, pregnant women, and nursing mothers must not handle or apply CPA.				Employment Act ⁹³ prohibits for any child aged below 18 in hazardous work. Paragraph 6(1) of the Ministerial Order ⁹⁴ prohibits a person under the age of 18 from carrying out hazardous work set out in the Schedule to the Order. Paragraph 6(2) of the Order states that such work shall not be prohibited where: (a) the person is aged between 16 and 18; (b) health and safety of that person is fully protected; and (c) the person has received adequate training in performing the activities. ⁹⁵
No person do not enter a field where CPA have been applied unless and until it is safe to do so.	The law does not directly address the issue on CPAs. By construction, this is covered under the Occupational Safety, Health and Welfare Act ⁹⁶ .			
Every person has access to clean drinking and washing water close to where they work and live.	This is provided ⁹⁷ under the Occupational Safety, Health & Welfare Act.			
Accommodation, where provided, is clean, safe, meets the basic needs of workers, and conforms to the country's laws.	This is provided ⁹⁸ under the Occupational Safety, Health & Welfare Act.			

Applicable laws

- The Occupational Safety, Health and Welfare Act.

Requirements for provision of medical protection (availability of first aid kit, health & safety training etc.)

- Section 13 of The Occupational Safety, Health and Welfare Act requires -in general- Employers to provide safe & sanitary working environment.
- Section 33 of the Occupational Safety, Health and Welfare Act requires every occupier of a workplace to provide and maintain a first aid box or cupboard of the prescribed standard which is readily accessible.
- Section 65 of The Occupational Safety, Health and Welfare Act provides for training and information of potential hazards to which one may be exposed to in the work place.

93. Section 22 of the Employment Act.

94. Employment (Prohibition of Hazardous Work for Children) Order, 2012 [Gazette No. 1 of 2012] ("2012 Order").

95. 2012 Order.

96. Part VI of the Occupational Safety, Health & Welfare Act.

97. Sections 28 and 29 of the Occupational Safety, Health & Welfare Act

98. Part VI of the Occupational Safety, Health & Welfare Act

Requirements to report accidents and injuries

- Section 66 of the Occupational Safety, Health & Welfare Act requires written notice of accident, in prescribed form and accompanied by prescribed particulars, to be reported to the Director of Occupational Health, Safety and Welfare where any accident occurs in a workplace that: (a) causes loss of life to a person employed in that workplace; or (b) disables or is capable of disabling any person from carrying out normal duties at which he is employed. Provided that in the case of death or serious injury, the written notice shall, where practicable, be preceded by phone notification or any fastest means of communication available to facilitate immediate investigation.

Requirements for green tobacco sickness training or awareness

- The law does not directly address the issue about green tobacco sickness. By construction, this is covered under Part VI of the Occupational Safety, Health and Welfare Act.

Requirements for PPE needed for using, handling, storing, or disposing of crop protection agents (CPA). This may vary depending on the CPA in question.

- The Hazardous List prevents harvesting of tobacco leaves in damp conditions.⁹⁹ By construction, this is covered under Part VI of the Occupational Safety, Health and Welfare Act.
- Section 59 of the Occupational Safety, Health and Welfare Act provides for general requirements for use, handling, storing or disposing of dust, fumes and other impurity of such a character and to such extent as to be likely to be injurious or offensive to the persons employed or any substantial quantity of dust of any kind.
- Section 65 of the Occupational Safety, Health and Welfare Act requires employers to provide employees sufficient information and training on hazardous substances used at workplaces.

Restrictions on CPA use, handling, storing, or disposing (e.g. restrictions on vulnerable population such as under 18s, pregnant women, nursing mothers interacting with CPA)

- The Hazardous List prevents those aged between 16 -18 to handle tobacco activities unless trained and their safety is covered.¹⁰⁰ In addition and by construction, this is covered under Part VI of the Occupational Safety, Health and Welfare Act.
- Section 59 further provides that all practicable measures, including the supply of breathing masks, shall be taken to protect the persons employed against inhalation of the dust or fume or other impurity and to prevent its accumulating in any workroom, and where the nature of the process makes it practicable, exhaust appliances shall be provided and maintained, as near as possible to the point of origin of the dust or fume or other impurity, so as to prevent it entering the air of any workroom.

99. 2012 Order.

100. 2012 Order.

Other legislation related to CPA, (e.g. where they may be stored or transported, explicit restrictions on specific CPAs, weather conditions under which CPA application may or may not occur, other restrictions limiting contact or exposure with CPA)

- The law does not directly address the issue about green tobacco sickness. By construction, this is covered under Part VI of the Occupational Safety, Health and Welfare Act.
 - Section 51 of the Occupational Safety, Health and Welfare Act provides for general requirements for personal protective equipment needed for using, handling, storing or disposing of hazardous substances. This Act defines hazardous substances to include agricultural or crop protection agents (CPA).
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Requirements related to providing drinking water and safe housing

- Section 29 of the Occupational Safety, Health and Welfare Act requires every occupier shall provide at a workplace an adequate supply of clean and potable drinking water, maintained at suitable points conveniently accessible to all persons employed.
 - In effect, employers are required in terms of the Occupational Safety, Health and Welfare Act to provide adequate supply of clean and potable drinking water to employees at a workplace maintained at suitable points conveniently accessible to all employees.
 - Also, every supply of drinking water which is not laid on shall be contained in suitable vessels, and shall be renewed at least daily, and all practicable steps shall be taken to preserve the water and vessels from contamination; and a drinking water supply whether laid on or not, shall be clearly marked "DRINKING WATER" in English and in such vernacular languages as the Director of Occupational Health, Safety and Welfare may specify.
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Requirements for worker accommodation if provided

- Section 27 of the Occupational Safety, Health and Welfare Act requires every occupier to provide sufficient and suitable sanitary conveniences for persons employed in the workplace, which must be maintained and kept clean, and effective provision must be made for lighting the conveniences and, where persons of both sexes are or are intended to be employed (except in the case of workplaces where the only persons employed are members of the same family dwelling there), such conveniences shall afford proper separate accommodation with a distinct approach for persons of each sex.
 - Section 30 of the Occupational Safety, Health and Welfare Act requires every occupier to provide, for the use of employees at a workplace, adequate and suitable accommodation for hanging or stowing personal clothing not worn during working hours.
 - Besides the above there are not further legal references to workers accommodation and in practice leaf suppliers may apply their own internal guidance, i.e. houses with at least 2 rooms.
-

Restrictions on farm equipment (e.g. maintenance and licensing for operators)

- Section 40 of the Occupational Safety, Health and Welfare Act restricts the operation of lifting machines except by a person trained and competent to operate that machine.

- Also, it is permissible for such machine to be operated by a person who is under the direct supervision of a qualified person for the purpose of training.
- Additionally, section 40 prohibits a person under eighteen (18) years of age shall be employed to operate any lifting machine driven by mechanical power or to give signals to the operator of any such machine.¹⁰¹ For purposes of section 40, the term 'lifting machine' includes crane, crab, winch, toggle, pulley block, gin wheel, transporter or runway.

101. See also S.2 (g) of the 2012 Order.

Principle 6 – FREEDOM OF ASSOCIATION

Summary

ALP MEASURABLE STANDARDS	MARKET LEGAL STANDARDS			COMMENTS
	MATCHES	EXCEEDS	OPPOSES	
Farmers do not interfere with workers' right to freedom of association.	The Constitution ¹⁰² and the Labor Relations Act ¹⁰³ guarantee the workers' right to freedom of association.			
Workers are free to join or form organizations and unions of their own choosing.	The Constitution ¹⁰⁴ and the Labor Relations Act ¹⁰⁵ guarantee the workers' right to freedom of association.			
Workers are free to bargain collectively.	The Constitution ¹⁰⁶ and the Labor Relations Act ¹⁰⁷ provides rights for workers to bargain collectively.			
Worker representatives are not discriminated against.	The Constitution ¹⁰⁸ and the Labor Relations Act ¹⁰⁹ protects workers' representatives against discrimination			
Worker representatives have access to carry out their representative functions in the workplace.				

Applicable laws

- The Constitution of Malawi.
- Labour Relations Act [Cap. 54:01 of the Laws of Malawi].

Laws on organizing unions and their operation (e.g. protections in place for freedom of association, protection against employer interference)

- Subsection 31 (2) of the Constitution provides every person with the right to form or join trade unions. Subsection 32 (1) of the Constitution provides every person with the right to freedom of association, which shall include the freedom to form associations.

102. Section 32(1) of the Constitution.

103. Part II of the Labor Relations Act.

104. Sections 31 (2) and 32(1) of the Constitution.

105. Part II of the Labor Relations Act.

106. Section 31 (2) of the Constitution.

107. Part II of the Labor Relations Act.

108. Section 31(1) of the Constitution.

109. Part II of the Labor Relations Act

- Section 4 of the Labour Relations Act gives every person the right to freedom of association, which includes the freedom to establish and join organizations of his or her own choice.
- Section 6 of the Labour Relations Act protects employees (or any person seeking employment) from being prevented from joining associations or from being dismissed or prejudiced because of trade union membership or participation in the formation or the lawful activities of a trade union.
- Subsection 7(1) of the Labour Relations Act protects membership of an employee in a trade union as long as the employee complies with the rules of the union.
- Subsection 7(2) of the Labour Relations Act (2) prohibits any trade union or similar organization from discriminating in its constitution, rules or through its actions against any person on the grounds of race, color, nationality, ethnic or social origin, national extraction, religion, political opinion, language, sex, marital status, family responsibilities, age, disability, property or birth.

Laws or requirements for collective bargaining

- Section 25 of the Labour Relations Act contains requirements for enterprise-level bargaining.
- Section 26 of the Labour Relations Act contains requirements for sectorial-level bargaining.

Laws related to worker representatives (e.g. requirements for representatives to be in place, protection from discrimination, access to carry out functions in workplace)

- Subsection 11(1) of the Labor Relations Act requires every worker representative organization to be registered in terms of the provisions of this Act. The rights and benefits conferred by this Act upon organizations may be exercised only if those organizations are registered in accordance with the Labor Relations Act.
- Subsection 11(2) of the Labor Relations Act provides that any seven or more members of an unregistered trade union, or two or more members of an unregistered employers' organization, any of whom may be officers of the organization, may apply to the Registrar for registration in the prescribed form. The application for registration is required to be accompanied by: (a) two certified copies of the organization's rules; and (b) the prescribed fee.

Other prohibitions on union discrimination and employer interference

- In addition to the above statutory rights and prohibitions, the employee would be entitled to common law remedies.

Principle 7 – TERMS OF EMPLOYMENT

Summary

ALP MEASURABLE STANDARDS	MARKET LEGAL STANDARDS			COMMENTS
	MATCHES	EXCEEDS	OPPOSES	
At the time of hire, farmers inform workers of their legal rights	It's difficult to ensure that farmers are complying with this.			<p>To ensure that farmers are complying, it may be necessary to incorporate the terms in the Employment Contract.</p> <p>It is also part of the Buyer/ Grower Integrated Production System (IPS) contracts for the farmer to adhere to and communicate ALP principles to their workers.</p>
At the time of hire, farmers inform workers of the essential aspects of the work relationship and work place safety such as work to be performed, working hours, wages paid, period of hire, and all legally mandated benefits	These are included in the Employment Contract.			The Employment Act defines type of contracts and provides what nature of information should be included in those contracts. ¹¹⁰
Farmers and workers have entered into written employment contracts when required by a country's laws and workers receive a copy of the contract.	There is need to ensure that this done.			Random interview of the workers should reveal if this is done or not.
Terms and conditions of employment contracts do not contravene the country's laws.				The terms of the employment contracts comply with the applicable laws.

Applicable laws

- The Employment Act.

Legal requirements to constitute labor/employment relation

- There is need of contract of employment. The contract can be written or oral.
- What is required is that there is a request/offer by the employer for the workers' services for pay/ consideration and the worker agrees/accepts to provide those services. Either offer or acceptance can be express or implied from the dealings between the employer and the worker.
- In practice, leaf suppliers encourage the written labor agreements, which will normally include: (i) worker names (ii) working hours; and (iii) wages.

110. Sections 25 (2) and 27 (3) of the Employment Act.

Laws and regulations on employment contracts (incl. necessity for written employment contracts, and if is not what are the grounds to consider the existence of a verbal employment agreement)

- There is no written employment contract for workers as such. However, section 27 of the Employment Act requires every employer to give to each employee a written statement of particulars of employment. In *Chasowa v Ibrahim Cash 'n Carry [2008] MLLR 385 (IRC)*, the Industrial Relations Court held that it was a duty of an employer in terms of section 27 of the Employment Act to draw up terms of the employment, even where the parties did not draw up a written contract, and give them to an employee.
- In general, there is not a legal limitation to agree on a 'part-time work contract'¹¹¹ for a specific period of time –i.e. from Oct. to Feb.-, and for non-exclusive obligations, thus this would fall under the contract for a specified period of time as envisaged in the Employment Act. The labor laws set for the following type of labor contracts: (a) a contract for an unspecified period of time; (b) a contract for a specified period of time; and (c) a contract for a specific task¹¹². In addition, the Employment Act recognizes 'share croppers tenant' as employees¹¹³. However, the Employment Act does not develop any further the characteristics of the 'sharecropping tenant' agreement.
- All share cropper tenant agreements are subject to Malawi labour laws, particularly the Employment Act. In the circumstances, it is always prudent for the farmers to ensure that the share cropper tenant are provided with the minim requirements as set out under the Employment Act. Conceptually it may be possible commercial tenants' agreements. However, it is very rarely and or difficult to really find commercial tenants in Malawi in the tobacco fields. In addition, it will be a challenge on the ground to identify when you will face a 'sharecropping tenant' agreement versus a landing and/or commercial tenant agreement, which is not subject to the labor rules. In particular, because the basis of both agreements may be similar, so both types of tenants will receive a piece of land and will agree to produce an X volume of tobacco to be delivered a Y price at the end of a season. Now, in the case of facing this situation, a basic answer/approach to help you to differentiate among these tenants will be the independency and autonomy characteristics present on a commercial tenant versus the lack of it by the tenant worker. That said, the commercial tenant should have his/her own financial capabilities, although the landowner would provide him/her the land and some inputs. To the contrary, a tenant worker does not have the financial capability and will depend fully of the landowner. So, the landowner will provide -in addition to the land and crop inputs- food, housing, medicines/personal cleaning stuff (i.e. soap). These additional inputs may be deducted from the payments to tenant worker.
- As said before, the tenant worker agreement is a not exclusive agreement if not made to be exclusive by the contracting parties (the employer and the worker). A tenant worker, including a tenant share cropper, could do other activities as far as comply on-time with the activities agreed with the landowner in terms of their employment contract.¹¹⁴

111. We refer here a "part time work contract" as an agreement with the following characteristics: (i) a specific duration, i.e. 10 months; and (ii) an agreement on the total amount to be paid to the worker, agreed before starting the work, and calculated, for example, using the potential number of days to be worked by the worker.

112. Section 25 of the Employment Act.

113. Section 3 of the Employment Act.

114. Three additional comments on the tenant workers situations: (i) their payment is a price of the tobacco agreed beforehand with the landowner. This price is influenced by the guidance provided, in some crop seasons, by the Tobacco Control Commission (TCC) in coordination with Farmer Associations (FA), and, this price guidance takes into account cost of production. Cost of Production takes into account the per day minimum legal wage (Further references, see ARET - <http://www.aret.org.mw/> - as the key stakeholder involved in coming up with government minimum prices for tobacco in Malawi). (ii) It is possible to add during the "Z" duration of the contract some additional days of work or additional activities to do, and the additional tobacco delivered shall be paid at the price effective in the market or indicated by the guidance set by the TCC/FA.

- According to the information provided by the leaf supplier, in practice the landowner is the 'farmer' for the purpose of the production agreement, and the one executing this agreement with the company.

Required content for written employment contracts

- Written employment contract is required to include the following particulars:
 - a. the names of the employee and of the employer;
 - b. the date of commencement of the contract;
 - c. the rate of remuneration and the method of calculating remuneration;
 - d. the intervals at which remuneration is paid;
 - e. the nature of the work to be performed;
 - f. normal hours of work;
 - g. any provision for termination of the contract other than those provided by this Act;
 - h. any disciplinary rule applicable to the employee.

Deadline for contract conclusion (e.g. on date of hire or within 30 days of hire etc.)

- The labor agreements can be verbal/oral or written. In case of written agreements, the employer has up to 1 month –counted from the date of hiring and reporting to work- to provide the worker with a written statement with the terms of employment.¹¹⁵

Requirements for various types of contract (indefinite term, definite term, temporary workers, and probationary workers)

- Section 25 of the Employment Act provides that an employment contract can be in any one of the following forms: (a) a contract for an unspecified period of time; (b) a contract for a specified period of time; and (c) a contract for a specific task. Therefore, this would be constructed as a way to differentiate permanent and temporary contracts and piece-rate agreements.
- Where the purpose or effect of a contract is for the filling of a lasting basis of a post connected with the normal and permanent activity of an undertaking, the contract shall be deemed to be a contract of employment for an unspecified period of time.
- In a contract of employment in respect of a skilled worker, section 26 of the Employment Act provides that parties may agree on the duration of the probationary period provided that the period cannot, in any event, exceed twelve months. During a probationary period, a contract of employment may be terminated at any time by either party without notice.

115. Section 27 of the Employment Act.

Requirements for termination of employment (termination with or without cause, wrongful dismissal, notice periods required to end employment etc.)

- Section 57 of the Employment Act prohibits termination of contract employment by an employer without cause or justification. Section 57 requires that there must be a valid reason for termination connected with the capacity or conduct of the employee or based on the operational requirements of the undertaking. Where the reasons of termination relate to the capacity or conduct of the employee, the employment shall not be terminated before the employee is provided an opportunity to defend himself against the allegations made (unless the employer cannot reasonably be expected to provide such an opportunity).
- It is clear from the preceding paragraph that a combination of substantive and procedural justice would always amount to fair dismissal. If one of them is missing or if both of them are missing, the result leads to unfair dismissal.
- It is also clear that the law identifies the causes of termination as emanating from issues of conduct, capacity or operational requirements.
- Courts have found the following to be some of the causes for termination: dishonesty, fraud, habitual absenteeism, late reporting for duties, refusal to take lawful orders, refusal to go on transfer, offering unauthorised credit facility, undermining authority, driving without authority, careless driving, refusal to write a disciplinary report, failure to follow regulations, carrying unauthorised passengers on an official motor vehicle, abuse of company facilities, damaging company property, assault, sleeping on duty, breaking national laws, violent threats against superiors, failure to meet deadlines, unlawful divulging of information, failure to account for stock, lack of commitment to duty and negligence.
- The Employment Act sets out the minimum notice period for termination of employment. Notwithstanding this, an employer and an employee may agree on a longer notice period.
- A contract of employment for a specified period of time shall automatically terminate on the date specified for its termination and, unless it is expressly or impliedly renewed or prolonged, no notice shall be required for its termination.
- A contract of employment for an unspecified period of time may be terminated by either party upon giving the other the following minimum period of written notice:
 - a. where the contract is to pay wages at a monthly rate, one month's notice;
 - b. where the contract is to pay wages at a fortnightly rate -
 - (i) one fortnight's notice where the employee has been employed for less than five years; and
 - (ii) one month's notice where the employee has been continuously employed for at least five years;
 - c. where the contract is to pay wages at a weekly rate -
 - (i) one week's notice where the employee has been employed for less than two years;
 - (ii) one fortnight's notice where the employee has been continuously employed for a period of not less than two years but not exceeding five years; and
 - (iii) one month's notice where the employee has been continuously employed for at least five years;
 - d. where the contract is to pay wages at a daily or hourly rate -
 - (i) one day's notice where the employee has been employed for less than six months;
 - (ii) one week's notice where the employee has been continuously employed for a period of not less than six months but not exceeding two years;

(iii) one fortnight's notice where the employee has been continuously employed for a period of not less than two years but less than five years; and

(iv) one month's notice where the employee has been continuously employed for a period of at least five years.

- Although the Employment Act provides that both the employer and the employee can terminate the contract of employment by giving notice under sections 28 and 29, in reality, the right to terminate a contract by mere notice is only available to the employee. The employer, must, in addition to the notice, also comply with provisions of section 57(1) and 57(2) of the Employment Act, which require that before any unilateral termination of a contract by an employer, the employee must be furnished with valid reasons, and in cases of misconduct or incapacity, the employee must be afforded an opportunity to be heard.
- Finally, it is worthy to mention that it is possible to terminate the labor agreement based on a breach of the ALP/GAP program, as far as in the labor agreement is set that worker shall comply with it. Keep in mind that the labor agreements may be verbal, therefore it would be challenging if the agreement is verbal to evidence the potential transgression.

Options for farmers to obtain legal assistance about their obligations (e.g. government departments, local labor offices, farmer associations etc.)

- Depending on the relevance of the legal issue to the respective institution, farmers may obtain legal assistance from different institutions, including the following:
 - a. Tobacco Association of Malawi (TAMA);
 - b. National Smallholders Farmers Association of Malawi (NASFAM);
 - c. Ministry of Agriculture (advice obtained from the Ministry of Justice);
 - d. Ministry of Labour;
 - e. District Labour Offices;
 - f. Local legal counsel of choice; or
 - g. Directorate of Legal Aid (Ministry of Justice and Constitutional Affairs).

Specific requirements for leaf growing contracts (e.g. government-imposed templates, government approval of contracts, freedom to choose terms of contract)

- The integrated production system (IPS), which was introduced in Malawi in October 2011 and adopted fully by May 2012, is gaining more ground in the country. There is a template for IPS in Malawi, and also the Tobacco Control Commission (TCC) IPS template, and also the possibility that leaf buyers have set up tailor-made contract documents to enter into contract farming under the IPS scheme.
- The Tobacco Association of Malawi (TAMA) acts as a link between leaf buyers and tobacco growers. It therefore ensures that the signed contracts are discharged by all parties in a fairest manner. The Tobacco Control Commission approves contracts under the IPS.
- Some leaf buyers say that evidence shows that the IPS has proven to be the best system of producing and marketing tobacco in Malawi as IPS is believed to offer sustainability for Malawi's tobacco industry.

116. In addition to TAMA, there are several Grower Associations in Malawi, for example: NASFAM, PHINDU etc.

Appendix IV – Materials provided to the farmers

Posters on ALP - Chichewa (left) and English (right)

MCHITIDWE WOGWIRITSA ANA NTCHITO
 LAMULO LA NTCHITO M'MALAWI, (NDIME 55 GAWO 2)
 OSALEMBA KAPENA KUGWIRITSA NTCHITO ANA OCHEPERA ZAKA 18 MUULIMI WA FODYA

Pasapezeke mwana akugwira ntchito iliyonse ya fodya

Mwana aliyense wamsinkhu opita kusukulu ya pulaimale kapena sekondale akuyenera kupita kusukulu nthawi zonse

ALLIANCE ONE TOBACCO LTD., (MALAWI) P.O. Box 30522, Capital City, Lilongwe 3, Malawi Tel: (265)1710 044 Fax: (265)1710 322
 E-Mail: AQIMW-ALP@aointl.com

CHILD LABOUR
 PROHIBITION OF EMPLOYMENT OF CHILDREN IN HARZADOUS WORK (Cap. 55:02)
 PERSONS UNDER 18 (FAMILY OR HIRED) SHOULD NOT BE INVOLVED IN THE TOBACCO PRODUCTION:

There shall be no child labour in tobacco production.

All school going age children (primary or secondary) should be enrolled and ensure that they are attending classes

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Chitetezo Pamalo a Ntchito
 Lamulo la ntchito ndime 55 gawo 2 likuletsa ana kugwira ntchito. Anthu amene sanakwanitse zaka 18 asagwirire ntchito ina iliyonse yokhudzana ndi fodya

MALO OGONA

- Nyumba ikhale yamakoma olimba bwino
- Osagona anthu ambiri munyumba imodzi
- Nyumba ikhale ndi mazenera abwino olowera mpweya
- Osagona m'chipinda chophikira
- Nyumba ikhale ndi bafa ndi chimbudzi chabwino
- Nyumba ikhale pafupi ndi madzi a ukhondo

MANKHWALA

- Tsatani malangizo moyenera
- Osankhiza kapena kulawa mankhwala
- Sungani zipangizo kutali ndi ana
- Mulimi asphunzitsidwe za zindikiro za matenda
- Amayi omwe akuyamwitsa komanso oyembekezera asagwire mankhwala
- Zipangizo ndi mankhwala zikidwe m'malo otseka kuti ana asathe kutenga
- Mulimi akuyenera alowe m'munda pokhapokha patapita nthawi yotalikirapo kuchokera pa nthawi imene mwaperamanso mankhwala
- Mankhwala asungidwe m'nyumba kapena m'chipinda chomwe chili ndi chitetezo chokwanira

ZOVALA ZODZITETEZERA

- Tsatirani malangizo bwino lomwe
- Sungani zipangizo posafikira ana
- Valani zodzitetzeza
- Kadziwitseni alangizi anu ngati pali vuto

MADZI

Nyumba ya mulimi ndi antchito ake zikhale ndi madzi akumwa, ophikira, otsukira ziwya ndi ochapira a ukhondo

MATENDA A CHIKONGA CHA FODYA
 Awa ndi matenda omwe mungatenge ngati mukuthyola fodya musanavale modzitetzeza (malaya aatali ndi thalauza)

Kapewedwe kake

- Valani zovala zodzitetzeza (malaya aatali manja ndi thalauza)
- Thyotani kapena kugwira fodya masamba alibe chinyezi komanso m'munda muli mowuna

Zindikiro za matenda a Chikonga

- Kufooka
- Kuthamanga kwa mtima
- Kutuluka thukuta ndi magazi
- Kuwawa kwa mutu ndi chitsunguire
- Kubankika
- Kuchita nselu kapena kusanza
- Kutuwawa kwa khungu

Ngati mwaona zindikiro, chitani izi:

- Siyani kuthyola fodya
- Vulani zovala zanu zakuda ndi zonyowa
- Sambani ndi sopo kuti muchotse utomoni wa fodya
- Imwani madzi ambiri
- Kakhaleni pa mthunzi ndikupumula

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SAFE WORK ENVIRONMENT
 Cap 55:02 (Prohibition of Harzadous Work for Children) Order 2012.
 No children under the age of 18 years to be involved in tobacco production (Family or hired)

ACCOMMODATION

- Houses should be in good condition
- Not too many people in one room
- Houses should have proper ventilation
- Kitchens should have proper ventilation
- There is availability of bathroom and toilet

CPA HANDLING

- Follow all instructions on container properly
- Do not smell or taste chemicals
- Keep away from children
- Farmer should train workers about GTS Prevention
- Pregnant and breast-feeding mothers should not handle or apply CPA
- Dangerous tools and equipment should be locked away from children's reach
- Worker should only enter the field after minimum amount of time allowed after CPA application to protect against poisoning

PERSONAL PROTECTIVE EQUIPMENT

- Follow all instructions properly
- Keep out of reach of children
- Use protective gear

WATER

- Farmer's and workers houses should have access to clean water for drinking, cleaning utensils and washing clothes
- Workers should have access to clean water at all times

GREEN TOBACCO SICKNESS
 It is an illness you may get by handling wet, green tobacco leaves

Prevention

Wear protective clothing (long sleeve shirt and trousers, work in dry conditions and do not harvest or handle wet green tobacco)

Symptoms

- Body weakness
- Excessive sweating
- Breathing difficulties
- Paleness
- Fluctuating blood pressure and heart rate
- Headache and dizziness
- Nausea/vomiting

If you have symptoms of GTS, do the following

- Stop harvesting or handling tobacco immediately
- Take off wet clothes to avoid further contamination
- Wash off residue of tobacco leaves with soap
- Drink lots of water
- Take a rest under a shade

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UFULU WA ALIMI PA NTCHITO

CHILUNGAMO PA NTCHITO

Mimi awonetsetse kuti pasakhale kukondera kukonse kwa ogwira ntchito:

- Paliye kusopezana, kapena kufuna kuvulazana kukonse.
- Pasakhale malankhulidwe aukali, ndi zogonana mokamakiza.
- Pasakhale kusankhona potengera ntundu wa muntthu, khungu, kutengera kuti ndi mwamuna kapena mkaŵi, chikwauligiro, kusiyana magwirano pa ndole, magulu oyimira antchito, kapazedwe uzitika, kusiyana maliko ochokera ndi zina...
- Akhale ndi mwaiy wopereka madandaulo mwachitsinsi mosafundisidwa ndi aliynse.

KUGWIRA NTCHITO MOWUMIRIZIDWA NDI KUZEMBETSEDWA

- Antchito asagwire ntchito mokamakizidwa, mwaukapolo kapena mopghwana malamulo
- Mimi asasunge ndalama ya antchito mokamakiza mopghwera muyeso
- Mimi asasunge zikalata za antchito mokamakiza
- Mimi asalembe ntchito mkaŵi kapena muntthu mokamakiza

NTCHITO, MAOLA NDI MALIPIRO A OYENERA

- Malipiro a wamtchito asachepere mlingo womwe boma linakhazitsa (MK962.00 patsiku)
- Antchito apatsidwe malipiro munyengo woyenera
- Maola a ntchito akhale owmerereka komanso asapitilire maola 48 pa mulungu/sabata
- Ntchito ya ganju mu nyengo wiyantchito isakhale yokamakiza
- Antchito apatsidwe cholowa monga masiku opuma

UFULU WOKHALA M'MAGULU

Antchito akhale ndi ufulu wokhala m'magulu

- Omeriyera ufulu asankazidwe kufika pa munda
- Omeriyera ufulu wa ogwira ntchito kapena magulu akhale ndi mpata wopangitsa msonkhano pa munda wanu kapena pafupi nanu

KUTSATIRA MALAMULO

- Antchito adziwitsidwe za ufulu wawo
- Mimi ndi wamtchito alemberane zokhudza ntchito yawo ndipo aliynse asunge umboniwo
- Zosalinana mu mgwirizano zisatsatane ndi malamulo a dziko

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FARM WORKERS RIGHTS

FAIR TREATMENT

Farmers shall ensure fair treatment of workers.

- There is no threat or physical abuse, with the intent to injure or intimidate
- There is no verbal, sexual abuse or harassment
- There is no discrimination on the basis of race, color, caste, gender, religion, political affiliation, union membership, status as a worker, citizenship, or nationality etc.
- Workers have access to a fair, transparent and anonymous grievance mechanism

FORCED LABOUR AND HUMAN TRAFFICKING

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

- Workers do not work under bond, debt or threat and must receive wages directly from the employer
- Workers are free to leave their employment at any time with reasonable notice, without threat or penalty.
- Workers are not required to make financial deposits with farmers, labor contractors, or any other third-party, at the time of their recruitment or at any point during their employment, and shall not be charged recruitment fees or other related fees for their employment by labor contractors
- Wages or income from crops and work done are not withheld beyond the legal and agreed payment conditions.
- Farmers do not retain the original identity documents of any worker. Where farmers are legally required to hold documents, they shall provide secure storage, protected from unauthorized access, and ensure workers have access to their original identity documents upon end of employment
- Where labor contractors are used, farmers verify their labor practices and ensure they are in line with the standards.

INCOME AND WORK HOURS

Wages of ALL workers to meet minimum country's requirements.

- Wages of all workers (including for temporary, piece rate, seasonal, and migrant workers) meet, at a minimum, national legal standards or agricultural/benchmark standards
- Wages of all workers are paid regularly, at a minimum, in accordance with the country's laws.
- Overtime work hours are voluntary
- Excluding overtime, work hours do not exceed, on a regular basis, 48 hours per week.
- All workers are provided with the benefits, holidays, and leave to which they are entitled by the country's laws

FREEDOM OF ASSOCIATION

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

- The farmer does not interfere with workers' right to freedom of association.
- Workers are free to join or form organizations and unions of their own choosing and to bargain collectively.
- Worker representatives are not discriminated against and have access to carry

TERMS OF EMPLOYMENT


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

- At the time of hire, farmers have informed workers of their legal rights, the essential aspects of work relationships and work place safety such as work to be performed, working hours, wages paid, period of hire, and all legally mandated benefits
- Farmers and workers have entered into written employment contracts when required by a country's laws and workers receive a copy of the contract
- Terms and conditions of employment contracts do not contravene the country's laws

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ALP brochure

- Chichewa



NYCHITIDWE OGWIRITSANA NTCHITO


Dzandira kapena kugwiritsa ntchito ana ochepera zaka 18 mu umu wa fodya.



NTCHITO, MAOLA NDI MALIPIRO OYENERA


Malipiro agwirizane ndi ntchito komanso akhale okwanira kupezera zosowa za muntthu.


Anthu asagwire ntchito mopankazika kapena mopambana maola okhazikitsidwa ndi malamulo.



Zoyenera kutsala

- Malipiro a ogwira ntchito onse (kupalitizapo aganju) akhale osachepela mlingo umene udakhazikitsidwa m' malamulo adziko. (K962,000 patsiku)
- Malipiro aperekedwe mu nthawi yake molingana ndi malamulo adziko.
- Maola ogwirira ntchito agwilizane ndi malamulo koma mwajira liyonse asapitilire maola 48 pa sabata.
- Maola owonjezera pa ntchito asakhale okamakiza.
- Malipiro a ntchito yogwirira pa nthawi yoonjezira ailingane ndi malamulo a dziko kapena motsatana ndi mgwirizano womwe udakhazikitsidwa.
- Anthu ogwira ntchito akuyenela kupatsidwa zowayeneleza kuti ntchito yawo iyende bwino komanso mpata wopuma molingana ndi malamulo a dziko.





Kampani ya Alliance One ndiyodzipeleka kuthana ndi mchitidwe wolembe komanso kugwiritsa ntchito ana kuti ionse komwe izi zingachitike, ndipo ndiyokonzekanso kukhala ndi ndondomeko zabwino zakagwili dwe kanchitilo ku minda yonse komwe kumalimvika fodya yemwe kampani ya Alliance One imagaliko mdziko muno.

Ndondomeko imeneyi imathandiza chilinganzochi pomasulira lamuloli, komanso mfundo ndi milingo yomwe Alliance One ikuyembekeza kuti minda yomwe ili nayo pangwirizano wogwira fodya ikwanitise.

Tsinda la ndondomekoyi likuchokela pa malamulo a dziko okhudzana ndi ntchito, komanso malamulo a lungwe laikulu loyang'ana malamulo a pantchito pa dziko lonse lapansi.

Mfundo ndi milingo zandondomekoyi zayenera kumasuliridwa ndi kukhazikitsidwa motsatana ndi malamulo lafotokozawa.

Kuthandiza alimi omwe tili nawo pa mgwirizano wolima fodya kuti akhale osungu lamuloli zikuthandizidwanso ndi mfundo zakayendetsedwe kabwino kanchitilo zomwe Alliance One idakhazikikano.

Tidagwirira ntchito ndi onse omwe imalumikizana nawo pa nthawi ya fodya ndi cholinga choti timvetsetse matululo omwe makastomata ndi alimi athu amakumana nawo, ndi kugwirira ntchito imodzi yopeza mayankho a mawone kuti pakutero tizawenelise zomwe lamuloli likwana.

Alliance One ikudziwanso kuti nthawi zina boma ngati mkhalapapati, ndi tonse imathandiza kwakukulu kupeza mayankho okhazikika a malamulo okhudzana ndi zantchito, komanso mfundo zomwe makampani a fodya ndi ona angazulitse.



Alliance One ndi yokonzeka kukambilana ndi mabungwe onse omwe nthawi ikuwakuziza ndi cholinga chopititsa patsoyolo malamulo a pantchito.


Alimi omwe tili nawo pa mgwirizano wolima fodya adzathandizidwa kuti athe kutsalla lamuloli powephunzisa ndikuwapeza zowayeneleza kulero.

Kumbali yawo, alimi adzapemphedwa kukunikanso njira zomwe amatsatila m' kagwidwe kawo kanchitilo ya fodya pofanizidwa ndi zofunika zomwe zili m'ndondomekoyi, ndi kusintha mwina ndi mwina ngati ndi kofunika kulero.

Mabungwe oyima pakha azidzafufuza kuti awone ngati ndondomekoyi ikutsidwa.

NDONDOMEKO ZOVOMELEZEKA PA NTCHITO ZA ULIMI M'MALAWI



KUGWIRA NTCHITO MOWUMIRIZIWA NDI KUZEMBETSEDWA
Anthu ogwira ntchito mwakufuna kwavavo osali mokakamidzwa.

Zoyenera kutsata

- Anthu asagwire ntchito momangila, movogweseadwa komanso akuyenera kulandira malipiro avo mivachindunji kuchokera kwa ovalamba ntchito.
- Anthu ogwira ntchito akhale ndi ufulu vositya ntchito nthawi ina itiyonse koma atepereka chizibwino chokwanira kwa ovalamba ntchito.
- Anthu ogwira ntchito asakamizidwe kupereka kapena kusungitsa ndalaima kwa ovalamba ntchito.
- Malipiro a ntchito asakhale ochepa kulekhana ndi malamulo adziko.
- Alimi asasunge zilupa za ogwira ntchito avo.
- Milimi asalembe kapena kugwiritsa ntchito anthu mokakamiza.



CHITETEZO PA MALO A NTCHITO

- Alimi avonetsetse kuti anthu akugwira ntchito m'malo okhava amene ali otetezedwa popevya ngodi ndikuchepetsa chioposozo kumalenda.
- Maio ogona ngali aperekedwa, akhale aukhondo komanso oyenera kukwanitsa zosova zamuntshu wogwira ntchito.

Zoyenera kutsata

- Milimi avonetsetse kuti malo onse ogwirako ntchito akhale osamudira bwino, aukhondo, othandiza kupevya ngodi komanso kuchepetsa malenda.
- Ogwira ntchito saikulolelwa kuthana kapena kuthyola fodya, kapenanso kupakika fodya pokhapokha ataphunzitsidwa pa za kapewedive kanthenda yakuzza kamba kokuzza chikonga chafodya.
- Ogwira ntchito saikulolelwa kugwiritsa ntchito, kugwira kapena kupopera mankhala a mtundu ulivonse monga fetereza, asaphunzitsidwe moyenera komanso asanavale zozidzitelezera.
- Milimi avonetsetse kuti mankhala asungidwa pamalo otetezeka bwino komanso osafikira ana.
- Amayi oyembekazera komanso amayi oyamvitsa saikulolelwa kugwira kapena kupopera mankhala antundu ulivonse.
- Anthu ogwira ntchito saikulolelwa kulova m'munda umene wapopedve kapena kuthiridwa mankhala pokhapokha pakhale chitsamkizo kuti ndikoyenera kutero.
- Milimi avonetsetse kuti kumalo onse ogwirako ntchito komanso kunyumba ya antchito kukhala bafa ndi chimbudzi ka ukhondo.



UFULU WOKHALA M'MAGULU
Alimi azindikire ndi kulemekeza mafufuu a anthu a pantchito monga ufulu wosonkhana ndi kusamirana nuno zopitisa patsozimo umoyo wavo pantchito.

KUTSATIRA MALAMULO
Alimi akuyenera kutsata malamulo onse okhuzana ndi ntchito m'adziko lino.


Zoyenera kutsata

- Alimi adzivitse antchito za ufulu wavo, za malamulo antchito komanso ndondomeko zokhuzza ntchito pamene akujamba ntchito.
- Alimi ndi anthu avo antchito asajinirane pangano la ntchito molingana ndi malamulo a dziko komanso kuvonetsetsa kuti zotembedwa m'panganoli zasungidvanso ndi anthu otembedwa ntchito ngali umboni.
- Ndondomeko za kagwiridwe ka ntchito zisatsutsane ndi malamulo a dziko othandiza kagwiridwe kantchito.




Zoyenera kutsata


- Milimi asalowerere ndi kusokoneza ufulu wa anthu ogwira ntchito pomwe asonkhana.
- Anthu ogwira ntchito komanso alimi ali ndiufulu wosonkhana pamodzi komanso kuyambitsa magulu ku mtima kwavo ndi kusamirana pamodzi.
- Anthu woyimira magulu asasaliwede komanso akhale ndi ufulu wogwira ntchito zivone anasankhidwa.




- English




NO TO CHILD LABOUR
There shall be no child labour. No children under the age of 18 shall be involved in tobacco production (family or hired).



INCOME AND WORKING HOURS
Income earned during pay period or a 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.




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

- There is no physical abuse, threat of physical abuse or physical contact with the intent to injure or intimidate.
- There is no sexual abuse or harassment.
- There is no verbal abuse or harassment.
- 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.
- Workers have access to a fair, transparent and anonymous grievance mechanism.



Measurable Standards

- Wages of all workers (including for temporary, piecework, seasonal, and migrant workers) meet, at a minimum, national legal standards or agricultural benchmark standards. (9662,00/day)
- Wages of all workers are paid regularly, at a minimum, in accordance with the country's laws.
- 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.
- Overtime work hours are voluntary.
- Overtime wages are paid at a premium as required by the country's laws or by any applicable collective agreement.
- All workers are provided with the benefits, holidays, and leave to which they are entitled by the country's laws.






Alliance One International, Inc. (AOI) is committed to eliminate child labour and other labour abuses where they are found and to achieve safe and fair working conditions on all farms from which AOI sources tobacco.

This Agricultural Labor Practice Code supports this objective by defining the labour practices, principles and standards AOI expects to be met on all farms with which AOI has contracted to purchase tobacco. This Code is based on State and National Labour Laws and the labor standards of the International Labour Organization (ILO) Declaration on Fundamental Principles and Rights at Work and other relevant ILO conventions. The principles and standards of this code must be interpreted and implemented in line with these laws and ILO conventions.

Supporting contracted farmers to remain in compliance with the Agricultural Labour Code and its underlying principles is supported by the Core Values of Alliance One International, Inc. We will work with our entire supply chain to understand issues, both with customers and contracted farmers, and work collaboratively towards solutions to ensure compliance. AOI recognizes that in some cases long term solutions to labor issues are best supported through government regulatory intervention, industry initiatives and other stakeholders' involvement. AOI is committed to engaging with all relevant parties toward improvements in farm labour practices and compliance with the Code.

Farmers contracted to grow tobacco for AOI will be supported in complying with the Code through training and technical support. For their part, farmers are expected to review their practices against the Code requirements and make changes accordingly to ensure compliance verifiable through independent audits.



MALAWI AGRICULTURAL LABOUR PRACTICES

NO FORCED LABOUR AND HUMAN TRAFFICKING
All farm labour must be voluntary. There shall be no forced labour.

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.

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

TERMS OF EMPLOYMENT
Farmers shall comply with all laws of the country relating to employment.

Measurable Standards

- Workers do not work under bond, debt or threat and must receive wages directly from the employer.
- Workers are free to leave their employment at any time with reasonable notice, without threat or penalty.
- Workers are not required to make financial deposits with, farmers, labour contractors and employers.
- Wages or income from crops and work done are not withheld beyond the legal and agreed payment conditions.
- Farmers to not retain the original identity documents of any worker.
- The farmer does not employ prison or compulsory labour.

Measurable Standards

- The farmer provides a safe and sanitary working environment, and takes all reasonable measures to prevent accidents, injury and exposure to health risks.
- No person is permitted to top or harvest tobacco, or to load barns unless they have been trained on and taken adequate protection to avoid green tobacco sickness.
- 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.
- Pregnant women, and nursing mothers must not handle or apply CPA.
- Workers do not enter a field where CPA have been applied unless and until it is safe to do so.
- Workers have access to clean drinking and washing water close to where they work and live.
- Accommodation, where provided, is clean, safe, meets the basic needs of workers, and conforms to the country's laws.
- Farmer should ensure CPA containers are locked in a safe place and away from children.
- Worker should have proper bathroom and toilet.

Measurable Standards

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

Measurable Standards

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

Farmers and suppliers are expected to apply this Code in a **diligent and transparent** manner, and to work with AOI on **continuously improving** agricultural labour practices.

Farmer-worker contract template - Chichewa

MGWIRIZANO PAKATI PA MLIMI NDI OLEMBEDWA NTCHITO

Mbiri Ya Olemba Ntchito
Dzina: Dzina la Kalabu/Esiteti: Mudzi:

Mfumu ya ikulu (T/A): Boma: Nambala ya IFAS:

Mbiri Ya Olembedwa Ntchito
Dzina: Mudzi: Mfumu ya ikulu (T/A):

Boma: Zaka: Mamuna/Mkazi:

Masiku a Mngwirizano
Tsiku Loyambira: Tsiku Lomaliza: Kutalika kwa Mngwirizano:

Malipiro (Malipiro, kuphatikiza ndi zolandira zina, asachepera mlingo wa boma wa MK962 patsiku kapena MK25,000 pamwezi)
Pa Chaka (MK): Pa Mwezi (MK): Pa Tsiku (MK):

Zolandira Zina (Chitsanzo: chimanga, ndalama za ku chigayo, ndi zina zotero)
.....

Maola Ogwilira Ntchito pa Tsiku
Kuyambira: Mpaka:

Masiku Opumulira (Chitsanzo: la mulungu)
.....

Ntchito Zoyembekezeka Kugwiridwa ndi Olembedwa Ntchito
.....

Zifukwa Zomwe Zingapangitse kuti Mngwirizanowu Uthe
.....

Zomwe Olemba Ntchito Akuyembekezeka Kukwaniritsa

- Kulipira malipilo omwe mngwirizana pa nthawi yake
- Kupereka kwa olembedwa ntchito nyumba yogonamo yabwino ndi yotetezeka, madzi akumwa aukhondo, malo ophikira, bafa labwino ndi chimbudzi cha ukhondo.
- Kuwonetsetsa kuti olembedwa ntchito waphunzitsidwa za matenda odza kamba ka chikonga cha fodya (GTS) komanso kuti wapatsidwa zovala zoyenera kudzitetezera ku matendawa.
- Kuwonetsetsa kuti olembedwa ntchito waphunzitsidwa moyenera kagwiritsidwe ntchito ka mankhwala ndi zina zowopseza moyo, zovala zozitetezera, za mitengo ndi kalimidwe ka fodya kosamala chilengedwe.
- Kuwonetsetsa kuti palibe mchitidwe ogwiritsa ntchito ana ndi mchitidwe ozembetsedwa ndi kuwumirizidwa kugwira ntchito pa mundapo.
- Pasakhale kulemba/kugwiritsa ntchito ana ochepera zaka 18.
- Kuwonetsetsa kuti ana onse a mnsinkhu oyenera kupita kusukulu okhala nawo pa mundapo akupita ku sukulu ndi kulowa mkalasi.

MGWIRIZANO PAKATI PA MLIMI NDI OLEMBEDWA NTCHITO

KAUNDULA WA MALIPIRO						
Mwezi	Ndalama(MK)	Mtengo Wa Chimanga Cholandira	Ndalama za ku Chipatala/ Mankhwala	Zina (phatizani mtengo wa sopo, ndiwo, ndi zina zonse zolandira)	Sayini ya Watchito	Tsiku
Ogasiti						
Sepitembala						
Okotobala						
Novembala						
Disembala						
Januwale						
Febuluwale						
Malichi						
Epulo						
Meyi						
Juni						
Julaye						

MALAMULO OKUTI ATSATIDWE

Malipiro asachepere	K962.00 pa tsiku kuvambira pa 1 Julaye, 2017
Malipiro a ntchito yowonjezera	Gawo limodzi ndi theka la malipiro pa ola limodzi hilonse lowonjezera; Magawo awiri a malipiro a pa ola ngati munthu wagwira ntchito tsiku loyenera kupuma (monga la Mulungu); Magawo awiri a malipiro a pa ola ngati munthu wagwira ntchito tsiku la tchimthi (holide).
Zaka Zovomerezeka Kugwira Ntchito	Pasakhale kulemba kugwiritsa ntchito ana ochepera zaka 18.
Maola ogwilira ntchito	Maola 8 pa tsiku; Kuwonjezera apo munthu akuyenera kulipidwa nthawi yowonjezera
Ufulu okhala mmagulu	A ntchito akhale ndi ufulu wokhala mmagulu amene iwo akufuna kulowa malingana ndi zolinga zawo.
Ndondomeko zovomelezeka pa ntchito ya ulimi (ALP)	Mlimi Olembedwa nthito akuyenera kutsatira ndondomeko zovomelezeka pa ntchito ya ulimi.
Zovala zodzitetezera pa ulimi	Gwiritsani ntchito zovala zonse zodzitetezera pa ulimi zomwe mwalandira

Sayini ya Olemba Ntchito/Mlimi:

Mboni:

Tsiku:

Sayini ya Olembedwa Ntchito:

Mboni:

Tsiku:

Personal Protective Equipment- CPA application (face shield, mask, gloves (missing full body cover))



Gloves for handling green tobacco

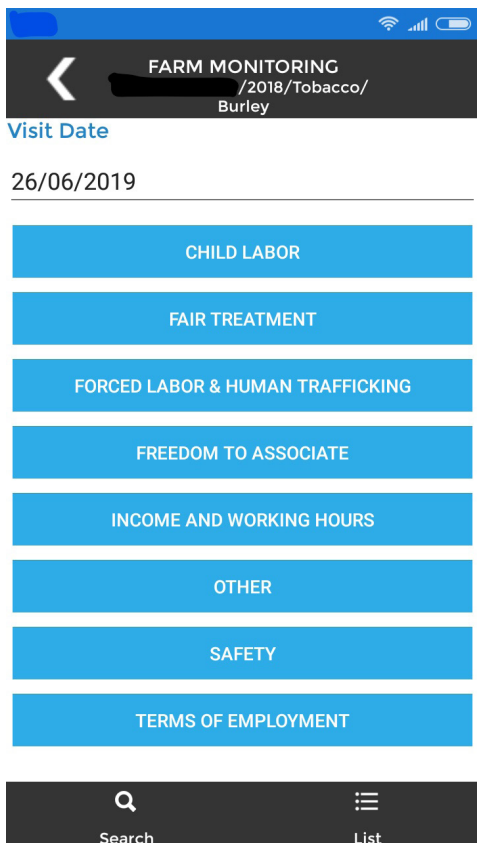
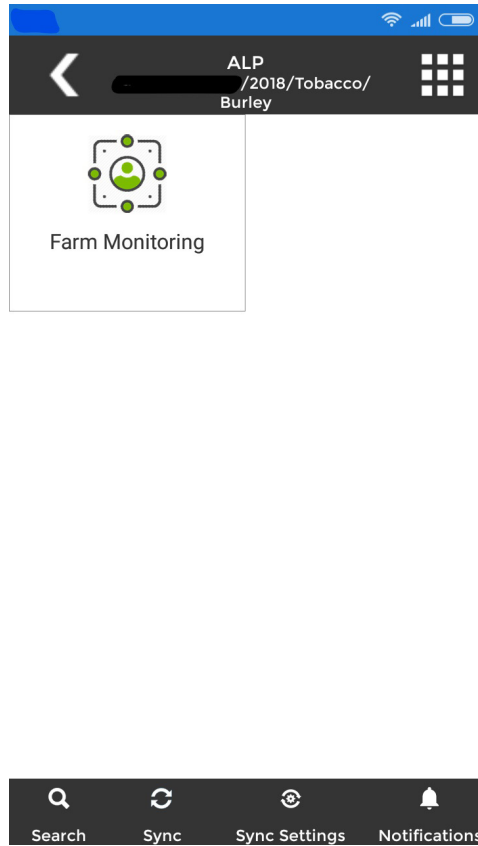
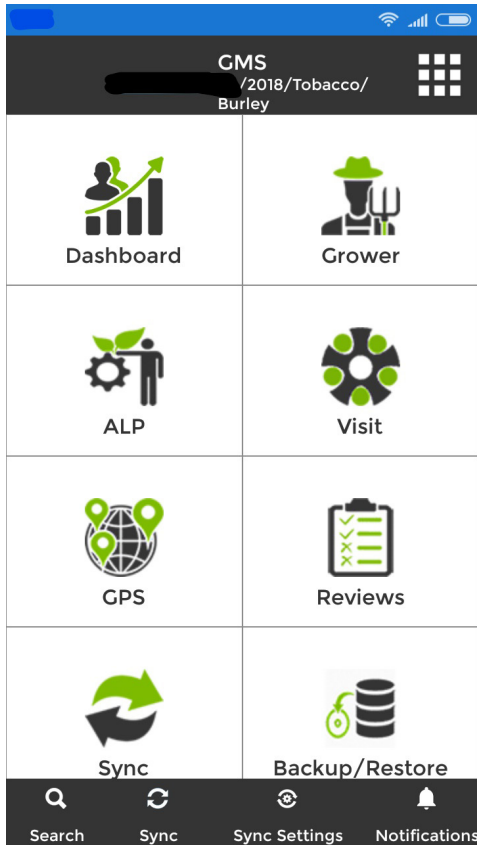


Incident reporting in the ALP booklet

INCIDENT REPORT
FOR ALL PILLARS – CROP, PEOPLE, ENVIRONMENT

DATE	TIME	PILLAR	INCIDENT	ACTION TAKEN BY LT	FOLLOW-UP REQUIREMENT	SIGN WHEN CLOSED
						Farmer Sign
						LT Sign
						Farmer Sign
						LT Sign
						Farmer Sign
						LT Sign
						Farmer Sign
						LT Sign
						Farmer Sign
						LT Sign

Appendix V – GMS system for leaf technicians



Appendix VI – Glossary

ALP	Agricultural Labor Practices
ALP Code Principle	Short statements that set expectations of how the farmer should manage labor on his/her farm in seven focus areas
ALP Code	PMI’s Agricultural Labor Practices Code
ALP Program	Agricultural Labor Practices Program
AOTM	Alliance One Tobacco Malawi Ltd
CPA	Crop Protection Agents
CU	Control Union
GAP	Good Agricultural Practices
GTS	Green Tobacco Sickness
KPI	Key Performance Indicator
Leaf tobacco supplier	Company that has a contract with PMI to supply tobacco but is not a farmer
Measurable Standard	A Measurable Standard defines a good labor practice on a tobacco farm and helps determining to what extent the labor conditions and practices on a tobacco farm are in line with the ALP Code Principles
MWK	Malawi Kwacha (Malawian currency)
NGO	Non-Governmental Organization
PMI	Philip Morris International, Inc. or any of its direct or indirect subsidiaries
PPE	Personal Protection Equipment
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
STP	Sustainable Tobacco Production