

Decent Work in Agriculture & the Global Food Chain An International Framework

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PROMOTING DECENT WORK IN AGRICULTURE

- “Decent work” sums up the aspirations of people in their working lives. It involves opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organise and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men

DECENT WORK: FOUR PILLARS

- Pillar One: **Labour Rights & Standards**
- Pillar Two: **Employment**
- Pillar Three: **Social Protection**
- Pillar Four: **Social Dialogue**

Labour Rights & Standards: Pillar 1 of ILO Decent Work

- Rural labour markets – weak, poor governance
- Agricultural workers often exempted from labour laws & codes protecting industrial and commercial workers
- Lack of freedom of association & collective bargaining
- Gender inequality & discrimination
- Forced labour/Slavery, Trafficking, Bonded labour
- Migrant labour exploitation is a growing phenomenon
- Majority of child labour is in agriculture - 59%
- Agricultural trade unions organising hired workers are weak
- (State) Labour inspection: non-existent or weak in rural areas
- Long agricultural/food supply chains make applying labour rights and standards more problematic

Fundamental Principles & Rights at Work ILO CORE LABOUR CONVENTIONS

- Freedom of Association & Protection of the Right to Organise, No. 87, 1948 (workers & employers)
- Right to Organise & Collective Bargaining, No. 98, 1949
- Equal Remuneration, No. 100, 1951
- Discrimination (Employment & Occupation) No.111, 1958
- Forced Labour, No. 29, 1930
- Abolition of Forced Labour, No.105, 1957
- Minimum Age for Admission to Employment, No. 138, 1973
- Worst Forms of Child Labour: Prohibition or Immediate Action, No. 182, 1999

Fundamental Principles & Rights at Work ILO GOVERNANCE CONVENTIONS

- Four “Governance” Conventions have now been designated as being on par with the eight core labour conventions
- Labour Inspection (Industry & Commerce), No. 81, 1947
- Labour Inspection (Agriculture), No.129, 1969
- Employment Policy, No. 122, 1964
- Tripartite Consultation (International Standards), No. 144, 1976

ILO Declaration on Fundamental Principles & Rights at Work

- In 1998, the International Labour Conference, 1. Recalls:
 - (a) that in freely joining the ILO, all Members have endorsed the principles and rights set out in its Constitution and in the Declaration of Philadelphia, and have undertaken to work towards attaining the overall objectives of the Organisation to the best of their resources and fully in line with their specific circumstances;
 - (b) that these principles and rights have been expressed and developed in the form of specific rights and obligations in Conventions recognised as fundamental both inside and outside the Organisation.

ILO Declaration on Fundamental Principles & Rights at Work

- In 1998, the International Labour Conference, 2. Declares that all Members, **even if they have not ratified the Conventions in question**, have an obligation arising from the very fact of membership in the Organisation, **to respect, to promote and to realise, in good faith and in accordance with the Constitution, the principles concerning the fundamental rights** which are the subject of those Conventions, namely:
 - (a) freedom of association and the effective recognition of the right to collective bargaining;
 - (b) the elimination of all forms of forced or compulsory labour;
 - (c) the effective abolition of child labour; and
 - (d) the elimination of discrimination in respect of employment and occupation.

ILO Conventions in Agriculture/Rural Sector

- No. 10: Minimum Age (Agriculture), 1921
- No. 11: Right of Association (Agriculture), 1921
- No. 12: Workmen's Compensation (Agriculture), 1921
- No. 25: Sickness Insurance (Agriculture), 1927
- No. 36: Old-Age Insurance (Agriculture), 1933
- No. 38: Invalidity Insurance (Agriculture), 1933
- No. 40: Survivors' Insurance (Agriculture), 1933
- No. 99: Minimum Wage Fixing Machinery (Agriculture), 1951
- No. 101: Holidays with Pay (Agriculture), 1952
- No. 110: Plantations, 1958
- No. 129: Labour Inspection (Agriculture), 1969
- No. 141: Rural Workers' Organisations, 1975
- No. 184: Safety and health in agriculture, 2001

EMPLOYMENT: Pillar 2 of Decent Work

- "Employment relationship" between workers and their employers is often lacking or unclear - "grey areas"
- Undeclared (hidden) work (migrant workers); false self-employment
- Temporary/Casual labour increasing - less permanent employment
- Low wages - cheap labour
- No written contracts of employment
- "Flexibilisation", "casualisation" of employment - short-term to zero contracts, outsourcing
- Labour contracting increasing - abuse by « gangmasters »; especially migrant labour

EMPLOYMENT: Pillar 2 of Decent Work

- Feminisation of the workforce - women's rights, discrimination, inequality, sexual harassment
- Migrant labour increasing globally; often under poor to highly exploitative labour conditions
- Precarious employment and vulnerable groups of workers on the increase
- Ministries of Agriculture (FAO) stronger than Ministries of Labour (ILO) who deal with farmers, not with hired workers

SOCIAL PROTECTION: Pillar 3 of Decent Work

- Agriculture one of the THREE most dangerous sectors (ILO)
 - 355,000 on-the-job fatalities p.a.; 50% in agriculture
 - 270 million occupational accidents per annum
 - 160 million cases of occupational disease per annum
- Accident/occupational disease reporting systems absent
- Occupational safety & health risk assessment missing
- Machinery accidents - guarding, tractor turnovers;
- Toxic chemicals - pesticides, disinfectants, veterinary products
- Heavy and awkward loads; Repetitive work, Falls & Trips
- Hot and cold temperatures - heat stress, hypothermia
- Long hours of work and continuous work
- Physical violence & sexual harassment

SOCIAL PROTECTION: Pillar 3 of Decent Work

- Less than 20% of agricultural workers and smallholder farmers are adequately covered by benefits from social security systems
- Health insurance; Medical care; Sickness & maternity benefits; Unemployment benefits; Family benefits; Employment injury, Invalidity & survivors' benefits, Pensions
- Housing and living conditions often poor – agricultural workers live where they work
 - Cramped accommodation
 - Lack of sanitation
 - Lack of clean drinking water

SOCIAL DIALOGUE: Pillar 4 of Decent Work

- Weak social dialogue between agricultural employers and workers, and even with governments (industrial relations)
- National trade/labor unions and also farmers' (agricultural producers) organisations are often poorly organised and weak
- Many global (labor) unions negotiate "global framework agreements" with multinational companies to guarantee workers rights, remuneration, and working (& living) conditions
- Voice of agricultural workers and (smallholder) farmers is often absent from, or only weakly represented in, national agricultural policy discussions, planning, and decision-making

The RIGHT TO FOOD

- The right to adequate food is realized "when every man, woman and child, alone or in community with others, has physical and economic access at all times to adequate food or means for its procurement
 - The right to adequate food shall therefore not be interpreted in a narrow or restrictive sense which equates it with a minimum package of calories, proteins and other specific nutrients."
 - RTF is supported by the UN Convention on Economic and Social Rights
- United Nations Special Rapporteur on the Right to Food - an honorary position, nominated by the UN Human Rights Council

Human Right to Food: Obligations

- **States:** have the obligation to respect, protect and fulfill the right to food of agricultural workers and their families
- **Agricultural employers:** have a responsibility to respect the right to food, even where laws are insufficiently protective of agricultural workers or where the existing labour legislation in agriculture is inadequately implemented and enforced
- **Agribusiness companies - commodity buyers, food processors and food retailers:** have a responsibility to respect the right to food of agricultural workers in their supply chain and market sourcing, and in their pricing and wage policies

