

## **Promoting Women Workers' Rights in African Horticulture**

### **Overview of research into conditions on horticulture farms in Kenya, Zambia, Tanzania and Uganda**

**September 2007**

**Tanzania Plantation and Agriculture Workers Union  
Uganda Workers Education Association  
Workers Education Association of Zambia  
Kenya Women Workers Organisation  
Women Working Worldwide**

## Acknowledgements

Angela Hale, the late Director of Women Working Worldwide was the driving force behind this project. Following her work with KEWWO in Kenya in 2002, which resulted in the establishment of the Horticultural and Ethical Business Initiative, she went on to organise the Lusaka conference in recognition that the problems on Kenyan farms may be found throughout the region. She used her expertise built up over twenty years of working on women's labour rights issues to design a project that has been highly successful in achieving its objectives. Her sudden death in September 2005 remains a huge loss to our organisation.

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## Author

Rachel English

The overview is based on the reports of WWW's project partners:

- *Working Conditions in the Horticulture and Floriculture Industry in Kenya*, Kenya Women Workers Organisation
- *Uganda – Promoting Women Workers' Rights in African Horticulture: The Case of Uganda*, Uganda Workers' Education Association
- *Action Study Report on the Situation and Needs of Horticulture Workers in the International supply chain: The Case of Tanzania*, Tanzania Plantation and Agricultural Workers' Union
- *Research Report into the Conditions of Zambian Horticulture Workers*, Workers' Education Association Zambia

The above reports are available at the partners' discretion. Please email [kate.women-ww@mmu.ac.uk](mailto:kate.women-ww@mmu.ac.uk) or ring 01612476171.

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## **Promoting Women Workers' Rights in African Horticulture**

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#### **Introduction**

This document gives an overview of the research conducted into the situation of women workers in the African horticultural sector between 2005 and 2007. The research was conducted by local organisations in Kenya, Zambia, Tanzania and Uganda and has been summarised by Women Working Worldwide.

#### **Section 1. Background information.**

##### **1.1 Project background**

The research has been undertaken as part of the three year project 'Promoting Women Workers' Rights in African Horticulture' which commenced in January 2005. This project was initiated following a workshop in Lusaka in December 2003 when local organisations reported that, whilst workers clearly welcomed the employment opportunities provided by the expansion of vegetable and flower production, there was widespread discontent about what they saw as abuse of their rights. This included not only workers' rights, such as the right to a living wage and a safe working environment, but also their human rights, such as their right to live with their families and to have access to clean drinking water.

The project that was designed following this workshop aimed to use action research, training of workers and national and international advocacy to effect significant improvements in the labour rights environment for workers on horticulture farms in the participating countries. At national level, the work has been undertaken by four project partners:

Kenya Women Workers Organisation (KEWWO)  
Tanzania Plantation and Agricultural Workers Union (TPAWU)  
Workers Education Association of Zambia (WEAZ)  
Uganda Workers Education Association (UWEA)

In Zambia field officers from the National Union for Plantation and Agricultural Workers (NUPAAW) carried out interviews with workers and in Uganda the National Union for Plantation and Agricultural Workers (NUPAWU) also assisted UWEA in accessing workers during the research phase.

Whilst more work needs to be done, significant achievements include:

- At least 6,000 workers have joined their local union/workers organisation
- Over 6,000 workers have been trained in topics such as labour rights in national law and codes of conduct, health and safety and women's rights. Trained trainers will continue the process of educating workers beyond the project's lifetime.
- Around 1,000 workers were interviewed about the working conditions on the farms.
- 24 multi-stakeholder meetings have led to the formation of working relationships with key stakeholders such as farm management, trade unions, government representatives and exporter/employer/producer organisations. There has been significant and encouraging commitment from national organisations to support the process of grassroots change.
- Partners have been able to document noted improvements on farms during the course of the project, as well as identify areas where problems remain.
- At an international level, engagement with key stakeholders (European retailers and agents) in the supply chains will be established with the objective of improving auditing practices on farms and initiating discussions on the effect of purchasing practices on workers.

## 1.2 Research aims and methodology

This research has aimed to document:

- working conditions on flower and vegetable farms in partner countries
- the companies operating in international supply chains
- workers rights embodied in both company codes and national law  
the educational needs of workers.

Being an action study, the research was conducted with an eye to both knowledge and action. Actions that have been enabled by this research include:

- the design of educational materials for worker training was based on the knowledge gaps highlighted by the research.
- the outcome of the research informed the formation of advocacy strategies at national, regional and international levels.

This research shows that whilst there are problems on East and Southern African farms, there is a commitment for improvement amongst many stakeholders in all countries and some good work has already been done, as is reflected in the research findings.

### *Research interests of the partners*

Whilst all the research reports investigated the three core points of the umbrella project (outlined in the above paragraph), each partner organisation identified a series of secondary focuses reflecting issues that had been raised as particularly serious or in need of exploration at a national level. Thus whilst issues that affect workers on farms across

the region are highlighted in this analysis, the reports are not uniform and differ in structure and emphasis.

**Research interests of partners**

<p><b>Kenya</b></p> <p>The details of supply chain links, including subcontracting from main farms          The extent to which improvements are taking place following HEBI audits          The conditions on farms not covered by existing mechanisms          The specific problems facing casual workers          Gender issues and how they can be addressed.</p>	<p><b>Tanzania</b></p> <p>The main supply chains to Europe          The conditions on non-unionised farms          The situation of casual workers and how to include them in negotiating agreements          The specific needs of women workers</p>
<p><b>Uganda</b></p> <p>The extent of employment in horticulture and floriculture and the main supply chains          The working conditions on the farms and the situation relating to women’s rights          The proportion of casual workers on different farms          The extent to which farms are covered by codes of conduct and other forms of regulation          The nature of employer/employee relationships and possibilities for organising</p>	<p><b>Zambia</b></p> <p>The main supply chains to Europe          The proportion of permanent, seasonal and casual labour          The situation in relation to the freedom of association          The abuse of workers rights, particularly in relation to health and safety          Gender discrimination in relation to pay and other issues</p>

The extent to which partners were able to satisfy their research objectives differs from case to case. In Kenya, the Horticulture Ethical Business Initiative has not yet begun to conduct social audits on farms and capacity issues meant that it was difficult to access the smaller farms supplying to main farms and usually not covered by existing mechanisms. In Tanzania it proved very difficult to access workers on non-unionised farms. In Uganda it proved very difficult to gather supply chain information as workers were afraid of loosing their jobs.

*Crops grown on the farms in the study*

During the course of this project, the research teams covered both flower and vegetable farms. The table below gives details of the farms studied in each country.

<b>Country</b>	<b>Flowers</b>	<b>Mixed vegetables</b>
Tanzania	6	5
Uganda	10	-

Kenya	11	3
Zambia	5 (3 also grow some veg)	6
<b>Total</b>	<b>32</b>	<b>14</b>

### *Research methodology*

The bulk of information presented in the country reports was gathered using qualitative participatory research methodology consisting of interviews using pre-prepared questionnaires, focus group discussions with workers and multi-stakeholder workshops. Both male and female workers were interviewed. Kenya and Uganda chose to select workers randomly, whilst Tanzania and Zambia made efforts to ensure the representation of all categories of workers (casual, seasonal and permanent working in all areas of the production process on the farms). Both Tanzania and Zambia only interviewed workers on farms where the union already had a presence. The workers' interviews and focus groups discussions were supplemented by interviews with management personnel, government officials, trade associations, NGOs and union representatives.

### **Workers interviewed per country**

Country	Male	Female	Total
<b>Tanzania</b>	45	93	138
<b>Uganda</b>	176	176	352
<b>Kenya</b>	66	134	200
<b>Zambia</b>	70	210	280
<b>Total</b>	<b>357</b>	<b>613</b>	<b>970</b>

The advantage of this participatory method of research, having gained the trust of employees, is that workers are able to voice concerns that they may not have felt confident enough to reveal in a non-participatory auditing process used by some buyers. It is therefore a more accurate way of gauging the real issues affecting workers.

Participatory research was accompanied by a review of union records (where they could be accessed), relevant legal documentation, research papers and reports.

The research has been conducted with a view to collating gender sensitive information in order to highlight problems particularly relevant to women workers. Women form the majority workforce on horticulture farms in East and Central Africa. On the whole they occupy positions that are perceived as un or low skilled and are consequently in the lowest pay brackets on the farms. A gender analysis in Section 2 will examine the issues pertaining to the position of women on these farms in more detail.

### **1.3 Sector overview**

The horticulture industry is a significant and growing employer in the four countries studied. In Uganda, horticulture sector employs about 20,000 workers, with the floriculture sector employing approximately 6,000 – 9,000 workers. This figure is

expected to rise up to 12,000 in the near future as, according to researchers at UWEA, flower farming is taking root in the western region of Uganda where the climate seems to be more favourable. The floriculture industry has grown enormously over the last two decades, with exports valued at \$1.7million in 1994 and \$22 million in 2000, between 1998 and 2004 the volume of flower exports increased four times. However Floriculture Magazine has recently reported that the Ugandan market is currently suffering from price erosion caused by exporting directly to retailers, who demand lower prices than auction houses (FloraCulture International 11/1/2006). The industry also faces challenges posed by the pending economic partnership agreement with the EU, high airfreight charges and lack of government subsidies.

In Tanzania the horticulture industry has been exporting to European markets for around 20 years. The cut flower industry is more recent with the first farms emerging in the early 1990s. The horticulture sector as a whole is now thought to employ around 9,000 people and is dominated by foreign-owned farms. There appears to have been a rise in production on the large farms in recent years and a growth in the number of workers employed in the sector, this growth is set to continue in the near future as several farms are working on expansion programmes. Government loans and subsidies have assisted the industry in achieving this growth.

Kenya remains the largest horticultural exporter in Africa, with export volumes increasing 10% to 15% per year. According to the Kenyan Women Workers' Organisation (KEWWO) output has risen from 26,000 tonnes to over 60,000 tonnes in the last decade with an export value of billions of shillings. The cut flower industry alone employs around 56,000 workers, approximately two thirds of whom are women. Long term concern about the working conditions of horticulture workers has led to a number of initiatives directed at improving workers' welfare. There have however been reports that Kenya's flower market is suffering from competition from Ethiopia, suffering a 15% decrease in profit (FloraCulture International 11/1/2006).

Zambia also reports phenomenal growth rates in the export of cut flowers and exotic vegetables over the last decade. According to a study on ethical trade in horticulture, in the period of 1995-2002 production of rose flowers increased by 152% and that of vegetables by 238%. The sector employs between 10,000 and 12,000 workers.

Despite intense competition and shifting locations, Africa is set to become increasingly important in horticulture supply chains to Europe. This growth trend is in response to the increasing demand for year-round availability, high quality standards, a wide variety of produce and, of course, the cheap prices that now characterise the UK and other European markets. African markets also increasingly challenge Dutch producers who cannot compete on labour and other costs. Thus on the one hand the European market has grown and is increasingly looking to Africa to supply its consumer needs. However on the other hand, the number of entry points to this market has not increased, it has in fact reduced.



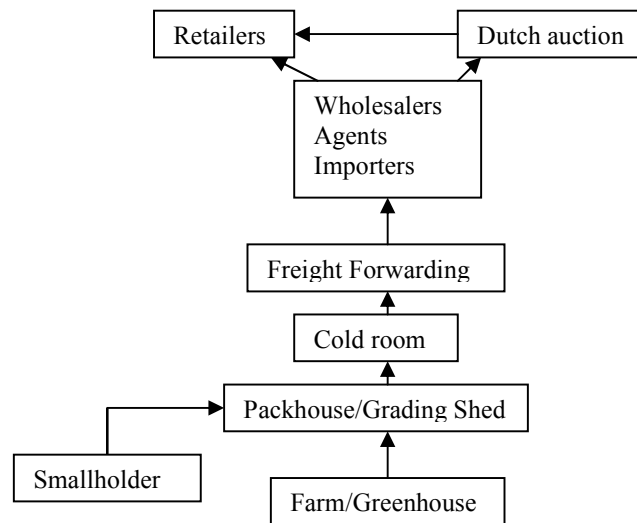
Over the last decade, grocery retailing in the UK and Europe as a whole has undergone a period of aggressive competition and consolidation. The UK market is now controlled by four large retailers (Tesco, Morrisons, Asda and Sainsbury's) who further increase their buying power in European-wide buying consortiums. A strong trend towards mergers and consolidation amongst wholesalers in the 1990s has also led to fewer, very strong companies active in Western Europe. Additionally, retailer buying trends have meant that they now choose single 'category captains' who can supply up to 50% of the product annually, with a number of supporting companies making up the total.

Therefore, despite increased export demand, power and control rest with the buyers rather than the producers. This power can be used to dictate exacting terms in respect to price, quality, delivery schedules, production techniques and so on. This pressure and power asymmetry is extremely significant, but not the only factor responsible for a failure to adhere to national and international labour rights standards in the horticulture industry.

*"Africa will continue producing as long as there is demand . . . and, of course, cheap labour. Therein lies Africa's competitive advantage."* FloraCulture International 11/1/2006 consider putting this at the front of the report

#### **1.4 The horticulture supply chain**

The horticulture supply chain is relatively simple compared to that of, for example, the garment industry. Europe forms the major export market for East and Central African horticulture. Within the floriculture market, the majority of exports go to Dutch auction houses where they are sold to wholesalers and retailers. The remaining volumes are sold to a direct market. For example in Uganda approximately 70% of the flowers are sold to Dutch auction houses, the rest are sold directly to retailers who offer a more stable price. Large European retailers are increasingly avoiding the auction houses and looking to either purchase directly from suppliers or to operate through large wholesalers. At the other end of the chain, smaller farms sell produce to larger farms who act as in-country wholesalers. The use of fully and partially integrated production is especially common in the cut flower industry.



In terms of vegetable supply, there is a slight difference between greengrocers and vegetable markets, which purchase stock from wholesale market who source from smaller and medium sized growers and the supermarket chain, which sources directly from suppliers and importers and tend to favour a more integrated supply chain. Reverse auctions are also used; these do not offer long term stability to the farmer.

The relative simplicity of the horticulture supply chain when looking at supply chains supplying to UK retailers directly or via agents renders it transparent enough to monitor. Whilst gathering information is difficult, the number of linkage points up the chain can be relatively few. Thus, it is possible to track the connection between the workers, who retain the least profits from goods, and the retailers, who benefit most from the production and sale of the produce. As described above, this is a buyer driven chain in which buyer control is increasing as power is consolidated.

However, flowers bought through the Dutch auction system are more difficult to track. The MPS rating of the flower is shown on the auction clock which is used in purchasing (buyers stop the clock once the price has reduced to an acceptable level), and more information on the source of the flower is available on the internet. However, it is very difficult to ascertain whether buyers are regularly buying from the same farm, or simply choosing the best quality and priced flowers on a given day regardless of the source. It is difficult to identify regular relationships between retailers and supplying farms, and instead the focus of campaigning is on the auction houses themselves and the importing agents that supply them.

### 1.5 Codes of Practice

Whilst this research has not focused on analysing the effects of social codes of practice in the horticulture industry, it is useful to have an overview of the codes that are currently in operation on some of the farms in East and Southern Africa. Below is a table showing the Euro-based labelling codes applicable to the flower industry.

Label name	Target group	Market	Release	Characteristics
<i>International</i>				
Fair Flowers & Plants (FFP)	International growers, traders and importers of flowers and plants	Consumers	2004	International consumer label for flowers; Environmental and social criteria in the product chain of flowers based on the International Code of Conduct (ICC) for cut flowers, the Milieu Programma Sierteelt (MPS) the Flower Labelling Programme, but does not replace these (business to business) labels. Announcement in 2003, date of release not yet known.
International Code of Conduct for Cut Flowers (ICC)	International growers of flowers and plants	Flower trading organisations	1998	Developed by a coalition of European NGOs and the International Union of Food and Agricultural Workers. ICC contains criteria on human rights (based on the UN Declaration of Human Rights), labour conditions (based on ILO standards) and basic environmental criteria (the use of pesticides and chemicals).
EUREPGAP Control Points and Compliance Criteria for Flowers	International growers of flowers and plants	European supermarkets	2003	Protocol for the production of flowers and ornamentals in order to guarantee product safety. The protocol has been developed by flower labelling organisations and a coalition of (mainly British) supermarkets and is intended to be used as a procurement standard (business-to-business).
Milieu Programma Sierteelt (MPS)	(Mainly) growers of flowers and plants	Traders	1995	Collection of labels in various classifications (MPS A, B, C) for environmental management, social and human resource management. Origin in the Netherlands but aiming for international application.
<i>Germany</i>				
Flower Label Programme (FLP)	Growers of flowers in developing countries and trade organisations supplying the German market	Consumers and Traders	1999	The Flower Labelling Programme (FLP) is a business-to-business label targeted at growers in developing countries exporting to the German market. The Flower Label Programme criteria are identical to the ICC criteria on human rights, labour conditions and environmental criteria. Since its release, 47 flower farms in Ecuador, Kenya, Tanzania and Zimbabwe have accepted independent monitoring and comply with the standards set out in the Flower Label Programme and the ICC.
<i>The Netherlands</i>				
Milieukeur	Dutch growers of flowers and plants	Dutch consumers	2001	Environmental criteria for flowers and plants grown in greenhouses. Eight certified companies in 2003.

Other codes in operation on the farms include the voluntary codes of buying companies, multi-stakeholder codes such as the ETI base code and nationally-based industry codes such as those of the Kenyan Flower Council (KFC), the Ugandan Flower Export Association (UFEA), and the Zambian Export Growers Association (ZEGA). The multiplicity of codes operating in this sector, as well as lack of trade union/NGO and worker involvement in auditing practices are the greatest concerns regarding the operation of codes of practice.

### 1.6 Obstacles to the research

In Uganda there was significant opposition from many farm owners to the research component of the project. Whilst eventually allowing researchers onto the farms, farm owners remained largely uncooperative and concerned about the possibility of unionisation on the farms. However, as national advocacy processes continue, the

situation is improving on some farms. Tanzanian researchers experienced opposition from some management representatives (although others were very cooperative), as well as fear on behalf of the workers that participation in the research could jeopardise their employment security. The research team was unable to gain access onto non-unionised farms. In Zambia, there were difficult relationships with farm management who were suspicious that the union was getting information for the purpose of ruining the reputation of certain unpopular farms. In Kenya, researchers had access to workers but unfortunately had poor relations with the union KPAWU that represents workers on these farms.

### **1.7 Information on the workers**

The majority of the workers on the farms in Kenya, Uganda and Tanzania were young females under the age of 35 and categorised as being 'alone' (single, widowed, divorced, or separated). In Tanzania 47% of respondents were single mothers and Zambia also reports a high percentage of single parents.

Education levels were poor with the majority of workers educated to primary level only (54%). In Tanzania illiteracy levels amongst workers were estimated at around 30%, and in Zambia the management stated in interviews that the majority of the workforce was functionally illiterate.

## **Section 2. Issues highlighted by workers**

The following section gives an overview of the challenges that are still affecting workers on the farms studied. The aim here is to identify regional trends whilst being able to give an indication of scale. Differentiation on a national and farm level can be found within the reports themselves.

### **2.1 Gender analysis**

This section will provide more information on gender-specific problems suffered by women on horticulture farms in East Africa. It is not enough that women are provided with jobs, those jobs should be adequately remunerated with entitlement to full labour rights therefore constituting a real opportunity for women to achieve economic empowerment and improve their livelihoods and status.

#### *Gender division of labour*

In all countries it was reported that women are in the vast majority on the farms. In Zambia men dominated the flower industry, whilst a majority of women were employed on vegetable farms. On the 11 farms surveyed, women made up approximately 56% of the total workforce.

Women tend to occupy positions in grading, packing, harvesting and grading, batching, propagation, cleaning beds, collecting rubbish, watering, sweeping etc. These positions

are defined as low/un-skilled and are consequently poorly remunerated; they are also classified as women's roles requiring dexterity and a careful touch. In Uganda there have been calls for re-classification of roles, whereby roles such as picking and packing, which call for skill and sensitivity are re-defined as skilled positions and are remunerated as such.

In Tanzania in interviews with farm management, women were described as preferred workers because they are 'obedient', 'careful', 'industrious', 'have little complaints' and are 'not aggressive', all traits which indicate that women are seen as more tolerant and therefore more likely to put up with a poor quality working life. In Zambia, society views women as the weaker sex, inferior to men and the property of men through bride price. Women suffer from being barred from receiving housing allowances without the consent of her husband, unable to attain promotion as they are not seen as being serious workers, discriminated against in job interviews and unable to get a loan without the consent of their husband.

With the exception of a minority of farms who were operating gender promotion programmes, women are in the minority at supervisory and managerial levels. Thus women are unable to fully access opportunities for promotion, whether this is due to their lack of education and training, inability to develop relevant experience, a culture of promotions being based on personal relationships with management or the cultural attitude that women are unsuited to managerial roles. Consequently they are trapped in low grade jobs whose pay levels are reported to be insufficient to the point where some women are unable to meet their basic family needs. The perception that women are secondary earners in a family grouping and therefore benefiting from the wage of the primary earner is deconstructed by findings from this research which shows that the majority of the workers are alone and supporting dependents and in desperate need of an adequate living wage in exchange for their labour.

### *The impact of work on reproductive and domestic roles*

The impact of farm work on women's additional reproductive and domestic roles is a source of significant stress, family disintegration and economic vulnerability. The fact that women inevitably have a dual role in terms of work and family life is not being adequately recognised by employers. Where women do not have access to adequate maternity benefits such as the right to take maternity leave, to return to work after that leave, to take breaks to breast feed their babies, to be given lighter work during pregnancy, to have access to child care facilities, their family lives are put under great stress. They are forced to choose between earning a wage and maintaining a family. The problem is closely linked to the use of non-permanent labour; without a contract, women on horticulture farms often do not have a right to any of the above benefits. This is a primary reason why women need to be given permanent contracts as a matter of urgency.

Regular long working hours are very destructive to family life as women are unable to fulfil their domestic roles, and have to pay for carers or leave their eldest child or husband in charge of the children. In Uganda this has been cited as the cause of an increase in the number of family breakdowns amongst female flower workers. The situation becomes particularly serious when overtime is announced on the same day that the work is to be carried out, as it denies women the opportunity to arrange care for their children and forces them to leave their children unattended in the evenings.

### *Sexual harassment*

Failure to properly address abuses disproportionately suffered by women is sustaining inequality between men and women in the workplace. For example, instances of verbal and sexual abuse by male supervisors against women workers continues to render them particularly vulnerable to generic labour rights violations such as unfair dismissal and the lack of merit-based advancement systems. It is also thought that problems caused by sexual harassment and other forms of violent subordination, which reinforce hierarchical structures using fear and intimidation, would be eased with the introduction of more senior female employees.

### *Conclusion*

This report emphasises that rather than addressing the disadvantaged position of women through economic empowerment through employment in the horticulture industry, the picture is more one of female working poverty, the profits of which are largely being reaped by actors further up the supply chain. The problem is multi-causal:

- the failure of stakeholders in the horticulture industry to address problems linked to the attitude and behaviour of male managerial staff;
- lack of training in women's rights and lack of motivation and mutual support when tackling these issues;
- some unions and national governments have not adequately promoted strategies that will enhance gender equality in the workplace;
- the failure of codes of conduct to implement and audit gender sensitive measures;
- the pressure caused by a top down production system that squeezes profits at producer level forcing farmers to cut labour costs.

This is not to say that efforts are not being made by a number of stakeholders in various countries, it is a statement that these efforts need to increase in scale, supported by serious international undertakings from retailers.

## **2.2 Non permanent workers**

### *The non-permanent workforce*

The most disadvantaged group amongst African horticultural workers are non-permanent workers. This is an issue that has been long been identified as particularly problematic on African horticultural farms. Interventions in the form of codes of conduct in Kenya and Tanzania and enactment of tougher legislative control in Tanzania have led to the

conversion of many workers onto permanent contracts. In Tanzania for example, the use of casual labour has reduced significantly. During the 1990s the use of casual labour averaged at around 85.8%, it is now thought to make up between 20-40% of the workforce depending on the time of year. In Kenya all of the large companies have eliminated the use of casual workers.

However, in Uganda and Zambia, the problem remains serious. In Uganda 50% of respondents were temporary employees with a further 17% on contract employment. Only 33% of respondents were permanently employed. Lack of access to the farm has made it hard to ascertain a figure for the industry as a whole. In Zambia 48% of workers were casual and a further 26% were seasonal employees. Around half the casual workers were employed on one farm.

With some exceptions, non-permanent workers were encountering similar problems in all countries. The following points summarize the main issues:

#### *Employment benefits*

In all countries the majority of workers in non-permanent employment were found to have few if any employment benefits in addition to their wages. Typical employment benefits include maternity leave, paid annual leave, set working hours, overtime pay, sick pay, access to social security schemes, medical benefits, housing allowances, the right to join a union, breaks and payment during public holidays. They were also usually excluded from any opportunities for promotion.

#### *Income levels*

In Uganda and Kenya, it was found that the basic wage of permanent and non-permanent employees was identical. However in Tanzania whilst permanent workers were paid above the standard minimum wage, there were cases found where non permanent workers, employed by agents external to the company and therefore not listed individually on the payroll were being paid less than the minimum wage. In Zambia, seasonal and casual workers were on a lower daily rate than permanent workers. In all countries the income levels of non-permanent workers were lower due to lack of payment for leave, less regular employment and the fact that permanent workers were on a monthly rate which included payment for weekends when workers were not working.

#### *No right to join a union*

With the exception of Zambia, non-permanent workers on horticultural farms in the study were not organised, although most of them have the right to be unionised. They were therefore not covered by any Collective Bargaining Agreements negotiated on the farms, nor were they represented in workplace disputes and were not aware of their rights as workers. The short length of contracts has meant that unions were not able to locate and unionise non-permanent workers. The exception to this is in Zambia where the union NUPAAW had unionised some casual and seasonal workers, although more work needs to be done here.

*Health and Safety*

In Tanzania, it was found that non-permanent workers were often not given personal protective equipment (PPE) on the grounds that the workers were deemed 'unreliable' by their employers. Similar incidents were also pointed out in the Ugandan report.

*Maternity protection*

In all countries it was found that lack of benefits has meant that workers in non-permanent employment found it extremely difficult to fulfil their reproductive role. Pregnancies can lead to termination of employment. Workers were often not permitted to take any maternity leave to care for their babies and whilst pregnant they could be expected to perform the same labour intensive work as their colleagues. Many workers have found that they have to choose between starting/expanding a family and retaining their job.

*Long term use of non-permanent labour*

In Tanzania, it was found that 89% of respondents in the study had actually been in work for more than six months, yet 51% of respondents were not on permanent contracts. This indicates that workers are systematically being employed on a de-facto permanent basis without being awarded permanent contracts. The long-term use of casual labour was cited in all the reports.

*The role of Codes of Practice and trade unions*

In Tanzania the research found that the use of non-permanent workers had been significantly reduced on farms adhering to international codes of practice and those that had negotiated a CBA, this reflects practices on Kenyan farms that also adhere to international codes of practice. The worst incidences of use of non-permanent labour were found on smaller farms in these two countries. However, in Zambia it was reported that large numbers of non-permanent workers were being employed on farms that were supplying to international retailers implementing voluntary codes and the ETI base code.

*Increased vulnerability*

Lack of rights and the protection of a union renders casual workers extremely vulnerable to exploitation. They can be, and are, dismissed on the whim of a supervisor or manager.

*Remedial action*

- In Tanzania the Employment and Labor Relations Act No. 6 of 2004, which insists on written contracts for every employee was enacted in December 2006. It will take time to ensure that this law is adhered to in the horticulture industry, but with the legal basis in place it is thought that a number of different measures will need to be brought about to ensure its compliance, these include awareness raising amongst workers and employers, and monitoring by unions. This law is due to be



- implemented across East Africa. It was passed by the Ugandan government in August 2006 but is yet to be fully implemented. In Kenya it is awaiting Presidential sign off. The affect of this law should be to eliminate the use of non-permanent labour without a contract, thus increasing the amount of benefits that non-permanent labour receives. It should also increase unionisation amongst non-permanent workers.
- In all countries, trade unions have a role to play in ensuring that more non-permanent workers are converted onto permanent contracts through the negotiation of CBAs.
  - Increased use of codes of practice in these countries could also play a role, as well as improved auditing practices.
  - Downward price pressure and increasingly intense competition amongst farmers only encourages the tendency amongst farmers to cut labour costs by employing a cheaper, non-permanent workforce. It is for this reason that the use of non-permanent labour can be directly linked to the aggressive buying practices of large international buyers.
  - Facilitating the organisation of casual workers was identified as particularly important. In Tanzania and Uganda, it was suggested that a particularly useful form of organisation would be to encourage microfinance groups that would assist non-permanent workers in supplementing their wages.
  - More work must be done to research the position of smallholders and their dealings with bigger farms, the aim of the research should be to develop strategies whereby smallholders reduce the need to cut labour costs and can employ more permanent workers.

## 2.3 Conditions of all workers

### 2.3.1 Salary levels

Salary levels in all countries were found to be much lower than was necessary to sustain a decent living standard for workers. The majority of respondents in Uganda were earning a monthly salary of between 50,000-80,000 USH (28-46 USD), described in the report as 'far too little' and not sufficient to meet the basic needs of workers and their families. No evidence was found that men were paid more than women for equal work, however it was women that formed the majority workforce in the lower paid jobs. In Uganda there was a call for job evaluation to match jobs to salaries.

In Tanzania most of the workers were paid between 28,000 to 58,000 TSH (24-50 USD) per month, with 35,000 TSH (30 USD) being the minimum wage. Again most of the workers stated that their wages were not adequate to meet the basic needs of their families.

Average wages were also sited as being far too low in Kenya and Zambia. In Zambia the highest daily rate was ZMK 10,000 or USD 2.50, the lowest was ZMK 7,000 or USD 1.80. Workers in Zambia complained that their wages were insufficient to meet basic needs, and overtime was the only way to increase their income.

The term 'basic needs' does not have a rigid definition but workers cited medical costs, clothing and a decent house as items they struggled to afford.

*Remedial action*

Current salary levels of workers, where they are unable to afford to fulfill basic family needs, are unacceptable.

- Pressure needs to be applied to buyers and suppliers to undertake research to begin to include either a minimum or living wage in their price calculations and payments.
- National legislation on minimum wage must be enforced and revised to account for the needs of women supporting families,
- More work needs to be done to assess realistic living wage levels in each country, enforced via a transparent regulatory framework.

**2.3.2 Opportunities for promotion and advancement**

In all countries it was found that top management and supervisory positions are dominated by men. Women are largely confined to the lower paid jobs such as harvesting and grading, batching of flowers, propagation, cleaning flower beds, collecting rubbish, watering flowers, sweeping etc. In Tanzania and Kenya it was found that opportunities for promotion were often not formalised and depended on personal relationships with management. In Zambia and Uganda however, some promotions were found to be based on educational qualifications and job performance, however in Uganda there remained a strong correlation between relations with management and advancement in the workplace. In Zambia, the Export Growers Association (ZEGA) provided skills training to women workers.

*Remedial action*

- Training for managerial staff and workers in gender equality issues in the work place would address the attitudes and behaviour that often underpin the lack of promotion for women.
- Increased skills and literacy training for women would increase their confidence as potential management candidates.
- Representation on the farm through unions and women's committees will increase pressure on management to promote women to management positions.

**2.3.3 Unionisation**

Unionisation on the farms studied remains problematic. In Uganda 77% of workers were not union members. This meant that workers had no mechanism to report their grievances or negotiate a CBA. Rights abuses and violations were happening unchecked on the farms. The Ugandan report states that 'in general the right of workers of freedom to organise has been greatly abused' and also states that this is in contravention of Ugandan law. Farm managers were strongly opposed to unionisation on the farms. During the course of the project, workers organised themselves into the Ugandan Horticultural and Agricultural Workers Union (UHAWU), which unfortunately led to competition between the new union and the established National Union for Plantation and Agricultural Workers (NUPAWU). The response of farm management was to sack the

general secretary of UHAWU, who was then harassed and subjected to short term imprisonment. On some farms the unions have now been accepted, however there are continued reports of workers being threatened with the sack if they are to join a union. It has been identified as vitally important that UHAWU and NUPAWU establish a good working relationship that will strengthen their position in respect to farm management.

It should be noted that Tanzania only conducted research on farms where the union already had a presence. There are a further six farms that were not unionised or included in this study. It is of vital importance that workers on these farms are reached by the union.

In Kenya it was reported that although representation was permitted on the farms, the union that was authorised to represent these workers the Kenya Plantation and Agricultural Workers Union (KPAWU) was not adequately reaching the workers, although it was improving its activities in the horticulture sector. This was identified as an area that needed immediate attention.

In Zambia the union NUPAAW is making good progress in unionising horticulture workers, even some seasonal and casual workers, although more work needs to be done, particularly in terms of strengthening the union itself so it is empowered to respond adequately to workers' needs. Union officials have started negotiations for a sector wide CBA, as has been successfully agreed in Tanzania.

In all countries unionisation has increased as a result of the project.

All countries identified lack of awareness of labour rights amongst workers as a major difficulty. In Uganda 93% of workers were unaware of their labour rights. Education and empowerment of workers through training on labour rights was identified as being of urgent importance. Whilst some training has been undertaken during the course of this project, there needs to be a continuous, sustainable process of raising awareness amongst workers.

#### *Remedial action*

- Pressure must be exerted on farm management to encourage worker organisation. This can be done through multi-stakeholder meetings, advocacy campaigns, enforcement of national law and auditing of social codes of practice.
- Importantly, the unions themselves need to be strengthened and their capacity improved in order for them to work more effectively on the farms. Ideally, worker education must go hand in hand with trade union capacity building.

#### **2.3.4 Lack of employment benefits for permanent workers.**

Permanent status does not necessarily mean that the workers rights such as the right to organise are not abused. In Uganda, it is thought that lack of payment for sick leave, lack of union representation and access to child care are problems that are affecting all workers, regardless of their employment status. There were also complaints that many workers were not receiving written contracts stipulating the benefits that they were entitled to and written in a language that the workers understood.

In Tanzania it was learnt that maternity leave of 84 days is only granted once in every three years on some farms for permanent workers. However some farms were complying well with the legal provisions on maternity leave as well as giving pregnant women exemptions from night work. The law regarding paternity leave was not being well implemented.

In Kenya most of the farms did provide maternity leave to permanent workers, however on two farms in the study, workers were dismissed if they became pregnant and tried to take maternity leave. Child care was provided on three farms for very young children but more staff are needed. Only two or three farms are providing housing. One company is providing good transport for women. Two farms are now providing secondary schools for children and several others have primary schools on site.

In Zambia housing accommodation was usually provided, but this accommodation was not of a good quality on the whole. Other permanent workers benefit from a CBA, maternity leave and other benefits.

#### *Remedial action*

- Permanent workers must receive written contracts, in a language that they understand, that stipulates the rights and benefits to which they are entitled.
- More consistent monitoring at a national level, especially by trade unions, is needed to ensure that the workers are in fact receiving benefits that they are entitled to under national law.

#### **2.3.5 Working hours**

Long working hours were found on farms in all countries. Workers in Uganda had fixed working hours of nine hours to twelve hours. Workers are usually assigned tasks that must be completed before they are permitted to leave. Overtime is often extremely poorly remunerated and can be compulsory. The long hours are reported to be the cause of widespread family conflict as women are unable to provide a stable family environment as is expected of them in Ugandan society.

In Kenya, working hours on all farms were found to be much longer than those stipulated by national law. Workers were often working to meet targets set by their supervisors and did not leave until that target had been met. This was said to be ‘almost forced labour’. The danger of women travelling alone late at night after overtime was highlighted in the reports, workers were requesting transport to be provided for late shifts.

In Zambia workers complained of the difficulty in arranging child care and having to leave children unattended if overtime is announced on the same day. Some of the workers complained that overtime was often obligatory and excessive.

#### *Remedial action*

Further monitoring is required to force farmers to adhere to national laws regarding working hours. The problem is also addressed in international codes of practice. However, it must be acknowledged that pressure from buyers is often the root cause of excessive overtime for workers. Forums such as the ETI purchasing practices group must assess how buying norms can be adjusted in order to reduce pressure on producers.

### **2.3.6 Health and Safety at the workplace**

In Uganda, the failure to implement health and safety measures for the protection of workers was found to be an extremely serious problem. 56% lacked protective wear with higher figures not having access to safe drinking water, sick bays, first aid boxes, gloves, masks and overcoats. Re-entry periods (that is the set period of time that is left after spraying before workers enter the area) were not being observed. One affect of this project has been that workers have been bought protective wear and this is now being regularly replaced on some farms.

In Tanzania, workers complained of lack of PPE, contact with chemicals, and working in extreme weather conditions. About 35% of workers were not given protective equipment, particularly non-permanent workers. There was also a problem that workers had not been trained in the use of PPE and its importance in protecting them from dangerous chemicals. They were choosing not to wear the equipment. The project has led to a significant improvement in workers adhering to health and safety guidelines and farms providing adequate protective wear.

In Kenya, it was noted that although drinking water was provided, workers were sometimes not provided with enough drinking cups and used pipes that were not hygienic. On some farms male and female workers were using the same toilet facilities which were of poor quality and there was nowhere to dispose of sanitary towels. In Kenya, most farms had a health centre providing basic first aid however the medical expenses were sometimes paid for by the workers. Protective clothing was available but not all workers had access to the clothing, some were buying their own equipment. The reported effects of contact from chemicals without adequate protection included miscarriages, irregular menstrual flows, skin disorders and upper respiratory tract diseases. However there have been improvements on the farms during the course of the project. For example, 6 companies began only spraying at night.

In Zambia all the farms had trained first aiders and medical boxes, but the PPE was found to be inadequate in some instances, and some workers had to buy their own clothing. Where workers were not wearing PPE, incidences of chemical poisoning were

reported. Irregular menstrual flows for women were reported as being ‘common’. There were complaints that medical check ups were only for the sprayers but not the other female employees found in production. ZEGA, the Zambian Export Growers Association has committed to investigate this issue as well as others raised in this report.

#### *Remedial action*

This is a serious problem and one that encompasses a number of different issues including those related to the use of chemicals on farms, the provision of medical facilities at the workplace, and hygiene. It is very important that standards in respect to all of these different issues are scrupulously observed. A host of different measures can be employed to improve the situation, these include training for workers and management, the enforcements of standards set in law and codes of practice, and pressure from unions.

### **2.3.7 Harassment**

#### *Sexual harassment*

Sexual harassment on farms remains a major problem. In Uganda, over half of respondents had heard a woman complaining of sexual harassment. The common complaint was that male supervisors were the main culprits. Lack of channels by which to report harassment and lack of proper punishment were exacerbating the problem.

In Tanzania 48% of workers reported that were aware of sexual harassment being present on farms but women were not aware of procedures by which they could tackle the problem.

In Kenya sexual harassment was reported to be ‘rampant’ on the farms. Supervisors were requesting sexual favours in exchange for employment, time off, promotion and bonuses. Again it was reported that workers had no way of reporting sexual harassment by their supervisors and management were not trained or effective in dealing with this problem on the farms. However, since this project started, five companies have now implemented sexual harassment policies.

In Zambia it was also reported that a majority of the farms did not have sexual harassment policies in place.

#### *Workplace abuse*

The use of abusive language by supervisors was found to be common in Uganda and Kenya. Such abuse of power needs to be tackled by farm management.

#### *Remedial action*

- Training for workers in how to deal with the problem of sexual harassment on farms has proved to be a good way of tackling this problem. Workers gain the

confidence to report the problem to management and to overcome intimidation by the perpetrator.

- Farms also need to implement policies and training on these issues so that managers and workers are aware of how to address it.
- Women's committees are important in supporting women who are victims of sexual harassment. It is also important to have a body in place on the farm to whom women may report harassment, as they may not feel confident to male management.
- The use of abusive language by supervisors needs to be strongly discouraged by management under threat of disciplinary action.

### 2.3.8 Problems on small farms

The situation for workers on smaller farms was noted as being of particular concern in the research reports. In Tanzania smaller farms lacked the capacity and expertise to supply directly to export markets and were selling their products to larger farms. They suffered financial instability, incurring losses when their products were rejected by larger farms or when payments were delayed. A larger percentage of non-permanent workers were found on these farms as well as more severe and widespread labour rights violations. Smaller farms are in a weaker position, and campaigning should be directed at the bigger farms in order to ease pressure down the supply chain.

### 2.3.9 Codes of practice

In Uganda, the Ugandan Flower Export Association (UFEA), has not yet started to audit farms against its social code of practice. It is now essential that staff members are trained to conduct these audits. UWEA and the two unions have been invited to participate in the process of improving UFEA's auditing practices. In Tanzania, the ICC has been adopted on three farms, these farms are also certified by FLO. It was noted that the general employment situation on these farms was better than the uncertified farms, although further study is needed. TPAWU has expressed an interest in playing a greater role in monitoring codes on participating farms. In Zambia codes of conduct were reported to have brought improvements in occupational health and safety particularly with respect to safe use of chemicals, provision of personal protective equipment, toilets, washing facilities and drinking water. Again it is important that the union NUPAAW is trained in auditing practices in order to be able to advise on the auditing process.

*'The point of departure towards solving the problems should be to recognize the workers' rights as entitlements but not a mere favour'. UWEA report*

## Section 3: Conclusions

The aim of this overview has been to give some indication of the situation on the ground in the farms studied. Each country is at a slightly different stage of progress in the development of a more ethical industry. Each issue that has been discussed in this report does not cut across all farms in all countries; it affects some countries more than others it

is often specific to individual farm level as to how the issue is being tackled. Importantly, key stakeholders in each country have committed to do more work to improve the situation for farm workers.

In order to continue improving the situation in East and Southern African horticulture, it is important to continue work with stakeholders at every point in the supply chain. More work needs to be done to examine the efficacy of codes of practice in addressing the various issues raised in this report. Furthermore, it will be important to engage with retailers in order to discuss how common purchasing practices are acting as a barrier to the implementation of international labour standards on farms. At a national level, advocacy must continue in order to further engage stakeholders such as employer/export/producer organisations, farm management, trade unions and government representations in processes that lead to the successful enforcement of international labour laws on farms. The creation of a work force that is aware of its rights is essential to this process. Finally the toughest issue of all will be to address the cultural and behavioural issues that are affecting women in their everyday working lives and preventing them from achieving all their rightful benefits as farm employees. This last issue needs to be tackled by all stakeholders in the supply chain.