

Labour, environment and health in Ecuadorian banana production

by Dr Raúl Harari, IFA¹, Ecuador

Background

Banana production in Ecuador has expanded in recent years, but has retained several of its historic characteristics:

- A balance between small-, medium- and large-scale farms
- A group of dominant exporting companies (with some important new players)
- An important section of the industry that is technologically under-developed
- Unchanged environmental practices
- Little change in its treatment of plantation workers

Apart from occasional reactions concerning working conditions and the social and environmental situation of the industry in Ecuador, there has been no systematic treatment of the issues in recent times. Media interest has focused on the conflict with the EU over tariffs.

There have been reports denouncing the situation of banana workers and neighbouring communities, but official responses to these have been minimal, even when they have concerned demands for basic compliance with clearly established legislation. The government has more or less admitted to feeling overwhelmed by the problems and has not had the capacity to react.

One denunciation of the contamination of aerial spraying operatives and of the health impacts on the neighbouring population in Los Rios province was given considerable media coverage. The government reacted initially by prohibiting the use of Mancozeb and there are procedures in place to remove it from the register of authorised products, but spraying has not stopped.

When it was proposed to oblige plantations to establish buffer zones or a minimum distance requirement in order to reduce the impact of spray-drift, the response of the banana companies was that they needed time; they requested several years to implement the necessary measures. When these periods are about to expire, the companies have requested a further grace period. In this way, many years have gone by, companies have been able to evade their responsibilities and both workers and the nearby population continue to suffer the health effects.

Small- and medium-scale producers have concentrated their efforts on securing acceptable banana prices, but their demands have not gone any further and there has been no real questioning of the system of production and trade as such. Nevertheless, some groups of producers have succeeded in creating their own marketing channels outside the Dole, Chiquita, Noboa and Del Monte oligopoly. Organic producers have been able to open up new markets, although their export volumes are not very high.

As far as workers are concerned, the situation has been very difficult because of labour sub-contracting, whereby they were contracted for the minimum period, were constantly moved from plantation to plantation and were therefore denied their legal

¹ IFA is an Ecuadorian NGO: the Corporation for the Development of Production and the Working Environment

rights to social security coverage and profit-sharing bonuses. After the approval of 'Mandate 8' by the CorreA government², conditions for workers have improved, but the legislation has not resolved everything; indeed the legacy of labour sub-contracting and its impact on workers is still being felt. One of the legacies concerns pension rights: if the law remains as it is, then the years spent working for sub-contractors will not be taken into account when calculating pensions. It is like having a blank in your working record, where nothing was registered.

One of the most harmful impacts though has been the almost complete loss of memory about the role of trade unions amongst the new generations of workers. In their workplaces they have no reference-point that would allow them to learn from history in order to construct a better future. In most cases, it is like starting from scratch as workers have had no training during all those years, apart from a few isolated efforts by trade union organisations like FENACLE that have sought to defend workers' rights.

It should also be added that the companies have found mechanisms to continue justifying their recourse to sub-contracted labour. In practice, many now employ workers on three month contracts, which may or may not be renewed, meaning that the longed-for job security is still not achieved even though this was the motivation for outlawing the sub-contracting system.

If we add to this the fact that, although workers are paid a wage, in practice they are paid according to results, per task. So what we have is a wage system that disguises a piece-work regime, bringing with it new forms of exploitation.

Even if the minimum wage has risen to \$218 per month and represents real buying power as it is paid in cash, it should be compared to the cost of a basic household basket for a family of five that is in the region of \$500, meaning that the minimum wage is insufficient to meet a family's basic needs. This fact is exacerbated by the lack of access of women to jobs in the banana industry and, in practice, it is the worker who keeps virtually all the wage for himself.

This is not the whole story. Quite the opposite – other dimensions of exploitation come into play here. On the one hand, the need to ensure that the worker earns the available wage in full obliges him/her to take along a family member to help complete the jobs that have been set and avoid earning less than s/he could. On the other hand, the problem of women having little access to employment in the plantations means that they have to accept casual work that is done from home, such as washing the plastic bags used to cover the fruit - some of which contain pesticides – so that they can be reused; this work is very badly paid and contaminates their homes, their children etc.

This background is important in understanding the forms of organisation and working conditions that have a critical influence on occupational and environmental health in the banana producing communities. The more exploited the worker, the greater exposure s/he has to hazards and therefore the greater the damage to the health of workers and people in the neighbouring communities.

Recently, the government has decreed that exporters, in order to be legally registered to export, have to demonstrate that their workers are all in the social security system. The reponse of companies is to fire workers who were not registered, so that they can

² This legislation, voted in the National Constituent Assembly on 1st May 2008, virtually outlawed labour sub-contracting.

export.

The imminent agreement to reduce EU tariffs includes no additional measures that would alleviate the difficulties facing workers and small producers in Ecuador.

The environmental situation in banana producing regions

Two environmental issues stand out in the banana producing regions of Guayas, Los Rios and El Oro provinces. Firstly, the issue of waste management, or rather the absence of any policy in this area, either in terms of legislation or of any monitoring of the waste generated by the industry. The waste comprises in particular, but not exclusively, the plastic bags used to protect the bananas before harvest. These bags, especially the blue ones that contain chlorpyrifos and have a ribbon attached that also contains the chemical, constitute an immediate risk at the slightest contact and are not subject to any kind of control whatsoever. They are left anywhere and everywhere, few companies collect and process them, and can be found along the roadside or in streams or in remote areas.

Secondly, there is the problem of aerial spraying. Although Ecuador has less spraying cycles per year (around 25), the way in which this is done means that workers and neighbouring communities are permanently exposed. The pesticides used do not always have immediate effects, which explains why people cannot establish a link between health effects and the spraying. Nonetheless, their crops, their schools, their homes, the water stored in tanks (because there is no drinking water available and so it is brought in by lorry) and even their domestic animals are effectively sprayed.

A recent study undertaken by IFA using fluorescent tracing showed that, as well as all the known effects, the planes spray over people's homes and that the products used penetrate inside houses. The employees who do the spraying, despite some wearing protective equipment in the place where the products are mixed, and even the pilots, are exposed to the chemicals that are then loaded into the planes and sprayed. Even if the pilots have air-conditioning or ventilation, the cabins are not hermetically sealed, and sometimes they open the windows because of the fierce heat, so they are exposed to the products being used.

The same applies to surface water, farmland, roads etc which are all impregnated with the chemicals used that include Tilt and Calixin and sometimes organophosphates or products that have been discontinued.

There are studies which demonstrate that the soil and water are contaminated by products used in banana production, including populated areas where people collect their drinking water or wash their clothes.

People's health is affected and there is evidence of this. For example, neurological symptoms, dermatological and respiratory problems are the most frequent complaints from people who live nearby plantations. They receive no notice of spraying and can do no more than take cover when the planes fly over.

The working environment and workers' health

Workers are exposed to a dual problem: manual spraying and aerial spraying. Manual spraying in the field, which is sometimes contracted out and therefore carried out by

people who are not employed in the plantation with no link to the other workers, is often with highly toxic products such as Mocap (Ethoprophos) and with no form of protection. Workers are exposed directly, especially when they are transporting the fruit to the cable-way through areas that have been sprayed.

Workers are not given any warnings about either manual or aerial spraying, which can take place when they are eating lunch in the field and have nothing apart from a few banana leaves to protect them.

Workers encounter skin problems - with increasing frequency and intensity - caused by contact with the products used; neurological data show a serious reduction in reaction times and severity of symptoms. These problems of dermatitis cumulate as a result of frequent contact, as the skin becomes more and more sensitive.

These are not the only problems encountered: other frequent complaints include muscular disorders, mental health problems and hepatitis, all of which need more in-depth study. There is also strong circumstantial evidence that these and other diseases are of occupational origin.

Most companies do not have any occupational health, safety and environment (OHSE) policies and only 50 out of 6,000 producers have registered their company OHSE regulations with the Labour Ministry. The joint OHSE committees do not function and, in any case, are not adapted to securing improvements.

In recent years, new trade unions have been formed, which represents a major step forward. This process has certainly been facilitated by Mandate 8 (which outlawed sub-contracting, although as we have seen has not completely done away with it) and by more democratic labour policies of the current Correa government.

Some companies linked to Chiquita and Dole have health programmes carried out by their foundations; however, not only do these not conform with what is set out in the legislation, but they do not provide any real service or OHSE programme – they consist of cursory medical check-ups and do not address issues like the impact of aerial spraying or any other possible impacts of banana production. The activities of the foundations are in the framework of so-called Corporate Social Responsibility (CSR) programmes, which is a misnomer, since these are legal obligations of the companies and not a charitable service to workers. In reality, they amount to a sub-contracting of occupational health services.

The new strategy of the banana companies is to promote CSR, but this has become a cover to avoid any analysis of casual labour arrangements, in which anything that the company does, even paying wages, is considered an example of the company's wish to go beyond its legal obligations. In other words, the whole issue of labour relations is turned into a relationship of philanthropy, a situation denounced even by those responsible for certification. These criticisms of a philanthropic approach are not made in order to justify the need for trade unions, rather because the people concerned see the CSR business being discredited and distorted to the point of undermining the whole certification industry.

Whilst the Ecuadorian government is trying to strengthen its rôle, the industry is seeking to maintain the sub-contracting regime and the arrangements between companies and workers that excluded the state from their relationship and therefore from any form of control. It was and still is an attempt to keep relations bilateral, as part of a model in which workplace trade unions only had any power within the 'four

walls' of the plantation itself, with no possibility of creating alliances or building broader solidarity. Now that the state is seeking to intervene, the situation becomes a public matter and conspires against those inside companies who sought to conspire to ensure no information leaked to the outside world.

In this sense, the need for a sector-wide trade union is totally linked to the potential to make improvements in the area of occupational health and safety. Single workplace trade unions create differences between workers and do not lead to attempts by unionised workers to unify labour standards; because the unions remain isolated from each other, they are not in a position to achieve significant improvements. In as far as workplace trade unions have little real influence in the labour market, there is little they can do change things either for their own members let alone for other banana workers. The same happens with regards to health issues.

There are other problems like pensions, the recognition of occupational health problems and workplace accidents, and the lack of other services that companies should be providing according to national and international legislation. However, without the participation of organised workers who are united across the industry in sector-wide trade unions, this situation is more complex and difficult to change.

In this context of complex problems it is essential, wherever possible, to move from a bilateral relationship between company and trade union to one where tripartite relations involving the state come back into play. Even if it takes public pressure to achieve this, this tripartite relationship should be the goal. Otherwise, it is possible that, as is already happening, other responses are found which do not permit workers to have their rights recognised.

On this issue, it is interesting to note the experience in the Philippines, where the actions of workers and popular organisations together with NGOs and universities - on the basis of field studies - succeeded in getting the Department of Health to order the Department of Agriculture to stop aerial spraying in Mindanao until such time as «*the industry demonstrates the safety of their procedures*».

Conclusion

The end of the battle to lower EU import tariffs or fixing minimum prices for a box of bananas are just steps in a process that should lead workers to achieve a single national collective bargaining contract in which all their labour and social rights are stipulated and not just their wages. At present, workers have minimal influence in the Sectoral Wage Commissions. An essential component of this process is international solidarity and workers organising across borders, as COLSIBA does. They have been pioneers in understanding the need to respond to unfettered globalisation through globalising trade union activity, learning from successful experiences and building new ones.

Additionally, there is a need to develop a Health, Safety & Environment Programme for the whole banana industry, based on trade union proposals, building common priorities and strategies with other stakeholders and implementing concerted strategies to make progressive changes to improve the seriously deteriorated situation facing workers.

Quito, 21/11/09