

WORLD BANANA FORUM WORKING GROUP on LABOUR RIGHTS – WG03

SUMMARY OF ACTIVITIES AND PROPOSALS - FEBRUARY 2012

MEMBERS OF THE WG03 COORDINATING COMMITTEE:

MARTIN COOKE (ETI)
ANNA COOPER (Banana Link)
IRIS MUNGUIA (Colsiba/Cosibah)
RAJENDRA PARATIAN (UN-ILO)
VICTOR QUESADA (Aseprola)
JAVIER VILLACIS (Dole)
ALEX YEBOAH-AFARI (VREL)

Coordinators contact details:

Wbf.wg03@gmail.com

WBFCoordWG03@dggroups.org

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OBJECTIVES

To create a space for social dialogue that enables all stakeholders within the banana sector to share experiences, concerns and best practices around freedom of association and collective bargaining, discrimination and occupational health and safety, as well as developing and implementing effective and collaborative actions, campaigns and projects around these three core areas of work.

MAIN ACTIVITIES CONDUCTED SINCE THE FIRST CONFERENCE OF THE WBF IN 2009 AND RESULTS ACCOMPLISHED

Teleconferences and meetings:

- Quarterly teleconferences – Coordinating Committee
- First physical meeting of the Coordinating Committee, Ecuador, November 2010
- First full physical meeting of WG03 participants, Ecuador, August 2011: 30 participants (10 women, 20 men); 13 trade unions; 3 companies; 2 small producers; 10 NGOs; 2 academics. From 12 countries: South America - 6; Central America - 4; Europe - 4

Research:

A diagnosis on the labour rights situation in 25 priority banana producing countries (*see thematic reports, and conclusions below*)

Thematic proposals:

The development of proposals and a subsequent work-plan on Freedom of Association and Collective Bargaining, Discrimination and Occupational Health and Safety

Global Meeting of Women Banana Workers:

The Second Conference of the WBF will be preceded by a 'Global Meeting of Women Banana Workers', 24-26 February 2012, Guayaquil. The purpose of this meeting is to share ideas and develop joint strategies and potential multi-stakeholder initiatives on the issue of gender discrimination. A report of the meeting will be presented to the plenary of the WBF conference.

The WG03 Coordinating Committee would like to acknowledge BAMA, FDHT, Peoples Solidaries and 3F for their financial support of the above meeting.

CONCLUSIONS AND PROPOSALS TO THE SECOND CONFERENCE OF THE WORLD BANANA FORUM

1. Freedom of Association and Collective Bargaining

There are serious problems in the way in which freedom of association and collective bargaining are implemented in the banana sector. Overall, there is the feeling that, while national law upholds the right to organize and trade unions fight for this right to be protected, the authorities and employers do not effectively enforce the law across the banana sector.

Collective bargaining is seen by trade unionists as an extremely positive method of both improving the situation for workers and improving relationships with employers. Nevertheless, there are difficulties in the way that it is carried out in practice.

These great challenges result in a situation where both workers and employers are not aware of the potential benefits of full freedom of association in the sector. Freedom of association and collective bargaining are an opportunity for the banana sector to move towards more stable, productive and just labour relations.

Proposals:

- 1.1. Encourage, through social dialogue, the respect of trade union freedom and promote collective bargaining in the global banana industry.*
- 1.2. Make a call to all of the employer sector within the banana industry – multinational companies, traders, producer associations in producer countries, as well as retailers, certification initiatives, ethical trade and fair trade – to participate and initiate dialogue within the platform of Working Group 03 on labour rights of the World Banana Forum.*
- 1.3. Create a space to enable companies within the banana sector to communicate and share experiences, concerns and best practices around freedom of association and collective bargaining.*
- 1.4. Construction of a good practice guide for banana sector companies on freedom of association and collective bargaining rights.*
- 1.5. Develop an information campaign for workers on freedom of association and collective bargaining rights, and disseminate this to workers at plantation level. This will include, within an overall campaign strategy, developing printed materials, training and awareness-raising programmes, and other aspects aimed at the wider community.*

2. Discrimination

One of the main conclusions of WG03 regarding discrimination is that many of the mechanisms of corporate compliance do not effectively address the issue of discrimination and there is not enough voluntary effort, on behalf of the employer sector, focused on the eradication discriminatory practices.

Proposals:

- 2.1. To call upon the banana production employers, small retailers and sectors linked to independent certification, as well as retailers, to integrate into and participate within WG03 and to continue the debate over discrimination in the workplace. At the same time it's necessary to motivate the link with and between the organised sectors in Africa and Asia.*
- 2.2. Motivate all the players in the global banana industry to reflect and take action to advance the corporate assurances already in place, promoting new measures to reduce discrimination in the workplace and on hiring.*

2.3. To organize in productive regions (Latin America and the Caribbean, Africa and Asia) meetings between all industry players with the goal of developing a social dialogue strategy, national and/or regional, regarding the ways to overcome discrimination on the basis of gender, age and ethnicity. It is essential that these initiatives involve the labour authorities of the producing countries.

3. Occupational Health and Safety

The WG03 observe with concern that both the agriculture related ILO Conventions – 184 and 187 - Occupational Health and Safety, have not been ratified by banana producing countries (with the exception of Ghana). This indicates that there are no tools in place to facilitate or strengthen a tripartite dialogue to develop better national and international policies concerning occupational health in the producing sector.

The application of national legislation on Occupational Health and Safety greatly depends on how demanding the producer country authorities working are and their relationship with the organized labour sector.

In terms of occupational health and safety, dialogue is critical. It can help unions improve their interventions, the companies improve their risk and disease prevention programs and services, and the governments to better mediate social dialogue and monitor compliance with national policy on occupational health.

Proposals

3.1. To support the initiative put forward for an International Campaign for the Ratification of Banana Exporting Countries to ILO Convention No. 184 on Health and Safety in Agriculture (2001), to be developed in the course of the next two years. In this regard, the support of organizations such as the ILO is very important especially in areas related to the ratification procedure by signatory States. Support is also necessary from the United Nations Organization for Food and Agriculture - FAO, as well as the IUF (International Union of Food workers) which has taken initiative in promoting the ILO convention.

3.2. Call on all actors involved in international banana production and trade to apply the standards that are set out in ILO Conventions especially those already mentioned (No. 184 and 187), the national legislation of the banana producing countries related to commissions permanent health business, and to form such committees in cases where they are not considered by the national law.

The Working Group on Labour Rights will develop a program of action for implementation of the above proposals for 2012 and 2013. This programme of action will however be dependent on capacity, financial support and effective multi-stakeholder participation, all of which have so far represented key challenges for WG03.