

COFFEE Project

Guidelines on Monitoring of Coffee Farms



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Guidelines on Monitoring of Coffee Farms

Introduction

This tool is one of 17 tools comprising the Socially Sustainable Sourcing Toolkit (S3T), which was developed as part of Verité's Cooperation on Fair, Free, Equitable Employment (COFFEE) Project through generous funding from the US Department of Labor's Bureau of International Labor Affairs (USDOL-ILAB). The S3T was developed in alignment with USDOL's **Comply Chain** model, with at least one tool created for each of the eight steps of *Comply Chain* (see graphic below). Many of the tools are derived from tools created for the *Responsible Sourcing Tool*, developed by Verité with funding from the U.S. Department of State's Office to Monitor and Combat Trafficking in Persons (J/TIP). The tools can be used *à la carte*, but it is important that companies have systems and tools in place for each step of *Comply Chain*.

STEPS OF COMPLY CHAIN AND CORRESPONDING TOOLS

S3T Socially Sustainable Sourcing Toolkit



U.S. Department of Labor Comply Chain Model

STEP 1. Engage Stakeholders and Partners

Guidance on Stakeholder Engagement

STEP 2. Assess Risk and Impacts

Risk Evaluation for Action in the Coffee Trade (RE-ACT) Dashboard
Root Cause Analysis of Labor Violations in the Coffee Sector
Self-Assessment Questionnaire for Coffee Traders
Self-Assessment Questionnaire for Coffee Producers
Self-Assessment Questionnaire for Labor Brokers
Guidance on Screening and Selection of Labor Brokers

STEP 3. Develop a Code of Conduct

Sample Code of Conduct Provisions
Sample Social Responsibility Agreements
Primer on Recruitment-Related Risks in the Latin American Coffee Sector

STEP 4. Communicate & Train Across Supply Chain

Guidance on Communicating Objectives and Standards Across the Supply Chain

STEP 5. Monitor Compliance

Guidelines on Monitoring of Coffee Farms
Guidance on Monitoring of Labor Brokers
Worker Interview Guide Focused on Recruitment and Hiring

STEP 6. Remediate Violations

Management Systems Framework for Preventing and Remediating Labor Risks

STEP 7. Independent Review

Framework for Independent Verification of Ethical Sourcing

STEP 8. Report on Performance

Guide on Public Reporting for Private Sector Stakeholders

Introduction to the Tool

Workers employed in the Latin American coffee sector face serious labor risks, including forced labor and child labor. National governments and companies selling coffee to consumers have long prohibited these abuses, yet they persist, hidden in the lower layers of the coffee supply chain.

Forced labor, child labor, and other labor violations exist on coffee farms, in part, because of barriers to effective monitoring. Among other challenges, workplaces may be remote, and the most at-risk workforces may be hardest to reach. Given the seriousness of risks faced by workers, it is crucial that all actors with access to coffee farms take an active role in identifying risks and labor violations as this supports wider efforts to improve conditions of work in the coffee sector.

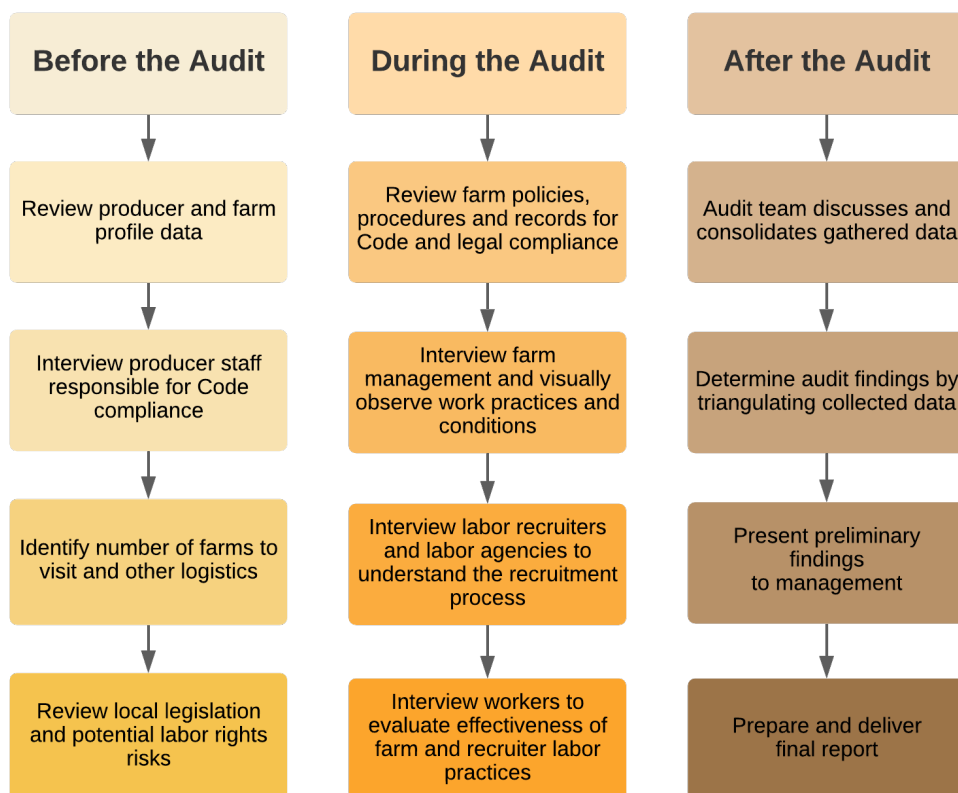
This tool has been designed to introduce effective monitoring concepts and red flags for labor risks among coffee sector workers as well as guidance on conducting worker interviews and triangulating information to detect labor risks. While the information included in this tool will be helpful for most actors along the coffee supply chain that interact directly with producers, the main target users for this tool are those actors who regularly conduct farm-level monitoring. This tool is thus most helpful for field technicians, monitors, and certification bodies.

Guidance for Onsite Assessments

Onsite assessments of coffee farms and estates can effectively identify work practices and conditions that indicate a heightened risk of forced labor, child labor, and other types of labor rights issues. An auditor's primary objectives are to establish if farmers understand the purpose and requirements of applicable Code and legal standards and have reviewed their farm's compliance status against the relevant standards, as well as to independently evaluate the effectiveness of the actions the farmer has taken to ensure standards are met. Monitors should seek to understand conditions on the ground and to identify potential labor risks. The audit process, detailed below, can be a helpful guide for designing farm visits.

Visiting individual farms multiple times helps build trust with management, workers, and community members, and helps auditors to better identify and understand labor risks and their root causes.

Figure 1-Audit planning procedure



Audit Process

Below are some basic steps that occur in the typical assessment process. Please refer to the guidance material throughout this document for more detail on these steps, especially for the onsite phase and information gathering during interviews.

Targeted assessments for risks of forced and child labor share many characteristics with other social audits. The sections below outline key red flags of forced labor, child labor, and other serious labor rights issues and how they can be detected by auditors during different aspects of site visits, such as:

- site tours and inspections;
- management interviews;
- worker interviews;
- labor recruiter interviews; and
- documentation review.

Worker Interview Protocols

Interviewing workers and their family members is important because they have the most perspective on their experience. They are also potentially vulnerable and may face retaliation for openly sharing their experiences. Because of this vulnerability, migrant workers may understandably be reluctant to openly talk about how they were recruited or their current situation.

Workers may feel uncomfortable and potentially nervous about being interviewed by an outside actor at any worksite. This is especially true in situations where there may be risks of forced labor or other types of exploitation, coercion, reprisals, or abuse. Therefore, it is extremely important to always put worker's safety first and to not endanger workers. Workers from marginalized groups, such as women, people who identify as LGBTQ, immigrants, and ethnic minorities, among many others, are not only especially vulnerable, but can also be extremely cautious or nervous about speaking on sensitive issues.

It cannot be overstated that interviewers should be properly trained on engaging with workers in a sensitive and conscientious manner and should ideally be members of the vulnerable groups that they are interviewing (e.g. women, migrants, ethnic minorities, etc.). Every effort should be made to utilize female auditors when female workers are present as women may be more likely to discuss sensitive topics, such as sexual abuse or harassment, with another woman. In order to increase the likelihood of gaining the trust of migrant workers, auditors should seek to ensure worker interviewers have appropriate language and cultural skills based on the demographics of workers present.

Workers should only be interviewed if the following criteria are met:

The interviewer is:

- trained on how to interview workers effectively and safely; and
- proficient in languages spoken by workers.

The worker is:

- in a safe and private location;
- given informed free, prior, informed consent to participate;
- not losing earnings due to participation in the interview; and
- knows they can withdraw from the interview and/or decline to answer questions at any point.

If multiple workers appear to be coached, intimidated, or otherwise concerned about retaliation, the monitor should immediately withdraw from any attempts to reach out to workers and privately take note of workers' reactions. Furthermore, all names and personally identifiable information should be removed from all reports to protect worker confidentiality and reduce the risk of reprisal.

If the worker is or may be a child, the interviewer should follow additional protocols, such as [guidance circulated by the U.S. Department of Labor](#), on how to safely interview a child.

The Importance of Triangulation

It is important to realize that monitors or certifiers rarely have all of the information available to assess all labor risks and possible labor violations. As such, monitors and certifiers should recur to triangulation to help obtain a better and more complete perspective on any potential issue. Triangulation involves the use of multiple sources of information and methods of data collection to gain a better perspective, and also to prevent false reporting. **It is very important** that monitors and certifiers distinguish between risks of violations, or red flags, and actual confirmed violations. Both are important, **and must be reported**, but they will also require different levels of response.



What to do when risk is detected: If a monitor or certifier detects one or more of the red flags contained in this document, or uncovers a clear labor violation, they are **not** expected to confront management at the farm or estate directly, and in fact, it is **NOT recommended to do so**. This could put workers at risk of adverse consequences, such as being terminated and blacklisted without any means to seek remedy or support. Instead, monitors and certifiers should try to record and report the issue to their team or supervisor, or potentially the buyer, depending on code of conduct requirements, providing as much detail as possible. **When triangulation across multiple sources of information is possible, and issues are corroborated, monitors will be able to report not just risk of an abuse or violation happening, but potentially a verified violation.**

Potential Labor Risk vs. Labor Violation

It is important to understand the differences between a potential labor risk, or a labor hazard, and a labor violation. To be clear, both are important and must be noted and tracked, however, their differences dictate the urgency and importance of the actions that follow one or the other.

A labor violation is when we can confirm that there has been a breach or non compliance incident. This non compliance may be with a code of conduct, or a law, regulation, or guidance. The confirmation of this violation will come with evidence of the incident. For example, a worker will tell an interviewer that they are not paid overtime, despite having worked multiple hours of overtime the past week. Then, the monitor, looking at paystubs will see that the worker had logged overtime hours but was not paid for them, and when asking the labor broker who paid the worker, the labor broker says that they averaged out the total number of hours per week worked, so they had not paid overtime for the one day the worker worked over the normal pay hours.

By contrast, a labor risk, or hazard, could be a situation where we cannot confirm, or triangulate a claim by one of the parties, or, alternatively, where there is a potential for risk for the worker, but we don't know if or what risk management activities have taken place. For example, a monitor may see that workers were applying pesticides

without PPE. However, the labor broker shows you that they have access to PPE and have been trained on how to use it, because they keep a log of trainings and PPE materials. Therefore, there is still a risk, because the workers are not using the PPE; however, it is not a violation because the workers are the ones who are not complying with the usage. In this case, the monitor may want to have an interview with the workers or ascertain why they don't use the PPE and see if there are ways to remedy this situation.

Key Definitions and Labor Risks in the Coffee Sector

What is Forced Labor?

ILO Convention 29, the most authoritative convention on Forced Labor, defines forced or compulsory labor as: "All work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily."

There are two key components of forced labor: involuntary work and menace (or threat) of penalty. Involuntary work refers to any work taking place without the free and informed consent of the worker; it can include work taking place under deception or work in which the worker is uninformed about conditions. Menace (or threat) of penalty refers to a wide range of penalties used to compel someone to work. Workers can be actually subjected to coercion, or verbally threatened by these elements of coercion, or witness coercion imposed on other co-workers in relation to involuntary work.

Another way to think about this is to ask the following two questions:

1. "Has the worker entered into a job of their own free will and based their decision on accurate information provided without deception?" (If no, the work may be involuntary.)
2. "Can the worker leave the job freely without threat or punishment to themselves or their family should their work situation become unbearable?" (If no, there may be threat or menace of penalty at play that prevents the worker from leaving.)

If the work is involuntary and there is a threat or menace of penalty, then the work may be considered forced labor.



Both **involuntary work** and **menace of penalty** need to be present for a situation to be considered forced labor.

However, a worker experiencing even one component can be considered to be **vulnerable to** or **at risk of** forced labor.

Indicators of Forced Labor

The ILO and the International Conference of Labor Statisticians have provided **indicators** of forced labor – or red flags that signal whether work is involuntary and/or performed under menace of penalty.

The indicator framework was first presented by the ILO in a 2012 document called "**Hard to see, harder to count - Survey guidelines to estimate forced labour of adults and children**" and was updated in 2018 by the International Conference of Labour Statisticians in a document called "**Guidelines concerning the measurement of forced labor.**"

Indicators of Involuntary Work

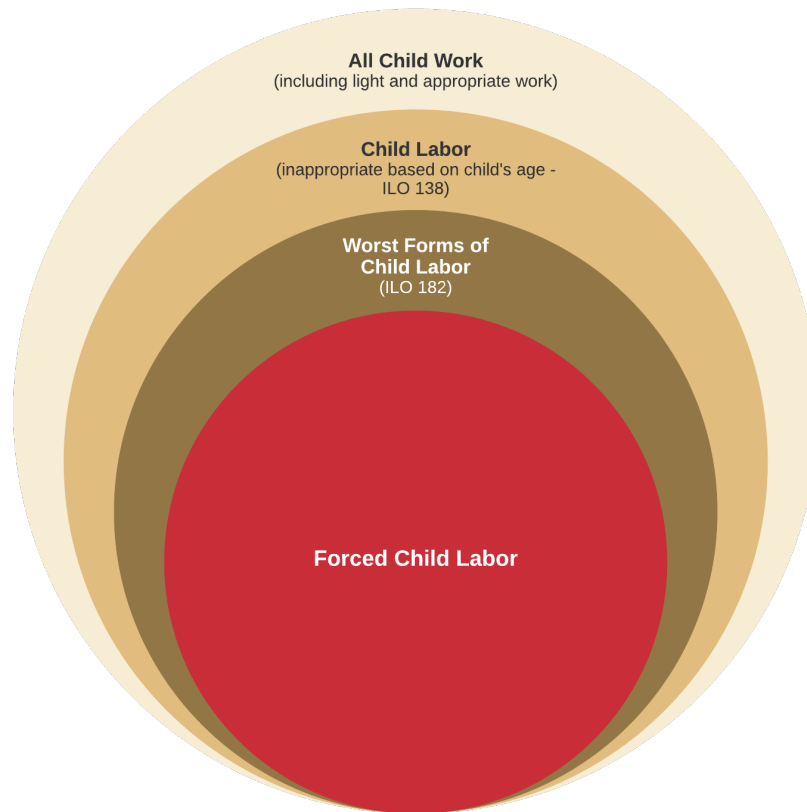
- unfree recruitment at birth or through transaction such as slavery or bonded labour;
- situations in which the worker must perform a job of a different nature from that specified during recruitment without a person's consent;
- abusive requirements for overtime or on-call work that were not previously agreed with the employer;
- work in hazardous conditions to which the worker has not consented, with or without compensation or protective equipment;
- work with very low or no wages;
- degrading living conditions imposed by the employer, recruiter, or other third-party;
- work for other employers than agreed;
- work for longer period of time than agreed; and
- work with no or limited freedom to terminate work contract.

Indicators of Menace of Penalty

- threats or violence against workers or workers' families and relatives, or close associates;
- restrictions on workers' movement;
- debt bondage or manipulation of debt;
- withholding of wages or other promised benefits;
- withholding of valuable documents (such as identity documents or residence permits); and

abuse of workers' vulnerability through the denial of rights or privileges and/or threats of dismissal or deportation.

What is Child Labor?



The ILO defines child labor as “work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. It refers to work that:

- is mentally, physically, socially or morally dangerous and harmful to children;
- interferes with their schooling by depriving them of the opportunity to attend school;
- obliging them to leave school prematurely; or
- requiring them to attempt to combine school attendance with excessively long and heavy work.”¹

The ILO generally sets the minimum age for child labor at 15, although a lower age of 14 is permitted in some developing countries.

ILO Convention 182 defines and prohibits the Worst Forms of Child Labour for all minors under the age of 18. This includes: "a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict; b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances; c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties; d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children."

ILO Convention 182 establishes the countries may define hazardous work in their own context and may define specific sector or activities as inherently hazardous. Many key coffee-producing countries such as Brazil, Colombia, and Mexico have broadly defined agricultural work as hazardous. Because all minors under the age of 18 are prohibited from engaging in hazardous work, this means that it would be illegal for minors to be engaged in agricultural work on coffee farms in these countries.

The ILO defines forced child labor (one of the worst forms of child labor) as: "Work performed by a child under coercion applied by a third party (other than the child's parents) either to the child or to the child's parents, or if work is performed by a child as a direct result of parents being in forced labour." It is important to note that the ILO establishes that "children working for their parents are not considered to be in forced labour, provided their parents are not in forced labour themselves."²

What Other Labor Risks Exist in the Coffee Sector?

There are several other labor risks in the coffee sector, including wage and hour violations and health and safety hazards, among others. Below are some examples of relevant risks detected by Verité in the Latin American coffee sector.

Wage and hour violations:

- wages lower than the legal minimum wage (often related to piece-rate pay and the payment of male heads of household for the production of all family members, most commonly wives and children);
- illegal deductions from workers' pay;
- lack of written payment records;
- working hours in excess of legal limits;
- forced overtime (often tied to piece-rate pay and production quotas); and
- unpaid overtime or overtime without payment of legally-mandated premiums.

Health and safety hazards:

- lack of Personal Protective Equipment (PPE);
- lack of safety training;
- use of unsafe or unlabeled pesticides and herbicides;
- hazardous work, such as use of machetes, work at heights, and carrying heavy loads;
- dangerous working locations including work on slippery slopes and in areas with dangerous animals and insects;
- lack of first aid kits and medical care; and
- unhygienic facilities including restrooms, dormitories, and food preparation and storage areas.

Red Flags

Forced Labor

Verité research in the Latin American coffee sector has detected the presence of all the ILO indicators of forced labor, with the exception of *unfree recruitment at birth or through transaction such as slavery or bonded labour*. Forced labor may be difficult to detect because it is often hidden, without physical signs that someone is in forced labor. Making a determination of forced labor requires identifying the presence and interplay of multiple indicators of forced labor. This requires detailed conversations with workers led by experienced interviewers who can delicately inquire about sensitive topics and build trust with vulnerable workers.

For more information on potential risks related recruitment, please refer to *Tool #6: Primer on Recruitment-Related risks in the Latin American coffee sector*.

Sources of information include:

- worker interviews (including former workers if access to the work site is not possible);
- interviews with families of workers;
- interviews with employers, managers, or other supervisors;
- interviews with recruiters;
- interviews with community members and local experts;
- review of contracts or other written work agreements;
- review of any formal disciplinary records, if available; and
- visual inspections of worksites.

Forced Labor Indicators (Red Flags) and Questions to Ask

The chart below lists suggested questions you might ask a worker to determine if forced labor indicators are present. It is important to note that indicators of forced labor can be individually considered red flags for forced labor, and a combination of indicators of involuntary work and menace of penalty can be used to identify victims of forced labor.

Involuntary Work		Menace of Penalty	
Indicator	Questions	Indicator	Questions
Situations in which the worker must perform a job of different nature from that specified during recruitment without a person's consent	<ul style="list-style-type: none"> Did you receive a signed contract in a language you understand? How does that information match up with the actual conditions of the job? What information did you receive about the job on the coffee farm before you accepted it? Are any conditions or terms of the job worse than what was communicated to you? 	Threats or violence against workers or workers' families and relatives, or close associates	Have you experienced, or do you believe you would experience, any of the following if you complained about conditions on the farm or tried to leave: <ul style="list-style-type: none"> physical or sexual violence; harassment or abuse; increased isolation; or worsening working or living conditions.
Abusive requirements for overtime or on-call work that were not previously agreed with the employer	<ul style="list-style-type: none"> Are you required to work a certain number of hours? Do you have to meet a production quota? What would happen if you refused to work overtime or failed to meet a quota? If paid a piece rate, are you able to earn the minimum wage or enough to survive without working overtime? Are you required to be on-call outside of work hours? 	Restrictions on workers' movement	<ul style="list-style-type: none"> Are you able to leave the coffee farm or worker housing whenever you want? Are there armed guards on the farm? Are there fences or physical barriers that prevent you from leaving? Is there public transportation from the farm to your community and do you have enough money pay for it?
Work in hazardous conditions to which the worker has not consented, with or without compensation or protective equipment	<ul style="list-style-type: none"> Do you carry out any hazardous work on the farm and/or have you had an injury or illness while on the farm? If so, were you previously informed that you would be carrying out this type of work and/or informed about its hazardous nature? 	Debt bondage or manipulation of debt	<ul style="list-style-type: none"> Did you have to pay any fees or costs to get your job or get to the farm? If so, did you become indebted as a result? Do you buy goods on credit from a store controlled by the farm or a labor broker?

	<ul style="list-style-type: none"> • Are you provided with personal protective equipment? • Are you provided with training on workplace hazards? • Are you provided with hazard pay? 		<ul style="list-style-type: none"> • If so, are the products at the store higher than market prices? • What would happen if you left the farm before paying back your debts?
Work with very low or no wages	<ul style="list-style-type: none"> • How much are you paid per month, on average, after deductions? • Is that payment for your production alone? • If not, how many people earn that wage? • Are you paid directly for all of your work? • Are you paid piece rates? • Do you have to meet a production quota? • Do you receive written documentation of your earnings and deductions? 	Withholding of wages or other promised benefits	<ul style="list-style-type: none"> • How often are you paid? • Are you paid the amount expected? • Are any deductions from your pay? • If so, are they for benefits that you did not receive? • Are you charged fines? • Do you have to work for longer than you want to be paid (such as until the end of the harvest)? • Are you given all of the benefits promised to you and/or that you have paid for?
In degrading living conditions imposed by the employer, recruiter, or other third-party	<ul style="list-style-type: none"> • Do you live in employer- or labor broker-provided housing? • If so, are the living conditions worse than those at your home? • Does your housing have the following? <ul style="list-style-type: none"> ○ A kitchen ○ A bathroom ○ A shower ○ Potable water ○ Electricity ○ Sufficient space ○ Sufficient privacy ○ Adequate security 	Withholding of valuable documents (such as identity documents or residence permits)	<ul style="list-style-type: none"> • Did your employer or labor broker retain any documents (such as identity documents, passports, work or residency permits, social security cards, debit cards, work records, etc.)? • If so, were you able to immediately access those documents upon request? • Were you provided a safe place to store your valuables?
Work for other employers than agreed	<ul style="list-style-type: none"> • Were you informed of the farm that you would be working at and the name of the farm owner at the time of recruitment? • Was the information provided to you accurate? • Were you ever required to work for someone else (such as on another farm or at someone's house)? 	Abuse of workers' vulnerability through the denial of rights or privileges and/or threats of dismissal or deportation	<ul style="list-style-type: none"> • Have rights (such as food) or privileges (such as promotion) even been taken away from you? • Have you ever been threatened with dismissal and/or blacklisting? • Have you ever been threatened with deportation?

			<ul style="list-style-type: none"> Have you ever been threatened with being reported to authorities?
Work for longer period of time than agreed	<ul style="list-style-type: none"> Were you informed of the duration of your contract at the time of hiring? Are you able to leave the coffee farm before finishing your contract or the harvest, or paying debts? 		
Work with no or limited freedom to terminate work contract	<ul style="list-style-type: none"> Does your verbal or written contract stipulate that you must work for a certain amount of time or complete a certain task (such as the coffee harvest) before you can terminate it? Can you leave the coffee farm whenever you wish? If not, what might happen or what prevents you from leaving? 		

Child Labor

Smallholder coffee farms often rely heavily on family labor, and children and juveniles are likely to work on family farms. On larger estates, minors may work alongside their parents either to supplement their families' income, to help parents meet their production quotas, or because the children of migrant parents have nowhere else to go during the day if they are not enrolled in school.³ Children involved in coffee production take on a variety of tasks including pruning trees, weeding, fertilizing, picking and sorting coffee beans, and transporting beans and other supplies. While some tasks, such as sorting coffee beans, could be considered light work if carried out under the right conditions, it is important to note that in countries that have defined all agricultural work as inherently hazardous all minors under the age of 18 are prohibited from engaging in such work. Certain activities in the coffee sector can leave children vulnerable to injuries, hearing loss, musculoskeletal injuries, respiratory illnesses, pesticide exposure, sun and heat exposure, snake and insect bites, long working hours, and withdrawal from school.⁴

Sources of information include:

- worker interviews;
- interviews with employers, managers, or other supervisors;

- interviews with community members and local experts (including teachers);
- visual inspections of worksites (during and outside of school hours); and
- school enrollment records.

Examples of Questions to Ask:

- Is the farm owner/management aware of minimum age requirements?
- Does the farm communicate minimum age requirements to workers?
 - How does it communicate to workers with children that their children cannot work?
 - Does the farm communicate to workers which tasks are hazardous and therefore which tasks workers under 18 should not participate in?
- Does the farm have an age verification system in place?
 - If so, does it make copies of the documents?
 - Are these records kept for all workers, including those hired by labor brokers?
- Do children live with their parents on the farm?
 - If so, how old are these children?
 - Are these children attending school if they are below the age for compulsory schooling?
 - What do the children do during the day if they are not in school?
 - Do parents have options for care that do not involve taking their children to work with them?

Red Flags:

- The farm is far away from the local school.
- The farm does not have any childcare facilities.
- Migrant workers live in shared worker housing.
- Workers are paid piece rates.
- Children's hands seem to be affected with skin rashes and redness resulting from agricultural work.
- The farm is unable to produce proof of age documentation or proof of school enrollment.
- Young workers claim to be older than they look.
- School enrollment records indicate low rates of enrollment and attendance, especially during the harvest season.

Wage Violations

Wage payment systems can vary widely in the coffee sector. In many cases, payment is tied to production, especially among the large contingent of temporary coffee harvesters. Piece-rate payment systems and production quotas increase the risk of

subminimum wages and can also incentivize significant overtime and the use of child labor. In some cases, workers may not be paid until the end of the harvest season or the term of their contracts, or until the coffee that they harvested is sold. The delayed payment may limit workers' ability to leave the worksite or job if working conditions deteriorate. Workers are seldom provided with pay slips that document workers' earnings and deductions. This can facilitate fraud in payment calculations and illegal deductions from workers' pay.

Sources of information include:

- worker interviews;
- employer or manager interviews;
- review of pay slips;
- review of contracts or employment agreement;
- cooperative records (if applicable); and
- interviews with community experts.

Examples of Questions to Ask:

- Are workers paid by the employer/farm or the labor broker?
- How are workers' payments calculated (e.g., hourly, daily, piece rate, by task completed, percentage of harvest, etc.)?
- How are workers paid (in cash, check, direct deposit, crop, or company store voucher)?
- How often are workers paid (daily, weekly, bi-weekly, monthly, at the end of their contract or the harvest)?
- Have wage payments, or any portion of wages, ever been delayed or withheld? If yes, what were the circumstances of this?
- Are different demographic groups of workers (women, migrants, temporary workers, etc.) paid different rates?
- Do women, children, or other family members assist heads of household (who are the direct employees of farms) in harvesting coffee or completing other tasks?
 - If so, do they receive their own wages or piece-rate wages for their individual work?
- Do workers receive a pay slip or wage statement?
 - If yes, is this pay slip in a language workers understand?
 - Does it clearly indicate wage calculations and any deductions that are made from the worker's salary?
- Are any deductions made from workers' wages?
 - If yes, how much is deducted and what for (e.g., meals, transportation, lodging, utilities, uniform, tools, social security, other)?
 - Were workers aware of these deductions before they began working?

- Do workers ever receive wages in the form of non-cash or “in-kind” payments?
 - If yes, what percentage of the wage has been paid in this way?
- Do workers receive an advance on wages or a loan from the employer or labor broker?
 - If yes, what are the terms of this loan, including the interest rate and financing period?
 - Have the terms of the loan ever been changed without the worker's consent?
- Does the employer or labor broker in any way limit the worker's freedom to use wages as they see fit?

Red Flags:

- Workers do not receive any pay slips or summary of earnings.
- Pay slips are provided but are in a language the workers do not understand.
- Pay slips are inaccurate or do not contain adequate detail of how wages or earnings are calculated.
- Workers do not feel they have adequate visibility into earnings calculations (i.e., if workers are paid on a piece-rate basis but are excluded from the process of weighing/measuring/grading their share of harvested material.)
- Workers do not understand how their wages are calculated.
- Workers feel that the wage or pay system in practice was not adequately explained to them prior to beginning work.
- Workers are not able to meet production quotas or earn a minimum wage under piece-rate systems unless they involve family or child labor.
- Workers express other concerns around piece-rate, quota, or other wage systems (i.e. the minimum wage can only be earned through excessive overtime).
- Workers (or their families) are provided with cash advances and in-kind supplies, the value of which is deducted from their pay at high interest.
- Workers are indebted to the farm, labor brokers, or any individual associated with the farm.
- Workers are paid in vouchers for company-owned stores instead of in cash.
- Workers’ pay slips do not correspond to records provided by the employer.

Working Hour Violations

Unless specified in the employment contract or collective bargaining agreement, compulsory overtime can create a forced labor risk for any worker. In the coffee sector,

the limited time frame of harvest seasons may result in unavoidable overtime for some workers.

Potential sources of information include:

- interviews with workers and family members;
- interviews with employer or managers;
- interviews with community members who might be able to observe the work site; and
- review of documents like wage slips or timecards that may track hours worked.

Examples of Questions to Ask:

- What are the typical daily working hours on the coffee farm?
- Are there seasonal spikes in hours worked?
- What is the frequency and amount of overtime?
- Do long hours represent a risk to health and safety of workers?
 - Are workers free to turn down overtime?
- Do workers experience financial penalties if they do not work overtime?
- Do workers have accurate information about the hours required before they start work?
 - How is this communicated?
- Are workers paid using a piece-rate system?
 - Can a worker earn the minimum wage without working overtime?
- Does the farm institute production quotas?
 - Can workers meet production quotas during regular working hours?
 - What happens if workers fail to meet quotas?

Red Flags:

- Work hours exceed legal limits.
- Not enough workers are employed to meet production needs.
- The number of workers does not increase sufficiently to meet seasonal requirements (most often during the harvest).
- Workers report symptoms of fatigue (e.g., exhaustion, unable to communicate clearly, increased frustration, inability to focus on tasks, cutting corners to finish more quickly, taking unusual risks, slow response times, not noticing impending physical risks, making unusual mistakes on routine tasks).
- Employer records of working hours are inconsistent with hours reported by workers.
- Workers are unable to meet quotas without regularly working overtime.

- Workers are unable to earn the minimum wage under piece-rate schemes without working overtime.

Health and Safety Violations

Health and safety risks and violations are common in the coffee sector. Hazardous tasks that may not be labor violations in and of themselves, but that could present risks to worker health and safety – especially if they are repeatedly exposed over a long period of time – include exposure to pesticides and herbicides, carrying heavy loads, working with sharp instruments, operating heavy machinery, working at heights and in areas with dust or smoke, working under the rain, working in the dark (at night or in the early morning), working under extreme temperatures (heat or cold), working in areas in which there are dangerous animals (such as poisonous snakes, spiders, scorpions, and disease-carrying mosquitos), and working in tight spaces. While many of these hazardous tasks do not constitute violations of labor law in coffee-producing countries, monitors will want to be aware of these hazards and ensure that workers are informed of these risks and that measures are being taken to address them, such as the provision of training and PPE.

Potential sources of information include:

- interviews with workers and family members;
- interviews with local medical professionals;
- interviews with local civil society experts;
- public records on health and safety inspections; and
- physical inspections of farms, healthcare facilities, and worker housing.

Examples of Questions to Ask:

- What injuries or illnesses do workers experience because of their jobs?
- Are workers free to remove themselves from working situations that pose an imminent threat to their safety and/or health?
- Are workers aware of potential hazards before they start their job?
 - If yes, how is this information communicated?
 - If yes, have they received information on how to mitigate these risks? Given the right guidance and tools to do so?
- Do workers have access to relevant protective equipment?
 - If yes, who pays for this equipment?
 - If workers must pay for their own equipment, do workers know this before they begin working?
 - If the employer provides protective equipment for a fee to workers, are the fees reasonable or are they inflated prices?

Red Flags:

- Workers did not have prior knowledge of health and safety risks posed by regular work activities.
- Workers engaged in hazardous tasks have no knowledge of, or guidance on, how to mitigate risks.
- Workers are assigned hazardous tasks as a means of punishment/threat.
- Workers cannot freely remove themselves from hazardous situations.
- Workers are not using PPE.
- There are no first aid kits.
- Chemicals are not labeled.

High-Level Risk Factors

There are also a variety of macro-level factors that can contribute to increased labor risks in the coffee sector. These include worker demographics, the type of work involved, and the circumstances in a particular geographic region. When you see these factors present on coffee farms, it is an indication that there is heightened vulnerability of workers to labor exploitation and that you should dig deeper to verify whether these risk factors indeed translate to labor violations.

Risk Factors Related to Worker Demographics

Some worker populations may be more vulnerable to labor violations based on demographic factors.

Female Workers

Women are often paid lower wages than men on coffee farms, increasing the burden of debt. Women may find themselves subject to discrimination and harassment in the workplace in ways that their male counterparts are not and this may undermine their capacity to resist or advocate for themselves. Due to discrimination, some women may have limited employment options, leading them to accept undesirable jobs that have higher rates of abuse. Women's labor in some contexts may be "invisible," such as when they contribute to their spouse's piece-rate production on coffee farms but are not paid directly for their production. Women's earning power is also reduced by the heavy burden of tasks such as cooking, cleaning, and childcare that are often unremunerated and unrecognized but are nonetheless essential to the functioning of coffee farms.

Young Workers

Children and adolescents are smaller, more easily physically intimidated, and reliant adults for their survival. Due to their lack of development and life experience, it can be difficult for a child or adolescent to weigh risks. Children and adolescents may also have a difficult time evaluating promises made by labor brokers or farm owners, increasing the risk of deceptive recruitment.

Impoverished Workers

People suffering from extreme poverty generally have few employment and education options and may take risks that increase their vulnerability. For example, impoverished workers are more likely to pay recruitment fees to obtain jobs on coffee farms or to have to purchase goods on credit from company stores, increasing their risk of becoming trapped in situations of debt bondage.

Migrant Workers

Migrant workers – whether domestic or transnational – often face restricted employment options and lack of local social networks or other support systems, opening them to potential exploitation on coffee farms. Migrants may also be more likely to use labor recruiters or have to pay fees/other expenses to secure employment on farms. Migration of entire families to coffee farms can also increase the risk of child labor and its worst forms.

Workers Recruited by a Labor Broker or Other Recruiter

The use of labor brokers to recruit workers, and especially to supervise them on coffee farms, significantly raises the risk of labor exploitation. Verité research has found that labor brokers are more likely to engage in deception around the nature and/or conditions of the job, in part because the earnings of many brokers are influenced by the number of workers that they recruit. It also raises the risk that workers will have to pay fees to secure a job and/or make deductions from workers' pay. Labor brokers also engage in a number of other practices that increase the risk of labor exploitation, including forced labor, such as document retention, harassment and abuse, and blacklisting.

Workers from Other Vulnerable or Marginalized Social Groups

Vulnerable populations and marginalized social groups – such as indigenous workers, undocumented immigrants, refugees and asylum seekers, and LGBTQ individuals – may experience increased vulnerability to labor exploitation on coffee farms due to discrimination, limited economic opportunities, poverty, and a lack of social capital with which to advocate for their rights. If groups are already marginalized and vulnerable in a society, their ability to advocate for their rights and demand equal and fair treatment, pay, and safe working conditions may be weaker.

Note that these are not the only groups vulnerable to labor exploitation, however they should be considered for heightened overall risk.

It is also important to consider the ways these factors can overlap and intersect. For example, a young impoverished migrant is more likely to be vulnerable than an older local worker with a stable source of income.

Risk Factors Related to Types of Work

In addition to demographic groups, certain types of work on coffee farms may be associated with an increased risk of labor exploitation.

Dangerous or Difficult Tasks

Tasks on coffee farms that are unpleasant, dangerous, or otherwise difficult – such as working at heights or in extreme temperatures, carrying heavy coffee sacks or applying pesticides or herbicides – are often undesirable to workers with other options, potentially increasing the risk that workers will be deceived about the actual conditions or otherwise compelled to accept the job and continue working. When these jobs are low-paying, they are in many cases performed by individuals with a high level of vulnerability, including immigrants, minorities, and other socially marginalized groups.

Seasonal Work

The time-sensitive nature of coffee harvesting leads to a temporary surge in demand for farmworkers in particular regions, only to have demand drop off sharply once the harvest is complete. This spike in demand can contribute to the use of migrant workers, labor recruiters, or deceptive hiring practices.

Piece-Rate Pay and/or Production Quotas

Verité research has found that many coffee farms pay workers, especially coffee harvesters, using a piece-rate payment system, most often based on the amount of coffee harvested. Farms may also implement production quotas, sometimes accompanied by penalties for failure to meet these targets. Piece-rate pay is associated with an increased risk of child labor, subminimum wages, excessive unpaid overtime, and unequal remuneration between men and women.

Risk Factors Related to Geography

Finally, some geographic factors may also contribute to increased labor risk. Remember that risks related to worker demographics, job type, and geography can intersect to heighten vulnerability.

Isolated Areas

Living and/or working in an isolated area can increase the chance that a worker will be unable to leave or seek help if working or living conditions are undesirable or worse than promised. Workers in isolated areas may also be more dependent on their employers for needs like food, housing, and access to healthcare. Worksites in these areas are more difficult to monitor.

Areas Affected by Environmental Degradation

Deforestation, recurring drought, or crop diseases (such as la roya/coffee rust) can also lead to an increased risk of labor exploitation, due to an association with pervasive poverty, forced migration, and food insecurity among local populations. Labor risks caused by such environmental factors will likely increase over time as a result of ongoing climate change.

Areas Affected by High Levels of Violence

Verité research has found that the risk of labor exploitation is increased in areas affected by conflict or high levels of crime or insecurity. Workers who live in areas with high levels of violence are at a greater risk of displacement, and if they are forced to migrate they become highly vulnerable to labor exploitation due to their desperation for income and lack of social networks. Workers who work on farms in areas with high levels of crime and conflict may be much less likely to leave their jobs without their employers' permission, especially when combined with elevated rates of impunity. Finally, in violent areas, workers may be hesitant to venture off of coffee farms due to fear of being victimized.

Next Steps

A first step can be to review the *Sample code of conduct provisions*, as it is important to ensure that company codes of conduct are as robust as possible since monitors will often be assessing compliance codes in addition to local law. Using the *Coffee Sector Risk Map* can help to determine where to focus monitoring and which issues to look for. The *Self-assessment questionnaires for coffee traders, producers, and labor brokers* can be used to identify possible issues for verification during farm visits. If labor violations are uncovered, helpful resources include the *Root cause analysis of labor violations in the coffee sector* tool and the *Management systems framework for preventing and remediating labor risks*.

Endnotes

¹ International Labour Organization (ILO). “Defining child labour.” *What is child labour*. <https://www.ilo.org/ipec/facts/lang--en/index.htm#:~:text=The%20term%20E2%80%9Cchild%20labour%E2%80%9D%20is,harmful%20to%20children%3B%20and%20for>.

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³ Fair Trade USA. *Child Labor in Coffee Supply Chains*. 27 January 2017.

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