

**WORKER FEEDBACK AND GRIEVANCE MECHANISMS FOR SEASONAL MIGRANT
HAZELNUT WORKERS FROM ŞANLIURFA AND MARDİN:**

**WORKERS' PERCEPTIONS, NEEDS AND RECOMMENDATIONS FOR A FUNCTIONING
GRIEVANCE CHANNEL**

*Companion to the Report "Mapping Study on Seasonal Agriculture Workers and Worker
Feedback and Grievance Mechanisms in the Agricultural Sector"*

**Fair Labor Association
June 2018**

ACKNOWLEDGEMENT:

Funding was provided by the United States Department of Labor under cooperative agreement number IL-28101-15-75-K-11.

DISCLAIMER: This material does not necessarily reflect the views or policies of the United States Department of Labor, nor does mention of trade names, commercial products, or organizations imply endorsement by the United States Government. Ninety-seven percent of the total costs of the project were financed with Federal funds, for a total of \$4,996,000.

CONTENTS

I. Executive Summary	3
II. Recommendations	5
III. Background and Research Objectives	10
IV. Methodology	12
V. Workers' Profile and Working Conditions	13
VI. Multiple Levels of Dependent Relationships	17
On Labor Contractor and /or Supervisor	17
On Families	18
On Communities	19
VII. Main Sources of Grievances	19
VII. Available Workers Feedback Grievance Mechanisms and Barriers	21
Judicial Mechanisms	21
Customary Mechanisms	22
Non-Judicial Mechanisms	23
VIII. Preferences of the Workers on Worker Feedback and Grievance Channels	27
Complaint box located in the orchards and/or camp areas	27
Use of Technology – such as a smartphone application	28
Hotlines	28
Mediation by Company Field Workers	29
Mediation by NGO's and Community Mobilizers and Activists	29
Annex 1: List of the Households and Ideal Grievance Mechanisms	31

I. Executive Summary

The Fair Labor Association, as part of the “Partnership to Reduce Child and Forced Labor in Imported Agricultural Products: Piloting the USDA Guidelines in Turkey’s Hazelnut Supply Chain” project funded by the U.S. Department of Labor, conducted field research on the perception of seasonal hazelnut workers about and their needs around grievance mechanisms. The research was conducted in March 2018, in two cities located in South-East of Turkey, Şanlıurfa and Mardin, from where a large number of seasonal migrant workers originate and travel each year to the Black Sea Region in the north of Turkey to harvest hazelnuts.

The main objectives of the research were to map: (a) sources of grievances amongst workers concerning their working and living conditions in the harvesting areas and employment relations; (b) available grievance handling and redressal mechanisms; (c) barriers for workers that prevent them from accessing the available mechanisms; and (d) concerns and preferences of workers for alternate channels to raise grievances.

Based on the analysis conducted, recommendations are provided to the three companies participating in the project – Nestle, Olam and Balsu -- on the features of workers’ feedback and grievance mechanisms they could install in their hazelnuts supply chains. The results of this study also inform the FLA’s broader study on seasonal migratory labor and worker feedback and grievance mechanisms in the agriculture sector¹.

The primary sources of grievances mentioned by the seasonal hazelnut workers during the in-depth surveys are:

- the 10 percent commission on their wages that the farm workers are required to pay to labor contractors (as a deduction from their minimum wages);
- excessive work hours and unpaid overtime;
- strict monitoring and restrictions during work, such as limiting of bathroom breaks;
- unsafe transportation between the orchards and lodging locations;
- poor housing conditions, such as insufficient toilet and bathroom facilities and limited access to electricity;

¹ FLA has produced two reports on the topic of Worker Feedback and Grievance Mechanisms in the agricultural sector. The report titled “*Mapping Study on Seasonal Agriculture Workers and Worker Feedback and Grievance Mechanisms in the Agricultural Sector*” lays out the conditions and international norms and guidelines for seasonal migratory labor and assesses four worker feedback and grievance channels (WFGC) in different commodities and countries. This report specifically looks at Worker Feedback and Grievance Mechanisms (WFGM) in the Turkish hazelnuts context. The two reports should be read together for comprehensive understanding.

- mistreatment and discrimination by the farmers and locals given their migratory status; and
- wage inequality between local and migrant workers.

Workers mentioned refraining from raising grievances formally and seeking resolution because they fear dismissal from their current job and not being recruited for future work, as they are highly dependent on the labor contractors to find work. They could be tagged as being “difficult” if they demand their rights. Most workers rely on traditional and customary grievance-handling mechanisms, such as appealing to their supervisors and labor contractors when they encounter a problem (for example, not getting their full payment). However, in the case of grievances against the supervisors and labor contractors themselves, they have nowhere to go. According to the workers, orchard owners do not pay attention to their grievances since they are able to easily dismiss workers who complain too much and hire new ones without any consequences. Hence, the workers feel they have to conform, adapt, and submit to all conditions.

There are a few available judicial and non-judicial grievance mechanisms, such as telephone hotlines and online complaint channels operated by public authorities, police, gendarmerie and companies that source hazelnuts from the farms. The local helpline numbers operated by the public authorities and police are known to few workers. Furthermore workers do not feel comfortable using them given the ethnic tensions and socio-political situation in the country and the fact that many of them do not have a formal employment contract with the employer that would allow them to contest breach of contract terms.

The research indicates that many male workers have hand-held devices and smart phones and have internet access. In contrast, hand cell phone ownership is very low amongst young and single female workers, which is a critical barrier to raising grievances via phone and/or over the internet. Several female workers also stated that they do not feel comfortable talking to unfamiliar men, even on the phone. Besides, there is a language barrier for middle-aged female and elder workers, since a significant proportion of them do not speak Turkish. Illiteracy is widespread among these worker groups.

The company-operated hotlines that are active during the harvest time are not widely known or used by workers. Several respondents mentioned that the company field officers are close to the orchard owners and labor contractors. This closeness discourages workers from reaching out to them to raise grievances fearing retaliation.

Given the low usage of non-judicial public and company-operated grievance mechanisms, grassroots level organizations have the potential to serve as positive agents in grievance handling and resolution. Several respondents in Şanlıurfa who are members of METIDER, a civil society organization based in the region, reported that they receive assistance from METIDER for resolution of problems such as lack of basic amenities in campsites and unsafe transportation between orchards and lodging areas.

Our analysis concluded that workers who harvest hazelnuts in Turkey have grievances that they would like to raise, but do not do so because they do not sufficiently trust any of the existing mechanisms.

In response to inquiries from the research team on an ideal worker feedback and grievance mechanism, the workers identified the following features:

- Protect the anonymity and confidentiality of the complainant so that she/he cannot be identified by family, community members, employers and labor contractors.
- Keep complainants safe while the investigation is ongoing from any group retaliation.
- Have safeguards in place that will prevent the farmers, labor contractors, and supervisors from meddling in the process or controlling the outcomes.
- Offer complainants an opportunity for face-to-face communication, preferably with female intermediary agents who are trusted by the workers (this is especially important in the case of female workers).
- In addition to the host communities in the Black Sea Region where the harvest is conducted, these mechanisms should also be available in the hometowns.
- Provide both written and verbal channels for raising grievances and ensure that they are available in Arabic and Kurdish for the non-Turkish speaking workers and in a way that it can reach those who are illiterate.

II. Recommendations

The following recommendations are made to the three companies (Nestle, Olam and Balsu) as they develop a worker feedback and grievance mechanism that fulfills the eight effectiveness criteria of the UN Guiding Principles on Business and Human Rights (the UN Guiding Principles). These recommendations should be read alongside the overarching recommendations in the companion report on seasonal agricultural workers across commodities and countries:

Developing a Worker Feedback and Grievance Mechanism:

- In addition to the existing hotlines that the two suppliers (Olam and Balsu) operate, consider developing a worker feedback and grievance mechanism operated by a third-party that is trusted by the workers. The mechanisms should operate in several languages used by the workers, including Arabic, Turkish, and Kurdish. It is important to consult with workers, their families, labor contractors, farmers and local CSOs on the design and implementation of the mechanism.
- In the case of third-party operated systems, local CSOs, community mobilizers, or local activists can be responsible for collecting the complaints and passing them to the third-party and companies for resolution.
- There should be an iron-clad guarantee that workers who choose to use the grievance channels will not be subject to retaliation by farmers, labor contractors, and supervisors.
- The worker feedback and grievance mechanism should have multiple access points, for example via basic mobiles (sms, IVR system), smart phones (sms, IVR, dedicated application, other applications such as Whatapp) and online channels (via emails or secured social media chatrooms) that can be accessed by the workers both from their work location and also from their home towns.
- The descriptions of these channels should be supported by audio-visual aids for ease of understanding. In addition to providing relevant information to the workers, the visual aids should also clearly indicate emergency contact numbers.
- The hotlines or other channels should provide an option to be able to speak to a female. Women seeking to use the grievance system might feel more comfortable talking to a stranger on the phone if the party is a female.
- Additionally, for women who do not have access to phones or internet, secure suggestion/complaint boxes can be installed at locations easily accessible to them, such as camp-sites and housing, that are not directly visible to the farmers, supervisors, labor contractors.
- Ensure that these mechanisms (either via phone, online, phone app, or complaint/suggestion boxes) cannot be accessed or opened by farmers, supervisors, or labor contractors. Either a company staff member, a designated third-party representative or a local CSO should be responsible for managing these suggestion boxes and attending to them in a timely manner.
- Access to all types of workers feedback and grievance channels should be free of cost. For example, phone calls or usage of internet could be subsidized for workers using the channels through a small recharge or free-calling minutes. In the case of suggestion/complaint boxes these should not be located in areas where the workers would have to spend time or resources on transportation in order to reach them.
- The worker feedback and grievance channels should provide anonymity to the workers, including from their own families. Even though easier for follow-up if

name and contact information of the worker is provided, nevertheless the workers should be given an option not to disclose their identity, if they choose to.

- It is imperative to create awareness amongst workers on the multiple channels and on the non-retaliation policy so that they are not fearful of reprisals from using the system. The awareness can be created through training and capacity building both in the work locations but also in the home towns.
- Most workers fear retaliation and hence the companies need to create awareness amongst farmers, labor contractors, and supervisors on the non-retaliation policy and the rights of the workers to raise grievances or suggestions.
- Given the widespread mistrust of farmers and labor contractors, initially the companies should receive and manage the complaints or suggestions, until enough trust and capacity is built in the supply chain to handle them in an objective manner and at the source of the complaints.
- These worker feedback and grievance mechanisms could also be used to collect information from workers through short survey that could help companies gauge the workers feedback in a continuous and timely manner and on particular issues.

Grievance Handling and Remedy:

Once the companies start receiving complaints, the following steps need to be taken:

- The complaint needs to be assigned to a senior staff member or team in the company who is responsible for handling complaints and overseeing the process through its closure (also called the “complaint owner”). This person or team could be a person or a team from the sustainability staff, human resources department, or a cross-functional team.
- Every grievance needs to be handled and responded to in a timely manner, irrespective of its perceived importance or seriousness. For most serious complaints, the first response should be provided within 24 hours. Companies should set a timeline (for example two weeks) within which the complaint should be resolved (barring that ones that are systemic in nature – see below). For communications in the form of suggestions, receipt should be acknowledged.
- The designated person or team within Balsu and Olam needs to be well versed and trained in handling and responding to grievances and suggestions.
- The designated person/team will determine if indeed there are grounds for the grievance. When there is clear evidence that the grievance has been already addressed or does not exist (because of misinformation) not only with regard to the group of workers specified but also across similar groups of workers, it may be concluded that the grievance has no merit. The complaint owner will inform the complainant who filed the grievance about the conclusion not to pursue the grievance and close the case.

- Evidence of the existence of the complaint or inconsistent findings will require accepting the grievance. In these cases, the complaint owner will inform the complainant that further assessment will take place.
- For collecting evidence, the companies will need to identify steps they can take internally and/or with the third party. In case of hazelnuts in Turkey, it is suggested that Balsu and Olam work with a network of experts who could help them investigate the issue further, identify root causes that would lead to better remediation plans, until the companies build internal capacity to take on these activities.
- Once a grievance has been accepted, the designated person/team needs to analyze internally the potential remedy and agree on improvement activities and timelines. These activities and improvements need to be communicated to the complainant.
- Based on the concurrence of the complainant, the parties can undertake the remedial activities and work on them until the desired outcomes are achieved. Throughout the process the complainant needs to be kept informed in a transparent manner.

Addressing Short Term versus Systemic Grievances:

As highlighted by the workers interviews, the research team identified two main types of grievances: (1) grievances that can be resolved in the short term by quick interventions, such as awareness building and education of workers, farmers and supervisors and hands-on interventions by the companies, some of which were piloted during the project; and (2) grievances that are more systemic in nature and rooted in the socio-economic and cultural barriers, will take time and innovation.

The short-term interventions include:

1. **Unsafe transportation and excessive hours of work** – Both of these issues could be resolved if the companies facilitated access to safe transportation on a schedule so that workers could travel back and forth between the farms and their lodging areas at designated times and workers were better trained on keeping track of hours worked. Safe and reliable transportation is especially important in the Eastern Black Sea region, where most workers reside in government run camps. For workers staying in housing units provided by the orchard owners, workers can be trained to keep a time log of the total hours worked each day and share it with companies via the afore-mentioned worker feedback and grievance channels.

2. **Strict monitoring by the supervisors and restrictions on use of facilities**, can be addressed through intensive awareness raising and change behavior trainings for the farmers, labor contractors and supervisors. Role reversal for a day between workers and supervisors can generate empathy for each other's jobs. Similarly, the companies could use incentives, such as instituting a positive reward for the best supervisor of the season, with workers being able to report about the performance of their supervisors. This feedback can be collected through the workers feedback and grievance mechanism that companies will install for regularly collecting data from workers.
3. **For addressing the poor living conditions**, Balsu and Olam, in collaboration with the farmers and with resources inputs from its buyers, can progressively improve the housing and living conditions for workers (larger number of toilets, showers, bathrooms and access to electricity). As part of the project, 24 housing renovations were completed and the lessons learnt can be used to scale these renovations in the future in farms that have long-standing relations with the two supplier companies. With respect to use of electricity, workers should be provided free electricity at least once a day to warm bath water. Paying for this service for workers should be discussed between the farmer and the buyers to determine who should cover this cost.

Some of the actions that the companies can take to address systemic issues include:

4. **Mistreatment of migrant workers by farmers and locals and wage inequality between local workers and migrants** is a systemic issue, that can only be resolved through constant messaging and monitoring of compensation levels. While farm level interventions can address the attitude of the farmers, the larger community can only be mobilized through community leaders and local government offices. Companies will need to engage with local leaders to start identifying the ways the local mistreatment of migrant workers can be curbed. With respect to wage discrimination, the farmers need to pay equally for labor by local and migrant workers for equal work performed. Feedback from the workers can be collected on pay day through the worker feedback and grievance mechanism.
5. **To address the issue of deduction a 10 percent commission on salaries by labor contractors**, companies need to review and act on the recommendations in the Procurement Price Study (Hazelnuts Barometer) conducted as part of this project. This charge currently paid by workers should be divided between the buying companies, suppliers companies, farmers and to some extent labor contractors. However, injecting more funds into the supply chains may need

to be followed by awareness raising of farmers, labor contractors and monitoring to confirm whether the workers are indeed receiving the minimum wages. This can be facilitated by the workers feedback and grievance mechanism.

III. Background and Research Objectives

The Fair Labor Association (FLA), along with Nestle and its two main suppliers of hazelnuts in Turkey, Olam and Balsu, collaborated on a project to Pilot the USDA Guidelines for Eliminating Child and Forced Labor in Agricultural Supply Chains, in the hazelnuts sector in Turkey. This 31 month project was carried out under a collaborative agreement between the FLA and the U.S. Department of Labor – Bureau of International Labor Affairs (USDOL-ILAB) that ended in June 2018.

The USDA Guidelines correspond very closely with the UN Guiding Principles for Business and Human Rights and the OECD-FAO Guidelines for Multinationals with Agricultural Supply Chains. One of the key topics being explored under the pilot is access to remedy and effective worker feedback and grievance mechanisms for seasonal migratory labor, which in the case of hazelnuts is mainly comprised of women and children (under 18 years).

Access to remedy, especially for seasonal migratory labor remains a primary source of concern for labor rights organizations such as the FLA. Unlike the organized sector, the labor force engaged in the harvesting of seasonal crops such as hazelnuts, is transient, remains in one place for only few weeks, and changes the work places where they labor each year². The characteristics of the labor force pose challenges for labor unions to organize workers, for CSOs to have long term relationships, and to make it worthwhile for companies to invest in a group of workers knowing that they may never come back to work on the same farm. The fact that entire families often migrate together also creates a heterogenous group of workers with varying needs and resources available to them.

Employment contracts are rare among seasonal workers³. This informality in employment relations deprives workers of benefits and protections that are ensured

² Harvesting hazelnuts is labor intensive; the harvest season, typically lasting 30-45 days, is short. In Turkey, hazelnuts are grown near the Black Sea, with orchards on lower altitude mountains on the west and higher ones on the east. Hazelnut harvesting starts at lower altitude regions and moves toward higher altitude regions during the few harvesting months. Accordingly, workers migrate from one region to another, working long hours to harvest the crop as quickly as possible. Given the short labor-intensive harvesting season for hazelnut harvesting, local workers are supplemented by seasonal and migratory workers from very poor regions where they do not have income earning possibilities and foreigners who may not understand the rights and laws regarding their working terms and conditions (e.g., Georgian nationals with tourist visas and Syrian refugees). These foreign workers are anxious to earn income and are more likely to accept any working conditions than local workers.

³"Hazelnut Workers in Turkey: Demographic Profiling; Duzce, Ordu & Sakarya; 2016", 33.

by the state, such as pension benefits and of unionization and collective bargaining. The knowledge of judicial procedures and access to legal services among workers is sparse, which constitute barriers for them to seek judicial remedies.

Raising complaints about working and living conditions directly to the employer may involve drawbacks for the complainants. Employers have the power to dismiss a complaining worker immediately, or not hire her or him the next year as a form of penalty. Workers could complain indirectly by raise an issue or appeal to the labor contractor or supervisor seeking for them to advocate on the worker's behalf with the farmer. This dispute resolution method tends to have limitations, as the labor contractor/supervisor is himself dependent upon the farmer. The power asymmetries and dependent relations between workers and labor contractors/supervisors resulting from socio-economic, community-, age- and gender-based hierarchies constitute barriers for workers to raise grievances or provide feedback.

In such scenarios, the development and use of viable non-judicial redress mechanisms has emerged as a crucial requirement for workers. Nestlé, Balsu and Olam put in place a workers' feedback and complaints mechanism in 2013 with the introduction of hotline numbers, which in some cases were multilingual (Turkish, Kurdish, Georgian). These company hotlines complemented the government-run worker hotlines. Companies reported that workers rarely use the available hotlines.⁴ Some anecdotal reasons cited were: a lack of awareness about the hot lines; limited understanding of their purpose; poor follow-up on complaints; fear of retaliation from voicing a complaint; and a belief that the hotline were biased towards employers. In addition, some other interviewed Turkish employers mentioned that workers are hesitant to use these channels when their names they carry are associated with words that have possibly negative connotations, such as complaints, non-compliances and grievances.

As part of this project, FLA piloted a multi-channel worker feedback and grievance mechanism, *FLA Connect* that utilizes a smart device to enable communication between workers and buyers and other stakeholders. The worker feedback and grievance mechanism was intended to test if a smart phone-based application that is operated by a third party (in this case the FLA) will encourage workers to use this tool more frequently than the existing hotline channels.

While the traditional forms of monitoring working conditions have begun to penetrate the informal sector, and the three project partners and the FLA perform farm level due diligence in hazelnuts orchards, collecting workers feedback on an ongoing basis and raising grievances through trusted channels accessible to seasonal migratory labor remains a serious challenge. In order to develop worker feedback and grievance

⁴ More information can be found on Page 44 of the FLA's Institutional Survey Report. Report can be accessed at http://www.fairlabor.org/sites/default/files/documents/reports/institutional_survey_baseline_report_september_2017_0.pdf

mechanisms in line with the eight effectiveness criteria for a grievance mechanism set out by the UN Guiding Principles⁵, both the worker- and community-level dimensions of the employment arrangements and working conditions need to be reviewed alongside identifying workers' perceptions and preferences. Hence, this research was undertaken with the objective of identifying:

- Sources of grievances amongst workers concerning their working and living conditions in the harvesting areas and employment relations,
- Grievance handling and redressal mechanisms that workers can access,
- Barriers for workers that prevent them from accessing the available mechanisms, and
- Concerns and preferences of workers for alternate channels to raise grievances.

Based on the findings, recommendations are made to the three companies on non-judicial worker feedback and grievance mechanisms they can install in their hazelnuts supply chain in Turkey.

IV. Methodology

The research is based on qualitative data collected conducted through interviews with seasonal worker households residing in the Eyyübiye district of Şanlıurfa and Kızıltepe district of Mardin, two cities based in Southeastern Turkey from where a significant number of seasonal migrant workers originate and travel to the Black Sea region for hazelnuts harvesting.

The researchers contacted the households via two grassroots NGOs who are well-known to residents of the two cities and are trusted by them: METIDER (*Mevsimlik Tarım İşçileri Derneği*) in Şanlıurfa and KEDV (*Kadın Emeğini Değerlendirme Vakfı*) in Mardin. The timing of the research took into consideration the seasonal nature of

⁵ To ensure their effectiveness, non-judicial grievance mechanisms, both state-based and non-state-based, should be: 1) Legitimate: enabling trust from the stakeholder groups for whose use they are intended, and being accountable for the fair conduct of grievance processes; 2) Accessible: being known to all stakeholder groups for whose use they are intended, and providing adequate assistance for those who may face particular barriers to access; 3) Predictable: providing a clear and known procedure with an indicative timeframe for each stage, and clarity on the types of process and outcome available and means of monitoring implementation; 4) Equitable: seeking to ensure that aggrieved parties have reasonable access to sources of information, advice, and expertise necessary to engage in a grievance process on fair, informed and respectful terms; 5) Transparent: keeping parties to a grievance informed about its progress, and providing sufficient information about the mechanism's performance to build confidence in its effectiveness and meet any public interest at stake; 6) Rights-compatible: ensuring that outcomes and remedies accord with internationally recognized human rights; 7) A source of continuous learning: drawing on relevant measures to identify lessons for improving the mechanism and preventing future grievances and harms. Operational-level mechanisms should also be: 8) Based on engagement and dialogue: consulting the stakeholder groups for whose use they are intended on their design and performance and focusing on dialogue as the means to address and resolve grievances.

work and the interviews were conducted in March, when most workers were still in their home towns prior to beginning a seasonal migration cycle.

The design of this research drew on reports prepared by international organizations and by the FLA⁶. Based on these, the research team prepared an in-depth semi-structured questionnaire to conduct focus group discussions (FGD) with the workers' families, their relatives and neighbors. The team asked open-ended questions and follow-up questions to gather accurate data and provide workers an opportunity to elaborate on their experiences, views, and suggestions. The interviewees were encouraged to answer based on their individual and household experiences, as well as on experiences of their relatives and neighbors also engaged in hazelnut harvesting. Specific questions targeting female, young workers⁷, and child workers⁸ were included in the questionnaire to identify gender- and age-based variations in terms of complaints, vulnerabilities, barriers, and access to available and potential worker feedback and grievance mechanisms.

A total of 13 worker families participated in the study. They composed 22 workers from seven households in Şanlıurfa and 16 workers from six households in Mardin. In Şanlıurfa, the workers interviewed were mostly of Arab origin and two household units were of Kurdish origin. In Mardin, all of the respondents were of Kurdish origin. Middle-aged and elder workers in Mardin did not speak Turkish. The female grassroots activists of KEDV and Turkish-speaking family members translated and assisted in the interviews.

According to the FLA report on the demographic profile of hazelnut harvest workers in Turkey, nearly 60 percent of hazelnuts harvest workers are female, over 36 percent are young workers between the ages of 15 and 18, and nearly 7 percent are child workers under the age of 15⁹. The worker sample interviewed for this research reflects these gender- and age-related variations.

V. Workers' Profile and Working Conditions

The profile of the interviewed workers is presented in Table 1:

⁶ (1) "A Guide to Designing and Implementing Grievance Mechanisms" by the Office of the Compliance Advisor/Ombudsman (CAO) and "Beyond Effectiveness Criteria: The Possibilities and Limits of Transnational Non-Judicial Redress Mechanisms" by the Non-Judicial Human Rights Redress Mechanisms Project of Corporate Accountability Research. (2) "Hazelnut Workers in Turkey: Demographic Profiling; Duzce, Ordu & Sakarya" Fair Labor Association, 2016.

⁷ Young workers in this case are defined as persons in the age group 15–18 years of age who are legally allowed to work. However, Turkey defines anyone under 18 years of age engaged in migrant agricultural work as being in a worst form of child labor

⁸ Child workers are defined as any individuals under the age of 15 years.

⁹ <http://www.fairlabor.org/report/hazelnut-workers-turkey-demographic-profiling-duzce-ordu-and-sakarya-2016>

Table 1: Interviewed Workers' Profile

	Şanlıurfa	Mardin
Ethnicity	Arab and Kurdish	Predominantly Kurdish
Language	Turkish and for Kurdish workers Kurdish	Kurdish
Literacy rate	Low among middle-aged and older women	Low among middle-aged and older women Young workers are literate
Gender profile of hazelnut workers	Female ratio is slightly higher	Female ratio is higher
Age group	Children as young as 12 years old were employed full time in hazelnut harvest	Ibid
Commodities	Hazelnuts, potatoes, sugar beet, cotton	Hazelnuts
Employment season	Spring and summer	Summer
Locations of work	Ordu, Samsun Düzce, and Sakarya	Düzce, Adapazarı, and Sakarya
Accommodation	Self-constructed tents in government camps	Farmer-provided housing near the farm

The overall participation of females working in hazelnuts harvesting is high. It was reported that women with small children tend to stop working in the hazelnut harvest due to the absence of reliable child-care services and schooling options. Orchard owners do not want non-working children to accompany their parents, as it is felt that they may distract workers. Sometimes, elder females are recruited as cooks during the harvest and stay at the lodging areas throughout the day and look after the children. However, they are not always perceived by the young mothers to be reliable caregivers.

Children between the ages of 12-14 working in hazelnut harvesting are employed and sometimes paid half the minimum wage, a decision made by the orchard owners. Sometimes orchard owners refuse employing children even though the parents insist. This refusal is based on the concerns about complying with the legal age limit for agricultural work and/or unwillingness on the part of the orchard owner to pay for a child worker who is not as productive as an adult.

Ethnic and regional socio-political dynamics affect the workers' attitude and degree of trust vis-à-vis public authorities and their sense of being discriminated/mistreated in the hazelnut harvest areas both by orchard owners and local residents. The workers of Arab origin from Şanlıurfa view public authorities as trusted actors. They reported lower levels of conflict with and negative views towards the orchard owners. One reason could be their limited interface with the garden owners as the workers reside

in camps. These workers have a stronger tendency to view the labor contractors as responsible for the complaints and grievances they have.

Workers from Mardin have a lower level of trust in public authorities, especially law enforcement agents. They tend to perceive higher degrees of discrimination and mistreatment by the orchard owners and the locals, which they attribute to their Kurdish identity. Mardin workers have more contact with orchard owners, as they are more likely to reside on his land, and the workers mainly hold the farmers responsible for their complaints and grievances.

In general, educational levels are lower among female workers in comparison to males. It is common practice for young females to quit education after middle school. One reason mentioned was that they miss the registration deadline for attending high school while working in the hazelnut harvest, which may last until mid-September. However, the respondents also mentioned cases of young female workers who finished high school and are attending university. This variation seems to be related to differing family approaches to support for their daughters in achieving higher education. It was reported in Mardin that young men who are high school graduates and university students work as supervisors in the hazelnut harvest.

Almost all adult male interviewees have smartphones with Internet access. The respondents reported that both young and adult male workers in hazelnut harvest have smart phones. However, unmarried women both in Şanlıurfa and Mardin are excluded from cell phone ownership. Married women may own cell phones depending on whether the husband permits it. This finding shows the restrictive effects of patriarchy over the socialization of women engaged in the hazelnut harvest.

Seasonal hazelnut workers work a 12-hour shift, usually from 7 am to 7 pm with two 15-minute breaks (one before noon and one after) and a 1-hour lunch break (in total 10.5 hours per day of work). They are supposed to work every day without days off throughout the harvest season. For example, in 2017 most workers reported that orchard owners gave them only a one-day break for the first day of the Eid holiday. In some cases, the workers had to plead with the employer to take this day off to celebrate and participate in religious services. It is common practice for workers not to be paid for the days they do not work, including days when the worker is unable to work due to rain or illness or injury. When it rains during the workday, the orchard owner demands that the workers work extra hours the next day to make up for the lost time. However, the workers are not paid for this extra time.

The workers reported that they received 60 Turkish Lira (TRY) minus the 10 percent labor contractor commission per work day. They highlighted inequalities in wages

between local workers, seasonal migrant workers, and Syrian immigrant workers. The local hazelnut harvest workers receive 70-80 TRY per day, while the Syrian workers received around 40 to 50 TRY per day. One-way transportation cost for migrants traveling from their hometowns to the orchard areas is 100-120 TRY per person. The electricity provided to migrant workers is restricted to residential areas. Migrant workers need to pay for water and sometimes electricity while staying in the housing provided by orchard owners.

The government-run camp areas may host up to five hundred tents; most of the families from Şanlıurfa reside in such tents. The workers reported that electricity use is restricted to lighting and charging cell phones, and water sources, lavatory and bathing facilities are in poor conditions and overall inadequate. Hence, hygiene and sanitation are serious issues. It is common for workers to dig the ground themselves to make latrines. Workers travel daily from camp areas to orchards aboard lorries and tractors that are used for carrying hazelnut sacks, a practice that is both unsafe and prone to cause accidents. Sometimes, workers walk for one hour each way to the orchards. Given that they reside in tent camps, the Şanlıurfa workers have less contact with the orchard owners. Several orchard owners tend to employ the same workers repeatedly from one season to the next.

Şanlıurfa workers are most likely to be employed as extended family units composed of 10-12 people. Their employment, transportation and accommodation is arranged by the labor contractors called *dayıbaşı*. These labor contractors may recruit and supply up to several hundred workers to various orchard owners during one season. The labor contractor receives 10 percent of the daily wage of the workers. The daily wages of the workers is usually the minimum wage, from which this deduction is taken.

Families from Mardin mostly stay in housing provided by the farmers near the orchards. These housing units, originally built as hazelnut store houses, are very poor for housing and have poor insulation. Some workers reported finding snakes, scorpions, and ticks in these units. Up to 25 people are lodged in the same unit which may have 3-5 separate rooms. The workers report that they share the same lavatory and bathing facility with others living in the housing unit, and access to electricity is restricted to lighting and charging cell phones. When there is no electricity, they need to collect wood for cooking and bathing.

Once the harvest is completed, the orchard owner demands that the workers evacuate the housing units as soon as possible, since the space will be used to store the harvested nuts. The workers from Mardin are employed by several orchard owners in the same region during the same season. The worker household size of

workers from Mardin is smaller in number, consisting of 4-7 people. It is common for the women in the household to be employed under the supervision of a male relative who is called *çavuş*. The supervisors are responsible for groups of 20-25 people who are extended family members and neighbors. It was explained that except one supervisor in Mardin, all others work with labor contractors. Labor contractors receive 10 percent of the workers' daily wage in Mardin as well.

Typically, households that join seasonal work join larger groups of workers together with other relatives. These groups of seasonal workers enter into agreements with a labor contractor (or rarely with a supervisor, as in an isolated case in Mardin) in order to engage in hazelnut harvesting.

VI. Multiple Levels of Dependency Relationships

The close relationship between the worker households, communities, labor contractors, and supervisors gives rise to dependency relationships that may act as barriers for workers to raise grievances and seek remedy. In this section we analyze these dependency relations and how they impede workers from providing feedback and raising grievances.

On Labor Contractor and/or Supervisor

At the core of this dependency relationship is the fact that labor contractors find and make arrangements for employment for seasonal hazelnut workers, providing a guaranteed supply of workers to orchard owners. The labor contractor or supervisor: (a) prepares the orchards where a worker group will be assigned; (b) arranges transportation services of workers from their hometowns; (c) arranges accommodation; (d) supplies the needs of workers, such as shopping for food, paying for water and electricity bills; and (e) arranges to transport workers to town when required (such as in the case of injury, sickness and other medical emergencies). It is common for the labor contractor to provide loans for travel beforehand to the worker household. Once the work is finished, the labor contractor takes a 10 percent share of the total wages and deducts travel costs, food expenses, and other payment he incurred for the household.

The supervisor, who is generally also a worker, is the head of a team of workers composed of 20-25 people. The supervisor monitors the workers during their work in the orchard. In most cases, the supervisor is a male family member or relative of the worker. In most cases, supervisors work under a labor contractor and receive double the wages of a worker. The labor contractor or the supervisor is expected to ensure that the workers receive their payments from the orchard owner once the harvest is

completed. When the orchard owner fails to make the required payments, the labor contractor is responsible for compensating the workers for wages earned.

In both Şanlıurfa and Mardin, the workers expressed their desire and attempts to enter into direct employment agreements with the orchard owners, bypassing the labor contractor, to avoid the 10 percent deduction from their wages. However, these agreements are rare. We only encountered one group of worker in Mardin who has been able to find employment without a labor contractor. They work with a supervisor who establishes the connection with the orchard owners without imposing the 10 percent deduction.

After incurring high transportation costs to be able to reach the orchards, workers feel compelled to work wherever possible to repay such costs and maximize their earnings once they arrive at the orchards. Therefore, they are hesitant to raise complaints about working and housing conditions even though those may be different (and probably in worse condition) from what the labor contractor told them at the time of recruitment.

On Families

Seasonal hazelnut harvest work shows characteristics of family work. This work pattern is bound to collective kinship relations where family members, especially the subordinate ones, are dependent on the decisions made by the family head. This impacts the most female, young workers, and child workers who are more vulnerable to customary relations. For instance, the research team encountered young and child workers in Mardin who expressed their reluctance to travel and work in hazelnut harvesting, but still had to participate because they could not go against their parents' wishes. Families do not hesitate to bring children as young as 12 years-old to work in hazelnut harvesting because they think that they pay a lot for transporting the whole family and having more working hands helps the overall family economic situation. Family members feel obliged to cooperate and contribute to the family income. Consequently, there is risk of involuntariness during the recruitment process, especially in the case of young female and child workers.

At the work place, workers are not always able to stop working when situations such as sickness, work-related injuries, or unsafe working conditions arise. First, the supervisor -- who probably is a family member or a relative -- prevents the worker from stopping work. And second, the worker group, which consists of other family members, relatives, and neighbors, similarly put pressure to prevent the worker from leaving.

It is usually the family head or an elder male family member who receives the total wages of household members after the harvest is complete. Young female and children workers have limited or no access to their earnings and they are dependent on the family head to meet their needs.

The family members feel responsible to each other, and hence they remain silent when they face challenging situations. This prevents them from giving any feedback or raising individual grievances as they fear that the entire group and their family will be negatively impacted in case of retaliation.

On Communities

Communal pressures and control mechanisms also create dependency for individual workers. In several focus group interviews, the workers stated that no one forces them to work in the hazelnut harvest; however they feel obliged to work. On the one hand, this obligation stems from the need to provide subsistence for themselves and their families. On the other hand, unhappy and distressed workers are met with pressure from their fellow workers and supervisors who happen to be family members, relatives, and neighbors. The workers feel responsible towards their family and community, and do not want to risk letting them down given the cultural norms.

The patriarchal relations create an extra burden on female workers, especially young unmarried women who are obliged to conform to conservative standards such as not being able to have their own cell phones. They are more likely to be restricted by the demands of their elder and male family members. Overall, this communal dependency controls the extent of the workers' complaints and protests against adverse working and living conditions. If a sick, injured, or distressed worker leaves the orchard, or protests against the conditions to an extent that jeopardizes his or her employment, all the workers in the team might be affected by the consequences. If the worker leaves work, the family loses his or her daily wage; in such circumstances, the team may have to work extra hours in the orchard to cover the missing person's unfinished duties. Moreover, a worker's failure to carry his or her work assignments might disrupt the relationship between the supervisor and the orchard owner, which can be detrimental to worker families..

VII. Main Sources of Grievances

Workers expressed dissatisfaction about working and living conditions in the hazelnut harvest. In general, these complaints pertained to:

- a. employment arrangements,
- b. working conditions,

- c. payment inequality between local and migrant workers,
- d. poor housing conditions,
- e. social exclusion, discrimination, and harassment by the local population in the orchard areas.

The employment arrangements, whereby workers are obliged to work with labor contractors, is a major source of dissatisfaction, since workers are unhappy having to pay 10 percent of their earnings as a commission to the contractors. While some workers view the contractors as insurance that they will be paid should the orchard owner skip on payment, some others complained about their exploitative behavior, such as overcharging for transportation expenses.

Grievances about working conditions are mostly about mistreatment by the orchard owners/employers and supervisors. Workers are unhappy about the long working hours, non-payment of overtime, strict monitoring in the orchards that limits their use of toilets, and the unsafe ways in which the workers are transported between orchards and lodging areas by the orchard owners.

Several workers from Mardin stated that orchard owners should pay for transit expenses of workers from their hometowns to the hazelnut harvest areas as part of the recruitment process. Workers also stated that they resent that the supervisors implement strict monitoring during work and verbally abuse them and rush them to work more hours with fewer breaks. Several female workers complained about how their supervisors restrict their bathroom breaks and humiliate them if they take more bathroom breaks when they have their monthly period. Sometimes, young female workers cry during work due to such abusive behavior by supervisors.

Case (Household 1)

In Şanlıurfa, a family told the interviewers that the labor contractor did not pay the full amount of the earnings of a worker household and kept 4,000 to 5,000 TL to himself, with the promise that he would give the money the following year. According to the interviewee, this was a common practice by labor contractors in seasonal hazelnut harvest work, though the research team did not come across any other similar case. This contractor was said to be collaborating with the orchard owner in binding the worker household in such a way that they will be forced to work with him the following year.

Case (Household 10)

The workers in this household from Mardin recounted how their supervisor did not let a young female worker leave the orchard and change her pants that were ripped while collecting hazelnuts. Their lodging area was only a 10-minute walk from the orchard, yet the supervisor did not let her go and change demonstrating power over the worker. Consequently, the young female worker was humiliated and distressed as she struggled to continue working while trying to cover her legs.

The payment inequality between local and migrant workers, whereby the latter receive 5-10 TL less per day for the same work than the former, is another prevalent source of grievance.

Poor housing conditions (lack of insulation, presence of snakes and insects, etc.) and inadequate infrastructure (unavailability of clean water, restricted access to electricity, inadequacy of lavatories and bathrooms) in campsites and the lodging units provided by the orchard owners were frequently mentioned amongst complaints.

Workers reported that they face varying degrees of social exclusion and harassment by the locals in the orchard areas due to their ethnic identities and disadvantaged socio-economic status. In the summer of 2017, a tent that hosted seasonal hazelnut workers from Şanlıurfa was attacked by some locals, an incident that resulted in the death of a female worker and injuries to others¹⁰. Several respondents brought up this grim incident in our interviews, highlighting their sense of insecurity during their stay in the hazelnut harvest areas. Some respondents expressed that the assault was motivated by hatred towards the Kurdish ethnic identity. A majority of respondents from Mardin told the research team that they experienced discrimination and harassment by orchard owners and the locals during the hazelnut harvest season due to their ethnic identity.

VII. Available Workers Feedback Grievance Mechanisms and Barriers

Available worker feedback grievance mechanisms for seasonal migrant hazelnut workers can be categorized as: (a) judicial mechanisms; (b) customary mechanisms; and (c) non-judicial mechanisms.

Judicial Mechanisms

Judicial mechanisms are those whereby the worker resorts to legal mechanisms, i.e., appealing to labor inspectors, filing an official complaint, or bringing a case to the court system. These issues are resolved mainly in labor courts and employment tribunals through the process of mediation and adjudication. The research found several constraints for the seasonal workers in accessing these mechanisms.

First, the workers perceive that accessing judicial mechanisms would not yield beneficial results, as their pleas will be neglected due to their disadvantaged socio-economic status. Second, workers have limited knowledge about the judicial processes. Third, the workers have limited legal basis to raise a complaint against their employer. Since none of the migrant workers have formal employment

¹⁰ <http://www.milliyet.com.tr/mevsimlik-tarim-iscilerine-ates-edilmesi-samsun-yerelhaber-2263366/>

contracts, any breach of contract terms cannot be litigated. In order to file an official complaint in cases of disagreement with the employer and allegations of failure to follow labor law, the worker needs to prove that he/she is employed by the employer in question. Demonstrating the existence of an employment relationship is not always feasible. The worker needs to provide material evidence and have corroborating witnesses -- who would most probably be his/her fellow workers -- to back up allegations. It is highly possible that those workers would not want to testify against their employer as they cannot not afford to lose their jobs and would not want to serve as witnesses. The research team did not come across any case where the respondents reported having resorted to judicial mechanisms for seeking remediation about their work-related grievances in the hazelnut harvest.

Customary Mechanisms

Customary grievance mechanisms refer to those where workers appeal to the supervisor, labor contractor, and the orchard owner to resolve their complaints. In most cases, the respondents told the research team that they appeal to their supervisors and labor contractors for the resolution of problems such as the need for transportation into the town from the lodging areas in case of a medical emergency. The interviewees also reported that they seek the mediation of their labor contractors for the mitigation of poor housing conditions and lack of essential amenities in tent areas or for issues related to pay (in case where there are allegations that payments are not correctly calculated).

Public authorities are sought for the resolution of grievances that are related to tent areas and the workers expect the labor contractor to approach public authorities on their behalf. This situation holds for the Eastern Black Sea region where public authorities are responsible for establishing tent areas that host seasonal migrant workers. In the Western region, however, where the workers usually reside in housing units owned by the farmers, the contractors do not generally intervene when there are complaints about poor housing conditions and lack of basic amenities.

The problems addressed by customary grievance mechanisms do not include the widespread complaints of workers concerning excessive hours of work, unpaid overtime, and the 10 percent deduction from wages by the labor contractors.

In conclusion, customary grievance mechanisms are ad hoc and often do not achieve remediation. Customary grievance handling methods have drawbacks stemming from the dependency relationships (as explained earlier in the report) workers have with labor contractors, supervisors, and farmers. Overall, workers cannot afford to push too far in their demands since they rely on the labor contractor for employment. The power asymmetries between the worker, the supervisor, and the contractor also

account for this predicament. Accordingly, the most disadvantaged parties among the worker population -- namely female, young and child workers -- have lesser opportunities to express their grievances to male authority figures due to patriarchal norms.

Non-Judicial Mechanisms

The research team categorized non-judicial grievance mechanisms available to seasonal hazelnut harvest workers as:

- State-based non-judicial mechanisms;
- hazelnut supplier company mechanisms;
- third-party mechanisms.

The research team inquired about the knowledge, usage, and preferences of the workers regarding these mechanisms.

State-based Non-Judicial Mechanisms

According to the United Nations High Commission for Human Rights (UNHCR¹¹), state-based non judicial mechanisms can take many forms, such as (1) complaint mechanisms; (2) inspectorates; (3) ombudsman services; (4) mediation or conciliation services; and (5) arbitration and specialized tribunals. The same source also mentions that all the state-based non-judicial mechanisms“ may not neatly fall under these five categories”.

In the case of Turkey, the state-based non-judicial mechanisms include;

- Online complaint services of the Prime Ministry and the Presidency, called **BIMER** and **CIMER**, respectively.
- Complaint hotlines such as ALO 170, operated by the Ministry of Labour and Social Security (MOLSS), and ALO 183 operated by the Ministry of Family and Social Policy; and
- Phone hotlines of the police and the gendarme.

The respondents were not familiar with the online complaint services BIMER and CIMER, whereas ALO 170 and ALO 183 were recognized by most of the literate and Turkish-speaking workers. During the interviews, a male worker in his mid-thirties in Şanlıurfa showed the research team that ALO 170 is registered on his cell phone. The

¹¹ https://www.business-humanrights.org/sites/default/files/images/ARPII_FINAL%20Scoping%20Paper.pdf

workers within the network of METIDER have been informed about ALO 170 and ALO 183 by this NGO as a part of its human and labor rights training. However, the research team did not come across any cases where these hotlines were used by workers in hazelnut harvesting for reporting any problems of unsafe working and living conditions they have encountered in hazelnut harvesting work.

Regarding phone hotlines of the police and the gendarme, though almost all workers are informed about them, they are not always in favor of using them. Ethnic and political dynamics play a role, as workers of Kurdish origin are reluctant and have reservations about contacting law enforcement agencies.

These concerns of workers about not using certain mechanisms should be considered carefully, by supporting alternative grievance mechanisms that involve stakeholders who are trusted by the ethnopolitically disadvantaged workers.

Nonetheless, it should be noted that these types of reluctance cannot be generalized to all Kurdish respondents among our

sample. Several workers of both Arab and Kurdish origins indicated that they would call the police or the gendarme in case of an emergency.

Non-judicial Company Mechanisms

Grievance mechanisms of the three project partner companies available to workers consist of company grievance hotlines and field officers paying visits to the orchards and campsites during the harvest season. None of our respondents were aware of the company hotlines (see background section) and hence have never used them.

Company field officers are often social workers and agriculture engineers who are responsible for giving workplace safety training to the workers, providing protective equipment, and inspecting working and living conditions. Some respondents

Case 3 (Household 7):

When asked whether she is comfortable with using the company hotlines for raising a grievance about work-related problems, a female worker of Kurdish origin in Şanlıurfa (single, 27) expressed her worry that the hotline officer would call the gendarme. "If the gendarme comes, they will take us, and we will be deemed guilty eventually. It will not be good for us" she said. For this worker, the law enforcement agencies are not trustworthy for the resolution of their grievances.

Case (Household 1)

A female worker of Kurdish origin in Şanlıurfa (married, late-20s) mentioned that she and her fellow workers called the gendarme hotline to report their supervisor, who beat his wife in the camp area. The gendarme arrived at the camp area shortly after the complaint and detained the supervisor. In this case, the female worker who made the complaint is an active member of METIDER and attended the worker and human rights training provided by this NGO. She told the interviewer team that prior to these trainings, she would not have found the courage to stand against the supervisor and call the law enforcement agencies.

mentioned that company officers paid visits to the orchards and camp areas in Samsun and Ordu during the 2017 harvest season. The respondents stated that they observed and engaged with the field officers when they delivered protective equipment and basic goods to the workers. However, not all of the respondents who were employed in Samsun and Ordu were aware of the company field officers, except the workers in Household 7. The workers in this household from Mardin, who were employed in Sakarya Küçükkarasu last year, recalled that company field workers delivered essential goods such as liquid soap, toothpaste, toothbrushes, t-shirts, and caps.

Non-Judicial Third-Party Mechanisms

Available third-party grievance mechanisms consist of the *FLA Connect* smartphone application, which was piloted during the 2017 harvest by the Fair Labor Association, and other mechanisms run by the grassroots NGOs.

The FLA Connect Application was promoted to workers by METIDER and three project partner companies' social workers. Several members of METIDER, whom the research team interviewed in Şanlıurfa, were aware of this application (they were all males). The head of METIDER, whom the research team interviewed in Şanlıurfa, mentioned that they experienced difficulty in promoting the application because the workers were fearful that it was connected to Bylock (the blacklisted smartphone application is associated with the Fethullah Gülen organization). The METIDER activists assured workers about downloading the FLA Connect Application by showing that they had it in their smart phones. This produced positive results and convinced the concerned workers to download the application.

Case (Household 7)

A female worker (single, 27) who was employed in Ordu and Samsun last year mentioned that company field officers had been visiting their camp area frequently. The workers experienced lack of water in the campsite, and they reported the situation to one of the agricultural engineers. This problem was solved in a relatively short time, and the workers regained running water in the campsite. However, the respondent expressed that she was not comfortable with raising a grievance to the said agriculture engineer about more pressing matters such as unpaid overtime work. The reason was that the agriculture engineer tended to mingle with the labor contractor and the orchard owner rather than associating with the workers. In case she complained about unpaid overtime work or any other problems regarding working conditions, she feared that the engineer would inform the orchard owner about her complaints and she would be reprimanded or dismissed. Moreover, she mentioned that she abstains from talking to strangers to voice her complaints in the presence of her family, her brothers, and father in particular. This concern may be valid for a significant portion of female workers who feel repressed by traditional patriarchal relations. This situation signals the need for introducing a confidential grievance mechanism for reaching out to female workers.

During the two weeks when it was piloted during the 2017 harvest cycle in August-September, a total of six grievances were received. Four concerned excessive hours of work, one was about social security and one was about a workplace injury. In this application pilot, the FLA was responsible for making sure that the complaint was passed on to the company and also mobilize local resources to address the problems. The interviewed workers in Mardin were not informed about the FLA Connect Application during the time of the harvest.

The NGOs that the research team contacted in the field are METIDER in Şanlıurfa and KEDV in Mardin. The mechanisms provided by these NGOs are based on training, guidance, and support networks. The NGOs impart training on worker and human rights and inform workers about judicial and non-judicial grievance mechanisms and their use. The research team was informed that KEDV reached out to 105 seasonal agriculture worker households in Mardin through the system of *Neighborhood Mothers*, who are young female community mobilizers. They are responsible for paying regular visits to households and providing training to them. METIDER operates in Şanlıurfa and has 87 members among seasonal agriculture workers. The members have a WhatsApp chat group through which they make announcements and the workers may inform NGO officials about their grievances. The coordinators of this NGO have connections with public authorities in the orchards areas, such as governors and municipality officials. Hence, grievances raised by workers to METIDER managers are passed on public authorities and the METIDER officials seek to produce outcomes by mobilizing public authorities and appealing to them.

In general, the complaints that workers raise with METIDER managers relate to problems in campsites, such as lack of water, electricity shortages, and inadequate lavatories. METIDER managers mediated the workers' contact with public health officials for the provision of water purifiers and vaccinations. Informal contact with NGOs appears to be a successful means for addressing worker grievances because the workers have prior relations and trust in these NGO activists and they feel at ease when expressing complaints in personal settings.

Case (Household 2)

The workers in this household were employed in Ordu last year. They were living in the camp area, which was close to a dam the locals visit for recreational purposes in the evenings. Local residents were playing loud music, consuming alcohol, and making noise to such a degree that the workers felt distressed. They called the then-head of METIDER, and she advised them to contact the gendarme. The workers did as she said. The gendarme officers arrived at the campsite and removed the locals disturbing the workers from the premises. Afterward, they told the workers to stay in the camp areas and to limit outside exposure.

Besides the third-party grievance mechanisms implemented by grassroots NGOs utilizing personal and face-to-face communications, the non-judicial mechanisms mostly rely on hotline services via telephone and the internet. Generally, middle-aged and elder female workers who are illiterate and/or do not speak Turkish are uninformed about and unable to use these mechanisms. Young female workers who do not possess smartphones and lack access to the internet are similarly excluded from deploying the mechanisms that require smartphones and web access. For those workers who are illiterate and/or lack internet access and cell phones, mechanisms that are based on face-to-face interaction are preferable.

VIII. Preferences of Workers on Worker Feedback and Grievance Channels

During focus group interviews, the research team asked views of workers regarding grievance mechanism options. These options included traditional means as well as available non-judicial mechanisms, such as the FLA Connect smartphone application and hotlines, and potential mechanisms such as the ones that the grassroots NGOs are deploying in the field. Below are the options and the views of the respondent workers regarding them:

Complaint box located in the orchards and/or camp areas

The research team investigated whether workers would feel comfortable using complaint boxes through which they could convey their grievances directly to company officials or a third party who is responsible for receiving these grievances.

The workers suggested that complaint box mechanism might be used more frequently if the boxes were located in camp areas out of the direct sight of supervisors and orchard owners. A young female worker in Household 10 from Mardin said: *“If there is a complaint box, no way the supervisor would let us use it. He does not let us raise a grievance. He says, ‘are you going to make me lose my job?’”*. The workers emphasized that the boxes should be secured.

Case (Household 3)

The workers in Household 3 from Şanlıurfa told that the employer was transporting them between the orchard and the camp area via lorry sitting on hazelnut sacks. Unsafe transportation creates a critical safety hazard for workers which could cost their lives. One of the workers recorded this situation via his smartphone and sent the recording to the then-head of METIDER. She solved the situation in a short time, and the orchard owner stopped transporting the workers together with hazelnut sacks on the lorry.

Some workers expressed that they would not feel comfortable using this channel since they cannot be sure whether the boxes are protected from access of the labor

contractor, supervisor, and the orchard owner. In addition to anonymity concerns, a significant portion of seasonal hazelnut workers are illiterate and/or do not prefer writing their concerns, which could act as a barrier.

Use of Technology – Such as a Smartphone Application

The research team was informed that almost all male workers possess smartphones with internet access. That is, if a smartphone application like FLA Connect were well promoted -- which would be achieved through the mediation of grassroots NGOs -- it will be an efficient means to raise grievances. However, single female workers are not usually allowed by their families to have cell phones and cell phone ownership for married women depends on their husbands granting them permission. Hence, the exclusion of certain women from smartphone ownership is a barrier to accessibility for this grievance mechanism. In addition, internet reception is not always available in the orchard areas and the workers may not always have a data package to use the phone application. These issues need to be considered while promoting technology-based solutions.

Hotlines

Considering that a significant portion of workers are not able to communicate in Turkish, hotlines should be available in Arabic and Kurdish, in addition to Turkish. An important concern expressed about phone hotlines is that female operators are preferable for staffing the hotlines work better since not all female workers feel comfortable talking to men. Several workers recommended WhatsApp hotlines since those allow the workers to send videos and photographs, and hence provide visual recordings and other evidence regarding their grievances.

Case (Household 7)

The research team conducted a detailed discussion with a female worker (single, 27) on her views and preferences about WFGM. This worker expressed concerns and skepticism with regards to company field workers and law enforcement hotlines. She does not own a cell phone nor does she have access to the internet. She does not wish to use her father's or her brother's telephone to raise grievance through hotlines, since she may not want them to hear about her private matters. This worker did not go to school, and learned to read and write by herself, hence she is now literate. She prefers complaint boxes because she does not want her troubles and complaints to be monitored by her family and community members, as well as the employer, supervisor, and the contractor. "The complaint box is the best. But you need to lock it well. Then I don't hesitate to write my name or my address on the letter. I can write down if I have a big trouble". This worker values discretion the most in her ideal grievance mechanism, showing a strong preference for protecting her privacy against family and community members.

The research team inquired about the workers' attitudes towards the hotlines maintained by public authorities, companies, and third-parties. The hotlines maintained by public authorities, apart from those of the police and gendarme, were deemed to be valuable and trustworthy. Some workers had reservations about company grievance mechanisms, as they are skeptical about whether the orchard owner can identify their names and subsequently dismiss them. In this regard, a middle-aged female worker in Household 8 from Mardin expressed her hesitancy about company hotlines: *"If we call the company and raise grievance, they would fire us. The employer may see our names. Then he hands us our payment and lets us go"*.

Mediation by Company Field Workers

While some workers conveyed that they would feel at ease reaching out to company field workers, some others articulated their reservations about the impartiality and reliability of company officials. For instance, a female worker in Household 9 from Mardin (21 years-old, one of KEDV's Neighborhood Mothers) told the researchers that she encountered the field officers of a company in Sakarya. According to this interviewee, company field workers did not interact with the workers much and instead mingled with the supervisors and orchard owners. This situation may create a barrier to raise grievances since workers cannot be sure whether the field officers might share the nature of their grievances and identities with supervisors and orchard owners.

Mediation by NGO's and Community Mobilizers and Activists

Some female workers (from Household 5 in Şanlıurfa, and Households 12 and 13 in Mardin) emphasized their preference for face-to-face interactions with people whom they trust, rather than impersonal written grievance mechanism options. The women from Households 12 and 13 are illiterate and non-Turkish-speaking workers of Kurdish origin. The young female worker from Household 5 is literate and Turkish-speaking. She explained that she is not comfortable talking to men with whom she is not acquainted. Some female workers in the hazelnut harvest do not feel comfortable expressing and explaining their complaints to men they do not know well, due to customary standards of modesty and decorum. In this regard, community mobilizers (Neighborhood Mothers Program run by KEDV) on whom the workers confide may function as effective and reliable intermediaries for collecting grievances. The middle-aged female workers from Household 12 and 13 in Mardin both said that they trusted the KEDV Neighborhood mother -- Mehmooda (*name changed*), a 21-year-old female hazelnut worker—who visits them. For them, the best grievance method would be talking to Mehmooda to report their concerns.

Similarly, the respondents from Şanlıurfa who are engaged with METIDER mentioned incidents where they contacted the activists and coordinators of this NGO for grievance resolution. Those cases were concerned with unsafe transportation between the orchard and lodging area by the employer and lack of essential amenities in campsites. Some of the METIDER activists are also hazelnut workers who are knowledgeable about the socio-cultural profile of workers and the employment terms and working conditions in hazelnut harvesting. Being well-informed makes them suitable candidates for collecting and evaluating worker complaints by identifying the responsible actors behind a grievance. METIDER mentioned that they might provide legal assistance for workplace accidents.

Mediation by grassroots NGOs might involve collecting grievances, mobilizing public authorities, and assisting the workers in their remediation demands, such as pursuing judicial cases against the employers.

Most respondent voiced a significant need, namely that the mechanisms for collecting grievances should be available not only in the harvesting areas but also in their hometowns. A female worker in Household 1 stated: *"We need to have access to complaint mechanisms in our hometowns as well. Raising grievances at the orchards and campsites has drawbacks because the labor contractor and supervisor are on your back"*.

Based on workers' feedback, an effective worker feedback and grievance mechanism should have the following features: (1) Protect the anonymity and confidentiality of the complainant. The ideal mechanism should avoid the worker being identified by family and community members, as well as by employers and contractors; (2) Keep complainants safe from meddling, monitoring and control of orchard owners, contractors, and supervisors during the process; (3) Offer complainants an opportunity for face-to-face communication, preferably with female intermediary agents who are trusted by the workers (especially valid for female workers); (4) Provide both written and oral self-expression channels for raising a grievance and making those available in Arabic and Kurdish for the non-Turkish-speaking workers and those who are illiterate.

The most critical requirement for worker feedback and grievance mechanisms to be effective is making them known to workers and other stakeholders broadly and on a regular basis. In order to achieve this, workers should be informed about the grievance mechanisms through company field officers and their availability should also be disseminated to stakeholders.

Annex 1: List of the Households and Ideal Grievance Mechanisms

	City and Ethnicity	Number of household members & workers	Non-Turkish speakers	Primary grievances	Grievance mechanisms they use	Ideal grievance mechanisms & comments
1	Şanlıurfa, Kurdish	3 adult workers 1 young worker 1 child worker	1 elder female worker	No job contracts; excessive hours of work; no payment for extra work; withholding of wages by the contractor; poor housing conditions at campsites	Talking to the contractor (not working), METIDER (better option)	Phone and WhatsApp hotlines: "We need to have access to complaint mechanisms in our hometowns as well. Raising grievances at the orchards and campsites has drawbacks because the labor contractor and supervisor are on your back".
2	Şanlıurfa, Kurdish	2 adult workers, 2 children		Withholding of wages by the contractor		"The agriculture engineer in the orchard was close with the orchard owner and the contractor."
3	Şanlıurfa, Arab	2 adult workers 4 child workers 3 non-working children	No	No off days; poor housing conditions; lack of infrastructure; presence of snakes, ticks, and scorpions in the lodging areas	Talking to the contractor for poor infrastructure at the campsite (he called the governor, and the problem was solved)	Phone and WhatsApp hotlines, FLA smartphone application, and grievance box
4	Şanlıurfa, Kurdish	2 young female workers	No	Getting up early and walking on foot to the orchard for one hour every day		FLA smartphone application and METIDER grassroots activists (face-to-face communication with a familiar person), "No to grievance box, because the employer might open it. No to phone hotline, because they can detect your name from your phone number".
5	Şanlıurfa, Arab	2 adult workers, 6 six young & child workers, 3 non-working children	No			She has no phone. She wants to talk face-to-face to a female with whom she is familiar.

6	Şanlıurfa, Arab	5 adult workers (1male, 4 females)	No	Poor housing conditions and a shortage of water at campsites	Talking to the contractor for resolution (for instance when there is a problem with the orchard owner)	
7	Şanlıurfa, Kurdish	4 adult workers (1 male and 3 females), 4 young & child workers	Yes: 1 middle-aged female	Orchards are steep and bushy; the employer may dismiss the workers easily when they complain	Talking to the contractor for resolution (the family is content with their contractor)	Secure grievance box placed in camp areas.
8	Mardin, Kurdish	4 adult workers (1 male, 3 females)	Yes: 1 middle-aged male, 1 middle-aged female	The employer should pay for the transportation of workers; poor housing conditions, "like a barn."		"If we called the company and raised a grievance, they would fire us. The employer may see our names. Then he would hand us our payment and lets us go."
9	Mardin, Kurdish	1 female adult, 2 female, young, 1 male young workers	No	Discrimination by the employer and his family (no physical or verbal abuse, more in the form of mean and rude behavior)		Complaint box in a place other than the orchard.
10	Mardin, Kurdish	2 adult female workers	No	Discrimination by the employer and his family (no physical or verbal abuse, more in the form of mean and rude behavior), harassment by locals		WhatsApp grievance hotline, FLA support application, "The supervisor would not let us use the complaint box."
11	Mardin, Kurdish	2 adults, 2 child workers	Yes: 1 middle-aged female	The contractor deducting 10% of earnings		
12	Mardin, Kurdish	2adult female workers	Yes: 1 middle-aged female	The wage inequality between migrant and local workers	They do not have much trust in the police and gendarme.	KEDV's grassroots activists (face-to-face communication with a familiar person).
13	Mardin, Kurdish	1adult, 1 young, 1 child female workers	Yes: 1 middle-aged female	Inadequate lavatory and bathing facility in the housing unit (20-25 men and women sharing the same facility)	They do not have much trust in the police and gendarme.	KEDV's grassroots activists (face-to-face communication with a familiar person)