



[2019]

FAIR LABOR ASSOCIATION INDEPENDENT EXTERNAL MONITORING AGRICULTURAL REPORT

Company: Balsu

Country: Turkey

Crop: Hazelnut

Production Process: Harvesting

Assessment Location: Sakarya, Akyazı, Ballıkaya

Monitor: Cigdem Oguz and Khaleed Al Chalet

Assessment Dates: 26 & 28 & 29 August 2019

Number of assessed farms: 11

Total area covered: 445 Acre

Number of farmers interviewed: 3

Total number of workers: 82

Number of workers interviewed: 78

To view more about the FLA's work with Balsu, please visit the FLA website [here](#).

To access the FLA Agriculture Monitoring Benchmarks, please visit [this page](#).

Employment Relationship

Compliance Status

Section	Benchmark	Compliance status	Farms
Human Resource Management System	ER.1.1	In compliance	
	ER.2.1 (PR)	In compliance	
	ER.2.1.1 (PR)	In compliance	
Recruitment and Hiring	ER.3.1	In compliance	
	ER.3.1.1	In compliance	
	ER.3.1.2	Risk of noncompliance	All farms
	ER.4	In compliance	
	ER.5.1	In compliance	
	ER.5.2	In compliance	
	ER.5.3	In compliance	
	ER.6 (PR)	In compliance	
	ER.7.1	In compliance	
	ER.7.2	In compliance	
	ER.7.3	In compliance	
	ER.7.4	In compliance	
	ER.7.5	In compliance	
	ER.7.6	Noncompliance	All farms
	ER.7.7	In compliance	
ER.7.8	In compliance		
Terms and Conditions	ER.9.1	In compliance	
	ER.9.2	0	
	ER.9.2.1	N/A	
	ER.9.2.2	N/A	
	ER.9.2.3	N/A	
	ER.9.3	0	
	ER.9.3.1	In compliance	
	ER.9.3.2	In compliance	
	ER.9.3.3	In compliance	
	ER.10	N/A	
	ER.11	Noncompliance	All farms
	ER.12.1	In compliance	
	ER.12.1.1	Risk of noncompliance	All farms
	ER.12.2	N/A	
	ER.13.1	In compliance	
ER.13.2 (PR)	In progress	All farms	
ER.13.3 (PR)	In compliance		
Administration	ER.15.1	In compliance	
	ER.15.2	In compliance	
	ER.15.2.1	Risk of noncompliance	All farms
	ER.16.1	In compliance	
	ER.16.2	In compliance	
	ER.17.2 (PR)	In compliance	
	ER.17.3 (PR)	In compliance	
ER.17.4 (PR)	In compliance		
Worker Involvement	ER.18.1	In compliance	
	ER.18.2 (PR)	In progress	All farms
Right to Organize and Bargain	ER.19	In compliance	
Work Rules and Discipline	ER.20.1	In compliance	
	ER.20.2	In compliance	
	ER.20.3 (PR)	In compliance	
	ER.20.4	In compliance	
	ER.20.6	In compliance	
	ER.20.7	In compliance	

	ER.20.8	In compliance	
	ER.20.9 (PR)	In compliance	
	ER.20.11	Risk of noncompliance	All farms
Access to Training for Family Members	ER.21	In compliance	
HSE Management System	ER.24.1.	In compliance	
	ER.24.2 (PR)	In compliance	
	ER.24.3	In compliance	
	ER.24.4 (PR)	In compliance	
	ER.24.4.1 (PR)	In compliance	
	ER.24.4.2 (PR)	In compliance	
	ER.24.4.3 (PR)	In compliance	
	ER.24.4.4 (PR)	In compliance	
	ER.24.4.5 (PR)	In compliance	
	ER.24.4.6 (PR)	In compliance	
Grievance Procedures	ER.25.1 (PR)	In compliance	
	ER.25.2 (PR)	In compliance	
	ER.25.3	In compliance	
	ER.25.4	In compliance	

Employment Relationship Assessment Summary

Notable Feature

All workers received training on employment relationships. The Balsu hotline for grievance is working. In Ballıkaya the auditors did not see labor contractors cutting money from workers. Farmers and supervisors have a friendly relationship. One farmer pays the wages to each worker rather than leave the task of distributing wages to the supervisor. Farmers said that they contribute the return trip of the workers by collecting money among each other.

Balsu supports women farmers in rural areas with the Strong Women Strong Agriculture Project, which was implemented in Sakarya after taking place in Duzce in 2018. The project was granted the technical support grant of East Marmara Development Agency and took place in cooperation with Hendek District Governorate, Hendek District Directorate of Agriculture and Balsu.

This project aims to reach women farmers in Balsu’s hazelnut supply chain based in Hendek, Sakarya to empower, build capacity and support the visualization of their active and thriving participation in agricultural production for the benefit of other actors in the production process.

Women will receive training on Good Agricultural Practices, Quality and Productivity, Occupational health and safety, Ecology and Environment, Good Social Practices, Woman Empowerment with a target to become more influential regarding social, economic and environmental issues in their community.

Proof of Age Documentation

Benchmarks:

ER.3.1.2: In those cases where proof of age documentation is not readily available or unreliable, employers shall take all necessary precautions which can reasonably be expected of them to ensure that all workers are at least the minimum legal working age, including requesting and maintaining medical or religious records of workers, or through other means considered reliable in the local context.

ER.7.6: contract, temporary, casual, daily, seasonal or migrant workers receive at least the minimum wage or the prevailing industry wage whichever is higher, and all legally mandated benefits such as social security, other forms of insurance, annual leave and holiday pay;

Risk of Noncompliance in all farms

Noncompliance in all farms

Findings/Noncompliance

There were 6 children working in the farms. When asked, farmers say that they tell in advance that the labor contractor should not bring them, but they come and

Explanation:	then the farmer cannot say much once they arrive. Second noncompliance is that in seasonal migrant work there are no holidays or free days. <u>Source:</u> Interviews with workers and farmers, and visual observation.
Company Action Plan:	
Activity	Balsu will develop more comprehensive social program components, including improved communication with farmers including women farmers, engaging with the key stakeholders, building staff capacity, revision of policy procedures, workers, labor contractor training.
Output indicators (targeted results)	-Increased awareness on the importance of collecting and keeping the identification documents of workers by the farmers and other institutions who is responsible through trainings for farmer, labor contractor, workers and distribution of farmers handbooks, brochures, using SMSs, communicating through WhatsApp groups and Balsu social media accounts matters listed above. - Increased number of internal monitoring activities during the harvest (as per risk analysis updated between March 2020 and June 2020). - Highlighting the responsible person and cooperation for the mechanism of identification of employees at each level. - Commodity intermediary involvement to receive the demographics of the workers per farmer selling to them.
Timeline and Deadline Date	N/A due to COVID - 19 Pandemic.
Input (budget/resources)	Temporary social workers, farmers and commodity intermediary handbooks, institutional visits and communication channels of Balsu.
Responsible staff (title/department)	Manager / Coordinator - Compliance Department

Terms and Conditions	
Benchmarks: <i>ER.12.1.1: Employers shall inform workers that any form of harassment or abuse in the workplace shall be subject to disciplinary measures.</i>	Risk of Noncompliance in all farms
<i>ER.11: Employers shall ensure that all legally mandated requirements for the protection or management of special categories of workers, including migrant, juvenile, contract/contingent/temporary, casual, daily, home workers, pregnant or disabled workers, are implemented.</i>	Noncompliance in all farms
Findings/Noncompliance Explanation:	The employment terms of the migrant workers fall below the provisions of national laws and FLA Code with regard to hours of work. There is no special worker category such as young workers. Harassment or abuse are not among the topics discussed between farmer and supervisor. <u>Source:</u> Interview with the farmers, workers and supervisors.
Company Action Plan:	
Activity	Balsu will develop more comprehensive social program components, including improved communication with farmers including women farmers, engaging with the key stakeholders, building staff capacity, revision of policy procedures,

	workers, labor contractor training.
Output indicators (targeted results)	- More farmer-worker contracts will be drawn and approved by the local employment agency. - A local employment agency will communicate with the farmers and the workers for the necessity of the work contract.
Timeline and Deadline Date	N/A due to COVID - 19 Pandemic.
Input (budget/resources)	Temporary social workers, farmers and commodity intermediary handbooks, institutional visits and communication channels of Balsu
Responsible staff (title/department)	Manager / Coordinator - Compliance Department

Administration	
Benchmarks: <i>ER.15.2.1: Advances must be properly documented, and their receipt and accuracy must be confirmed by the recipient worker, in writing whenever possible (e.g. signature, thumbprint).</i>	Risk of Noncompliance in all farms
Findings/Noncompliance Explanation:	Advances are in kind and the records are kept by the supervisor. At the end of the harvest, he calculates these all and divides into the number of workers. This constitutes a risk of noncompliance as he can always charge them more. <u>Source:</u> Interviews with workers and supervisors.
Company Action Plan:	
Activity	Balsu will develop more comprehensive social program components, including improved communication with farmers including women farmers, engaging with the key stakeholders, building staff capacity, revision of policy procedures, workers, labor contractor training.
Output indicators	Increased knowledge of farmers and workers' awareness on the documentation of the advances. A sample form will be handed to the farmers through the farmers' handbook.
Timeline and Deadline Date	N/A due to COVID - 19 Pandemic.
Input (budget/resources)	Temporary social workers, farmers and commodity intermediary handbooks, institutional visits and communication channels of Balsu.
Responsible staff (title/department)	Manager / Coordinator - Compliance Department

Work Rules and Discipline	
Benchmarks: <i>ER.20.11: The disciplinary system shall include a third-party witness during imposition, and an appeal process. In case of smallholder settings, existing appeal mechanism at community level is acceptable.</i>	Risk of Noncompliance in all farms

Findings/Noncompliance Explanation:	The system lacks an appeal process. <u>Source:</u> Documentation review.
Company Action Plan:	
Activity	Dissemination of the Balsu' disciplinary system amongst the key stakeholder with a special emphasis on appeal mechanism.
Output indicators (targeted results)	In addition to the "sample contract" contents, Balsu will include information on the disciplinary procedure and dissolution existing appeal mechanism. This sample form will be shared with the labor contractors, workers and farmers in 2020 through the workshop sessions. The Balsu disciplinary procedure will be shared with all farmers within the program as indicated in the previous topic in the farmers' handbook.
Timeline and Deadline Date	N/A due to COVID - 19 Pandemic.
Input (budget/resources)	Temporary social workers, farmers and commodity intermediary handbooks, institutional visits and communication channels of Balsu.
Responsible staff (title/department)	Manager / Coordinator - Compliance Department

Non-discrimination

Compliance Status

Section	Benchmark	Compliance status	Farms
General Compliance	ND. 1	Noncompliance	All farms
Recruitment and Employment Practices	ND.2.1	In compliance	
	ND.2.3	In compliance	
Compensation Discrimination	ND. 3	Noncompliance	All farms
Discrimination in Training and Communication	ND. 4	In compliance	
Marital or Pregnancy-Related Discrimination	ND.5.1	In compliance	
	ND.5.2	In compliance	
	ND.5.3	In compliance	
	ND.6.1	In compliance	
	ND.6.1.1	In compliance	
Health-Related Discrimination	ND. 7	In compliance	
	ND.8	In compliance	
	ND. 9	In compliance	

Respect of Culture and Religion	ND.11	In compliance
---------------------------------	-------	---------------

Non-discrimination Assessment Summary

<p>Notable Feature</p> <p>In Ballıkaya the workers started to leave their houses at 7am in the morning, so transportation to the orchards does count in the working hour. This eliminates partially the discrimination between local and migrant workers.</p>
--

General Compliance	
<p>Benchmarks: <i>ND.1: Employers shall comply with all national laws, regulations and procedures concerning nondiscrimination.</i></p>	
Noncompliance in all farms	
<p>Findings/Noncompliance Explanation:</p>	<p>There is discrimination in the working hours and wages between local and migrant workers. This is a custom in the region, when asked farmers and locals say that local people are more efficient in hazelnut picking, more careful about the trees, and more eager to work. Locals earn 100 Liras while migrants earn 85 Liras daily.</p> <p><u>Source:</u> Interviews with farmers / locals</p>
Company Action Plan	
<p>Activity</p>	<p>Balsu will develop more comprehensive social program components, including improved communication with farmers including women farmers, engaging with the key stakeholders, building staff capacity, revision of policy procedures, workers, labor contractor training.</p>
<p>Output indicators (targeted results)</p>	<ul style="list-style-type: none"> - Farmers awareness on the discrimination on working hours will be increased through specific attention in the social training. - This issue will also be expressed in the meetings held with the local authorities and the public institution support will be taken to prevent discrimination on this issue. - Balsu will advise the local commission decision for emphasizing differences in working hours. - Farmers handbook will have a record column for the working hours.
<p>Timeline and Deadline Date</p>	<p>N/A due to COVID - 19 Pandemic.</p>
<p>Input (budget/resources)</p>	<p>Temporary social workers, farmers and commodity intermediary handbooks, institutional visits and communication channels of Balsu.</p>
<p>Responsible staff (title/department)</p>	<p>Manager / Coordinator - Compliance Department</p>

Compensation Discrimination	
<p>Benchmarks: <i>ND.3: There shall be no differences in compensation for workers performing equal work or work of equal value based on gender, race, religion, age, disability, sexual orientation, nationality, political opinion, social group, ethnic origin, employment status (e.g. local workers vs. migrant workers), or membership in unions or other workers' representative</i></p>	
Noncompliance in all farms	

<i>bodies.</i>	
Findings/Noncompliance Explanation:	In the region, it is a common practice that local worker is paid more than the migrant ones. Although, the FLA team could not detect more details in the assessed farms due to the context, many people agree that this practice is fair since the locals know hazelnut harvesting better. When asked to farmers, they explain the difference based on performance; however, none of the farmers are keeping records for performance. <u>Source:</u> Observations and interviews with the locals.
Company Action Plan	
Activity	Developing Social program content (improved communication with farmers including women farmers, engaging with the key stakeholders, building staff capacity, revision of policy procedures, workers, labor contractor training).
Output indicators (targeted results)	- Farmers awareness on the discrimination on payments will be increased through specific attention in the social training. - This issue will also be expressed in the meetings held with the local authorities and the public institution support will be taken to prevent discrimination on this issue. - Balsu will advise the local commission decision for emphasizing fair payments.
Timeline and Deadline Date	N/A due to COVID - 19 Pandemic.
Input (budget/resources)	Temporary social workers, farmers and commodity intermediary handbooks, institutional visits and communication channels of Balsu.
Responsible staff (title/department)	Manager / Coordinator - Compliance Department

Forced Labor

Compliance Status

Section	Benchmark	Compliance status	Farms
General Compliance	F.1	In compliance	
Freedom in Employment and Movement	F.2	Risk of Noncompliance	All Farms
	F.3	In compliance	
	F.4.1	In compliance	
	F.4.2	In compliance	
	F.5.1	In compliance	
	F.5.2	In compliance	
	F.5.3	In compliance	

	F.7.1	In compliance	
	F.7.2	In compliance	
	F.7.3	In compliance	
	F.7.4	In compliance	
	F.7.5	In compliance	
	F.7.6	In compliance	
	F.7.7	In compliance	
	F.8	In compliance	
Work of Family Members	F.6.1	In compliance	
	F.6.2	Risk of Noncompliance	All Farms
	F.6.3	In compliance	
	F.6.4	In compliance	
Personal Workers Identification and Other Documents	F.9	In compliance	

Forced Labor Assessment Summary

Freedom in Employment and Movement	
<p>Benchmarks:</p> <p><i>F.2: All workers shall have the right to enter into and to terminate their employment freely.</i></p> <p><i>F.8: The imposition of overtime where workers are unable to leave the work premises constitutes forced labor.</i></p>	
	Risk of Noncompliance in all Farms
<p>Findings/Noncompliance Explanation:</p>	<p>Monitors understood from the interviews that workers have the right to terminate their employment freely from the farmers side. However, there is a risk of non-compliance where migrant workers had no choice but to complete the harvest season as they have to wait for the entire group to complete the job as labor contractors organize transportation back home all together.</p> <p>In addition, migrant workers are working an hour longer than local workers and have no choice to refuse and stop working. This can be considered as forced overtime since working time exceeds the limits of national legislations and the FLA Code.</p> <p><u>Source:</u> Interviews with the workers, and observations.</p>
Company Action Plan	
<p>Activity</p>	<p>Developing Social program content (improved communication with farmers including women farmers, engaging with the key stakeholders, building staff capacity, revision of policy procedures, workers, labor contractor training).</p>
<p>Output indicators (targeted results)</p>	<ul style="list-style-type: none"> - Good samples will be presented during the farmers' training and local authority visits. -At some townships, working hours were revised for an hour shorter. This good example will be shared with the hazelnut growing communities. - An official request for the working hours adjustment will be shared with the relevant commission of the township of Akyazi.
<p>Timeline and Deadline</p>	<p>N/A due to COVID - 19 Pandemic.</p>

Date	
Input (budget/resources)	Temporary social workers, farmers/Manav handbooks / institutional visits / communication channel
Responsible staff (title/department)	Manager / Coordinator - Compliance Department

Child Labor

Compliance Status

Section	Benchmark	Compliance status	Farms
General Compliance	CL.1	Noncompliance	Farms 1,5,8
Minimum Age	CL.2	Noncompliance	Farms 1,5,8
Immediate Family Members	CL.3	In compliance	
Right to Education	CL.4.1 (PR)	In Progress	All Farms
Young Workers	CL.5	In compliance	
	CL.6.1	Noncompliance	All farms
	CL.6.2	Noncompliance	All farms
	CL.7	Noncompliance	All farms
Apprenticeships and Vocational Training	CL.8.1 (PR)	Not Initiated	All Farms
	CL.8.2 (PR)	Not Initiated	All Farms
Children on Premises	CL.9	Risk of Noncompliance	All Farms
Removal and Rehabilitation of Child Laborers	CL.10.1	Risk of Noncompliance	Farms 1,5,8
	CL.10.2 (PR)	In compliance	

Child Labor Assessment Summary

Notable Feature

Balsu has a Social Compliance Program in 2019 that was shared with the FLA auditors during the audit. Accordingly, child labor removal and rehabilitation have seven steps, including information gathering, evaluation, planning, service, coordination, re-evaluation, case closing and follow-ups, final evaluation. In other places that Balsu conducted IMS, the social workers took notes about potential children workers in workers' accommodation to watch closely.

General Compliance

Benchmarks

CL.1: Employers shall comply with all national laws, ratified international conventions, fundamental labor rights, regulations and procedures concerning the prohibition of child labor.

**Noncompliance
in three farms**

Findings/Noncompliance Explanation:

There were 13 years old children in some farms. Also, in other farms when asked many young workers say that they are 15 or 16, since we are not able to see their IDs we had to believe them but they looked younger than that.

Source: Observation and interview.

Company Action Plan

Activity

Developing Social program content (improved communication with farmers including women farmers, engaging with the key stakeholders, building staff

	capacity, revision of policy procedures, workers, labor contractor training).
Output indicators (targeted results)	<p>Cooperation with local government has a significant impact on the solution of all problems in child labor and seasonal agriculture.</p> <p>In this context, in each district level meetings will be held when the harvesting period of 2020 began on child labor. The meeting host will be Balsu, local universities and all the relevant local authorities will be invited in these meetings.</p> <p>-All Balsu communication channels will be used to disseminate the fighting against child labor.</p> <p>- Prior to harvest risk analysis on the child labor status in procurement region will be updated.</p>
Timeline and Deadline Date	N/A due to COVID - 19 Pandemic.
Input (budget/resources)	Temporary social workers, farmers and commodity intermediary handbooks, institutional visits and communication channels of Balsu.
Responsible staff (title/department)	Manager / Coordinator - Compliance Department

Minimum Age	
Benchmarks	Noncompliance in three farms
<p><i>CL.2: Employers shall comply with ILO Convention 138 and shall not employ anyone under the age of 15 or under the age for completion of compulsory education, whichever is higher. If a country has a specified minimum age of 14 years due to insufficiently developed economy and educational facilities, employers might follow national legislations but must work to progressively raise the minimum age to 15 years.</i></p>	
Findings/Noncompliance Explanation:	Six children (four boys and two girls) were detected during the visit.
Company Action Plan	
Activity	Balsu will develop more comprehensive social program components, including improved communication with farmers including women farmers, engaging with the key stakeholders, building staff capacity, revision of policy procedures, workers, labor contractor training.
Output indicators (targeted results)	<p>Steps Balsu will take in order to tackle child labor problems in the supply chain in 2020.</p> <ol style="list-style-type: none"> 1. Summer Schools (number and content TBC). 2. Worker Training and Labor Intermediary Training (including Origin). 4. Farmer training and Training for Women in Local Communities. 5. Grievance mechanism. 5. Government and other local stakeholders to scale up efforts across the country. <ul style="list-style-type: none"> • Identification and monitoring of child labor are key IMS during the harvest will be increased thus four temporarily social workers will be hired. • To provide access to public services needed by children and their families, local authorities will be visited and mapped prior workers arrival.

	<ul style="list-style-type: none"> We will organize activities to promote social awareness and sensitivity at all the program villages. <p>Safe spaces /summer schools an essential gap for child labor-related efforts: Currently, there is no other alternative in the villages that guarantee access to a large number of children to a safe environment and provide them basic needs while their family members work in the gardens.</p>
Timeline and Deadline Date	N/A due to COVID - 19 Pandemic.
Input (budget/resources)	Temporary social workers, farmers and commodity intermediary handbooks, institutional visits and communication channels of Balsu.
Responsible staff (title/department)	Manager / Coordinator - Compliance Department - Top Management (Due to the Covid-19 Pandemic)

Young Workers	
<p>Benchmarks</p> <p><i>CL.6.1: Employers shall comply with all relevant laws that apply to young workers, (e.g., those between the minimum legal working age and the age of 18) including regulations related to hiring, working conditions, types of work, hours of work, proof of age documentation, and overtime.</i></p> <p><i>CL.6.2: Employers shall maintain a list of all young workers, their entry dates, proof of age and description of their assignment.</i></p> <p><i>CL.7: No person under the age of 18 shall undertake hazardous work, i.e., work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of persons under the age of 18. Such work includes, but is not limited to, the application of agricultural chemicals, pesticides, and fertilizers, use of farm equipment tools and machinery, lifting or moving of heavy materials or goods, or carrying out hazardous tasks such as underground or underwater or at dangerous heights. Every activity performed by a young worker must be supervised by an adult.</i></p>	Noncompliance in all farms
Findings/Noncompliance Explanation:	<p>In all farms there are young workers under 18. In total 10 male young, 29 female young could be detected. All were migrant workers. There is no difference between young and adult workers in the farms, they work same hours. No lists were kept for young workers.</p> <p><u>Source:</u> Observations and interviews with workers.</p>
Company Action Plan	
Activity	Balsu will develop more comprehensive social program components, including improved communication with farmers including women farmers, engaging with the key stakeholders, building staff capacity, revision of policy procedures, workers, labor contractor training.
Output indicators (targeted results)	<ul style="list-style-type: none"> -Farmers handbook will be revised. -Farmers' record keeping will be improved (date, month and year). -Good samples regarding the young workers' hours and tasks will be shared. -Detailed need assessment of the Young body for OHS standards will be shared in training with farmers, workers and local authorities.
Timeline and Deadline Date	N/A due to COVID - 19 Pandemic.
Input (budget/resources)	Temporary social workers, farmers/Manav handbooks / institutional visits /

	communication channel
Responsible staff (title/department)	Manager / Coordinator - Compliance Department

Children on Premises	
Benchmarks <i>CL.9: The employer shall ensure that children (including those residing on the farm and those of migrant workers) are not exposed to dangerous agriculture production activities, including exposure to chemicals/pesticides.</i>	Risk of Noncompliance in all farms
Findings/Noncompliance Explanation:	The monitors noticed that children of migrant groups and the farmers who do not work but accompany their parents were exposed to natural risks such as; falling down at steep places or getting bitten by the insects. <u>Source:</u> Interview with workers and observation during visits.
Company Action Plan	
Activity	Balsu will develop more comprehensive social program components, including improved communication with farmers including women farmers, engaging with the key stakeholders, building staff capacity, revision of policy procedures, workers, labor contractor training.
Output indicators (targeted results)	- Workers training will be improved. - Training for the cook (the person who stays at the workers shelter) will be provided by Duzce university for the children who remain with them in the shelter during the day. - IMS during the harvest will include day-time visits to the shelters in addition to the evening training on OHS and good social practices.
Timeline and Deadline Date	N/A due to COVID - 19 Pandemic.
Input (budget/resources)	Temporary social workers, farmers/Manav handbooks / institutional visits / communication channel
Responsible staff (title/department)	Manager / Coordinator - Compliance Department

Removal and Rehabilitation of Child Laborers	
Benchmarks <i>CL.10.1: If a child laborer is found working on a farm, all relevant downstream suppliers, including the participating company, shall immediately assess the situation at the child's household level and shall engage with relevant stakeholders to find a sustainable remediation solution that is in the best interest of the child.</i>	Risk of Noncompliance in three farms
Findings/Noncompliance Explanation:	Ballıkaya is away from the town center and the village is dispersed in the hills. It does not have a summer school. Nearest town is not practical to direct the children. <u>Source:</u> Observation.
Company Action Plan	

	Developing Social program content (improved communication with farmers including women farmers, engaging with the key stakeholders, building staff capacity, revision of policy procedures, workers, labor contractor training).
Output indicators (targeted results)	-Communication with the local authorities for the referral system and opportunities. - Responsible village head man or leader farmer selected for the villages. - There are more social workers involved, which means more IMS during the harvest (four social workers will be hired in 2020 from two in 2019).
Timeline and Deadline Date	N/A due to COVID - 19 Pandemic.
Input (budget/resources)	Temporary social workers, farmers/Manav handbooks / institutional visits / communication channel
Responsible staff (title/department)	Manager / Coordinator - Compliance Department

Health, Safety and Environment

Compliance Status

Section	Benchmark	Compliance status	Farms
General Compliance	HSE.1.	Risk of noncompliance	All Farms
Document Maintenance, Permits and Certificates	HSE.2 (PR)	In compliance	
	HSE.3.1	In compliance	
	HSE.4 (PR)	In compliance	
Evacuation Requirements and Procedure	HSE.5.1 (PR)	In progress	All Farms
	HSE.5.2	Risk of noncompliance	All Farms
Safety Equipment and First Aid	HSE.6.1 (PR)	In compliance	
	HSE.6.2 (PR)	In compliance	
	HSE.16.3 (PR)	In compliance	
Personal Protective Equipment	HSE.7 (PR)	In progress	All Farms
	HSE.8	In compliance	
Chemical Management	HSE.9.1	In compliance	
	HSE.9.2	In compliance	
	HSE.9.2.1	0	
	HSE.10	In compliance	
	HSE.11.1	In compliance	
	HSE.11.2	In compliance	
Protection Reproductive Health	HSE.12.1	In compliance	
	HSE.12.2 (PR)	In compliance	

Infrastructure	HSE.13 (PR)	0	
	HSE.17.1	In compliance	
	HSE.17.2 (PR)	In progress	All Farms
	HSE.19 (PR)	In progress	All Farms
	HSE.21 (PR)	Not Initiated	All Farms
	HSE.22 (PR)	Not Initiated	All Farms
Machinery Safety	HSE.14.1	In compliance	
	HSE.14.2	In compliance	
	HSE.14.3	In compliance	
	HSE.14.4	In compliance	
Ergonomics and Medical Facilities	HSE.15.2 (PR)	In progress	All Farms
	HSE.16.2	In compliance	

Assessment Summary

Notable Feature

Labor supervisors' receiving first aid training is a novel development.

Balsu conducts a regular farmers program in the West Black Sea Region. Farmers program includes Farmer Group Registration Informative Newsletter, Farmers Handbook for registry, Applied and Informative Trainings, Group Instant Information Services, Model Gardens Individual Farmer, Coaching, improving product yield and quality, Soil Analysis, Advice on and Pesticides, Direct Financial and In-kind Incentives, Integrated Pest Management System, Hazardous Waste Management System, Plant Protection Products Applicator Certificate, Pesticides Preparation Areas in the Villages, Residue Analysis, PPEs, First Aid Kits and Chemical Cabinets Distribution.

General Compliance

Benchmarks:

HSE.1: Employers shall comply with all national laws, regulations and procedures concerning health, safety, and the environment.

Risk of Noncompliance in all farms

Findings/Noncompliance Explanation:

Monitors noticed rides with two-wheeled tractor with trailer could be dangerous. Accommodations should be repaired and there has to be a standard for bathrooms and WCs.

Source: Observations and interviews with workers.

Company Action Plan

Activity

Stronger communication with the government at the local and national level will be sustained.

Output indicators (targeted results)

Improved local commission decision including a note on health and the safety in the agricultural area.

Training on OHS will be emphasized at all project villages.

All Balsu Communication channels will be used to circulate information on OHS.

Minimum one government representative will involve in project implementation.

Timeline and Deadline Date

N/A due to COVID - 19 Pandemic.

Input (budget/resources)

Balsu Field Team, Temporary social workers, farmers/Manav handbooks /

	institutional visits / communication channel / Compliance Budget / Governmental Sources.
Responsible staff (title/department)	Manager / Coordinator - Compliance Department

Evacuation Requirements and Procedure	
Benchmarks: <i>HSE.5.2: Where appropriate, workers shall be trained in evacuation procedures at least once per year.</i>	Risk of Noncompliance in all farms
Findings/Noncompliance Explanation:	Workers received HSE trainings on emergency situations but not trained in evacuation procedures especially regarding accommodation areas. <u>Source:</u> Observations and interviews with workers.
Company Action Plan	
Activity	Distribution of PPE, OHS training, communication throughout the year (SMS, WhatsApp, Newsletter, Brochures, Stickers), Local Health Office Involvement, needs assessment, update on the OHS module.
Output indicators (targeted results)	-Due to the training received from Balsu field staff and local authorities, awareness on the evacuation requirement and the procedure will increase. - A minimum of ten stickers will be placed in the shelters after the training is given in front of workers and farmers in the evacuation of the specific shelter. -A local public service representatives will be included in the training.
Timeline and Deadline Date	N/A due to COVID - 19 Pandemic.
Input (budget/resources)	Balsu Field Team, Temporary social workers, farmers/Manav handbooks / institutional visits / communication channel
Responsible staff (title/department)	Manager / Coordinator - Compliance Department

Hours of Work

Compliance Status

Section	Benchmark	Compliance status	Farms
General Compliance	HOW.1.1	Noncompliance	All Farms
	HOW.1.2	Noncompliance	All Farms
	HOW.1.3	Noncompliance	All Farms
	HOW.1.4	In compliance	
Rest Day	HOW.2	In compliance	
Meal and Rest Breaks	HOW.3	In compliance	
Protected Workers	HOW.4.1	Noncompliance	All Farms

	HOW.4.2 (PR)	Not Initiated	All Farms
	HOW.4.3	Noncompliance	All Farms
Overtime	HOW.5.1	Noncompliance	All Farms
	HOW.5.2	Noncompliance	All Farms
	HOW.6.1	Noncompliance	All Farms
	HOW.6.2	Risk of noncompliance	All Farms
	HOW.6.3 (PR)	In progress	All Farms
	HOW.7	Risk of noncompliance	All Farms
	Public Holidays and Leave	HOW.8.1	In compliance
HOW.8.2		In compliance	
HOW.8.3		N/A	
HOW.9		N/A	
HOW.10.1		In compliance	
HOW.11 (PR)		In compliance	
HOW.12.1 (PR)		In compliance	
HOW.12.2 (PR)		In compliance	
HOW.13		In compliance	
HOW.14		In compliance	
HOW.15 (PR)		In compliance	
HOW.16 (PR)		Noncompliance	All Farms

Hours of Work Assessment Summary

Notable Feature
As a good practice in the assessed farms, workers leave their houses at 7am, so the transportation time is included in the work hours.

General Compliance	
<p>Benchmarks: HOW.1.1: Employers shall comply with all national laws, regulations and procedures concerning hours of work, public holidays and leave. HOW.1.2: In countries where local law does not set out hours of work specific to the agriculture sector, the participating company shall consult with local stakeholders representing the employers (farmers), workers and civil society to define the hours of work. As a general principle, the total hours of work: (1) shall not exceed the number of work hours freely (individually and/or collectively) agreed upon by workers, including that all overtime work is consensual; (2) shall not adversely affect workers' physical and mental health; (3) shall allow for adequate breaks and rest periods during a working day, as determined by the workers, including at least 24 consecutive hours of rest in every seven-day period; and (4) shall be fully compensated according to legal requirements or worker agreements, whichever is more favorable to workers. How.1.3: Other than in exceptional circumstances or during short-term seasonal work as described under HOW.2, the total weekly work hours (regular work hours plus overtime) shall not exceed 60 hours per week or the legal limit, whichever is lower. The upper limit during a working day shall not exceed 12 hours.</p>	<p>Noncompliance in all farms</p>
<p>Findings/Noncompliance Explanation:</p> <p>The workers have 1 hour of lunch break and 30 minutes of rest breaks (15 in the morning 15 in the afternoon). As a consequence, workers work 10,5 hours a day. In this case, since the transportation is included, they may start working a bit later and work less than 10.5 hours. But it is hard to assess since some orchards are very close to the accommodations some are further. The local commission guidelines in terms of working hours exceed national regulations, FLA and the Balsu Code of Conduct.</p> <p><u>Source:</u> Observations and interviews.</p>	
<p>Company Action Plan</p>	
<p>Activity</p>	<p>Stronger communication with the government at the local and national level will</p>

	be sustained.
Output indicators (targeted results)	Improved local commission decision including a note on hours of work. Training on working hours will be emphasized at all project villages. All Balsu Communication channels will be used to give information on working hours (including the social media).
Timeline and Deadline Date	N/A due to COVID - 19 Pandemic.
Input (budget/resources)	Balsu Field Team, Temporary social workers, farmers/Manav handbooks / institutional visits / communication channel / Compliance Budget / Governmental Sources.
Responsible staff (title/department)	Manager / Coordinator - Compliance Department

Protected Workers (pregnant or nursing women, young workers)	
<p>Benchmarks:</p> <p><i>How.4.1: The workplace shall comply with all applicable laws governing work hours regulating or limiting the nature, frequency and volume of work performed by pregnant or nursing women or young workers.</i></p> <p><i>How.4.3: If not provided by law, employers must provide protection to workers who allege violations of laws governing work hours limiting the nature, frequency and volume of work performed by pregnant or nursing women or young workers.</i></p>	Noncompliance in all farms
Findings/Noncompliance Explanation:	The monitors did not observe any nursing or pregnant women on the field. However, the young workers and child workers were observed of doing the same job and working same 10,5 hours as the adults and monitors understood from the regional practices that pregnant or nursing women would have the same working conditions. The pregnant, nursing and young workers should have differentiated work schedule. According to local law and FLA benchmarks, young workers should not work more than 40 hours a week. In most of the cases, the adult workers distribute the heavy jobs among themselves hence trying to protect the special group of workers.
Company Action Plan	
Activity	Developing Social program content (improved communication with farmers including women farmers, engaging with the key stakeholders, building staff capacity, revision of policy procedures, workers, labor contractor training).
Output indicators (targeted results)	-Farmers' handbook will be revised. -Farmers' record keeping will be improved (young workers, pregnant workers or other special conditions noted will be included). -Good samples regarding the pregnant women's hours and tasks will be shared. -Detailed need assessment of pregnant women or people in special needs for OHS standards will be shared in training with farmers, workers and local authorities.
Timeline and Deadline Date	N/A due to COVID - 19 Pandemic.
Input (budget/resources)	Temporary social workers, farmers/Manav handbooks / institutional visits /

	communication channel
Responsible staff (title/department)	Manager / Coordinator - Compliance Department

Overtime	
<p>Benchmarks:</p> <p>How.5.1: Where national laws, regulations and procedures allow it, employers may calculate regular hours of work as an average over a period of longer than one week, provided all formal and procedural requirements attached to such calculation are met (for instance, obtaining official permission from the relevant authorities or observing limits to the period during which such calculations can be made). However, for the purpose of overtime calculation, regular hours of work may not exceed 48 hours per week, irrespective of whether national law provides or not a limitation.</p> <p>How.5.2: Payment of overtime rates is unaffected by a calculation that spreads total hours over more than one week.</p> <p>How.6.1: Employers shall not require workers to work more than the overtime hours allowed by the law of the country where the workers are employed.</p>	Noncompliance in all farms
<p>How.6.2: All overtime work shall be voluntary.</p> <p>How.7: Employers shall be able to provide explanation for all periods when the exceptional circumstances exception has been used. Clear communication and consultation will be held with workers and any extended hours of work will be levied upon obtaining (verbal / written) consensus from the workers.</p>	Risk of Noncompliance in all farms
<p>Findings/Noncompliance Explanation:</p> <p>FLA benchmarks require that maximum daily working hours cannot exceed daily 12 hours and weekly 60 hours with overtime. In the case of hazelnut harvest in Akyazi, according to local board declaration, workers may work from 7 to 7 10,5 hours per day. Considering the fact that they work for the whole week, weekly working hours reach to 73.5 hours (in some cases transportation is included). Monitors also understood that the workers might work more than 10,5 hours a day when an orchard is close the completion. There is no mechanism to verify that workers consent to working overtime and it is reported that they are not compensated for the overtime they work. During the interviews with the workers, almost all workers complained about the long working hours. They had to accept these working terms at beginning of the season because of the general practice and board's decision.</p> <p><u>Source:</u> Interviews, observations and a board report.</p>	
Company Action Plan	
Activity	Developing Social program content (improved communication with farmers including women farmers, engaging with the key stakeholders, building staff capacity, revision of policy procedures, workers, labor contractor training).
Output indicators (targeted results)	Increased knowledge of farmers and workers' awareness of overtime. A sample form will be handed to the farmers through the farmers' handbook. Good samples for the working hours and overtime payments will be shared. Calculation method will be stressed out. A local employment agency will be included at the workers' and farmers' training.
Timeline and Deadline Date	N/A due to COVID - 19 Pandemic.
Input (budget/resources)	Temporary social workers, farmers/Manav handbooks / institutional visits / communication channel

Responsible staff (title/department)	Manager / Coordinator - Compliance Department
--	---

Compensation

Compliance Status

Section	Benchmark	Compliance status	Farms
General Compliance	C.1.1	In compliance	
	C.1.2	In compliance	
	C.1.3	In compliance	
	C.1.4	In compliance	
Minimum Wage/Fair Compensation	C.2.1	Noncompliance	All Farms
	C.2.2	In compliance	
	C.2.3	In compliance	
	C.2.4 (PR)	Not to be answered by monitors. The FLA is working on analysis the situation based on real wage data collected during IEMs.	
	C.2.5 (PR)	In compliance	
	C.2.6 (PR)	In compliance	
Farmer/Producer Income	C.3	In compliance	
	C.4 (PR)	In compliance	
Wage Payment and Calculation	C.6	In compliance	
	C.7.1	In compliance	
	C.7.2	In compliance	
	C.7.3 (PR)	In compliance	
	C.7.4 (PR)	In compliance	
	C.7.5	In compliance	
	C.8.1	Noncompliance	All Farms
	C.8.2	Risk of Noncompliance	All Farms
	C.8.3	Noncompliance	All Farms
	C.8.4 (PR)	Not Initiated	All Farms
	C.9 (PR)	In compliance	
	C.10.1	In compliance	
	C.10.1.1	In compliance	
	C.10.2	In compliance	
C.10.3	In compliance		
Workers Awareness	C.11.1.1	In compliance	
	C.11.1.2	In compliance	
	C.11.1.3	In compliance	
	C.11.1.4	In compliance	
	C.11.1.5	In compliance	
	C.13 (PR)	In compliance	
Fringe Benefits	C.12.1	In compliance	
	C.12.2 (PR)	Not Initiated	All Farms
	C.12.3	In compliance	
	C.12.4	In compliance	
	C.12.5	In compliance	

Compensation Assessment Summary

Notable Feature

In the assessed farms there were no contractor deductions. Some farmers' initiative about contributing the return journey of the workers is a good example. 10.00 AM breakfast and 17.00 PM breaks are provided by the farmers.

Minimum Wage/Fair Compensation

Benchmarks:

C.2.1: Employers shall pay workers at least the legal minimum wage, the prevailing industry sector wage, or the wage pursuant to Collective Bargaining Agreements that are in force, whichever is higher, for regular working hours (not including overtime). Hourly or daily compensation shall be calculated based on the legal minimal wage, the prevailing industry sector wage, or the wage pursuant to Collective Bargaining Agreements that are in force, whichever is higher. Workers should also be informed by the employer about the legal minimum wage applicable to them.

**Noncompliance
in all farms**

Findings/Noncompliance Explanation:

The Ministry has announced the minimum legal wage for 8 hours while the local commission uses same wage as a basis for 10,5 hours. This reduces the hourly wage under usual legal working hours and the FLA Codes.

Company Action Plan

Activity

Developing Social program content (improved communication with farmers including women farmers, engaging with the key stakeholders, building staff capacity, revision of policy procedures, workers, labor contractor training). Labor contractor training with national government offices and the local stakeholder; both origin and hazelnut producing cities.

Output indicators (targeted results)

The agreement that is expected to be signed by the farmer and the labor contractor will include hours, wages and deductions and will be shared with workers, employers and labor contractors.

At the training, the concept in regard to the minimum wage will be stressed out (it will be related to deductions).

Remuneration and calculation method and deduction will be included in the contracts.

Timeline and Deadline Date

N/A due to COVID - 19 Pandemic.

Input (budget/resources)

Temporary social workers, farmers/Manav handbooks / institutional visits / communication channel

Responsible staff (title/department)

Manager / Coordinator - Compliance Department

Wage Payment and Calculation

Benchmarks:

C.8.1: Employers shall compensate workers for all hours worked.

C.8.3: Workers shall be informed in writing or orally where necessary, in language(s) spoken by workers, about overtime wage rates prior to undertaking overtime.

**Noncompliance
in all farms**

C.8.2: Employers shall comply with all applicable laws, regulations and procedures governing the payment of premium rates for work on holidays, rest days, and overtime. There might however be specific working schemes voluntarily agreed by the workers to work on holidays and rest days for short-term seasonal work, which would make this provision not applicable.

**Risk of
Noncompliance
in all farms**

Findings/Noncompliance Explanation:	<p>Migrant workers work 10,5 and locals 9,5 hours a day. This is above the national law and FLA benchmarks stating 8 hours a day. According to the law and benchmarks the farmer should compensate workers for all hours worked. That means these excess hours must be calculated as overtime. However, farmers pay workers the minimum legal daily wage announced by the Ministry for a 9.5 or 10.5 hours working day. In this context workers are also not informed about overtime wage rates.</p> <p><u>Source:</u> Interviews with workers, and observations.</p>
Company Action Plan	
Activity	<p>Developing Social program content (improved communication with farmers including women farmers, engaging with the key stakeholders, building staff capacity, revision of policy procedures, workers, labor contractor training). Labor contractor training with national government offices and the local stakeholder; both origin and hazelnut producing cities.</p>
Output indicators (targeted results)	<p>The agreement that is expected to be signed by the farmer and the labor contractor will include hours, wages and deductions and will be shared with workers, employers and labor contractors.</p> <p>At the training, the concept regarding the working hours will be stressed (it will be related to deductions and the dangers of exceeding daily working hours).</p> <p>Daily working hours, remuneration and calculation method, and deduction will be included in the contracts.</p> <p>Good samples as per working hours within the community will be shared.</p>
Timeline and Deadline Date	<p>N/A due to COVID - 19 Pandemic.</p>
Input (budget/resources)	<p>Temporary social workers, farmers/Manav handbooks / institutional visits / communication channel</p>
Responsible staff (title/department)	<p>Manager / Coordinator - Compliance Department</p>

Overview - Farms vs. Non-compliances

Total number of Farms: 11

	Employment Relationship	Non-discrimination	Harassment or Abuse	Forced Labor	Child Labor	Freedom of Association and Collective Bargaining	Health, Safety and Environment	Hours of Work	Compensation	Total
% of farms with non-compliances or risk of non-compliances	100%	100%	0%	100%	13%	0%	100%	0%	100%	
Farm No. 1	6	1	0	2	7	0	2	10	4	32
Farm No. 2	6	1	0	2	4	0	2	10	4	29
Farm No. 3	6	1	0	2	4	0	2	10	4	29
Farm No. 4	6	1	0	2	4	0	2	10	4	29
Farm No. 5	6	1	0	2	7	0	2	10	4	32
Farm No. 6	6	1	0	2	4	0	2	10	4	29
Farm No. 7	6	2	0	2	4	0	2	10	4	30
Farm No. 8	6	1	0	2	7	0	2	10	4	32
Farm No. 9	6	1	0	2	4	0	2	10	4	29
Farm No. 10	6	1	0	2	4	0	2	10	4	29
Farm No. 11	6	1	0	2	4	0	2	10	4	29
TOTAL	66	12	0	22	53	0	22	110	44	329