



[2021]

FAIR LABOR ASSOCIATION INDEPENDENT EXTERNAL MONITORING AGRICULTURAL REPORT

Company: Yavuz Gıda San. Ve Tic. A.Ş.

Country: Turkey

Crop: Hazelnuts

Production Process: Harvest

Assessment Location: Zonguldak, Alaplı

Monitor: Ozgur Tulumbacı & Tugba Ocek from Asya Control
Certifications & Consultancy

Assessment Dates: August 14 - 16, 2021

Number of assessed farms: 15

Total area covered (ha): 43.44

Number of farmers interviewed: 12

Total number of workers: 154

Number of workers interviewed: 72

To view more about the FLA's work with Yavuz, 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	Noncompliance	All Farms
	ER.2.1 (PR)	Not initiated	All Farms
	ER.2.1.1 (PR)	Not initiated	All Farms
Recruitment and Hiring	ER.3.1	Risk of Noncompliance	Farm 1,7 & 11
	ER.3.1.1	Noncompliance	Farm 1,7 & 11
	ER.3.1.2	Noncompliance	Farm 1,7 & 11
	ER.4	Risk of Noncompliance	Farms 4,5,6,10,12 & 15
	ER.5.1	Noncompliance	Farms 5,6,10,11,12 and 15
	ER.5.2	Noncompliance	Farms 5,6,10,11,12 and 15
	ER.5.3	Noncompliance	Farms 5,6,10,11,12 and 15
	ER.6 (PR)	In progress	All Farms
	ER.7.1	In Compliance	All Farms
	ER.7.2	In Compliance	All Farms
	ER.7.3	In Compliance	All Farms
	ER.7.4	In Compliance	All Farms
	ER.7.5	In Compliance	All Farms
	ER.7.6	Noncompliance	Farms 5,6,10,11,12 and 15
	ER.7.7	Not Applicable	All Farms
ER.7.8	Not Applicable	All Farms	
Terms and Conditions	ER.9.1	Risk of Noncompliance	All Farms
	ER.9.2.1	Risk of Noncompliance	Farm 1,2,3,4,5,6,7,8,9,10,11,12,13 & 15
	ER.9.2.2	Not Applicable	All Farms
	ER.9.2.3	Noncompliance	All
	ER.9.3.1	In Compliance	All Farms
	ER.9.3.2	In Compliance	All Farms
	ER.9.3.3	In Compliance	All Farms
	ER.10	Not Applicable	All Farms
	ER.11	Noncompliance	All Farms
	ER.12.1	In Compliance	All Farms
	ER.12.1.1	Noncompliance	All Farms
	ER.12.2	Not Applicable	All Farms
	ER.13.1	Risk of Noncompliance	All Farms
	ER.13.2 (PR)	Not initiated	All Farms
	ER.13.3 (PR)	Not initiated	All Farms
Administration	ER.15.1	In Compliance	All Farms
	ER.15.2	In Compliance	All Farms
	ER.15.2.1	Risk of Noncompliance	All Farms
	ER.16.1	In Compliance	All Farms
	ER.16.2	In Compliance	All Farms
	ER.17.2 (PR)	Not initiated	All Farms
	ER.17.3 (PR)	Not initiated	All Farms
	ER.17.4 (PR)	Not Applicable	All Farms
Worker Involvement	ER.18.1	In Compliance	All Farms

	ER.18.2 (PR)	Not Applicable	All Farms
Right to Organize and Bargain	ER.19	Not Applicable	All Farms
Work Rules and Discipline	ER.20.1	Noncompliance	All Farms
	ER.20.2	Noncompliance	All Farms
	ER.20.3 (PR)	Not initiated	All Farms
	ER.20.4	Noncompliance	All Farms
	ER.20.6	Noncompliance	All Farms
	ER.20.7	Noncompliance	All Farms
	ER.20.8	Noncompliance	All Farms
	ER.20.9 (PR)	Not initiated	All Farms
	ER.20.11	Noncompliance	All Farms
Access to Training for Family Members	ER.21	Not Applicable	All Farms
HSE Management System	ER.24.1.	Risk of Noncompliance	All Farms
	ER.24.2 (PR)	In compliance	All Farms
	ER.24.3	In Compliance	All Farms
	ER.24.4.1 (PR)	Not initiated	All Farms
	ER.24.4.2 (PR)	Not initiated	All Farms
	ER.24.4.3 (PR)	Not initiated	All Farms
	ER.24.4.4 (PR)	Not initiated	All Farms
	ER.24.4.5 (PR)	Not initiated	All Farms
	ER.24.4.6 (PR)	Not initiated	All Farms
	ER.24.5 (PR)	In progress	All Farms
Grievance Procedures	ER.25.1 (PR)	In progress	All Farms
	ER.25.2 (PR)	In progress	All Farms
	ER.25.3	In Compliance	All Farms
	ER.25.4	Risk of Noncompliance	All Farms

Employment Relationship Assessment Summary

Human Resource Management System	
<p>Benchmarks:</p> <p><i>ER.1.1: Employer shall have written terms and conditions of employment, job descriptions, rules of compensation, and working hours for all positions. In the case of workplaces with informal labor structures, employers should be able to describe verbally all of the above terms and conditions and clearly communicate them to workers.</i></p>	Noncompliance in all farms
<p>Findings/Noncompliance Explanation:</p> <p>There are no written agreements. All farmers stated that they have verbal agreements with workers, and they have communicated the terms and conditions of work to workers before the harvest. However, monitors found some workers were not aware of the working conditions. Workers reported that the labor contractor or supervisor is making the agreement on their behalf with the farmers. Some of the workers who do not even have a verbal agreement said that they do not need an agreement since they know the farmer from previous years.</p> <p>Source: Documentation & interviews</p>	
Company Action Plan:	
<p>Activity</p>	<p>Written contracts between farmers, workers and agricultural intermediaries will be increased in the 2022 hazelnut harvest. In the 2021 hazelnut harvest, 24 farmers were contracted. At least 40 contracts will be made for the 2022 hazelnut harvest.</p> <p>Training and/or information activities will be conducted for farmers, workers, and agricultural intermediaries regarding the importance of contract work. In this context, 30 agricultural</p>

	intermediaries and 500 workers will be trained. Within the scope of the Harvest the Future project, agricultural intermediaries will be mapped and undocumented agricultural intermediaries working with our farmers will be provided with an agricultural work tool certificate.
Output indicators (targeted results)	Increasing the importance of oral work. Increasing awareness of agricultural intermediaries, workers, and farmers about contracts.
Timeline and Deadline Date	February 2022 – September 2022
Input (budget/resources)	Human Resources (Sociologist and agricultural engineer)
Responsible staff (title/department)	Uğurcan ULU (Sociologist / Sustainability) Aslı BULTAN (Agricultural Engineer / Sustainability)

Recruitment and Hiring	
Benchmarks: <i>ER.3.1: Employers shall verify proof of age documentation for all young workers in the farm at the time of their employment and work towards collecting and maintaining all documentation necessary to confirm and verify date of birth of all workers, including long term and casual workers.</i>	Risk of Noncompliance in farms 1,7, and 11
<i>ER.4: Employers shall not use employment agencies/labor contractors that rely on any practice that is linked to: using false information to recruit workers; restricting workers' freedom of movement; requiring workers to pay recruitment and/or employment fees; withholding from workers a copy of their employment contract in their native language that sets forth the general terms and conditions of engagement and employment; retaining possession or control of workers identification and other documents like passports, identity papers, work permits, and other personal legal documents; punishing workers for terminating employment.</i>	Risk of Noncompliance in 4,5,6,10,12 and 15
<i>ER.3.1.1: Employers shall take reasonable measures to ensure such documentation is complete and accurate.</i> <i>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.</i>	Noncompliance in farms 1,7, and 11
<i>ER.5.1: No worker hired by an employment agency, or a labor contractor shall be compensated below the legal minimum wage. The same rights as provided for directly hired contract workers apply for workers hired via an employment agency or labor intermediary.</i> <i>ER.5.2: Fees associated with the employment of workers shall be the sole responsibility of employers. No worker hired via an employment agency, or a labor contractor shall pay a fee or get a reduction by applying a fee over his salary.</i> <i>ER.5.3: Workers shall not be engaged to work in a farm by a family member, friend, or associate in order for that family member, friend, or associate to receive continuing remuneration, consideration, or any other return from the employer. This prohibition does not refer to normal references, referral bonuses or standard employment recruitment practices.</i> <i>ER.7.6: Employers may hire temporary, casual, daily, seasonal or migrant workers only when: 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;</i>	Noncompliance in farms 5,6,10,11,12, and 15
Findings/Noncompliance Explanation:	<p>The farmer gives the IDs of workers to the Muhtar (head of the village) or the Gendarmerie (Army office that covers rural areas and enforced law) for security purposes. He doesn't perform any documented age check to understand whether any worker is below 18. They claim to conduct an oral check based on the oral statement of the parents, supervisor, or labor contractor.</p> <p>There is no verification of the date of birth by a farmer. The IDs are given to Muhtar or gendarmerie (an army office that covers rural areas and enforced law) for security reasons. The farmer agrees with the labor contractor or supervisor to recruit workers for him for harvest and leaves the selection of workers and the age verification to the labor contractor or supervisor who is mainly a relative of the workers. Some of the supervisors stated that they know their workers, and their ages and they just employ workers over 18 but workers under 18 were detected by the assessors during the field visits and interviews.</p>

	<p>4 labor contractors deduct a 10% commission from workers' wages. As a result, groups of workers working with intermediaries are paid 10% below the specified minimum wage. But some of the farmers and workers who have worked before have eliminated the intermediary and commission by establishing a direct working relationship.</p> <p>Daily working hours have been observed to exceed national laws.</p> <p>Basic labor rights such as social security and holiday leave/payment are not implemented in the hazelnut work as it is considered seasonal agricultural work. Farmers and workers note that there is no rest day in the hazelnut harvest as it is temporary and periodic work. If the weather permits, they work every day of the week until the job is done.</p> <p>There is no permanent work on the farm, hence the farmer does not need to employ any permanent workers, according to the farmer and workers.</p> <p>Source: interview, observation</p>
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Company Action Plan:

Activity	<p>Within the scope of the Yavuz Food age procedure, training will be given to farmers, workers, and agricultural intermediaries. In the 2022 hazelnut season, all FLA registered farmers, at least 40 agricultural intermediaries and 500 workers will be trained.</p> <p>It is a common practice for agricultural intermediaries to make a 10% deduction. Training will be provided within the scope of avoiding 10% cuts in the meetings and training to be held with agricultural intermediaries throughout the year. At least 30 agricultural intermediaries will be trained.</p>
Output indicators (targeted results)	<p>Identification of child and young workers.</p> <p>Avoiding 10% cuts and ensuring that workers' wages do not fall below the minimum wage.</p>
Timeline and Deadline Date	February 2022 – September 2022
Input (budget/resources)	Human Resources (Sociologist and agricultural engineer)
Responsible staff (title/department)	<p>Uğurcan ULU (Sociologist / Sustainability)</p> <p>Aslı BULTAN (Agricultural Engineer / Sustainability)</p>

Terms and Conditions

<p>Benchmarks:</p> <p><i>ER.9.1: Workers should be made aware of the employment terms under which they are engaged.</i></p> <p><i>ER.13.1: Farmer, sharecropper or any kind of supervisor who is leading workers shall have knowledge of the local labor laws and the FLA Code.</i></p>	<p>Risk of Noncompliance in all farms</p>
<p><i>ER.9.2.1: Employment terms shall be those to which the worker has voluntarily agreed, provided those terms do not fall below: provisions of national laws.</i></p>	<p>Risk of Noncompliance in farms</p> <p>1,2,3,4,5,6,7,8,9, 10,11,12,13 and 15</p>
<p><i>ER.9.2.3: Employment terms shall be those to which the worker has voluntarily agreed, provided those terms do not fall below: the FLA Workplace Code.</i></p> <p><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></p>	<p>Noncompliance in all farms</p>

ER.12.1.1: Employers shall inform workers that any form of harassment or abuse in the workplace shall be subject to disciplinary measures.

Findings/Noncompliance Explanation:

Monitors reported that 7 interviewed supervisors informed that farmers communicated compensation and employment terms and 8 supervisors informed that farmers communicated about employment conditions but nothing about compensation. Monitors verified that some worker groups are aware of working conditions, whereas the majority were not aware. For example, workers were not aware of the daily wages.

Some workers reported that they do not need communication because they have worked together with the farmers in previous years. Although workers reported that they were not informed by farmers about daily wages, some workers had heard that the local authority's announcement on daily wage was around 120 TL.

Working hours are longer than specified in the labor law. IMS responsible explained that the company had preliminary discussions with the local commission determining the daily wages, to change the working hours. However, she noted that even though they were engaged in lobbying activities, they did not influence the decision-making mechanism.

It has been observed that while most farmers know about child labor, they do not have detailed knowledge of other FLA benchmarks.

None of the employers ensured that they met all legally mandated requirements for the protection/management of special categories of workers. Both farmers and workers were aware of the working conditions of pregnant and young workers in the harvest. However, during the farm visits the monitors detected young workers on 4 farms who were not working according to legal requirements.

There is no effort by employers on the subject of Terms & Conditions. The company has activities to inform both farmers and workers about these issues. However, workers in some of the visited gardens were not trained during the time of the assessment. Training activities are usually carried out at harvest time and the fact that workers stay in the region for a limited time prevents them from achieving the objectives of training. Although the Company staff makes visits to garden owners throughout the year to raise awareness, producers do not currently have the level of knowledge to pass all this on to the workers. Some workers reported that the owner of the garden was concerned about health and safety, such as slopes, but this only stayed a concern and there was no standard training or explanation related to the HSE.

None of the employers inform workers about any form of harassment/abuse in the workplace and this kind of activity is subject to disciplinary measures. However, a working group stated that their employer told them if there is any kind of behavior that disturbs them, they should tell the employer.

Farmers or any kind of supervisors leading the workers have only partial knowledge of the local labor laws and the FLA Code. The supervisor knows that children below 15 cannot work on the farms, whereas most of the farmers know that there cannot be a worker under 18. On the other hand, they do not have detailed knowledge about other issues related to FLA benchmarks, such as non-discrimination, compensation and working hours.

Source: Documentation, interviews & observation

Company Action Plan:

Activity

Training will be provided to farmers, workers, and agricultural intermediaries within the scope of FLA standards. All FLA farmers, at least 30 agricultural intermediaries and at least 500 workers will be trained.

Output indicators (targeted results)	Increasing the efficiency of our work. Increasing awareness of Good Social practices.
Timeline and Deadline Date	February 2022 – September 2022
Input (budget/resources)	Human Resources (Sociologist and agricultural engineer)
Responsible staff (title/department)	Uğurcan ULU (Sociologist / Sustainability) Aslı BULTAN (Agricultural Engineer / Sustainability)

Administration

Benchmarks:

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).

**Risk of
Noncompliance
in all farms**

Findings/Noncompliance Explanation:	The assessors noticed advance payments in 4 worker groups. There is no written standard for advance payments. It is received and paid back on verbal agreements without any documentation. A worker who agrees to work may demand an advance payment for their needs at home or on the farms or to travel to the region. Interest is not applied. The advance is deducted from the total wages at the end of the job, or the workers pay back the advance from the salary they earned. This advance has no sanctioning power on workers. It is usually around 1000-1500 TL. Source: Documentation, interview & observation
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Company Action Plan:

Activity	Training will be provided to farmers and workers as part of the advance payment. Training will be provided to all farmers and at least 500 workers covered by the FLA.
Output indicators (targeted results)	Raising awareness about payment and recruitment
Timeline and Deadline Date	February 2022 – September 2022
Input (budget/resources)	Human Resources (Sociologist and agricultural engineer)
Responsible staff (title/department)	Uğurcan ULU (Sociologist / Sustainability) Aslı BULTAN (Agricultural Engineer / Sustainability)

Work Rules and Discipline

Benchmarks:

ER.20.1: Employers shall have disciplinary rules and practices that embody a system of progressive discipline (e.g., a system of maintaining discipline through the application of escalating disciplinary action moving from verbal warnings to written warnings to suspension and finally to termination).

ER.20.2: Any person supervising workers shall be aware of the disciplinary rules and practices.

ER.20.4: The disciplinary system shall be applied in a fair and non-discriminatory manner and include a management review of the actions by someone senior to the manager who imposed the disciplinary action.

ER.20.6: Disciplinary rules and practices shall be clearly communicated to all workers.

**Noncompliance
in all farms**

<p><i>ER.20.7: Workers must be informed when a disciplinary procedure has been initiated against them.</i> <i>ER.20.8: Workers have the right to participate and be heard in any disciplinary procedure against them.</i> <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></p>	
Findings/Noncompliance Explanation:	<p>No kind of disciplinary practice is observed in the visited farms. There are no disciplinary rules and practices that embody a system of progressive discipline. In this year and previous years, groups of workers who were not satisfied with their working performance were terminated and an agreement was made with new groups of workers.</p> <p>Source: Documentation & interviews</p>
Company Action Plan:	
Activity	Farmers will be informed about disciplinary rules. The disciplinary rules will be explained to the workers through posters and/or brochures.
Output indicators (targeted results)	Ensuring that the disciplinary system is implemented in a fair and non-discriminatory manner
Timeline and Deadline Date	February 2022 – September 2022
Input (budget/resources)	Human Resources (Sociologist and agricultural engineer)
Responsible staff (title/department)	Uğurcan ULU (Sociologist / Sustainability) Aslı BULTAN (Agricultural Engineer / Sustainability)

HSE Management System	
<p>Benchmarks: <i>ER.24.1: Health, safety and environmental rules shall be communicated to all workers in the local language or language spoken by workers if different from the local language.</i></p>	
	Risk of Noncompliance in all farms
Findings/Noncompliance Explanation:	<p>Monitors verified that the Company has organized training for farmers, labor contractors and workers about HSE issues and they have distributed brochures related to FLA benchmarks in three languages: Turkish, Kurdish and Arabic. Although the training was carried out in Turkish. The illiterate people or people who have difficulty in understanding Turkish have been helped by relatives with translations. Monitors also found most of the farmers are aware of properly disposing of empty agrochemical containers which were explained to them by the affiliated company.</p> <p>Although the HSE rules are communicated to workers by a farmer, labor contractor, supervisor, or the staff of the affiliated company, which includes working on steep slopes, pits and shaking branches, etc., monitors reported that awareness of workers about HSE at some orchards was low. Workers reported at some orchards that they did not attend any training about HSE whereas others remembered that there was training, but they could not remember the content of the training.</p> <p>Source: Documentation, interviews & observations</p>
Company Action Plan:	
Activity	Training and/or information activities will be carried out for farmers and workers within the scope of health, safety, and environmental conditions. Training will be provided to all farmers and at least 500 workers covered by the FLA.

	It will be ensured that at least one person who speaks Kurdish and/or Arabic is with the team during the training. Before the training, the workers will be asked whether a translation is required, and training will be carried out according to their language preferences.
Output indicators (targeted results)	Raising awareness of farmers and workers within the scope of health, safety and environmental conditions. Increasing the effectiveness of training.
Timeline and Deadline Date	February 2022 – September 2022
Input (budget/resources)	Human Resources (Sociologist and agricultural engineer)
Responsible staff (title/department)	Uğurcan ULU (Sociologist / Sustainability) Aslı BULTAN (Agricultural Engineer / Sustainability)

Grievance Procedures	
Benchmarks: <i>ER.25.4: The company shall create awareness of this communication and non-compliance reporting mechanism to its service providers and suppliers.</i>	Risk of Noncompliance in all farms
Findings/Noncompliance Explanation:	<p>The company has various anonymous grievance mechanisms, such as a hotline, complaint box, and anonymous messaging on the website and communicates this through training, brochures and posters to farmers, labor contractors and workers.</p> <p>Monitors reported that half of the interviewed farmers were aware of the Company's hotline and complaint box application, but all farmers found preferring to share their grievances with the agricultural engineer of the Company. Monitors reported that some of the workers were aware of the complaint boxes and the hotline. Workers at some orchards had heard about at least one of the grievance mechanisms of the Company, whereas workers at remaining orchards were not aware of the existence of such mechanisms. Monitors understood that most of the workers preferred to communicate their problems or requests with the labor contractors, supervisors, state institutions or farmers.</p> <p>Source: Documentation, interviews & observations</p>
Company Action Plan:	
Activity	<p>Our complaint mechanism consists of face-to-face, suggestion-wish and complaint boxes, telephone lines, website, and e-mail channels. The most widely used is face-to-face. Farmers will be kept informed on this matter.</p> <p>Since the workers are in the hazelnut harvest in the short term, it is difficult for them to adopt Yavuz Gıda's complaint mechanisms. Yavuz will continue to train our workers in this regard so that the available complaint mechanisms will be used more effectively.</p>
Output indicators (targeted results)	<p>Ensuring the effective use of all channels of the grievance mechanism.</p> <p>Ensuring that farmers and workers express their wishes, suggestions, and complaints freely.</p>
Timeline and Deadline Date	February 2022 – September 2022
Input (budget/resources)	Human Resources (Sociologist and agricultural engineer)

Responsible staff (title/department)	Uğurcan ULU (Sociologist / Sustainability) Aslı BULTAN (Agricultural Engineer / Sustainability)
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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	All Farms
	ND.2.3	Not Applicable	All Farms
Compensation Discrimination	ND. 3	Noncompliance	All farms
Discrimination in Training and Communication	ND. 4	Risk of Noncompliance	0
Marital or Pregnancy-Related Discrimination	ND.5.1	In Compliance	All farms
	ND.5.2	In Compliance	All farms
	ND.5.3	Risk of Noncompliance	All farms
	ND.6.1	Risk of Noncompliance	All farms
	ND.6.1.1	In Compliance	All farms
Health-Related Discrimination	ND. 7	Not Applicable	All farms
	ND.8	Not Applicable	All farms
	ND. 9	Not Applicable	All farms
Respect of Culture and Religion	ND.11	In Compliance	All farms

Non-Discrimination Assessment Summary

General Compliance	
Benchmarks: ND.1: Employers shall comply with all national laws, regulations and procedures concerning non-discrimination. Noncompliance in all farms	
Findings/Noncompliance Explanation:	None of the farmers had any information about local laws, regulations or judicial processes related to nondiscrimination. There was, for example, a wage gap between domestic and seasonal workers. Source: Interview & observations
Company Action Plan:	
Activity	Legal provisions and laws regarding discrimination will be provided to farmers, workers, and agricultural intermediaries. All FLA farmers, at least agricultural intermediaries and 500 workers will be trained and/or briefed.
Output indicators (targeted results)	Raising awareness and awareness about discrimination
Timeline and Deadline Date	February 2022 – September 2022

Input (budget/resources)	Human Resources (Sociologist and agricultural engineer)
Responsible staff (title/department)	Uğurcan ULU (Sociologist / Sustainability) Aslı BULTAN (Agricultural Engineer / Sustainability)

Compensation Discrimination

Benchmarks:

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 bodies.

**Noncompliance
in all farms**

Findings/Noncompliance Explanation:

Although no local worker group was assessed, the interviews with farmers showed that a wage difference was implemented between the local and seasonal migrant workers. For the same job, the wage of the local worker was 140 TL, while for the seasonal migrant worker this was 120 TL. Farmers explained the reason for the difference as the high knowledge and skills of local workers about hazelnut harvest work and their good performance. Also, the farmer provides shelter to the seasonal migrant workers, while the seasonal workers bring their food. However, it was noticed that seasonal migrant workers working in the hazelnut industry for many years and who are as experienced as locals still faced the same wage difference.

It was reported that seasonal migrant worker groups work the same working hours as local worker groups.

Some farmers reported during interviews that the wage is paid lower to seasonal migrant worker groups as the farmer has extra costs with these groups, such as; the wage paid to the cook and the accommodation and utilities the farmer is providing for these groups.

Source: Interviews

Company Action Plan:

Activity	In the announcements made by the governorship regarding the wages and working conditions made before the harvest in the regions Yavuz works, the part related to the working hours is explained as follows: - The hazelnut collection will start at 07:00 in the morning and end at 19:00, according to customs. However, a 1.5-hour break will be given for the meals and the rest of the workers. Lobbying will continue for the reason explained above.
Output indicators (targeted results)	Elimination of irregularity in working hours. Ensuring that the daily wages of workers are not lower than the minimum wage.
Timeline and Deadline Date	February 2022 – September 2022
Input (budget/resources)	Human Resources (Sociologist and agricultural engineer)
Responsible staff (title/department)	Uğurcan ULU (Sociologist / Sustainability) Aslı BULTAN (Agricultural Engineer / Sustainability)

Discrimination in Training and Communication	
Benchmarks: ND.4: Employers shall guarantee that all workers have equal access to training and capacity building and no discrimination takes place based on the characteristics noted above, nor on literacy or location of the workers. Training and communication should be given in the native language accessible to workers.	Risk of Noncompliance in all farms
Findings/Noncompliance Explanation:	<p>Although the training is conducted in Turkish, and the brochures are prepared in three different languages, namely Turkish, Kurdish and Arabic, the presence of illiterate workers or workers having difficulty in understanding or reading Turkish is a point of attention.</p> <p>Source: Interview & observations</p>
Company Action Plan:	
Activity	Before the training, the workers will be asked whether they want a translation, and if requested, it will be ensured that at least one person (agricultural intermediary, one of the workers) who speaks Arabic or Kurdish is available.
Output indicators (targeted results)	<p>Ensuring freedom of language.</p> <p>Increasing educational efficiency.</p>
Timeline and Deadline Date	February 2022 – September 2022
Input (budget/resources)	Human Resources (Sociologist and agricultural engineer)
Responsible staff (title/department)	<p>Uğurcan ULU (Sociologist / Sustainability)</p> <p>Aslı BULTAN (Agricultural Engineer / Sustainability)</p>

Marital or Pregnancy-Related Discrimination	
Benchmarks: ND.5.3: Employers shall not, on the basis of a woman's pregnancy, make any employment decisions that negatively affect a pregnant woman's employment status, including decisions concerning dismissal, loss of seniority, or deduction of wages. ND.6.1: Employers shall abide by all protective provisions in national laws and regulations benefitting pregnant workers and new mothers, including provisions concerning maternity leave and other benefits; prohibitions regarding night work, temporary reassignments away from work stations and work environments that may pose a risk to the health of pregnant women and their unborn children or new mothers and their new born children, temporary adjustment of working hours during and after pregnancy, and the provision of breast-feeding breaks and facilities.	Risk of Noncompliance in all farms
Findings/Noncompliance Explanation:	<p>There is no awareness among farmers about special requirements related to the employment of pregnant and nursing workers. The farmers do not conduct checks or require reports, documentation for pregnancy or health issues of workers but believe that pregnant women have no job at the orchards.</p> <p>Breastfeeding women were detected at two orchards; one was a cook and the other one was collecting hazelnuts from the ground and was breastfeeding her child three times a day in the morning, noon and evening. There is no restriction and no special care is provided concerning disadvantaged pregnant or nursing workers. These workers work the same working hours as the rest of the group. The only support is that they are allowed light work compared to other workers.</p> <p>Protective legal provisions are not known by farmers and there is no implementation in this line.</p> <p>Source: Interview & observations</p>

Company Action Plan:

Activity	Training will be provided to all FLA farmers on the employment and working conditions of pregnant or lactating women.
Output indicators (targeted results)	Increasing awareness in recruitment and working conditions Increasing awareness on the subject
Timeline and Deadline Date	February 2022 – September 2022
Input (budget/resources)	Human Resources (Sociologist and agricultural engineer)
Responsible staff (title/department)	Uğurcan ULU (Sociologist / Sustainability) Aslı BULTAN (Agricultural Engineer / Sustainability)

Harassment or Abuse

Compliance Status

Section	Benchmark	Compliance status	Farms
General Compliance	H/A.1.1	Risk of Noncompliance	All farms
	H/A.1.2	In Compliance	All farms
Discipline	H/A.2	In Compliance	All farms
	H/A.3	In Compliance	All farms
	H/A.4	In Compliance	All farms
	H/A.5	In Compliance	All farms
	H/A.6	In Compliance	All farms
	H/A.7	In Compliance	All farms
	H/A.13	Not Applicable	All farms
Violence	H/A.8.1	In Compliance	All farms
	H/A.8.2	In Compliance	All farms
	H/A.8.3	Not Applicable	All farms
Sexual Harassment	H/A.9.1	Not Applicable	All farms
	H/A.9.2	In Compliance	All farms
	H/A.9.3	In Compliance	All farms
	H/A.9.4	In Compliance	All farms
Security Practices	H/A.10	In Compliance	All farms
	H/A.10.1	In Compliance	All farms
	H/A.10.2	In Compliance	All farms

Harassment or Abuse Assessment Summary

General Compliance	
Benchmarks: H/A.1.1: Employers shall comply with all national laws, regulations and procedures concerning discipline, violence, harassment, or abuse.	Risk of Noncompliance in all farms
Findings/Noncompliance	No cases of verbal or physical abuse were detected or reported. However, the awareness

Explanation:	of the applicable regulations and penalties is low. Source: Interviews
Company Action Plan:	
Activity	There will be information about harassment and abuse to all FLA farmers, at least 40 agricultural intermediaries and 500 workers.
Output indicators (targeted results)	Increasing awareness and awareness of the relevant issue.
Timeline and Deadline Date	February 2022 – September 2022
Input (budget/resources)	Human Resources (Sociologist and agricultural engineer)
Responsible staff (title/department)	Uğurcan ULU (Sociologist / Sustainability) Aslı BULTAN (Agricultural Engineer / Sustainability)

Child Labor

Compliance Status

Section	Benchmark	Compliance status	Farms
General Compliance	CL.1	Risk of Noncompliance	1,4,5 & 6
Minimum Age	CL.2	Noncompliance	1,4,5 & 6
Immediate Family Members	CL.3	In Compliance	0
Right to Education	CL.4.1 (PR)	In compliance	0
Young Workers	CL.5	Risk of Noncompliance	1,4 & 5
	CL.6.1	Noncompliance	1,4 & 5
	CL.6.2	Noncompliance	All farms
	CL.7	In Compliance	0
Apprenticeships and Vocational Training	CL.8.1 (PR)	Not Applicable	0
	CL.8.2 (PR)	Not Applicable	0
Children on Premises	CL.9	In Compliance	All farms
Removal and Rehabilitation of Child Laborers	CL.10.1	In Compliance	0
	CL.10.2 (PR)	In progress	All farms

Notable Feature

In the Company database risk assessment system, child labor is given a separate place and evaluated as the riskiest issue. The company has been leading summer schools in the region. Kestane Village Primary School was selected as a project school, where children of seasonal migrant workers are educated in different branches.

Child Labor Assessment Summary

General Compliance

Benchmarks <i>CL.1: Employers shall comply with all national laws, ratified international conventions, fundamental labor rights, regulations and procedures concerning the prohibition of child labor.</i>		Risk of Noncompliance in farms 1,4,5, and 6
Findings/Noncompliance Explanation:	<p>Monitors reported that most farmers are aware that workers under the age of 18 should not be employed. The monitors reported that the Company has provided training to farmers about child labor. However, not all farmers are sure what the minimum legal applicable age is. For example, one farmer informed the monitors that all workers under the age of 18 could work while another farmer believed the legal minimum working age was 16. Since not all farmers are aware of the legal minimum working age there is a risk that workers below the minimum age could be employed.</p> <p>Source: Interview & observations</p>	
Company Action Plan:		
Activity	<p>Training will be provided to all FLA farmers and at least 40 agricultural intermediaries and 500 workers.</p> <p>Harvest inspections that have been carrying out for 2 years will continue to prevent child labor.</p> <p>Yavuz summer school activities during the harvest period will continue. At least 4 summer schools will be held during the 2022 hazelnut harvest.</p> <p>Within the scope of the project Harvesting the Future, Yavuz will participate in all activities related to child labor.</p>	
Output indicators (targeted results)	<p>Prevention of child labor</p> <p>Raising awareness about child labor</p> <p>Bringing children into education</p>	
Timeline and Deadline Date	February 2022 – September 2022	
Input (budget/resources)	Human Resources (Sociologist and agricultural engineer)	
Responsible staff (title/department)	<p>Uğurcan ULU (Sociologist / Sustainability)</p> <p>Aslı BULTAN (Agricultural Engineer / Sustainability)</p>	

Minimum Age		
Benchmarks <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>		Noncompliance in farms 1,4,5, and 6
Findings/Noncompliance Explanation:	<p>Overall, the monitors detected that 10 workers under the age of 18 were employed during assessments. There were 8 paid laborers whose ages ranged from 14 to 17 years. 3 of the paid labor was under 15 years. The workers below 18 years were working in the same conditions as the adults. These workers were collecting hazelnuts from the ground and picking hazelnuts from branches and bending branches when needed, working on steep slopes, and working the same working hours as adults.</p> <p>There was also one farmer whose daughter of 17 and son of 14 were helping him with harvesting from ground and branches.</p> <p>Monitors noticed that all young workers were recently informed about child labor issues.</p>	

	Source: Documentation & observations
Company Action Plan:	
Activity	<p>Although no information was given by the inspectors about the child workers identified during the inspection, actions were taken against the producers whose worker groups included children by visiting the producers in the aftermath of the inspection.</p> <p>In the 2022 hazelnut harvest, harvest inspections will continue, and measures will be taken within the scope of our child labor action report.</p>
Output indicators (targeted results)	<p>Prevention of child labor.</p> <p>Raising awareness about child labor.</p> <p>Ensuring children continue their education.</p>
Timeline and Deadline Date	February 2022 – September 2022
Input (budget/resources)	Human Resources (Sociologist and agricultural engineer)
Responsible staff (title/department)	<p>Uğurcan ULU (Sociologist / Sustainability)</p> <p>Aslı BULTAN (Agricultural Engineer / Sustainability)</p>

Young Workers	
Benchmarks	Risk of Noncompliance in farms 1,4 and 5
<i>CL.5: Employers shall abide by all relevant rules and procedures where the law requires government permits or permission from parents as a condition of employment of young workers.</i>	
<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>	Noncompliance in farms 1,4, and 5
<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>	Noncompliance in all farms
Findings/Noncompliance Explanation:	<p>The local governmental announcements do not give a figure on the prohibited working age and farmers do not know the legal working conditions of workers under the age of 18. These workers work the same working hours and perform the same tasks such as harvesting on steep slopes, bending branches, and carrying loaded sacks.</p> <p>The farmers do not keep a record of any employees under the age of 18.</p> <p>Source: Documentation, observation & interviews</p>
Company Action Plan:	
Activity	<p>Worker records are kept in the producer handbook by the farmers. During the inspection, the manufacturer's handbooks were not shown because he did not have them with him.</p> <p>Since it is stated in the announcements made by the district governorships that workers over the age of 15 can work, the issue of young workers emerges as a point of discussion requiring agreement.</p> <p>In our training to be given to farmers and workers, the parts about young labor will be detailed.</p> <p>This issue will be discussed within the scope of lobbying activities.</p>
Output indicators	Increasing the importance of record-keeping.

(targeted results)	Improving the working conditions of young workers.
Timeline and Deadline Date	February 2022 – September 2022
Input (budget/resources)	Human Resources (Sociologist and agricultural engineer)
Responsible staff (title/department)	Uğurcan ULU (Sociologist / Sustainability) Aslı BULTAN (Agricultural Engineer / Sustainability)

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 progress	All farms
	HSE.3.1	Not Applicable	0
	HSE.4 (PR)	In progress	All farms
Evacuation Requirements and Procedure	HSE.5.1 (PR)	Not initiated	All farms
	HSE.5.2	Risk of Noncompliance	All farms
Safety Equipment and First Aid	HSE.6.1 (PR)	In progress	All farms
	HSE.6.2 (PR)	Not initiated	All farms
	HSE.16.3 (PR)	In progress	All farms
Personal Protective Equipment	HSE.7 (PR)	In progress	All farms
	HSE.8	In compliance	All farms
Chemical Management	HSE.9.1	In Compliance	All farms
	HSE.9.2	Not Applicable	All farms
	HSE.9.2.1	Not Applicable	All farms
	HSE.10	Not Applicable	All farms
	HSE.11.1	Not Applicable	All farms
Protection Reproductive Health	HSE.11.2	Not Applicable	All farms
	HSE.12.1	In Compliance	All farms
	HSE.12.2 (PR)	In Compliance	All farms
Infrastructure	HSE.13 (PR)	Not Applicable	All farms
	HSE.17.1	In Compliance	All farms
	HSE.17.2 (PR)	Not initiated	All farms
	HSE.19 (PR)	In compliance	All farms
	HSE.21 (PR)	In compliance	All farms
Machinery Safety	HSE.22 (PR)	Not initiated	All farms
	HSE.14.1	Not Applicable	All farms
	HSE.14.2	Not Applicable	All farms
	HSE.14.3	Not Applicable	All farms
Ergonomics and Medical Facilities	HSE.14.4	Not Applicable	All farms
	HSE.15.2 (PR)	Not initiated	All farms
	HSE.16.2	Risk of Noncompliance	All farms

Health, Safety and Environment Assessment Summary

General Compliance	
<p>Benchmarks: HSE.1: Employers shall comply with all national laws, regulations and procedures concerning health, safety, and the environment.</p>	
Risk of Noncompliance in all farms	
Findings/Noncompliance Explanation:	<p>The Company has communicated general information to the farmers and farmers have basic knowledge about health and safety issues. However, they do not verify if there is a pregnant, ill worker or any person with disabilities among workers.</p> <p>They also do not know the regulations either. Overall, there are no procedures related to health and safety issues.</p> <p>Source: Interview & observations</p>
Company Action Plan:	
Activity	Occupational health and safety procedures will be prepared within the scope of the farm. The prepared procedure will be given to the workers and farmers.
Output indicators (targeted results)	Increasing awareness on occupational health and safety
Timeline and Deadline Date	February 2022 – September 2022
Input (budget/resources)	Human Resources (Sociologist and agricultural engineer)
Responsible staff (title/department)	Uğurcan ULU (Sociologist / Sustainability) Aslı BULTAN (Agricultural Engineer / Sustainability)

Evacuation Requirements and Procedure	
<p>Benchmarks: HSE.5.2: Where appropriate, workers shall be trained in evacuation procedures at least once per year.</p>	
Risk of Noncompliance in all farms	
Findings/Noncompliance Explanation:	<p>The area does not have an earthquake risk. The lands of the farmers are scattered, and the farmers said that it is not possible to have fire engines on all of the farms. The only risk in the area is flood and landslide. When the rain starts, the workers stop working and turn to their houses. Therefore, there is no emergency risk. However, none of the farms have emergency and evacuation procedures.</p> <p>Source: Interview & observations</p>
Company Action Plan:	
Activity	Information sharing activities will be conducted in the regions where there is a risk of flood and landslides.
Output indicators (targeted results)	Raising awareness on emergency and evacuation Minimizing damages in case of danger
Timeline and Deadline	February 2022 – September 2022

Date	
Input (budget/resources)	Human Resources (Sociologist and agricultural engineer)
Responsible staff (title/department)	Uğurcan ULU (Sociologist / Sustainability) Aslı BULTAN (Agricultural Engineer / Sustainability)

Ergonomics and Medical Facilities	
<p>Benchmarks: <i>HSE.16.2: Medical facilities shall be established and maintained as required by applicable laws. In case of no local law, the employer shall ensure that the workers are able to utilize local service providers in case of medical emergencies and have the local medical officer's contact address available to the workers. In the case of a medical emergency, e.g., injury or sudden illness, growers will not unreasonably delay allowing a worker to have access to medical treatment.</i></p>	Risk of Noncompliance in all farms
<p>Findings/Noncompliance Explanation:</p> <p>There is no person identified with any health case. The farmer himself takes the ill person to the medical facilities by his vehicle. Besides, there is no emergency plan to access the medical facilities.</p> <p>Source: Interview & observations</p>	
Company Action Plan:	
<p>Activity</p> <p>Emergency phones are available to all our farmers and workers, and what needs to be done in an emergency is hung in front of the farmers' houses or at the garden entrances.</p> <p>Yavuz will continue and increase information dissemination efforts through posters and brochures.</p>	
<p>Output indicators (targeted results)</p> <p>Raising awareness of emergencies.</p>	
<p>Timeline and Deadline Date</p> <p>February 2022 – September 2022</p>	
<p>Input (budget/resources)</p> <p>Human Resources (Sociologist and agricultural engineer)</p>	
<p>Responsible staff (title/department)</p> <p>Uğurcan ULU (Sociologist / Sustainability) Aslı BULTAN (Agricultural Engineer / Sustainability)</p>	

Hours of Work

Compliance Status

Section	Benchmark	Compliance status	Farms
General Compliance	HOW.1.1	Noncompliance	1,2,3,4,5,6,7,8,9,10,11,12,13 & 15
	HOW.1.2	Noncompliance	1,2,3,4,5,6,7,8,9,10,11,12,13 & 15
	HOW.1.3	Noncompliance	1,2,3,4,5,6,7,8,9,10,11,12,13 & 15
	HOW.1.4	In Compliance	All farms
Rest Day	HOW.2	In Compliance	All farms
Meal and Rest Breaks	HOW.3	In Compliance	All farms
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	1,2,3,4,5,6,7,8,9,10,11,12,13 & 15
	HOW.5.2 (PR)	Not initiated	1,2,3,4,5,6,7,8,9,10,11,12,13 & 15
	HOW.6.1	Noncompliance	1,2,3,4,5,6,7,8,9,10,11,12,13 & 15
	HOW.6.2	Noncompliance	1,2,3,4,5,6,7,8,9,10,11,12,13 & 15
	HOW.6.3 (PR)	Not initiated	1,2,3,4,5,6,7,8,9,10,11,12,13 & 15
	HOW.7	Noncompliance	1,2,3,4,5,6,7,8,9,10,11,12,13 & 15
Public Holidays and Leave	HOW.8.1	Noncompliance	1,2,3,4,5,6,7,8,9,10,11,12,13 & 15
	HOW.8.2	Noncompliance	1,2,3,4,5,6,7,8,9,10,11,12,13 & 15
	HOW.9	Not Applicable	0
	HOW.10.1	Not Applicable	0
	HOW.11 (PR)	Not Applicable	All farms
	HOW.12.1 (PR)	Not Applicable	All farms
	HOW.12.2 (PR)	Not initiated	1,2,3,4,5,6,7,8,9,10,11,12,13 & 15
	HOW.13	In Compliance	All farms
	HOW.14	Noncompliance	1,2,3,4,5,6,7,8,9,10,11,12,13 & 15
	HOW.15 (PR)	Not initiated	1,2,3,4,5,6,7,8,9,10,11,12,13 & 15
	HOW.16 (PR)	Not Applicable	0

Hours of Work Assessment Summary

General Compliance	
<p>Benchmarks:</p> <p>HOW.1.1: Employers shall comply with all national laws, regulations and procedures concerning hours of work, public holidays, and leave.</p> <p>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.</p> <p>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 farms 1,2,3,4,5,6,7,8,9, 10,11,12,13, and 15</p>
<p>Findings/Noncompliance Explanation:</p> <p>The monitors verified that all the seasonal migrant worker groups were working 12 hours a day between 7 am and 7 pm. One farm with family workers was noticed working 11 hours a day. All workers were having two 30-minute breaks and an hour lunch break. That makes the working hours 10 hours for the seasonal migrant groups and 9 hours for the family workers. The seasonal migrant workers in this casework 70 hours a week. These workers work between 20 to 30 days without rest days unless the weather is rainy. If the weather is rainy the workers are granted an unpaid rest day.</p> <p>The monitors noticed that only some of the workers and farmers were aware of regulations about working hours limited to 8 hours and maximum of 11 hours a day.</p> <p>Neither farmers nor the employees were aware of the national laws, regulations and procedures concerning hours of work, public holidays and leave-in on assessed orchards. The Turkish labor law does not apply to agriculture work where less than 50 workers are employed and the maximum working time is determined by local commissions as 12 hours in a day is creating confusion among farmers regarding the determination of maximum working hours.</p> <p>Source: Interview, observation & district governor's statement</p>	
<p>Company Action Plan:</p>	

Activity	In the announcements made by the governorship regarding the wages and working conditions made before the harvest in the regions Yavuz works, the part related to the working hours is explained as follows: - The hazelnut collection will start at 07:00 in the morning and end at 19:00, according to customs. However, a 1.5-hour break will be given for the meals and the rest of the workers. Lobbying will continue for the reason explained above.
Output indicators (targeted results)	Improving working conditions Legalizing working hours
Timeline and Deadline Date	February 2022 – September 2022
Input (budget/resources)	Human Resources (Sociologist and agricultural engineer)
Responsible staff (title/department)	Uğurcan ULU (Sociologist / Sustainability) Aslı BULTAN (Agricultural Engineer / Sustainability)

Protected Workers (pregnant or nursing women, young workers)	
Benchmarks: <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> <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>	Noncompliance in all farms
Findings/Noncompliance Explanation:	According to the law, pregnant and nursing women can work 7.5 hours a day and young workers 8 hours a day. Although no pregnant or nursing workers were identified during assessments, there were young workers present and the working hours and their working conditions were the same as all the other workers in the orchards. Overall, there is no regulation for protected workers. Source: Interviews
Company Action Plan:	
Activity	Information provision activities will be held within the scope of the working conditions of young workers and workers working under special conditions.
Output indicators (targeted results)	Increasing awareness on the subject
Timeline and Deadline Date	February 2022 – September 2022
Input (budget/resources)	Human Resources (Sociologist and agricultural engineer)
Responsible staff (title/department)	Uğurcan ULU (Sociologist / Sustainability) Aslı BULTAN (Agricultural Engineer / Sustainability)

Overtime	
Benchmarks:	Noncompliance in farms

<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.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> <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>	1,2,3,4,5,6,7,8,9, 10,11,12,13 and 15
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<p>Findings/Noncompliance Explanation:</p>	<p>Worker groups do not work the same length on each farm. It is not found out that they are paid. The monitors detected that seasonal migrant workers work 9 to 9.5 hours a day and local worker groups work 8 to 8.5 hours a day. The farmers are paying all workers for these hours as regular working hours, and they do not pay any overtime.</p> <p>There is no awareness of working hours and overtime calculations among farmers and workers.</p> <p>Overtime is not voluntary, but obligatory. The workers stated that working hours are long. The employer agrees verbally with workers about the working hours at the beginning of the harvest and the workers must accept to work in the orchard.</p> <p>Source: Interview & observations</p>
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Company Action Plan:

<p>Activity</p>	<p>In the announcements made by the governorship regarding the wages and working conditions made before the harvest in the regions Yavuz works, the part related to the working hours is explained as follows:</p> <ul style="list-style-type: none"> - The hazelnut collection will start at 07:00 in the morning and end at 19:00, according to customs. However, a 1.5-hour break will be given for the meals and the rest of the workers. <p>Lobbying will continue for the reason explained above.</p>
<p>Output indicators (targeted results)</p>	<p>Increasing awareness about wages and working conditions</p>
<p>Timeline and Deadline Date</p>	<p>February 2022 – September 2022)</p>
<p>Input (budget/resources)</p>	<p>Human Resources (Sociologist and agricultural engineer)</p>
<p>Responsible staff (title/department)</p>	<p>Uğurcan ULU (Sociologist / Sustainability) Aslı BULTAN (Agricultural Engineer / Sustainability)</p>

Public Holidays and Leave	
<p>Benchmarks:</p> <p>HOW.8.1: Employers shall provide workers with all official public holidays as required under national laws, regulations, and procedures.</p> <p>HOW.8.2: Employer may engage with workers on a specific working scheme which allows workers to work on holidays if voluntarily agreed by the workers without any pressure to accept or retaliation if refuse.</p> <p>HOW.14: Employers shall provide workers with sick leave as required under national laws, local provisions, regulations, and procedures.</p>	Noncompliance in farms 1,2,3,4,5,6,7,8,9, 10,11,12,13 and 15
<p>Findings/Noncompliance Explanation:</p>	<p>Workers are not granted any public holidays, sick leave, or rest days.</p> <p>Since there is no permanent or long-term work applicable in the hazelnut harvest, annual leave is not applicable.</p>

	Source: Interview & observations
Company Action Plan:	
Activity	Since hazelnut farming is a small land, long-term employment is very rare. In addition, workers do not want to take a vacation because they receive daily wages. For these reasons, lobbying efforts will continue on this issue.
Output indicators (targeted results)	To raise awareness of institutions and farmers within the scope of working conditions
Timeline and Deadline Date	February 2022 – September 2022
Input (budget/resources)	Human Resources (Sociologist and agricultural engineer)
Responsible staff (title/department)	Uğurcan ULU (Sociologist / Sustainability) Aslı BULTAN (Agricultural Engineer / Sustainability)

Compensation

Compliance Status

Section	Benchmark	Compliance status	Farms
General Compliance	C.1.1	In Compliance	All farms
	C.1.2	Noncompliance	Farms 4,6,10,11,12 & 15
	C.1.3	Risk of Noncompliance	All farms
	C.1.4 (PR)	In progress	All farms
Minimum Wage/Fair Compensation	C.2.1	Noncompliance	1,2,3,4,5,6,7,8,9,10,11,12,13 & 15
	C.2.2	Noncompliance	1,2,3,4,5,6,7,8,9,10,11,12,13 & 15
	C.2.3	Noncompliance	1,2,3,4,5,6,7,8,9,10,11,12,13 & 15
	C.2.4 (PR)	Not initiated	All farms
	C.2.5 (PR)	In progress	All farms
	C.2.6 (PR)	Not Applicable	All farms
	C.3	Not Applicable	All farms
Farmer/Producer Income	C.4 (PR)	In Compliance	All farms
Wage Payment and Calculation	C.6	Noncompliance	All farms
	C.7.1	In Compliance	All farms
	C.7.5	Noncompliance	All farms
	C.7.3 (PR)	Not initiated	All farms
	C.7.4 (PR)	Not initiated	All farms
	C.7.2	Not Applicable	All farms
	C.8.1	Noncompliance	All farms
	C.8.2	Noncompliance	All farms
	C.8.3	Noncompliance	All farms
	C.8.4 (PR)	Not initiated	All farms
	C.9 (PR)	Not initiated	All farms
	C.10.1	Not Applicable	All farms
	C.10.1.1	Not Applicable	All farms
	C.10.2	Not Applicable	All farms
C.10.3	Not Applicable	All farms	

Workers Awareness	C.11.1.1	Risk of Noncompliance	All farms
	C.11.1.2	Not Applicable	All farms
	C.11.1.3	In Compliance	All farms
	C.11.1.4	Not Applicable	All farms
	C.11.1.5	Risk of Noncompliance	All farms
	C.13 (PR)	Not initiated	All farms
Fringe Benefits	C.12.1	In Compliance	All farms
	C.12.2 (PR)	Not initiated	All farms
	C.12.3	In Compliance	All farms
	C.12.4	In Compliance	All farms
	C.12.5	In Compliance	All farms

Compensation Assessment Summary

General Compliance	
<p>Benchmarks:</p> <p>C.1.2: Other than lawfully required deductions, no other deductions may be made from a worker's compensation without the written consent of the worker. Financial disciplinary measures are prohibited.</p>	Noncompliance in farms 4,6,10,11,12 and 15
<p>C.1.3: In countries where local law does not specify compensation specific to the agriculture sector, the participating company shall consult with local stakeholders representing the employers (farmers), workers, local government and commissions, and civil society to define the appropriate wage level. As a general principle, employers shall follow the minimum wage standards set for other sectors in the same region.</p>	Risk of Noncompliance in all farms
<p>Findings/Noncompliance Explanation:</p> <p>The labor contractors deduct 10% of the worker's wages. They had no written contract. However, this deduction is a prerequisite for finding a job and working on those farms since the labor contractor reaches an agreement with the farmer a couple of months before the harvest and this deduction is a part of their verbal agreement. So, the deduction is known by both farmers and workers.</p> <p>The participating company has lobbying activities and meetings before the local stakeholders and the members of the commission; they do not affect decision making. They also are not a member of this commission that decides about the wages.</p> <p>Source: Interview & observations</p>	
Company Action Plan:	
Activity	Agricultural intermediaries and farmers will be trained on deductions from wages. Training will be provided to all FLA farmers and at least 30 agricultural intermediaries.
Output indicators (targeted results)	Preventing workers from receiving wages below the daily minimum wage.
Timeline and Deadline Date	February 2022 – September 2022
Input (budget/resources)	Human Resources (Sociologist and agricultural engineer)
Responsible staff (title/department)	Uğurcan ULU (Sociologist / Sustainability) Aslı BULTAN (Agricultural Engineer / Sustainability)

Minimum Wage/Fair Compensation	
<p>Benchmarks:</p> <p><i>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.</i></p> <p><i>C.2.2: Employers shall provide all legally required benefits to all workers.</i></p> <p><i>C.2.3: Employers shall not set production targets at such a level that workers need to work beyond regular working hours as set under the FLA Workplace Code, excluding overtime, in order to achieve at least the minimum wage.</i></p>	
Noncompliance in farms 1,2,3,4,5,6,7,8,9,10,11,12,13 and 15	
<p>Findings/Noncompliance Explanation:</p>	<p>There is a wage deduction implemented in the name of a recruitment fee by the labor contractor. In the migrant worker groups, this recruitment fee was implemented. These workers are paid 120 TL daily by the farmer and the labor contractor deducts 10% from this daily wage. As a result, they are paid 108 TL which is below the legal minimum wage.</p> <p>Source: Interview & observations</p>
<p>Company Action Plan:</p>	
<p>Activity</p>	<p>Agricultural intermediaries and farmers will be trained on deductions from wages. Training will be provided to all FLA farmers and at least 30 agricultural intermediaries.</p>
<p>Output indicators (targeted results)</p>	<p>Preventing workers from receiving wages below the daily minimum wage</p>
<p>Timeline and Deadline Date</p>	<p>February 2022 – September 2022</p>
<p>Input (budget/resources)</p>	<p>Human Resources (Sociologist and agricultural engineer)</p>
<p>Responsible staff (title/department)</p>	<p>Uğurcan ULU (Sociologist / Sustainability) Aslı BULTAN (Agricultural Engineer / Sustainability)</p>

Wage Payment and Calculation	
<p>Benchmarks:</p> <p><i>C.6: All wages, including payment for overtime, shall be paid within legally defined time limits. Where no time limits are defined by law, compensation shall be paid at least once a month or upon completion of a seasonal task which takes less than a month. When workers are hired through contractors, brokers or external agencies, employers shall make sure that workers are paid according to the benchmark requirements.</i></p> <p><i>C.7.5: No one can receive wages on behalf of a worker, unless the worker concerned has, in full freedom, authorized in writing for another person to do so.</i></p> <p><i>C.8.1: Employers shall compensate workers for all hours worked.</i></p> <p><i>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.</i></p> <p><i>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.</i></p>	
Noncompliance in all farms	
<p>Findings/Noncompliance Explanation:</p>	<p>All wages are paid with time limits. These are paid after the harvest of the farmer is completed.</p> <p>There is a 10% reduction in the wages of seasonal migrant workers by the labor contractor. The net earnings of these workers total 108 TL.</p> <p>There are no written contracts between workers, labor contractors and farmers. All contracts are verbal.</p> <p>There is no union or other kind of membership. Therefore, there is no deduction applicable.</p>

	The migrant workers work 9.5 hours a day and are not paid for overtime hours. Rest, sick and public holidays are not paid. Source: Interview & observations
Company Action Plan:	
Activity 31 Words	Seasonal agricultural worker contracts will be explained to farmers, workers, and agricultural intermediaries. The target is to inform all FLA farmers, at least 30 agricultural intermediaries and at least 500 workers.
Output indicators (targeted results) 11 Words	Dissemination of the contract. Raise awareness of working conditions and wages.
Timeline and Deadline Date	February 2022 – September 2022
Input (budget/resources)	Human Resources (Sociologist and agricultural engineer)
Responsible staff (title/department)	Uğurcan ULU (Sociologist / Sustainability) Aslı BULTAN (Agricultural Engineer / Sustainability)

Workers Awareness	
Benchmarks: <i>C.11.1.1: Employers shall make every reasonable effort to ensure workers understand their compensation, including: the calculation of wages,</i> <i>C.11.1.5: Employers shall communicate in writing or orally where necessary to all workers all relevant compensation information in the local language or language spoken by the workers, if different from the local language.</i>	Risk of Noncompliance in all farms
Findings/Noncompliance Explanation:	The workers are aware of the legally applicable minimum wage for the type of work they are hired for, which is announced by the local authorities as 120 TL, but they are not aware of how it is calculated. However, they are not instructed on the payment scheme and the details of the compensation calculations. They have knowledge only from previous years. There are no incentives systems or bonuses. Farmers provide accommodation for migrant workers and transport to/from orchards for all workers. Workers pay for their transport from their hometown to Alaplı. The workers pay for their meals. The wages are determined during the harvest and sometimes after the completion of the harvest of a specific farmer. Source: Interview & observations
Company Action Plan:	
Activity	Lobbying efforts will continue to determine wages.
Output indicators (targeted results)	Increasing awareness on wages and working conditions
Timeline and Deadline	February 2022 – September 2022

Date	
Input (budget/resources)	Human Resources (Sociologist and agricultural engineer)
Responsible staff (title/department)	Uğurcan ULU (Sociologist / Sustainability) Aslı BULTAN (Agricultural Engineer / Sustainability)

Overview - Farms vs. Non-compliances

Total number of Farms: 15

	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%	100%	0%	100%	0%	100%	100%	100%	
Farm No. 1	20	5	1	0	5	0	3	12	11	57
Farm No. 2	17	5	1	0	1	0	3	12	11	50
Farm No. 3	17	5	1	0	1	0	3	12	11	50
Farm No. 4	18	5	1	0	5	0	3	12	12	56
Farm No. 5	22	5	1	0	5	0	3	12	11	59
Farm No. 6	22	5	1	0	5	0	3	12	12	60
Farm No. 7	20	5	1	0	1	0	3	12	11	53
Farm No. 8	17	5	1	0	1	0	3	12	11	50
Farm No. 9	17	5	1	0	1	0	3	12	11	50
Farm No. 10	22	5	1	0	1	0	3	12	12	56
Farm No. 11	24	5	1	0	1	0	3	12	12	58
Farm No. 12	22	5	1	0	1	0	3	12	12	56
Farm No. 13	17	5	1	0	1	0	3	12	11	50
Farm No. 14	16	5	1	0	1	0	3	2	8	36
Farm No. 15	22	5	1	0	1	0	3	12	12	56
TOTAL	293	75	15	0	31	0	45	170	168	797