

**REPORT ON THE RSPO LABOUR AND HUMAN RESOURCE FORUM**  
**ON RSPO PRINCIPLES AND CRITERIA**

**(THE CENTRE FOR AFRICA WETLANDS, UNIVERSITY OF GHANA, LEGON)**



**AUGUST 2010**



**GAWU of GHANA-TUC**



**PALM PRODUCTS**

**REPORT ON THE RSPO LABOUR AND HUMAN RESOURCE FORUM HELD AT  
THE CENTRE FOR AFRICA WETLANDS, UNIVERSITY OF GHANA, LEGON ON  
THE 5<sup>TH</sup> OF AUGUST 2010**

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## 1.0 INTRODUCTION

### 1.1 Background

**Oil Palm is currently the world's second most highly consumed oil and is used for making bread, pastry, candy, ice cream, instant soups, sauces, diverse frozen and dehydrated foods as well as nondairy creamers for use with coffee.**

There are multiple sources highlighting the positive and negative aspects of this industry. Oil palm is a valuable economic crop and provides a major source of employment. It allows many small landholders to participate in the cash economy and also often results in the upgrade of the infrastructure (schools, roads, and telecommunications) within the area the industries operate.

However, there are cases where native customary lands have been appropriated by oil palm plantations without any form of consultation or compensation, leading to social conflict between the plantations and local residents. In some cases oil palm plantations are dependent on imported labour or illegal immigrants, and there are some concerns about the employment conditions and social impacts of these practices.

Biodiversity loss (including the potential extinction of charismatic species) is one of the most serious negative effects of oil palm cultivation. Large areas of already threatened tropical rainforest often need to be cleared to make way for plantations, especially in South-East Asia where there is a lack of enforcement of forest protection laws.

The impacts of oil palm plantations on the environment are dependent on multiple factors, including the existence and compliance to environmental legislation, the pre-establishment habitat and corporate responsibility. In some states where oil palm is established there had been little enforcement of environmental legislation leading to encroachment of plantations into protected areas, encroachment into riparian strips, open burning of plantation wastes and release of palm mill pollutants such as palm oil mill effluent (POME) in the environment.

Some of these states have recognized the need for increased environmental protection and this is resulting in more environmental friendly practices. Among those approaches is anaerobic treatment of POME. POME can be a good source for biogas (CH<sub>4</sub>) production and electricity generation. It plays an important role in methane production from acetate and the optimum condition for its growth should be considered to harvest biogas as renewable fuel.

Demand for palm oil has increased in recent years due to its use as a biofuel, but recognition that this increases the environmental impact of cultivation as well as causing a food vrs fuel issue has forced some developed nations to reconsider their policies on biofuel to improve standards and ensure sustainability.

It is in a bid to help address such negative impacts on the society that as part of National Interpretation Process of the RSPO is organizing this Labour and Human Resource Management forum. This forum is therefore to work on some selected Principles and Criteria of the National Interpretation Process of the (RSPO).

The facilitators for the forum were Mr. Walter Atiako from General Agricultural Workers’ Union- GAWU of Ghana Trades Union Congress and Auntie Adwoa Sakyi from IUF.

This report represents the proceedings captured at the forum.

### **1.2 Participation**

Participants were from diverse backgrounds including Ministry of Employment and Social Welfare, Ghana Employers’ Association, Labour Commission, Ghana-TUC occupational health and safety Coordinator, General Agricultural Workers’ Union (GAWU) of Ghana Trades Union Congress, IUF, Human Resource Managers of Producer Companies, Local Union Chairman of Producer Companies, Out Growers of Producer Companies and Smallholders of Producer Companies. See Appendix ... for list of participants

### **1.3 Objectives of the Forum by Madam Adwoa Sakyi**

1. Identify what constitutes hazardous operation in their local context;
2. Identify and discuss the Legal requirements for safe working practices in oil palm production
3. Examine the minimum age for child work in oil palm production
4. brief participants on how the National Minimum wage is determined
5. share knowledge on best practices in oil palm production

### **1.4 Programme by Walter Atiako**

<b>TIME, HOURS</b>	<b>ACTIVITY</b>	<b>RESPONSIBLE</b>
08:30 – 09:00	Arrival and Registration	Facilitator

09:00 – 09:15	Opening and Welcome	GOPDC - Facilitator
09:15 – 09:30	<ul style="list-style-type: none"> <li>➤ Self- Introduction</li> <li>➤ Presentation of tasks and activities for the day</li> <li>➤ Division into Groups</li> </ul>	Facilitator
09:30 – 10:00	Snack Break	-
10:00 – 13:00	Group Work	Participants
13:00 – 13:45	Lunch Break	-
13:45 – 14:45	<ul style="list-style-type: none"> <li>❖ Presentation by Groups</li> <li>❖ General Discussions</li> </ul>	<ul style="list-style-type: none"> <li>○ Group Leaders</li> <li>○ Facilitator</li> </ul>
14:45 – 15:00	Closing Remarks	GOPDC

## **2.0 PRESENTATIONS**

### **2.1 Address by GOPDC Representative – Mr. Emmanuel Wiafe**

Mr. Emmanuel Wiafe said RSPO started in 2003 to address bad practices in plantations in the oil palm sector- e.g. Clearing of all forests and not leaving buffer, Child labour, environmental destruction, farming close to water bodies, discrimination etc. It was observed that the plantations focused more on profit and therefore consideration was not given to sustainability. The forum developed eight (8) principles and 39 criteria which they expect the oil palm plantation sector to adopt for sustainable Oil Palm development. It was the view that plantations need to consider not only profit but also the planet and people.

He continued that for oil palm companies to be certified they need to interpret the indicators and the guidance to suit their local laws. The interpretation is based on the guidance and indicators to the principles and criteria which could be amended by the local RSPO. He stated that the principles and criteria themselves could not be amended. The outcome of the GNIWG will be sent to the International RSPO and when accepted then Ghana will have her own interpretation by which they will be audited.

The indicators and guidance are to be discussed and grouped into Major and Minor rankings. Before the Interpreted document is accepted by RSPO international, it is expected that at least 45% of the indicators and guidance should be ranked as Major. On minor issues, companies can be granted six months grace period after auditing to rectify or put them in place. When a company is certified then they can sell their products in all major markets in the world.

The Ghana National Interpretation Working Group (GNIWG) spearheaded by the major palm oil producers in Ghana was formed in 2009 with participants coming from all sectors (stakeholders) especially those concerned with Oil Palm production. The meeting brought together Agronomists, Labour organizations, Researchers and Specialist from the Agric Sector among others. The working group was to develop a National Interpretation of the Sustainable Principles and Criteria of the RSPO. Since then, a series of meetings have been held to consider various aspects of the document.

He ended that this seminar seeks to consider labour issues within the RSPO principles and criteria document.

## **2.2 Presentation of tasks by Walter Atiako**

The next presentation was made by Mr. Walter Atiako. In the presentation, participants were taken through the processes that have led to the forum. He then took participants through the program line-up and how the process was going to take. He explained to the participants that the RSPO document is made up of eight (8) PRINCIPLES and thirty-nine (39) CRITERIA with various INDICATORS and GUIDANCE. The PRINCIPLES and CRITERIA cannot be changed but INDICATORS and GUIDANCE can be modified.

She stressed that members were to indicate which indicator should be major or minor. Non-conformance with a major indicator means, that the non-conformance must be addressed within 60 days of the surveillance assessment, or the certificate will be suspended. Non-conformance with a minor indicator means, that the indicator should be addressed by the next surveillance assessment or it will be raised to a major indicator.

The eight Principles are:

- 1) Commitment to Transparency,
- 2) Compliance with applicable laws and regulations,
- 3) Commitment to long term economic and Financial Viability,
- 4) Use Of appropriate best practices by growers and millers,
- 5) Environmental Responsibility and Conservation of natural resources and biodiversity,
- 6) Responsible consideration of employees and of individuals and communities affected by grower and millers,
- 7) Responsible Development of New Plantations and
- 8) Commitment to continuous Improvement.

He went on to clarify the difference between the indicator and the guidance and it was explained that indicators show if one complies with the principles while the guidance gives an idea about how to implement the indicators.

Participants were grouped into 4.

Generally the groups were to:

1. Review “National Indicators”, “major/minor status” and “guidance” of the following criteria: 4.7, 4.8, 6.5, 6.6, 6.7, 6.8, and 6.9.
2. Confirm if all the relevant Labour and Human Resource legislation is provided in the third draft
3. Provide GNIWG with all Performance Standards of measurable indicators that can be found throughout the document like occupational health and safety plan is documented ... (criterion 4.7: applicable laws and regulations).

### **3.0 Group Presentations**

#### ***3.1 Group 1 Presentation***

The group discussed Principle 4 (four), Criterion 4.7 and 4.8 and answered the following specific questions:

Criterion 4.7:

- What is ‘hazardous operation’ in the local context?
- What other laws and regulations touch on occupational health and safety?

Criterion 4.8:

- Provide the GNIWG with any legislation or guidelines which make provision for adequate training for employees.

They maintained the Rankings of the Indicators and Guidance but made some amendments to some portions of the indicators and guidance (see table).

The following remarks were made by the group

- The groups were of the view that all relevant policies related to agriculture should be included in the Guidance on Criterion 4.7 especially the guidance concerning Indicator 4.7.2.
  - They also thought that a number of incidents lead to accidents, so incidents should be included under 4.7.3.
  - They were of the view that education, training and effective supervision should be moved from Indicators to Guidance
  - Emphasis should be on behavioural safety to compliment the provision of health and safety equipment
  - They also suggested that calculations under 4.7.6 should move to Guidance and that leading indicators such as near misses should be added to it.
- 
- defined Hazardous operation as an operation that can cause harm, injury, disease/illness or even death to persons or damage to property and the environment.
  - Laws identified by the group were Labour Act 2003 (561), Factories, Offices and Shops Act 1970 (328), the 1992 Constitution of the Republic of Ghana, ILO Convention 184 and Organizational Policies.
  - Identified agriculture as a hazardous operation since it is ranked as the 3<sup>rd</sup> in terms of hazardous operations
  - In terms of measures to curb injuries, they suggested the identification and documentation of hazards rank them and put appropriate control measures in place. There should also be regular inspections of the workplace to ensure that the measures are put in place to address the identified hazards are adhered to.
  - Agreed that policies on HIV/AIDS should be formulated and advocated for effective implementation of the policies. They expressed the need to put in place continuous monitoring mechanisms.
  - The group was not aware of National or International Laws to support the above
  - They noted that PNDCL 187, 1987 deals with Workmen's Compensation. Their suggestions were that as soon as an injury occurs, it must be reported to the Supervisor and then the Safety Officer. Medical attention should be sought immediately. If the victim is incapacitated for 3 days or more than a report should be made to the Factories Inspectorate to ensure that the victim get appropriate compensation. It is important to all injuries to be well documented.

- They suggested that a tripartite committee of Management Representative, Employee and Labour Council Representative should do the compensation.

### **3.2 Group 2 Presentation**

Examining Criterion 6.5, the group made no changes to the rankings. They however made some observations as follows:

- For Indicator 6.5.1, the group was of the view that Growers and Millers should ensure that pay and conditions of employment were effectively communicated to employees in languages that they understand. On the Guidance, reference should be made to Collective Bargaining Agreements, Workmen's Compensation Law 1987, Factories, Offices and Shops Act 1970 in addition to the Labour Act 2003;
- Proper documentation on pay and conditions of employment should be kept
- They think that the Guidance under 6.5.2 should be placed under 6.5.1.
- Guidance on Indicator 6.5.2 there should be collaboration between Management and Union to disseminate Labour Laws and Conditions of employment to workers.
- On Indicator 6.5.3, growers and millers must be committed to providing facilities for their workers.

On the specific questions the group worked on Criterion 6.5:

- Provide the GNIWG with a research done on Decent Living Wages. Who conducted it and what was the purpose?
- Provide an update on how the National Minimum Wage is determined by the tripartite committee. What are the factors taken into account? Who determines the National Minimum Wage? How is the National Minimum Wage communicated to the country? How frequent is the National Minimum Wage of reviewed? Which documents can we make reference to for the National Minimum Wage? Does Ghana have a housing standard for employers who provide accommodation to employees? If so, where can it be found?

Group Presentation:

- The members were not aware of any research on Decent Living Wages
- The composition of the Tripartite has not changed as stipulated by the Labour Act 2003 (651) section 112. It is composed of the Government, Ghana Employers Association and Organized Labour. The Tripartite was established by Law, Labour Act 2003, Act 651 Section 112.
- The National Minimum wage is determined by the Tripartite Committee. They carry out consultations with stakeholders prior to and during meetings and a consensus is arrived at.
- Factors considered in the determination of the minimum wage include the rate of inflation, and ability of employers to pay. The Minimum wage is communicated to the country in the form of circular letters and publications in the media;
- The Minimum wage is reviewed annually and the reference document is the signed communiqué issued by the committee;
- The group had no idea about national housing standards, however, they expect employers to follow national building requirements such as submission of building plans for approval. Participants urged them to consult the Factories, Offices and Shops Act 1970 (328), and Town and Country Planning Laws. Enquiries should also be made from the Ministry of Water Resources, Works and Housing.

### **3.3 Group 3 Presentation**

The group reflected on Criteria 6.6 and 6.7

- Criterion 6.6.1 as **Major**.  
They referred to the Labour Act 2003 (651), section 79, Articles 21 and 24 of the 1992 constitution, and ILO Conventions 87 and 98 as laws that guarantee Freedom of Association.
  - Criterion 6.6.2 changed to **Minor**  
Reason being that once there is evidence of a meeting
  - Criterion 6.7 **Major**  
The group supported the criterion with ILO Conventions 182, 183 and 184 of 2002 and the Children's Act 1998. They suggested a minimum age of 15 years for work that is not hazardous and under supervision and 18years for work considered hazardous.
- Answering the specific questions, group 3 Criterion 6.6: Provide the GNIWG with guidance that can be used to finalize the criterion on the freedom of association

- Criterion 6.7: Provide the GNIWG with guidance that can be used to finalize the criterion on child labour. What is child labour? What is the minimum age for which type of employment? Use experience in cocoa industry....?
- Defined child labour as any type of work that affects the child physically, psychologically, socially and morally and is dangerous to the child's health and deprives him/her of education. Child work is work that had no adverse effect on the child, it is not dangerous to the child's health, does not deprive him of education and is done under supervision;
- Proposed a minimum age of 13 years for light work, 15 years for work under supervision and 18 years for hazardous work
- Using the cocoa example they suggested 15 years under supervision. But for flexibility 15 years is proposed for small holders and 18 years for the plantations.
- Contributing to the discussion, participants said the educational system should be considered. After Junior High School (JHS), a child may need employment and most children complete JHS by 14 years or 15 years. This must be considered in line with the Children's Act, which puts the minimum age at 15 years and not in hazardous work.

### **3.4 Group 4 Presentation**

Group four looked at Criteria 6.8 and 6.9 and came up with the following:

- Criterion 6.8.1 as **Major**
  - Criterion 6.8.2 as **Minor**  
They however amended the guidance by suggesting that the scheme Manager should give equal opportunity to both indigenes and settlers depending on the scheme of operation.
  - Criterion 6.9.1 as **Major** with additions to the guidelines. They suggested that the Labour Act 2003 (651), section 175 should be added to the guidance
  - Criterion 6.9.2 changed to **Major**  
They explained that grievances should be recorded as evidence. They also want "may" in the gender committee sentence to change to "shall" or "must". The group made reference to the Labour Act 2003 (651) Section 57 (6) which entitles nursing mothers to interrupt work hours to nurse their babies for nine months after the three months maternity leave;
- Criterion 6.8: Provide the GNIWG with guidance that can be used to finalize the criterion on discrimination. Criterion.

- Criterion 6.9: Provide the GNIWG with guidance that can be used to finalize the criterion on sexual harassment, violence against women and protection of reproductive rights.
  
- They expressed the view that gender violence is crucial and must be documented and followed to its logical conclusion and not left at somebody's discretion.

## **5.0 Closing Remarks**

Madam Adwoa Sakyi expressed her gratitude to participants for their active participation and interesting discussions. She charged them to share what has been discussed with colleagues so that all will be conversant with the document. She noted that it could also be a training programme for the unions.

The GOPDC Representative Mr. Emmanuel Wiafe applauded participants. He said participation was very lively congratulated them for their contributions. He ended by informing participants that currently Malaysia, Papua New Guinea and Indonesia that have finished their interpretation and that in Africa, Ghana is the first to start.

APPENDIX 1

Group Name	Principle	Criteria	Indicators	Ranking	Suggested Institutions	Guidance
1	<p><b>4:</b> Use of appropriate best practices by growers and millers</p>	<p><b>4.7</b> An occupational health and safety plan is documented, effectively communicated and implemented. The health and safety plan covers the following</p>	<p><b>4.7.1:</b> A health and safety policy, which is implemented and monitored.</p> <p><b>4.7.2:</b> All operations where health and safety is an issue have been risk assessed and procedures and actions are documented and implemented to address the identified issues. All precautions attached to products should be properly observed and applied to the workers <b>through education, training and effective supervision. (They think this should move to guidance)</b></p> <p><b>4.7.3:</b> All workers involved in the</p>	<p>MAJOR</p> <p>MAJOR</p> <p>MAJOR</p>	<p>GAWU/Ghana-TUC</p>	<p><i>Growers and millers should ensure that the workplaces, machinery, equipment, transport and processes under their control are safe and without undue risk to health.</i></p> <p><i>Growers and millers should ensure that the chemical, physical and biological substances and agents under their control are without undue risk to health when appropriate measures are taken.</i></p> <p><i>A safe and healthy working environment should be provided for all stakeholders.</i></p> <p><i>The health and</i></p>

1			<p>operations have been adequately trained in safe working practices (see also criterion 4.8). Adequate and appropriate protective equipment should be available to <b>all workers</b> at the place of work to cover all potentially hazardous operations, such as pesticide application, land preparation, harvesting and, if it is used, burning <b>etc.</b></p>		<p><i>safety plan should also reflect guidance in ILO convention 184 <b>and relevant policies</b> (see Annex 1).</i></p> <p><b><i>Scheme SH guidance:</i></b></p> <p><i>Scheme managers will conduct a risk assessment for their schemes and as an outcome develop a work related health and safety plan for scheme smallholders/ <b>outgrowers</b> and their families which is managed, implemented and monitored. There are records of regular meetings between the responsible person and smallholders where concerns about health, safety and welfare are discussed.</i></p> <p><i>Accident/<b>incident</b>s and emergency procedures should exist and instructions should be clearly explained to all smallholders/<b>outg</b></i></p>
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1					<p><i>rowers (and see criterion 4.8) and provided in written form to all smallholders/outgrowers in appropriate languages. For example, booklets and posters can be used that are posted at the collection centres or that are distributed during extension meetings. Scheme managers should ensure that smallholders understand and implement health and safety procedures.</i></p> <p><i>The Health and Safety Plan must include at minimum issues such as HIV/AIDS, Malaria and Health &amp; Safety on the Plantation/Farms.</i></p> <p><b>Independent SH guidance:</b></p> <p><i>Group managers/should provide training in health and safety and accident/incidents and</i></p>
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						<i>emergency procedures to occupants of group smallholdings (and see criterion 4.8). More detailed guidance should be given in the national interpretations.</i>
1			<p><b>4.7.4:</b></p> <p>A responsible person should be identified. There are records of regular meetings between the responsible person and workers where concerns of all parties about health, safety and welfare are discussed. Records detailing the occurrence and issues raised should be kept.</p> <p><b>4.7.5:</b></p> <p>Accident and emergency procedures should exist and instructions should be clearly understood by all workers. Accident</p>	MAJOR		
				MAJOR		

1			<p>procedures should be available in the appropriate language of the workforce. Assigned operatives trained in First Aid should be present in both field and other operations and first aid equipment should be available at worksites. Records should be kept of all accidents and periodically reviewed. Workers should be covered by accident insurance.</p> <p><b>4.7.6:</b></p> <p>Recording of occupational injuries/<b>disease/illness/disorders</b> and calculation of Lost Time Accident (LTA) <b>should be standardized.</b></p> <p><b>4.8.1:</b></p> <p>A formal training programme that includes regular assessment of training needs <b>should be documented.</b></p> <p><b>4.8.2:</b></p>	<p>MAJOR</p> <p>MAJOR</p>		
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1			Records of training for each employee kept.	MINOR	<p><i>The training programme should be appropriate to the scale of the organization.</i></p> <p><i>Training should be given to all staff, workers and contractors by growers and millers to enable them to fulfill their jobs and responsibilities in accordance with documented procedures, and in compliance with the requirements of these principles, criteria and guidance.</i></p> <p><b><i>Scheme SH/OG guidance:</i></b></p> <p><i>Scheme managers should provide a formal training and awareness raising programme that includes regular assessment of training needs, documentation of the programme and records of the training should be provided to each scheme smallholder on a regularly basis,</i></p>
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						<p><i>e.g. during extension meetings. This training includes how to fulfill their tasks and responsibilities in accordance with documented procedures, and in compliance with the requirements of the RSPO principles, criteria and guidance for smallholders.</i></p> <p><i>Training and awareness rising should also be provided through extension services and through smallholders'/ <b>outgrowers</b> organizations such as cooperatives or community institutions.</i></p> <p><i>Training methods must be effective utilizing adult education methods. It is recommended that scheme smallholders are trained in record keeping.</i></p> <p><i>Training should cover:</i></p>
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						<ul style="list-style-type: none"> <li>- <i>The relevance of the RSPO standard;</i></li> <li>- <i>Legal compliance (see criterion 2.1);</i></li> <li>- <i>Operating procedures (see criterion 4.1);</i></li> <li>- <i>Soil and water management (see criterion 4.2 &amp; 4.4);</i></li> <li>- <i>Integrated Pest Management (see criterion 4.5);</i></li> <li>- <i>Agrochemical use (see criterion 4.6);</i></li> <li>- <i>Occupational health and safety (see criterion 4.7);</i></li> <li>- <i>Use of fire and relevant regulations (see criterion 5.5.).</i></li> </ul> <p style="text-align: right;">:</p>
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2	<p><b>6:</b></p> <p><b>Responsible consideration of employees and of individuals and communities affected by growers and millers.</b></p>	<p><b>Criterion 6.5</b></p> <p>Pay and conditions of employees and for employees of contractors always meet at least legal or industry minimum standards and are sufficient to provide decent living wages.</p>	<p><b>6.5.1:</b></p> <p>Documentation of pay and conditions.</p> <p><b>6.5.2:</b></p> <p>Labour laws, union agreements or direct contracts of employment detailing payments and conditions of employment (e.g., working hours, deductions, overtime, sickness, holiday entitlement, maternity leave, reasons for dismissal, period of notice, etc) are available in the languages understood by the workers or explained carefully to them by a management/<b>Union</b> official.</p> <p><b>6.5.3:</b></p> <p>Growers and millers provide adequate housing, water supplies, medical, educational and welfare amenities to national standard or above, where no such public facilities are</p>	<p>MAJOR</p> <p>MAJOR</p> <p>MINOR</p>	<p>Labour Commission</p>	<p><i>Reference to the Labour Act, Act 651 (2003).</i></p> <p><i>Where temporary or migrant workers are employed, a special labour policy should be established. This labour policy would state the non discriminatory practices; no contract substitution; post arrival orientation program to focus especially on language, safety, labour laws, cultural practices etc; decent living conditions to be provided. Migrant workers are legalized, and a separate employment agreement should be drawn up to meet immigration requirements for foreign workers, and international standards.</i></p> <p><i>Deductions do not jeopardize a decent living wage.</i></p>
2						



3		<p><b>6.7</b></p> <p>Children are not employed or exploited. Work by children is acceptable on family farms, under adult supervision, and when not interfering with education programmes. Children are not exposed to hazardous working conditions.</p>	<p><b>6.7.1:</b></p> <p>Documentary evidence that minimum age requirement is met.</p>	MAJOR	<p><i>individual smallholders.</i></p> <p><i>Growers and millers should clearly define the minimum working age, together with working hours.</i></p> <p><i>Only workers above the minimum school leaving age in the country or who are at least 15 years old may be employed, with the stated exception of family farms.</i></p> <p><i>The minimum age of workers will not be less than stated in the Children's Act, Act 560, 1998</i></p> <p><b><i>Scheme SH guidance:</i></b></p> <p><i>Scheme managers will train scheme smallholders in the national and ratified international legal requirements for avoiding use of child labour.</i></p> <p><i>Light work (reference to</i></p>
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4					<p><i>Children’s Act, Act 560, 1998) by children on family smallholdings within the scheme is only acceptable under adult supervision and when not interfering with education programmes and if permitted by national and ratified international laws.</i></p> <p><b><i>Independent SH guidance:</i></b></p> <p><i>Group managers will train group smallholders in the national and ratified international legal requirements for avoiding the use of child labour. Work by children on family smallholdings is only acceptable under adult supervision and when not interfering with education programmes and if permitted by national and ratified international laws.</i></p>
4					



		<p><b>Criterion 6.9</b></p> <p>A policy to prevent sexual harassment and all other forms of violence against women and to protect their reproductive rights is developed and applied.</p>	<p><b>6.9.1:</b></p> <p>A public statement and policy on sexual harassment and violence and records of implementation.</p> <p><b>6.9.2:</b></p> <p>A specific grievance mechanism is established.</p>	<p><b>MAJOR</b></p> <p><b>MAJOR</b></p>	<p><i>Scheme managers must ensure that there is no discrimination in the recruitment and employment of workers employed to service smallholders. Scheme managers will not allocate smallholdings or recruit smallholders in a discriminatory way, except where local communities have negotiated to be provided smallholdings in accepting the establishment of schemes on their lands. Scheme managers must ensure that women, indigenous people and minorities participate in negotiating processes.</i></p> <p><b><i>Independent SH guidance:</i></b></p> <p><i>Group managers must provide training to group members about the need to avoid discrimination in the recruitment of employment of workers employed</i></p>
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						<p><i>by, or to assist, smallholders.</i></p> <p><i>Reference to Domestic Violence Act 732, 2007. <b>Labour Act 2003 (561) section 175</b></i></p> <p><i>There should be a clear policy developed in consultation with employees, contractors and other relevant stakeholders, and the policy should be publicly available.</i></p> <p><i>Progress in implementing the policy should be regularly monitored, and the result of monitoring activities should be recorded.</i></p> <p><i>A gender committee specifically to address areas of concern to women <b>shall or must be requested to comply with the</b></i></p>
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						<p><i>criteria. This committee, to have representatives from all areas of work, will consider matters such</i></p> <p><i>As:</i></p> <ul style="list-style-type: none"> <li><i>❖ trainings on women's rights</i></li> <li><i>❖ counselling for women affected by violence</i></li> <li><i>❖ child care facilities to be provided by the growers and millers</i></li> <li><i>❖ women to be allowed to breastfeed up to nine months (check national law) before resuming chemical spraying or usage tasks</i></li> <li><i>❖ women to be given specific break times to</i></li> </ul>
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						<p><i>enable effective breastfeeding.</i></p> <p><b><i>Scheme SH guidance:</i></b></p> <p><i>Scheme managers must ensure that this provision applies to personnel employed to service smallholders, as well as those working in mills and estates as well as smallholders and those they employ.</i></p> <p><b><i>Independent SH guidance:</i></b></p> <p><i>Group managers must provide training to group members about the need to prevent sexual harassment and the abuse of women among both smallholders and any workers employed by them.</i></p>
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## **APPENDIX 2**

### **LIST OF DOCUMENTS PROVIDED**

National Constitution

National Youth Policy

Child Labour versus Child Work Document

Domestic Violence Act

New Pension Act

Children's Act

Labour Act

Labour Act Interpretation

Labour Legislation

Min. of Employment and Social Welfare Research on Child Labour in the Cocoa

ILO Convention

Occupational Health and Safety

**APPENDIX 3**  
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