

REPORT ON THE VISITS TO THE PLANTATIONS THAT SUPPLY THE SUPERMARKET LIDL



BACKGROUND

Oxfam Germany identified 5 banana plantations in Ecuador which supply the German supermarket Lidl:

- Hacienda La Palma
- Hacienda El Naranjo
- San José de Pongarbel
- Hacienda San Juan de Orodelti Grupo Sigüenza
- Matías de Orodelti Grupo Sigüenza

ASTAC (Trade Union of Agricultural Workers and Plantationers of Ecuador) and Oxfam Germany decided to look into the situation of banana workers at the plantations mentioned. The visits took place on different dates and during all of these visits, face-to-face discussions were held with field workers and/or from the packing station, as well as with people living in the surrounding areas.

METHODOLOGY

The interviews were carried out in several places. In order to streamline the process, questions that determine the labour situation of the workers and of the people living in the surrounding plantation areas were prepared on the following key aspects:

- Monthly wages
- Working hours
- Extra pay, production bonuses, vacations and other obligations
- Social security
- Exposure to pesticides and air fumigation, medical dispensary
- Transport
- Food
- Equipment and working tools
- Certification
- Training and education
- Trade union freedom

REPORT ON THE FINDINGS

HACIENDA LA PALMA



The plantation is located between the towns of Quevedo and Ventanas in the parish of Ercilia, and crossed by a river and two estuaries that provide water to the entire area.

Several workers were interviewed; some that work in the packing station and some in the fields. We also talked with a family who live close to the plantation, separated by a 20-meter-wide estuary.

On the issue of wages, they mentioned that workers in the fields earn the minimum wage, i.e. USD 375 per month, but that this amount is not sufficient to cover the needs of a family. The working day for field workers is 8 hours, but those in the packing station are required to work longer hours during processing time, which takes place three times a week. They are paid additional wages and enjoy paid vacations. More importantly, however, the two interviewees said they were not insured and that this is also the case for many of the workers at the plantation, and went on to say that ***"It would be good if the Ministry of Labour came and saw that many (workers) are not are not registered in the social security system".***

Air fumigation is carried out using the management's criteria: if the pesticide to be applied is strong, workers are free to leave the plantation in a hurry, as soon as they hear the airplane. They declare to have been told that ***"When you hear the airplane, run away from the plantation, but you need to come back within an hour"***. Some said, ***"As we do not manage to leave the hacienda, we take cover under a leaf"***. It is obvious that this is not an adequate procedure that aims to protect workers' health.

Transport to and from the plantation is organised by the workers themselves and at their own expense since the plantation does not offer transport. From

some workers the cost of lunch is taken off the workers' wages; for others the food is subsidised by the plantation. Food is in general of poor quality.

To the question of whether the plantation is certified, workers manifested ignorance. They do not have a medical dispensary. The plantation provides work tools free of charge. Capacity-building sessions are organised every six months. However, workers do not know on which issues.

For workers, it is forbidden to organise themselves into a trade union or join an existing one and when they try, they are threatened with dismissal.

Some common phrases said by the workers:

"Management do not eat with us, they are served different food."

"The warning signs put up in the +plantation are in order to comply with the law, but otherwise their content is not applied."

"The smell is unbearable when air fumigation takes place."

We visited a family that live close to the plantation. They told us that they are never informed when fumigation is going to be carried out, and when they hear the plane approaching, they close all the doors and windows and do not leave the house until the strong smell disappears.

"When we heard the plane we go indoors and close everything and do not leave until the smell disappears."

HACIENDA EL NARANJO



El Naranjo plantation is located in the Pueblviejo district, at the foot of the river Pueblviejo, and is owned by INTIL S.A. (limited company), a real estate company.

Workers from the packing station were interviewed, and a family that live near the plantation were visited.

Workers at the packing station work for the same company that owns El Naranjo and Laurita plantations and, as a result, work in the packing station 5 days a week.

They told us that they are not paid the minimum wage, that they earn between USD 280 and USD 320 per month, and added that ***“Even the minimum wage would not be enough, let alone the wages of misery that they pay us.”*** They do not have paid holidays, but are paid the additional monthly wages (13th and 14th) established by law. They are not given a pay-slip with their wages.

Despite not paying social security contributions, the company has not made provisions for a medical dispensary to deal with work accidents.

When the plantation is sprayed, no warning is made beforehand, so that the chemicals are sprayed over the workers. They report suffering from allergies and other health problems.

Workers are transported in trucks - not buses - from the plantation to Puebloviejo, which is about 5 kilometres away. Reaching their final destinations from there is the workers' responsibility.



Lunch is paid by the workers and they said the food is poor.

The plantation provides the tools.

They are aware that the plantation is rainforest-certified, but do not receive any training.

They also told us that it is forbidden to organise a trade union or to join one:

“If they see us talking with strangers they can dismiss us and if they see us talking to you they could do it.”

Other comments made by the workers:

“Some colleagues have been working for more than 7 years and are not insured.”

“We ask our bosses to cover us to which they answer that they will do so tomorrow or the day after tomorrow, but they never do.”

“We then demand to have an insurance cover and they tell us that if we do not want to work there, we can leave.”

“They complain about not having money, but then they go and buy other plantations.”

A family that lives near the plantation told us they do not hang their clothes to dry outside, nor do they bathe in the river; they do not wash clothes in the river close to their house because it is contaminated with the chemicals from the air fumigation. They think that it is surprising that no-one has got sick because the smell is unbearable; they are not warned when fumigation is going to be carried out.

“We go indoors as soon as we hear the airplane.”

“We do not hang or wash clothes in the river because it is contaminated.”

HACIENDA SAN JOSE



The San José plantation is owned by PONGARBELSA, a group that owns banana, rice, cocoa and African palm plantations, grown on a total surface area of 2500 hectares. The plantation is located in Babahoyo in the La Macarena district. In 2015, bananas were grown on 300 hectares.

The plantation is a real fortress and entry proved very difficult, but we did manage to gain access and talk to some of the workers in the fields and in the packing station. They told us that not everyone earns the minimum wage. One of them said that he earned the minimum wage by doing three jobs and added that the salary he receives in exchange is unfair. He often has to work more than 8 hours a day in order to accomplish the tasks given to him. No overtime is paid, except for a bonus of USD 40 per month if his task is fulfilled. Workers do not receive any additional payments (13th and 14th additional monthly wages) and do not have paid vacations.

Regarding social security, they said that half of the workers are not affiliated. They have received training sessions on subjects they no longer remember and two of three of them mentioned that the plantation is certified, but did not know in relation to what.

When air fumigation takes place, workers do not always leave the plantation, although the administration puts a poster beforehand informing workers of the exact date (day and time).

Work tools are provided and paid for by the plantation, as well as lunch, but workers commented that the food is bad. The plantation does not pay for their transport and so workers have to cover their own cost. The plantation has a medical dispensary. It is strictly forbidden for workers to organise themselves into a trade union or to join one.

Other comments made by the workers:

“They fumigate on top of us.”

“Everyone tries to go out of the plantation (during fumigation) as best as they can.”

“I should earn more for the three jobs I do.”

HACIENDA SAN JUAN



The San Juan plantation is located in the Roberto Astudillo district, in the Roberto Milagro parish. It produces on 350 hectares owned by ORODELT, a company that is part of the Group Sigüenza, which is basically Dole. We were able to talk to workers and to a resident who lives next to the plantation.

They told us that their wages are above the minimum, but that they work from Monday to Saturday and over eight hours a day, to which they added: ***“We know at what time we start, but we do not know at what time we will finish.”*** For this reason, they consider that their salary is not fair. We were told that some earn USD 450 per month, but a third worker told us he earned USD 320. Those who earn USD 450 said they get a thirteenth and fourteenth salary plus paid vacations. The worker that earns USD\$ 320 does not receive any additional payments. All stated to be insured, the plantation has a medical dispensary set up by the Dole Foundation.

When air fumigation takes place, workers are transferred to other fields or fumigation is carried out when they are not in the plantation. One worker however told us that there are occasions when fumigation is carried out and workers have to re-enter the plantation within thirty minutes to one hour. There is a bus service to transport workers to and from work. Breakfast and lunch are deducted from their wages.

Workers are not allowed membership in any type of organisation, and when they join a trade union they are dismissed immediately.

The person who lives next to the plantation told us that previously he/she was not notified when they were going to fumigate, ***“At least nowadays they warn me and ask me to sign a paper. I then lock myself in the house until the bad smell disappears.”***

We saw bags left on the road containing polluting waste from the banana plantation.



HACIENDA MATIAS



The Matías plantation is located in the Jaime Roldos area in the Naranjal district, province of Guayas, and is owned by ORODELTÍ, a company that belongs to the Sigüenza group.

Our previous visit to the plantation took place in 2016.

On this occasion, we interviewed several workers, different to those interviewed back in 2016. According to the findings, they all are on a different wage scale and the working time is 9 - 10 hours a day, six days a week. On average, they work 54 hours a week and their income ranges from USD 340 to the USD 500 that one of the workers declared to earn per month, for working 7 days a week. They are not satisfied with the amount paid in wages for the work they do. We were told that field workers earn USD 17 per day, including Saturdays, so work is paid the same regardless of the day.

Bank holidays worked are recovered on weekends even though there is no legal provision for this. Legislation stipulates a different rate of pay for work on bank holidays, but the plantation does not comply with this. In fact, threatened by the administrator Alex Venegas, workers are forced to work on bank holidays without any of the additional payment.

Workers do receive a thirteenth and fourteenth salary and paid vacations, although not in a regular manner. Recently, it was reported that a group of

workers were only receiving half of the additional payments and were not given a reason for this. Workers also say that they cannot go on vacation when they choose, and that it is the company that decides when they can.

A worker asked us to organise a visit with officials from the Ministry of Labour so they learn about the workers' rights situation at the plantation.

When air fumigation takes place, most of the time workers stay away for only two hours, and sometimes as little as 30 minutes. Workers at the packing station told us that there are times when they do not leave their station and are therefore also fumigated upon. Every three months, crops are sprayed with a strong nematicide. The last time, it rained immediately after applying the nematicide and, as the plantation is located at the foot of a river and crossed by streams, the following day after the application, many dead fish could be seen on the surface.

The plantation pays some workers' transportation costs. From Monday to Friday the company pays the lunch, but workers reported that on Saturdays, their lunch is taken off their wages, although the food is not good. If a worker misses a day's work for personal reasons, they are deducted 15 days lunch costs and are fined.

The plantation does not have a medical dispensary, and in case of an emergency they have to call at Naranjal hospital or Dole's clinic. Every three months they receive training sessions on different topics, but complained that sometimes it is given by the secretary who, according to them, "doesn't know anything."

They also mentioned that workers with special needs are mistreated in that they are given difficult tasks in addition to being insulted by the manager. Recently, a disabled worker, called Manuel Rengifo, was dismissed. He previously had a cleaning job but suffered an accident, which affected his right arm. In spite of this, he was moved to the packing station and was assigned a task that was too hard for him and which he could not fulfil. As a result, he was forced to resign and was dismissed without the right to claim compensation.

Other comments made by the workers:

"We bring our own food from our homes because the food is really bad here and we get sick."

"They told us that we have to pay for the food."

"I want the Ministry of Labour to come and see for themselves how they exploit us."

CONCLUSIONS

It is difficult to visit workers and talk to them at the plantations. If a company agrees to one such meeting, it has to be in the presence of one of the managers, which intimidates the workers. Nevertheless, when workers find out about our mission, they try to talk to us about their situation.

From all the information received, it is evident that things are not going well in the plantations we visited, that companies are reluctant to respect the right that “we, the workers have to organise ourselves”. As long as there is no freedom of trade union association, companies will impose their labour policies that – based on their sole criteria - should apply. Workers informed us that, in the plantations, there is a group of workers who enjoy better conditions than the rest. These are the workers that companies present during the inspections and audits carried out at their plantations and who have to take a stand before the public authorities, certifiers and others, such as fruit buyers.

Regulations on pesticide management and pesticides manufactures prohibit workers from being inside a plantation or being near a plantation while fumigation is taking place, and have established a re-entry time to the areas fumigated, ranging from 12 to 24 hours. These recommendations are not respected and fumigation is applied when workers are still working inside or workers have to re-enter usually after a period of 30 minutes to an hour after application, thus putting their health at risk.

After so many complaints have been made about the violation of rights in the banana plantations, the following question needs to be stressed: have the public authorities, exporters, importers and supermarkets been all deceived or are they accomplices? The best way of finding out about the irregularities presented here and of denouncing them is through the workers and through their union.