



European Leaf Tobacco Interbranch organization

Code of Good Agricultural Labor Practices (ALP)

This Code is based on the labour provisions of the Declaration of Fundamental Principles and Rights at Work of the International Labour Organization (ILO) and of other relevant conventions of the same Body and of the United Nations, as well as the fundamental principles of the European Union and the Member States Constitutions and labour rights laws.

The principles and standards of this Code must be applied and implemented in accordance with these conventions and laws.

The European Leaf Tobacco Interbranch organization – ELTI, together with its members Unitab and Fetratab and their national members, are aware that in Europe, thanks to a long tradition of commitment of all the employers and of the Workers' Trade Unions to fight abuse at work, the likelihood of abuse at work is low. However, ELTI considers extremely important to inform all its partners about its Agricultural Labour Practices Code and to closely supervise its application.

This Code has already been adopted and implemented by ELTI members for several years.

ELTI will make every effort to ensure that tobacco farmers and other interested parties in the EU tobacco supply chain observe this Code in a scrupulous and transparent way and that they collaborate with ELTI for continuous improvement of labour practices in agriculture.

ELTI is aware that workplace abuses often have systemic causes that cannot be addressed only by adopting this Code. Long-term solutions to address these issues require the serious and lasting commitment of all the actors involved, together with that of the governments. ELTI is committed to collaborating with all these actors.

In all tobacco farms, posters indicating the adoption of agricultural labour practices must be displayed in a visible way to all.

The Code consists of 7 basic principles and 35 related measurable standards which, mandatory but not exhaustive, are defined in the following pages.

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1) CHILD LABOUR

There shall be no child labour.

Measurable standards

- 1) The employment or recruitment of child labour is not allowed.
- 2) The minimum age for admission to work cannot be less than the age of completion of compulsory schooling, cannot be less than the minimum age specified by the laws of the country and, in any case, cannot be less than 15 years.
- 3) Young people who are allowed to work must however not exceed the work hours defined by the laws of their country and must be allowed regular breaks according to the laws of their country.
- 4) Children under the age of 18 cannot be involved in any type of hazardous work, including night work, as defined by the relevant laws of the country, where applicable, even in the family business.
- 5) In the case of family farms, minors can help by carrying out light work, provided they are at least 16 years old, or above the minimum age for light work as defined by the country's laws, whichever affords greater protection, and have fulfilled their school obligations.

2) INCOME AND WORKING HOURS

Income earned during a pay period or growing season shall always be enough to meet workers' basic needs and shall be of a sufficient level to enable the generation of discretionary income. Workers shall not work excessive or illegal work hours.

Measurable standards

- 1) The wages of all categories of workers must at least meet the standards set by the laws of the country and by national collective labour agreements, where in force, and where applicable supplemented by local agreements.
- 2) The wages of all categories of workers must be paid regularly and in accordance with the laws of the country.
- 3) According to Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time^{i,ii,iii}, the average working time for each seven-day period, including overtime, does not exceed 48 hours and every worker is entitled to a minimum daily rest period of 11 consecutive hours per 24-hour period.
- 4) Per each seven-day period, every worker is entitled to a minimum uninterrupted rest period of at least one day (24 hours), preferably on Sundays, plus the 11 hours' daily rest.



- 5) The performance of overtime must be voluntary and performed within the limits per day and year established in the employment contract/agreement.
- 6) Overtime compensation must be paid in accordance with the laws and national collective labour agreements, where in force, supplemented by local agreements where applicable.
- 7) Workers have the right to allowances, holidays, leave and benefits provided for by the laws of the country and national labour agreements, where in force, supplemented by local agreements where applicable. The minimum period of paid annual leave may not be replaced by an allowance in lieu, except where the employment relationship is terminated.

3) FAIR TREATMENT

Tobacco farmers shall ensure equal treatment of their workers. No form of harassment, discrimination, physical or mental punishment, sexual abuse or any other form of abuse is allowed.

Measurable standards

- 1) Acts of physical abuse, threat of physical abuse or physical contact for the intent to injure or intimidate are not allowed.
- 2) Acts of sexual abuse or harassment are not allowed.
- 3) Acts of verbal abuse or harassment are not allowed.
- 4) No form of discrimination is allowed on the grounds of race, colour, caste, gender, religion, political affiliation, union membership, status as a worker representative, ethnicity, pregnancy, social origin, disability, sexual orientation, citizenship, or nationality is allowed.
- 5) Workers must have access to a fair, transparent and anonymous grievance procedure.

4) FORCED LABOUR

The performance of farm work must be voluntary. No form of forced labour is allowed.

Measurable standards

- 1) Workers must not work under bond, debt or threat, and must receive their wages directly from the employer, in the manner prescribed by national laws and collective labour contracts, where in force.
- 2) Workers must be free to leave their jobs at any time, in compliance with the notice regulations of the national collective labour agreements, where in force.
- 3) Workers are not required to make financial deposits with their employers.



- 4) Wages and salaries for the work performed cannot be withheld beyond the legal and contractual payment terms.
- 5) Farmers cannot retain the workers' original identity documents.
- 6) Farmers cannot employ prison or compulsory labour.

5) SAFE WORK ENVIRONMENT

Tobacco farmers must provide a safe work environment to avoid injuries, accidents and exposure to health risks. Worker accommodation, where provided, must be clean, safe and meeting the needs of the worker.

Measurable standards

- 1) No worker is permitted to top or harvest tobacco, or to load barns unless they have been trained on avoidance of green tobacco sickness (GTS).
- 2) No worker is permitted to use, handle or apply pesticides (Crop Protection Agents – CPA) or other hazardous substances, such as fertilizers, without having first received adequate training and without using the required personal protective equipment – PPE, as required by the laws of the country.
- 3) Children under 18 and pregnant or nursing mothers must not handle or apply any CPA.
- 4) Workers cannot have access to fields treated with CPA until it is safe to do so.
- 5) Workers must have access to clean, drinking water near their accommodation or workplaces.
- 6) Workers' accommodation, where provided, must be clean, safe, meeting the primary needs of workers and in compliance with applicable laws.

6) FREEDOM OF ASSOCIATION

Tobacco farmers must recognize and respect the workers' rights to freedom of association and to bargain collectively.

Measurable standards

- 1) Tobacco farmers shall not interfere with the workers' right to freedom of association.
- 2) Workers are free to meet and join form Trade Union organizations and associations of their own choosing and to bargain collectively.
- 3) Trade Union representatives shall not be discriminated against and shall have the right to carry out their representative functions in the workplace.



7) COMPLIANCE WITH THE LAW

Tobacco farmers shall comply with the laws of their country and in particular with regard to employment.

Measurable standards

- 1) When they are hired, all workers must receive information about their legal rights and conditions of employment.
- 2) Tobacco farmers and workers enter into written employment contracts of which workers receive a copy, unless the country's law specifically allow for simplified contracts registration or notification systems, in particular regarding seasonal workers.
- 3) The terms and conditions of the employment contracts shall not contravene the laws of the country and the national collective labour agreements, where in force, and local agreements where applicable.

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ⁱ Art. 15 - More favourable provisions – This Directive shall not affect Member States' right to apply or introduce laws, regulations or administrative provisions more favourable to the protection of the safety and health of workers or to facilitate or permit the application of collective agreements or agreements concluded between the two sides of industry which are more favourable to the protection of the safety and health of workers.

ⁱⁱ Art. 17 - Derogations may be allowed by Member States in the cases of family workers (point 1., letter b)), in the case of activities involving the need for continuity of service or production (point 3., letter c), vii)) and where there is a foreseeable surge of activity (point 3., letter d), i)).

ⁱⁱⁱ Art. 18 - Derogations may be made by means of collective agreements or agreements concluded between the two sides of industry at national or regional level or, in conformity with the rules laid down by them, by means of collective agreements or agreements concluded between the two sides of industry at a lower level.