

“Fairtrade empowerment is kamma-laaiks”¹

**Labour and Living Conditions of Workers on Fairtrade Certified Wine Farms
in the Cape Winelands District Municipality, South Africa**

INTRODUCTION

In 2022, after receiving reports of rights violations on several Fairtrade-certified wine farms in the Western Cape, South Africa, Women on Farms Project (WFP) commissioned research that sought to:

- ❖ understand the working and living conditions of women farm workers on Fairtrade-certified farms;
- ❖ understand the implementation and functioning of the Fairtrade Standard on farms, including farm workers' understanding and use of, and participation in, the audit processes;
- ❖ explore the material, developmental and empowerment benefits of certification for farmwomen.

CONTEXT

Fairtrade was introduced in South Africa in 2008, partly to enable South African wine producers to gain access to lucrative international markets, following the end of the apartheid-era economic boycott of South African exports. South Africa became the first country to include wine as a Fairtrade commodity.

To achieve Fairtrade certification, wine producers were required to introduce shared equity schemes between workers and farmers, creating an intricate connection with post-apartheid land reform policies and tenure security legislation. Many farm workers received shares under these schemes. However, in 2014, Fairtrade abandoned this shared equity requirement in favour of the 'Fairtrade Standard for Hired Labour', which sets out labour standards that all Fairtrade producers who employ “hired labour” must adhere to. In its Preamble, the Standard's² purpose is defined as empowering workers to:

“combat poverty, strengthen their position and to take more control of their lives. The requirements ensure that employers pay decent wages, guarantee the right to join trade unions, and make certain that health, safety and environmental principles are adhered to”.

The Fairtrade Premium distinguishes the Fairtrade Standard from other ethical codes. The Premium refers to the pricing system where an additional amount is added to the ‘normal’ purchase price of a product (e.g., a bottle of wine), which goes to a fund for workers to use “to improve their social, economic and environmental conditions”. Together with basic labour conditions stipulated in national legislation, such as the Basic Conditions of Employment Act (BCEA) and Sectoral Determination for Farm Workers, the Fairtrade Standard sets out to extend labour rights and protection to farm workers, who have historically occupied one of the most precarious positions in the South African economy. If conditions in national legislation exceed those contained in the Fairtrade Standard, the national legislation takes precedence; but if the Fairtrade Standard exceeds national legislation, Fairtrade takes precedence, to provide greater protection and potential for job security and decent work for South African farm workers.

RESEARCH METHODOLOGY

Research methods

Data collection methods included: (1) a conceptualisation workshop with 15 women from Fairtrade-certified farms; (2) a survey completed by 50 workers from 18 Fairtrade farms; (3) 32 farm workers who participated in focus group discussions; (4) key informant interviews with a FLO-CERT³ representative and a trade union representative.

¹ *‘Kamma-laaiks’* is an Afrikaans term meaning a pretence or an illusion.

² The full Fairtrade Standard for Hired Labour is available at: https://files.fairtrade.net/standards/HL_EN.pdf.

³ FLO-CERT is an independent subsidiary of Fairtrade International that verifies Fairtrade's producers.

The researcher contacted Fairtrade Africa and Fairtrade Officers on farms for interviews on numerous occasions; however, none responded to our requests. When asked for an interview, Fairtrade Africa's Head of Region requested a list of the questions we intended to ask. After receiving the list, she declined to be interviewed; she later also refused to comment on the research findings, when asked to do so.

Research sample

The research aimed to survey all 24 Fairtrade-certified wine-producing farms that we identified in the Cape Winelands District Municipality (CDWM), from the areas of Rawsonville, Worcester, Stellenbosch and Franschhoek.⁴ However, despite repeated attempts, 6 farms were not surveyed, either because we were unable to contact farm workers, or because farm workers were too afraid to participate in the research. Thus, 18 of 24 (75%) Fairtrade wine producers within the CDWM were reached.

On each farm, we interviewed 3 categories of workers: a permanent worker, a seasonal worker, and a member of the Premium Committee, with the rationale that they would reflect different perspectives and experiences. On smaller farms with fewer workers, we interviewed 2 workers, not 3.

KEY FINDINGS

1. LIVING CONDITIONS

Going well:

- ❖ Workers on 75% of the surveyed farms describe their living conditions as 'good' or 'very good'.
- ❖ Workers on 89% of surveyed farms have access to clean water, inside and outside their homes.
- ❖ All workers on all farms in the survey have access to electricity which they buy from the farmer.

Cause for concern:

- ❖ 25% of surveyed farms have 'poor' or 'very poor' housing for workers.
- ❖ One worker expressed a concern that the roof of their house is made of asbestos.
- ❖ Electricity costs are not standard across farms; workers spend R100 to R200 per fortnight.

RECOMMENDATIONS

- ✚ Asbestos roofs on all farms, especially on farms with Fairtrade certification, should be immediately removed, as the use of asbestos has been illegal in South Africa since 2008.
- ✚ Houses of workers that are in a poor or very poor state should be repaired immediately.
- ✚ Fairtrade should ensure that all farmworker houses have access to consistent and safe water supply, as a matter of urgency.

2. WORKING CONDITIONS

Going well:

- ❖ On all farms surveyed except one, permanent and seasonal workers are given written contracts.
- ❖ 62% of women surveyed are employed as permanent, not seasonal, workers.
- ❖ 65% of workers said that they have not experienced bad treatment at work.
- ❖ All workers on surveyed farms – both permanent and casual – were registered for Unemployment Insurance Fund (UIF) by the farmer; and requisite deductions for UIF were made from their wages.

Cause for concern:

- ❖ 24% of workers said that they had experienced verbal abuse by a farmer or farm manager; 1 worker reported being physically struck by a foreman.

⁴ It was difficult to find a comprehensive list of Fairtrade-certified farms on the Fairtrade website.

- ❖ Three workers from three different farms reported racial abuse from farmers.
- ❖ 15% of women surveyed do not have access to safe drinking water while working in the vineyards; obviously, there should be 100% compliance to this requirement.
- ❖ 32% of women surveyed are seasonal workers despite working on the same farm for 10–16 years.
- ❖ 69% of workers in the survey indicated awareness of their farms' grievance procedures on farms, but it is a requirement that all workers are aware of these procedures.

RECOMMENDATIONS

- ✚ Workers require relevant information about their rights under South Africa's labour legislation as well as the Fairtrade Standard, including how rights violations can be reported without fear of reprisal or intimidation. Fairtrade Officers should monitor such violations more rigorously.
- ✚ Seasonal women workers who have worked on the same farm for a number of years must be appointed on a permanent basis.
- ✚ Racism and physical abuse are gross violations of rights that should be severely sanctioned by Fairtrade.

Cause for serious concern: Wages

- ❖ 31% of workers earn less than the National Minimum Wage (NMW).
- ❖ 60% of women, including those earning the NMW, earn less than the cost of a nutritious food basket.⁵
- ❖ 93% of women surveyed do not consider their wage to be a living wage.

Among the women surveyed:

- 4% earned exactly the NMW.
- 25% earn between R4,175 and R4,688,81.
- 40% earn more than R4688.81.

RECOMMENDATIONS

- ✚ All farmworkers MUST be paid the National Minimum Wage.
- ✚ Efforts must be intensified to raise the National Minimum Wage to a Living Wage level.

Pesticide Exposure

Pesticide regulations in South Africa are non-specific about re-entry time into vineyards after pesticide application. International best practice suggests a waiting period of 12–48 hours. The Fairtrade Standard for Hired Labour draws on regulations issued by the World Health Organisation (WHO): a minimum of one day is required for highly hazardous pesticides, 12 hours for moderately hazardous pesticides, 6 hours for slightly hazardous pesticides, and 4 hours for unlikely hazardous pesticides.

Going well:

- ❖ 9% of women surveyed said that they return to vineyards two days after pesticide application; 15% return after three days; and 3% return after 4 days. This complies with the WHO guidelines.

Not going well:

- ❖ 54% of women surveyed are exposed to pesticides in the vineyards and/or at home.
- ❖ 44% of women farm workers have never received any information (including the names, risks and precautionary measures) about the pesticides being used on the farms where they work.
- ❖ 18% of women surveyed had to return to vineyards within 1–4 hours of pesticide application.
- ❖ 54% of women reported that they return to the vineyard one day after application.

⁵ The Household Affordability Index Survey determined that the average cost of a household food basket for families in the Western Cape Province of South Africa was R4,688,81 in 2022.

RECOMMENDATIONS

- ✚ All highly hazardous pesticides banned in the European Union must be banned in South Africa.
- ✚ Farm workers exposed to pesticides must be given free personal protective equipment (PPE).
- ✚ WHO re-entry times to vineyards after pesticides application must be complied with.

Toilets

- ❖ 35% of women workers surveyed do not have toilet facilities in the vineyards where they work.

RECOMMENDATION

- ✚ Lack of adequate toilet facilities is a major non-compliance and requires urgent attention and redress, both by Labour Inspectors and by Fairtrade audits.

Freedom of association

- ❖ 89% of survey respondents said that they are not unionised, but have a Worker Committee.
- ❖ 22% of women surveyed said that the farmer does not want them to belong to a trade union.

RECOMMENDATIONS

- ✚ Fairtrade should organise a consultative process with trade unions, CSOs and farm workers, to explore how the lack of trade unionisation can be addressed.
- ✚ For Fairtrade, freedom of association is critical for a free and fair workplace – where this right is suppressed, farmers should be penalised, but without putting workers' jobs at risk.

3: THE FAIRTRADE AUDIT, STANDARD & PREMIUM

Going well:

- ❖ 84% of women surveyed said they know what a Fairtrade audit is about.
- ❖ 92% of women surveyed said they know that their farm has a Premium Committee.
- ❖ 77% of women surveyed said they know the members of their Premium Committee.

Not going well:

- ❖ Nearly one-quarter (23%) of women surveyed do not know the Premium Committee members.
- ❖ Half of women surveyed (56%) said they have access to the Premium Financial Statements.

Cause for great concern:

- ❖ 23% of women reported that farm managers tell workers what to do and say before an audit.
- ❖ 73% of women surveyed do not know how to report a violation of a Fairtrade Standard.
- ❖ Of those workers, 53% mentioned various barriers (including difficulty of the process, and fear) that prevented them and other workers from making use of the Fairtrade reporting system.
- ❖ 10% of women surveyed said they are too scared to report a Fairtrade Standard violation.
- ❖ Although FLO-CERT has introduced a WhatsApp number for workers to report complaints and Fairtrade Standard violations independently of Fairtrade Officers, no respondents knew about this.

RECOMMENDATIONS

- ✚ Financial literacy training is needed that empowers farmwomen to manage Premium budgets and to decrease farmer control.
- ✚ Regular training on Fairtrade Standards should be provided by Fairtrade Officers.
- ✚ Active worker participation must be facilitated in election of Premium Committee Members.
- ✚ Fairtrade must introduce user-friendly, cost-free mechanisms for workers to report violations and grievances related to the Standard.

How the Premium is spent

Going well:

- ❖ The Premium is mainly spent on essential goods and services, such as creches on farms (food for the children, salaries for staff, etc.); school fees and other schooling expenses; vouchers for food; annual bonus; a Provident Fund for workers.

Not going well:

- ❖ Workers report that the 20% annual cash bonus usually does not amount to much; sometimes it is as low as R150 per month.
- ❖ Where women workers are aware of these aspects of Fairtrade, they understand that the Standard and its Premium speaks to working conditions and housing, not about the empowerment of women.

RECOMMENDATIONS

- ✚ Fairtrade needs to implement a transformative approach to address structural inequalities.
- ✚ Specific equity measures should be introduced to ensure that women and seasonal workers are included throughout decision-making processes that are linked to Premium Benefits.
- ✚ Fairtrade should adopt a women-centred approach that ensures that all women farm workers are empowered by Fairtrade and the Premium.

Worker control of the Premium

The Premium is meant exclusively for workers, and is designed to be controlled by workers. Premium money should go into a Premium Account managed by the elected Premium Committee. We have identified three categories of farms regarding awareness and worker control over premiums.

Category	Characteristics	Farms
1	<ul style="list-style-type: none"> ○ Premium Body members are informed of Fairtrade Standards. ○ Premium Body members receive regular training about managing the Premium and how to fulfil their roles. ○ Women are well represented on the Premium Committee. 	20% of farms in the sample
2	<ul style="list-style-type: none"> ○ Premium Body members are informed of Fairtrade Standards. ○ Premium Body members get sporadic training on Fairtrade issues. ○ Farmers exercise decision-making over some aspects of the Premium. 	60% of farms in the sample
3	<ul style="list-style-type: none"> ○ Workers have limited awareness about the Premium and Standards. ○ Farmer exercises primary control over Premium budget expenditure. 	16% of farms in the sample
4	<ul style="list-style-type: none"> ○ Farm is new to Fairtrade. 	4% of farms in the sample

Category 1 is a possible best practice model for Premium Management on Fairtrade farms. It points to the possibilities for effective worker control of the Premium. The majority of farms surveyed fall into Category 2, where more training of workers is needed on Fairtrade-related issues and the Premium.

Specific concerns relating to women workers

Projects funded by the Premium do not make a tangible difference to the position of women farm workers within the farm's power hierarchies. Premium benefits generally go to communities as a whole or to children, not to farmwomen directly, and not in a targeted empowerment approach. Seasonal workers, mostly women, say that they do not benefit as much from Premium projects. Single women workers say they only get a minimal cash voucher as a benefit, and because they have no dependents, they do not benefit from other social development projects funded by the Premium.

Lack of access to information among women farm workers about the Fairtrade Standard on certified farms also impedes any opportunities they can seize to use the Standard stipulations to their advantage. Many women workers expressed fear of losing their jobs, should they speak out during the audit process about unfair treatment at work. This lack of information, coupled with fear of losing their jobs, effectively renders the Fairtrade Standard of no use to these workers.

RECOMMENDATIONS:

- ✚ A more consistent approach is needed by Fairtrade and Fairtrade Officers to ensure inclusion of women workers in information-sharing processes around the Standard, so that women are better able to leverage the benefits of Fairtrade certification successfully.
- ✚ Gender-blind criteria within the Fairtrade Standard must be replaced with specific gender equity criteria that explicitly contribute towards empowering women farm workers.

Conclusion

Fairtrade’s departure from specific policy measures to ensure that shared equity is included as a requirement for certification by South African wine farms signalled a departure from an approach that aims to redress the historical racial, class and gender inequalities that have shaped relationships between workers and farmers on commercial wine farms in South Africa. At best, the Fairtrade Standard for Hired Labour offers opportunities for workers on Fairtrade-certified farms some recourse to insist on what is considered to be fair working conditions. At worst, by failing to address specific gender, race and class inequalities, the Standard does nothing to ensure that women workers on wine farms are actively included in all measures and benefits aimed at changing their lives as workers for the better.

The Fairtrade Standard contains few stipulations for equity, and this appears to be a ‘soft’ issue – for example, the absence of equity practices on a Fairtrade farm will not lead to its decertification. However, despite being abstracted to the general, rather than adapted to specific contexts, the Premium as a vehicle for worker empowerment has potential to be fully utilised by workers, for workers. For this to happen, more needs to be done by Fairtrade to provide workers with the required information and skills that will enable them to take active control of the Premium, its management and spending, as intended.

The question arises as to how women’s empowerment for workers on certified farms can be strengthened, both with and without the Fairtrade Standard, but also; how the Fairtrade Standard can be leveraged by women workers effectively. The overwhelming response from women farmworkers is that they need more information about the Standards; more financial and other benefits such as skills training and promotion to permanent positions; an end to pesticide exposure, decent toilet facilities and a decent living wage. Addressing these needs effectively requires a responsive Fairtrade that provides training, responds visibility to reported offences, and ensures that women’s empowerment criteria are fully embedded within its Standard and practices. Fairtrade should, in short, do more to ensure that producers do better to adhere to Fairtrade standards, and it must do more to ensure that the most vulnerable workers on certified farms gain the full benefits envisaged by the Standard.



This Briefing Paper was written by Celeste Fortuin. **Women on Farms Project (WFP)** is a Stellenbosch-based feminist NGO which has been working with women farm workers and dwellers in the Western Cape since 1996 and in the Northern Cape since 2009. WFP’s mission is to support and strengthen the capacity of women farm workers and dwellers to know, claim and realise their rights.