

## MINUTES MEMBER CALL - 17<sup>th</sup> May 2022

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### SEASONAL WORKERS

#### a) Just Good Work for the Seasonal Workers Scheme progress update

The UK sub-group of the FNET Responsible Recruitment working group has been working on a version of the JGW app for Seasonal workers. This work is now in the final stages of sign off with the aim bring to launch the App in early June. A virtual meeting will be arranged soon (tentative proposal at the moment is 7<sup>th</sup> June at 10.00am TBC) to launch this JGW for Seasonal Workers for FNET members to promote with their employees and those in their supply chains.

Update - JGW app - All UK retailers have funded and split into 2 groups. Working with call operators. Tools is in 44 languages. Everyone invited to share with workers. Launch date is 3<sup>rd</sup> June.

#### b) Seasonal worker updates

- (i) Update on Seasonal workers scheme and how worker recruitment is progressing for this season- from ALP

ALP updates (some additional points included from an email).

Seasonal Worker Scheme policy update - David has reviewed previous document / looked at surveys by NGOs. Will share with JGW group & wider FNET. Still no engagement from Home Office or DEFRA – regular invites sent by ALP but no uptake from them.

- Despite significant challenges all operators will source their allocated 7,500 workers
- All operators are oversubscribed by growers on their 7,500 visas. The addition of ornamental horticulture and the impact of lower returnee rates on productivity is driving the need for extra visas. All Scheme Operators are requesting to release the additional 10,000 visas as soon as possible.
- Significant reduction in Ukrainian returnees and workers on the scheme. Delay in processing visas. Waiting to see impact of Ukraine Extension Scheme. View is that depending on timing of switch being granted any transfers out because of EVS may require replacement visas over and above the additional 10,000.
- Likely to be increasing shortage of workers throughout the summer.

- Countries recruited from for 2022 include (in no order) - Ukraine, Moldova, Romania, Poland, Lithuania, Bulgaria, Macedonia, Uzbekistan, Tajikistan, Kyrgyzstan, Kazakhstan, Mongolia, S Africa, Chile, Nepal, Vietnam, Indonesia
- Expansion in countries being sourced from will identify new challenges regarding scams, hidden charges, specific country laws regarding pre-departure requirements. Hard to assess whether fees are legitimate.
- Concerns raised regarding late notification of the rate increase to £10.10; Position is now workers are paid at least £10.10 guaranteed basic gross pay for each hour they work. Some farms are paying workers recruited before 6<sup>th</sup> April the lower rate. Some have increased accommodation charges.
- Some operators are seeing higher transfer requests especially where workers are not getting 50+ hours per week or are not happy with high accommodation charges.
- All operators are willing to engage with NGOs and others to build understanding and joint working and are committed to working collaboratively to address common recruitment and employment risks
- Each of the operators is involved in different worker related projects e.g.:
  - Working with GLAA to produce video of workers' experience to present fair picture of expectations
  - Using technology solutions to detect infiltration
  - Working with sending country governments to address issues at source
  - Piloting GLAA meeting workers at airport
- Further work which may be helpful: generic guidance to farms to understand rules; Developing farm supervisor training on managing seasonal workers

Q – What are the rules in different countries, and what are all the parts of the recruitment process to be aware of? Concern that short-cuts will become the norm because of labour shortages

Q – What does “good recruitment” look like? ALP drafting a report which proposes a collaborative approach and good practice at all levels from recruitment, to operators, to arrival and ongoing. 4 years into the programme and not achieved it.

Action point - FNET members to pool information and share real experiences. Can share directly with ALP anonymously or through FNET.

Member comment – noticed there has been a delay in workers because of visas and shortage of supervisors who speak relevant languages.

Maybe more issues around right to transfer because of different working conditions in different sectors, as well as issues around supervisors and bullying styles.

Member comment that hasn't seen as much impact yet because season is just beginning.

**Action point – to discuss again in fortnightly call on 31<sup>st</sup> May**

**c) Labour market enforcement update – David Camp**

Consultation Roundtable on 18/5 at 3-4pm. ALP making a submission.

Concern about the lack of enforcement proposed and challenges with GLAA. ALP to share response with FNET for comment before submitting.

**WORKER ACCOMODATION – FOR MEMBER DISCUSSION**

A member has raised this for discussion and sharing on FNET forum – “The business buys fruit from a farm who provides living accommodation to their workers but there's a curfew in place for people living there. The entrance gate gets locked at 11pm and workers failing to come back before that

time are asked to pay a penalty and find alternative off-site accommodation for the night. The member is investigating why the UK farm is doing this and how much the penalty is / does it impact on workers' wages?

For discussion here

- Is this legal or illegal?
- What would good practice in this scenario look like in view of members?
- If a serious incident / an emergency takes place for accessibility could this cause issues with personal security?
- Are there any other issues that could be highlighted with this practice?

**Comments from members:** ALP – first time he has heard this in UK. Why would the business do this? People are locked in the farm – can't leave after 11pm? Real issue of people who cannot come into to access accommodation. Sounds dodgy / imprisonment inside ... False imprisonment or unlawful imprisonment occurs when a person intentionally restricts another person's movement within any area without legal authority, justification, or the restrained person's permission.

One of the ILO indicators of Forced Labour is restriction of movement ... therefore illegal. Would people who are not going to return be required to pay the penalty – e.g., if visiting family. Worth knowing more from the farm

## UKRAINE

- Do any members wish to share an update on their experiences of the Ukraine sponsorship scheme?
- What additional impacts are members seeing from Ukraine crisis?
- Are there issues that members would like to hear more about from other organisations?
- **Resource:** International Chamber of Commerce and IOM guidance for Business on the immediate and medium-term steps companies can take to respond to the conflict and the resulting displacement <https://iccwbo.org/publication/what-can-business-do-to-support-people-displaced-by-the-conflict-in-ukraine/>

ALP – are getting a few questions from members – mainly about right to work. ALP has been working with Stronger Together and Responsible Recruitment to produce guidance for businesses and this will be out next week. Will welcome people reading it and feedback if useful or not.

Louise – is the document different from IOM guidance?

ALP /David it is geared to be as practical as possible for employers

Member comment – that across their farms they have had about 10 arrivals from Ukraine at farms they work with. These arrivals came via the personal sponsorship scheme. Councils are inspecting the accommodation. Caravan accommodation inspected was deemed as acceptable. Farms have been approached by Ukrainians who are being sponsored/hosted elsewhere to see if they are eligible to work.

## FNET UPCOMING WORKING GROUP MEETINGS

- (i) **Risk Assessment and Mitigation Working Group** meeting Wednesday, 18 May, 11.00 -12.30 pm.

The agenda of the meeting will include – a review of the Farm level risk assessment metrics and Ethical checklist that the working group put together in the last meetings, a run through tools the working group has developed previously, FNET Risk Assessment Tool compared to Sedex radar, a presentation of the Sea Alliance Risk assessment tool and working group will then plan what the working group will work on going forward. If you would like to join the meeting, and do not have an invite please inform [Margaret](#).

*Question for members – please answer in the chat – are you using the FNET Risk Assessment online tool? Responses in chat – Yes using FNET RAT but - Mainly offline.*

- (ii) **Agents Working Group – Georgia Worrall to update** - on Spain Tuesday 24<sup>th</sup> 2-3pm - Please note the time change! Key issues to be discussed, Overview of human rights risks for Spanish workers and specific issues for Agents, M&S Human Rights Impact Assessment in Almeria.
- (iii) **Climate Change Working Group** - First meeting scheduled for early July and will be focussed on members sharing their work on climate change and human rights. For members wishing to sign up to this new working group, please email interest to the [Secretariat](#).
- (iv) **Responsible Recruitment meeting** - planned for early July. The earlier date communicated was not possible for several members as attending another event. New date **12 July 11.30 - 13.00 hrs.**

## HUMAN RIGHTS RESOURCES

- **CREST** - is an initiative by the IOM that supports businesses in upholding the human and labour rights of migrant workers in key sectors and migration corridors. [Website](#) contains lots of country/sector specific info, toolkits on e.g. remediation, and a recent report on using technology in responsible recruitment.
- **Impactt Webinar** recording on [Making the Call: Using worker grievance mechanisms as an effective tool for remediation](#).
- **CISL and Business fight poverty** released new report on business case for living wage. Access Report here: <https://lnkd.in/gvgXZx9n>
- Seafish introduces their latest set of [guides](#) on issues relating to sustainability and responsible sourcing of seafood

## EXTERNAL EVENTS (Meetings /Webinars / Trainings)

- ALP Webinar - From Prospect to Client – a step by step process to legal and good practice new client implementation and management - book [here](#) for 20th May 11am
- ALP Webinar - Optimising KPIs – Using Key Performance Indicators to improve labour provider performance - book [here](#) for 27th May 11am
- Working conditions in UK fishing - [Follow link to registration](#) for bite-size meeting by the Seafood Ethics Common Language Group (SECLG) bite-size meeting on Tuesday 24 May 2022, 2 - 4pm BST.
- [“Working towards Balanced & Responsible Supply Chains”](#) Granada Ethical Trade Forums Wednesday 8<sup>th</sup> June in Granada, Spain.
- Conference on tea and sustainability, organized by the Ethical Tea Partnership (ETP) and IDH on 21 June. <https://www.idhsustainabletrade.com/news/team-up-2022/>
- ALP Webinars - Worker complaints – Using them positively to improve satisfaction and retention - book [here](#) for 17th Jun 11am // ALP - Labour Provider Compliance Due Diligence



to Ensure Good Practice – [multiple dates](#) // ALP - Preventing Illegal Working and Ensuring Effective Right to Work Policies – [16th June 2022 10:00 – 13:00](#)

### **AOB FROM MEMBERS AT CALL**

Member question – A member sourcing from sites in Zimbabwe – have been asked by retailers to conduct risk assessment on financials. This financial due diligence (fdd) – has to be completely announced. There needs to be a time period between fdd and smeta audits. Fdds are falling in summer which is out-of-season at the sites so all required employees / managers are not there.

Retailer comment – fdds are done by Partner Africa. Has issue been raised with partner Africa? Is it worth a conversation?

Member response was – Yes, discussed with Partner Africa. Partner Africa said retailers instructed them to make it full un-announced

Member comment – another member working with sites in Zimbabwe, contributed that they clarify with Partner Africa on when season starts / ends, so smeta audits are done early season & fdds at end of season. Partner Africa within the given season dates and they will still be able to schedule unannounced visits.

**Next call Tuesday 31<sup>st</sup> May**

**ENDS**