

Minutes of the 1st Labour Task Force Meeting**27th March 2017****Capri by Fraser, Bangsar**

Attendance:

Name	Organisation	Status
Secretariat: Kamini Visvanathan (KV) Salahudin Yacob (SY)	RSPO Secretariat RSPO Secretariat	
Members: Daryll Delgado (DD) Sandhi Elok (SE) Shantoy Hades (SH) Chris Wangkay (CW) Ida Suryati (IS) Carolyn Lim (CL) Nadiyah Jalaluddin (NJ) Dayang Norwana (DN) [Called in] Alexandra Experton (AE) Wang Yue Yue (WYY) Melizel Asuncion (MA) [Called in]	Verite OPPUK Verite Oxfam Indonesia FGV Musim Mas Wild Asia SEPA Cargill Mars International Verite	
Reference Panel: Laszlo Mathe (LM) Paul Buckley (PB) [Called in] Norashikin Rasikon (NR)	ASI UNDP ASI	
Absent: Jan Pierre Jarrin Carlo/Inda Fatinware Anni Santhiago (Reference Panel) Dian Soeminta (Reference Panel)	Oleana/ GCAL Sawit Watch ILO TUV Rhineland	

No.	Description	Main Discussion Points	Action Items	Progress Updates
14 th March 2017				
1.	Welcome and opening briefing by Secretariat	<p>Meeting started with a round of introduction from all the members who were present at the meeting as well as to take note of those who were not able to be present at the meeting.</p> <p>Introduction & briefing by SY on RSPO in general and the expectation of the formation of the Labour Task Force. The following information was also relayed to the members:-</p> <ul style="list-style-type: none"> • Resolution 6h Part of Resolution 6H was to monitor quality of assessors. This led to the establishment of the Assurance Task Force. • The Labour Task Force is expected to help the Assurance Task Force by providing expertise in relation to knowledge, training and outreach in relation to labour issues. The outreach is to include relevant parties such as growers, CBs, auditors and assessors. • Issues that the Labour TF is expected to provide input into includes:- <ul style="list-style-type: none"> - Child Labour - Workers health & safety - Minimum salary - Decent Living Wage - Living Conditions - Bonded Labour - Migrant Labour • Hope that this would be the starting point in which the TF would work on. • Other updates from the Secretariat includes:- <ul style="list-style-type: none"> - Revision of Normative Documents: - SOP for Standard setting - Certification System document 	Request for SY to share slides	

		<ul style="list-style-type: none"> - Supply chain standards - Supply chain systems - Simplified tools for Smallholders to conduct HCV, SEIA, GHG and LUCA assessments. <ul style="list-style-type: none"> • Theory of Change <ul style="list-style-type: none"> • P & C Review <ul style="list-style-type: none"> - Task Force is in the process of being formed - The process was explained. The TF was informed that the P&C Task Force will incorporate the Theory of Change in the review process. - There will be a chance for working groups and task force(s) to provide input to the review. This could be provided before the 1st meeting of the P&C Task Force (the first meeting will be in May 2017) or subsequently through public consultations. - The first public consultation will be done sometime in August-September 2017 and the second one will take place around February- March 2018. <p>Discussion Points:-</p> <p>SE:</p> <ul style="list-style-type: none"> - One of the issues which need to be raised is for freedom of association. - Complaint procedure needs to be looked into. - How about in-country migrant workers <p>DD:</p> <ul style="list-style-type: none"> - We need to break down this issue. For instance it should be broken down into unethical and illegal recruitment and how that overlaps with and other legal issues. 		
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		<p>-Issue of contractualisation of Labour and how the RSPO can work with national legislation. Do we go with the minimum legal requirement or are we allowed to go higher compliance. We should also put gender discrimination on the table too.</p> <p>LM: - In addition to the topics mentioned, we should include the issue of temporary workers especially in Indonesia. - Analysis has been done of all the RSPO P&C reports available and the non-conformities. Looked at 537 P&C assessments and analysed information of 3500 non conformities. If we were to look at the indicators in relation to workers, out of 3500. We have the indicators. - comparing these to the reports by the NGOs, there appears to be big gaps.</p> <p>DD - In terms of input into the P&C, the first form of input can be done through the HRWG.</p> <p>KV: -Informed the TF of the process that the HRWG is taking in providing its input into draft 0. -Each Sub-group of the HRWG will provide input into the recommendation and the Social Auditing sub-group will collate the recommendations and put it together to encompass all recommendations for social and human rights and that will be passed to the P&C Task Force.</p> <p>DD: - BOG has recommended that we provide detailed recommendation and we have been encouraged to come up with a friendly format to speed up the process. - We need to look at the perspective of Labour itself:- -Who are the workers in the sectors?</p>	<p>DD to share slides which were presented to the group.</p>	
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		<p>-Some are hired and some are brokered, subcontracted or outsourced...a lot of times they don't appear on the payroll (unaccounted for), Documented/undocumented workers (local or migrant), Refugees...What do they do in the entire process.</p> <p>We also need to consider beyond the plantation; audit and certification...how do they impact conditions of workers.</p> <p>Grower: the regulations that they are facing,</p> <p>We also need to focus on other countries outside of Indonesia and Malaysia.</p> <p>We look outside of just the P&C, we should look to get them to comply with these regulations as well.</p>		
2.	Review of the TOR	<p>Discussions on issues which the TF thinks it ought to address:-</p> <ul style="list-style-type: none"> - In terms of expectation, we are expected to provide input on the specific aspects of the implementation guidance that we are meant to come up with. - We would also want identify what are good practices that are currently being practiced as well as the bad practices - In terms of expectation, we are expected to come up with recommendations for the P&C Review. We are also expected to come up with a manual or a document that will guide companies in implementing those standards. - There is also a suggestion that recommendations for procedure are made too. This would actually provide an alignment for us to determine what are the things we need. <p>In terms of reviewing the TOR, we will review it in terms of timelines and major tasks and then we will go into strategy and how we propose to go about the tasks.</p> <p>We will skip the background and rationale and focus on the objectives: DD:</p>		

	<ul style="list-style-type: none"> - This will be a result driven Task Force. We will not just be coming up with documents and recommendations. We want to see results. We will not to talk about how we will measure those results. Right now, we need to know how is our work is effective. - Our overall objective is to strengthen RSPO's labour protection standards. - Our role is to make the existing standards stronger by identifying the gaps and making them stronger. - mechanisms and we have the human rights working group as this in confrontation with the complaints panel about improving the systems for workers- especially workers who are unorganized or workers who are not formally part of the company's system. - We are also expected to address and understand the implementation challenges faced by stakeholders - So, we already mentioned earlier that our role is to oversee or to define activities and to oversee them; totally monitor the progress - We may want to consider hiring an external consultant maybe who can develop the... the matrix for us so that we will know that we are meeting our objectives or not or if we need to strategize or re-strategize. - Decisions will be made jointly and on consensus. - We have 2 years and many deliverables. <p><u>Questions and Comments based on the Objectives & Deliverables:-</u></p> <ul style="list-style-type: none"> - Questions were brought up in relation to access to documents and data both from RSPO and from Companies. - KV: In terms of RSPO document, yes, access is possible but we cannot speak for companies. - There are a few audits actually done so it is a matter of collating the data. <p>Q: We run this pilot project; will it become like represent all the companies or just take one organization because the practices is totally different...how do we go about this?</p> <p>DD: When we talk about piloting and determining whether there are existing good practices; I think that discussion falls rightly into strategy. We can talk about this later.</p>		
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	<p>Action point: <i>Commission a consultant to collate existing reports, and conduct a comparative analysis</i></p> <ul style="list-style-type: none"> - A formal assessment does not need to be commissioned - Review of existing reports by ASI, other NGOs, media <p><i>Commission a consultant to determine priority labour issues; implementation challenges and gaps for growers/millers and CBs</i></p> <p>Identification of implementation challenges – What’s impeding compliance? What resources have been used to address these challenges? How can these be addressed? How difficult/easy is it to address these issues?</p> <p><i>Participate in upcoming Indonesia workshop to gather input from workers</i></p> <p>What issues are not being covered by auditors, NGOs, companies?</p> <p>No 3 and 4 (of the ToR) DD This TF is to look at the current training material and see if it is enough...in this training, need to see if the auditors have the skills to identify...we can reference that or go beyond that.</p> <p>Provide training for other stakeholders. Ida: level of awareness not there...planned for training in 2017 & 2018 to provide training on RSPO requirements How to best communicate the trainings on the ground... Need from the companies ...gave them on the criteria. Provide materials that are RSPO authorised and they are responsive to RSPO needs. Awareness is not there within plantation Defining the learning agenda...we agree that all the stakeholders have different training and learning needs insofar as labour.</p>		
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		<p>I think we're... we agree that all of the different stakeholders, have learning, or training needs, and we want to address that inner part, and insofar as labour is concerned</p> <p>Point 4 of objectives...most of it will feed into the ATF, they will look to us for input...</p> <p>Rolling out for training for CB...and assessing of ...we can look at how to break this down to specific strategies.</p> <p>Q: are we comfortable to take this on?</p> <p>Labour auditing requires specific skills...</p> <p>we need to look at the competencies of audit teams where we could have specific accreditation in terms of labour....we should focus on the training providers to provide the skill ...think about cost element...and where are the cost going to come from.</p> <p>Based on assessment and findings, we are recommending for changes that are feasible...but then again we should make recommendations which would make change. ...it still need to depend on assessment.</p> <p>To work with the certification Team and ATF on this</p> <p>Action Points:</p> <p><i>Survey existing tools and learning materials</i></p> <p>Which companies have been trained already?</p> <p><i>Identify learning needs of stakeholders – growers/millers, small holders, CBs, workers and communities</i></p> <ul style="list-style-type: none"> - Companies that need the tools the most - Workers who need to have better awareness of the standards <p><i>Determine the scope/coverage of the labor implementation toolkit – keep it open</i></p> <p><i>Identify the expertise/resources we need to produce the toolkit</i></p>		
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		<i>Determine timeframe</i>		
3.	Lunch			
4.	Continuation of review of TOR	<p>This morning, the discussion was specific to the auditors, and much of these will be into the work of the LTF so, practically speaking, who will be delivering this, we will be providing them inputs and contents, they will be looking for contents of, and how we say the accreditation is done</p> <p>So, it's really more content</p> <p>And I think it will probably be implementation as well, in terms of training, they will be calling from the Labour Task Force for input</p> <p>Growing concerns: it is hard to measure...role to help them make decisions Recommendations are as much as possible reflective of existing procedures... How are we going to interact with ATF and how we feed into that</p> <p>This will be helpful...we haven't talked about detail procedure like this...especially investigation...good input as one of the SOPs specific to labour....SOP development on general provisions and mechanisms....nothing on specific SOPs...board approval of the comp procedure by June..SOP will be internal...</p> <p>If we were to task ourselves to provide SOP, when would you need them?</p> <p><u>Complaints (point 6)</u></p> <p>There are ongoing labour cases...the issue about guaranteeing safety and providing anonymity...that's what we need...need to see how the SOP can be smoothly be provided into this. Just realistic we come up with the SOP a little bit later...perhaps July or August would be good.</p> <p>Q: do we have a role in clarifying procedure to ensure that a worker can provide a complaint? And protected? ...to discuss with the with the larger group and the whistleblower protection group.</p> <p>We should apply to all stakeholders as well...not just at one level.</p>		

	<p>System document doesn't take it into account...the perspective that CBs are on the receiving end of the complaints (HRD/whistle-blowers) {talk to Marcus}</p> <p>We need to consider how do we make this work when there are other parties involved.</p> <p>Another thing: when we go to certification/audit, we tell workers...no repercussion...but we don't check if that is the case....have found cases of illegal workers on sub-contractors...the certificate holders...subsequently raised to cert holders and we don't know what happens too these effected people...we don't check...but we need to ensure that something/nothing happens to them.</p> <p>There are ways, but we need 3rd parties to monitor it... DO we want to take this on? Action Point:</p> <ul style="list-style-type: none"> ○ Provide input to the CP SOPs for labor/worker protection, by July (tentatively) ○ Clarify overlaps with ASI and other existing procedures for grievance/non-retaliation ○ Input for audit-related non-retaliation/privacy/confidentiality procedures - reference other certification schemes <p>Formulation of Recommendations (Point 7): To see if there has to be a more permanent way to provide recomensation that goes into institutionalisation to its not ad hoc and that can be followed up and monitored <i>Establish benchmarks, resources for how best to establish grievance mechanisms, process for representing workers who are formally organized</i></p>		
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5.	Work plan & Review	<p>Break it down so we can put a budget Collating information from existing CB reports and external reports and collating information on the existing Labor Standards, with a view to determining priority labor issues;...include audit reports, external/internal/media reports...identify issues common issues, how do we address them...desk study.</p>	Outsourced....3 months	
6.		<p>Presentation by Didier Bergeret from CGF (Slides attached with email)</p> <p>Question to Didier: How does CGF foresee possible collaboration with RSPO? Didier: The idea is for us to define what we can do together. We represent a wider industry, which is heavily involved with palm oil. We would be delighted to, of course, see with you how we can concretely integrate the principles into rational mechanisms within the RSPO standards while it's being revised, and pilot some key actions on that together. The documents that Kamini shared</p>		

		<p>with me show that the objectives are extremely similar to what we had in mind, and I do believe that there is no need for us to do it ourselves if we can do it together.</p> <p>Discussion after the call: We would be able to use this initiative to gather information.</p>		
7.	Funds	<p>We should break down our plan into identifiable activities so that Kamini can assign a budget to them.</p> <p>1st Activity would be the assessment. That is if we want to engage an external person to do it.</p> <p>one of the results of this task is to identify the priority issues, right but also, to understand that implementation challenges and... and gaps and existing management system.</p> <p>Self assessment survey by the growers to ascertain where they are in terms of meeting the expectations or compliance.</p> <p>training curriculum</p> <p>we can look at what's available in terms of the kind of learning materials that we. So, basically, we're saying that this time *** that's in ToR right now is reflected.</p>		
8.		<p>Deliver something concrete...if possible, roll out training before November....brochure on TF ...how we can highlight the work...highlight what we are doing what we are doing on labour...</p>		
9.		<p>We could come up with a status report...</p> <p>When do we want to meet and what would be the</p> <p>Create an email group.</p> <p>5th to 9th June</p> <p>KV to send out a doodle poll on the exact date for meeting.</p> <p>Our mandate as a TF is to ensure strengthen into the existing systems.</p> <p>Laszlo: want to offer everyone to participate in ASI assessment...will circulate slides on complaints and dispute management system...and see questions from there.</p>		

		Collaborate and amplify...and contribute...we do need to be kept abreast talk to the communications people in the RSPO about how we can highlight the work. I hope there's work to be highlighted. The work of the labour taskforce for this and highlight what we're doing in the area.	KV to speak to O&E on how to move forward with this	
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