

# FARMWORKER VOICES

.....  
*Reflections of Worker Conditions on South African Farms*  
(Western Cape Sample Study)





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*“There can be no administrative justice for farm workers unless they have free access to all the courts of our country”.*



*The late Ouma Katriëna Huyn with Revd Nosey Pieterse*





# I. INTRODUCTION

This research wish to draw your attention to the conditions of farmworkers on 65 agricultural farms in the Western Cape but needs to be understood within the overall context that farmworkers live.

## FARM WORKERS ARE THE MOST VULNERABLE IN OUR SOCIETY

South Africa is characterised by high levels of poverty, especially in the rural areas where approximately 70% of South Africa's poor people reside. Their incomes are constrained because the rural economy is not sufficiently vibrant to provide them with remunerative jobs or self – employment opportunities.

While natural conditions such as climatic variability are notable risk and cost factors in farming, uncoordinated policies and unintended effects of policies have in the past contributed to sub – optimal growth and investment in the sector as well.

If rural areas had a foundation that would support greater earning and spending power, the rural economy that would support greater earning and spending power, the rural economy would be stronger grow and create more opportunities for wages and self – employment.

Rural communities in general, and farm workers in particular, have a history of their human rights being abused and they are confronted with various social malpractices.

Illegal evictions, unfair dismissals, unfair labour practices, assaults, rape and even murder.

Farm workers constitute one of the most vulnerable categories of workers, especially those who live on the farms. The farmers are almost in control of every aspect of their lives.

The farmers decide who and when workers will receive visitors; which church denomination can come and have church services on the farms; what political activity, if any will take place; whether or not they can join a union; when the children must leave school; whether the children can continue to stay on the farm after completing school etc.

Other social problems that farming and rural communities face are: alcohol abuse; TB; HIV/Aids; drug abuse; gangsters and crime; teenage pregnancies; unemployment; illiteracy; foetal alcohol syndrome; domestic violence; etc.

Some of these hardships endured by the poorest of the poor, (even though they are crimes against these communities) are regarded as civil matters, hence we see the perpetrators are not significantly deterred and get off with a mere slap on the wrist.

These communities are in many instances voiceless. They have no organization to fight for them. They are partially or totally illiterate and do not know their rights. And yet we have witnessed the large scale deregistration of independent trade unions, who with their limited resources, try to render a service to these communities in the face of hostile opposition from the farmers.

## FARM WORKER EVICTIONS

Despite the Extension of Security of Tenure Act 62 of 1997, the evictions of farm workers have reached pandemic proportions. In 2005, Nkuzi Development and Social Surveys completed a national survey on eviction of farm workers. The survey found that between 1984 and 2004, 1.7million people were evicted. It was found that the pace of evictions has not slowed down since the advent of democracy. The survey estimated that 942 303 people were evicted between 1994 -2004, compared to the 737 114 during 1984-1994. During 2003-2004, 195 121 farm workers were evicted. More than a million people have been kicked off farms during the first ten years of our democracy.

These evictions cause serious hardships for evictees. Displacements not only affect the breadwinners who have contributed so much to the growth of the sector, but entire communities and families. It is particularly disruptive to school going children.

As far as evictions are concerned we need to understand first and foremost, who the evictees are. In many instances they are farm workers who have been living on the farm for the better part of their lives if not for all their lives. They are often semi-literate and sometimes totally illiterate.

Evictions are also the cause of the moral breakdown of our society especially on farms and rural areas. Families are torn apart; they are robbed of the right to family life. I refer to the Ertjieskloof case where 7 families are sharing one space without being separated by walls. They have been robbed of their dignity as human beings; they have been robbed of their right to privacy and are forced to raise their children under these circumstances.





What are the reasons given for evictions? Dismissals; retrenchments; sale of the farm; and the farmer needs his house.

Many of the houses on the farms were built with grant money for the explicit purpose to house farm workers. Farm workers are facing evictions because farmers want to diversify. They want to convert the labourers' houses into self-catering units to make bigger profits. Houses that were acquired to house farm workers are now used to generate profit as B&B establishments.

Farmers, abusing the ignorance of farm workers in terms of the legal processes, push eviction orders through the courts, knowing very well that the victims don't have a clue about how to defend themselves. They get the order through the courts under the guise of an urgent application. Workers get evicted without the Land Claims Court ever having had sight of the eviction order for the purpose of ratification. Workers get evicted without alternative accommodation. Workers get evicted without the court being informed by a social worker concerning the situation and circumstances of the occupiers.

Farm workers get dismissed by the farmer and promised that they can stay on. Three months later they receive a notice from the farmer that he is going to approach the court for an eviction order. The 30 days to refer the original dismissal to the Commission for Conciliation, Mediation and Arbitration (CCMA) has now expired and an application for condonation for a late referral must be made. (I must hastily add that such applications are almost always declined). The only other remedy available to the farm worker in such a case is the High Court, but due to the cost factor it is not an option for them.

As BAWSI we believe this is a violation of their constitutional right and that all are equal before the courts. They can't exercise their rights because of lack of money. There can be no administrative justice for farm workers unless they have free access to all the courts of our country.

Government with all its good intentions included farm workers in the Labour Relations Act (LRA), promulgated Eviction and Security Tenure Act (Esta), and the Sectoral Determination for Agricultural Workers; the Employment Equity Act and the Skills Development Act. These laws came and went, without even getting close to touching the lives of the majority of farm workers. The farmers are very well aware that the Department of Labour lacks the capacity to enforce these laws and so they just simply ignore them.

However, what they, through their consultants and lawyers have learned well, was to exploit the loopholes of these laws and use it against the farm workers. Classical example here is the way they use Eviction and Security Tenure Act (Esta) to do a so called legal eviction of farm workers.

## LAND REFORM AND RESTITUTION

I am of the firm believe that the majority of Black South Africans has been reduced to Africans without Africa. We have been reduced to landless Africans.

When the Europeans came to South Africa, they went to King Moshweshwe and ask him to sell to them some cows and land. The King's response to them was as follows: "I have heard of your barbaric practices, I have heard that you are buying and selling land, which are sacred to the tribe. I tell you this. I will borrow you a cow to milk and you can stay here for up to two years. I will not take your money. And remember I regard you merely as a passerby".

Today this passerby is sitting with the land and, as I have said, we have been reduced to African without Africa. How are we going to get our heritage back? Government has set itself the objective that by 2014, 30% of the land must be in black hands.

The former homelands comprised of 17112800 ha or 13, 9% of the land of which former white SA use 105267300 ha or 86, 1% of the total land area of 12232100ha. Furthermore, 70, 4% of cultivated land was used by commercial (almost exclusively white) agriculture.

This skewed land-holding pattern means that poor people in rural areas had very few options for food security and livelihood, as land is the basis of the rural economy.

Land is a critical factor of production and a key to economic development. We all need land for our housing needs, food security, investment, livelihood projects, roads, infrastructure and communication. Land contributes directly to household wealth and the ability to produce, not only for subsistence, but also for markets. Secure land tenure increases the possibility of investments. It opens a window to better access to credit, especially to restitution beneficiaries, who were always deprived of this access by discriminatory racial practices in the past.

Restitution contributes directly to poverty alleviation. The restitution beneficiaries spent their money on home improvements, education, etc. This income boosts local economies and improves the socio-economic status of beneficiaries and goes a long way in restoring their dignity.





The restoration of land rights lost, as a result of racial dispossession by the apartheid and colonial governments, is the right thing to do. No less than six million people lost their land, livestock, livelihood and dignity as a consequence of forced removals. The victims of this violation of human rights found themselves congested and helpless in the homeland areas or in black townships.

This dispossession was backed extensive legislation, such as the Native Land Act of 1913, the Land Trust Act of 1936, the Group Areas Act of 1950 (Act No. 41 of 1950), and the Group Areas Act of 1966 (Act No. 36 of 1966).

One of the greatest achievements of the new democratic government was to develop a constitution, legislation and policies that sought to reverse the effects of dispossession. The Restitution Act No. 22 of 1994 established the Commission for Restitution of Land Rights as well as the Land Claims Court. These were the vehicles for the processing of land claims that were lodge.

But our biggest challenge is to revive the interest in agriculture and at the same time assist the victims, who have somehow adapted and established themselves elsewhere to come back to their restored land.

Because of the above we as The Black Association of the Agricultural Sector (BAWSI) demands:

- Deracialising the ownership of commercial agricultural land.
- Concluding the restitution process as speedily and effectively as possible.
- Expropriation Bill to be made law.
- Land Redistribution for Agricultural Development Programme (LRAD) must be streamlined.
- Polokwane resolutions must be implemented.
- Training, Development and Mentorship to be provided.
- Farmer support - funding; implements and other inputs.

BAWSI's slogan is: EMBRACE TO BE EMBRACED.

Which is the epitome of BAWSI's attitude towards everyone in the sector. It reflects our strategy to get out of our trenches and cooperate (in particular) with the white role-players in the sector. This is based on our realizations that in order to build a prosperous, non-racial and united South Africa we have to work together. We need each other to build this sector into a home for all!

REVD. NOSEY PIETERSE  
EXECUTIVE PRESIDENT OF BAWSI



## 2. FARMWORKER VOICES

### Reflections of Worker Conditions on South African Farms (Western Cape Sample Study)

#### 1. Introduction

This research serves to draw attention to the conditions of farm workers and rural communities within the Western Cape in general. The historical context reflecting an often terrible legacy of human rights abuse, of potential evictions, unfair dismissals, unethical labour practices, and assaults today can still form part of the daily struggle for many farm workers.

Although not conclusive neither encompassing of issues, concerns, hopes and aspirations of farm workers, this report aims to echo a few of the voices of labour, drawing attention to elements that remain of concern to them – and as such, to us all.

#### 2. Methodology

As this research has its intent of providing a platform for farm workers to raise their voices, a Participatory Action Research (PAR) methodology utilising a range of methods (triangulating) and types of information, sources were applied. Field workers drawn from various disciplines were provided an open ended questionnaire and a list of possible cross-check references so as to provide validation to areas and issues raised. The nature of this research is unashamedly subjective in nature and although reflected statistically, it remains qualitative in nature.

Sixty-Five farms were willing to participate in the research. It is thus acknowledged that this voluntary form of participation limits both the sample size and equal regional distribution. Although this may compromise the ability to extrapolate and generalise across all farms within South Africa or the Western Cape, it does provide a clear voice regarding issues felt and experienced on 65 typical farms within the Western Cape environs.

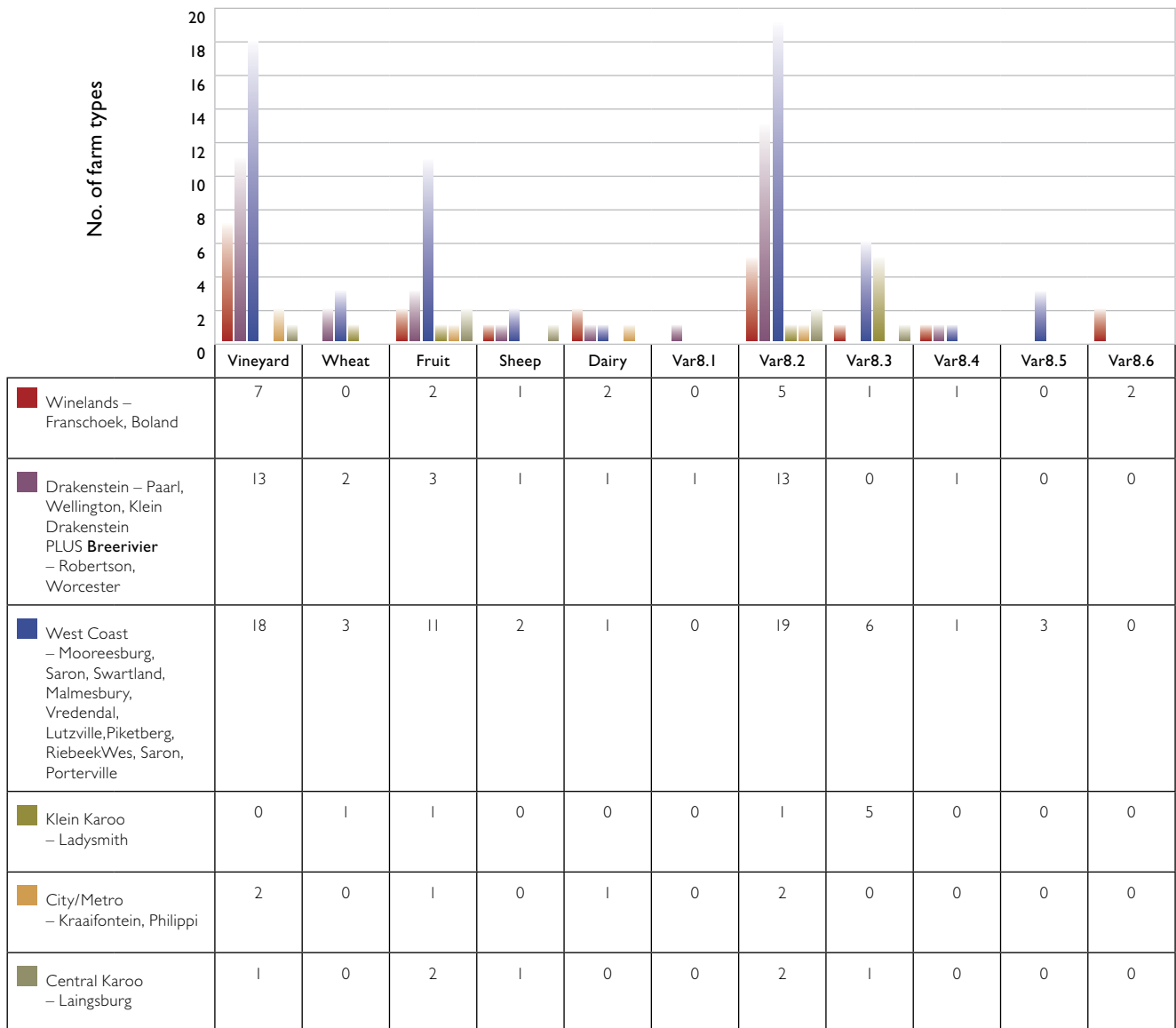




### 3. The Sample Group

The **largest proportion of participating farms** within this research initiative are to be found in West Coast and Drakenstein regions, with only a few located within the Karoo and that of the City of Cape Town. The majority are active within the wine industry, followed by that of fruit, and fruit and vegetables. It should be borne in mind that the purpose of this research was not to give a cross-sectional representative sample covering an inclusive geographical area, but rather that all the results should be treated as a purposeful sample which does not claim to present a reflection of the labour situation on all farms.

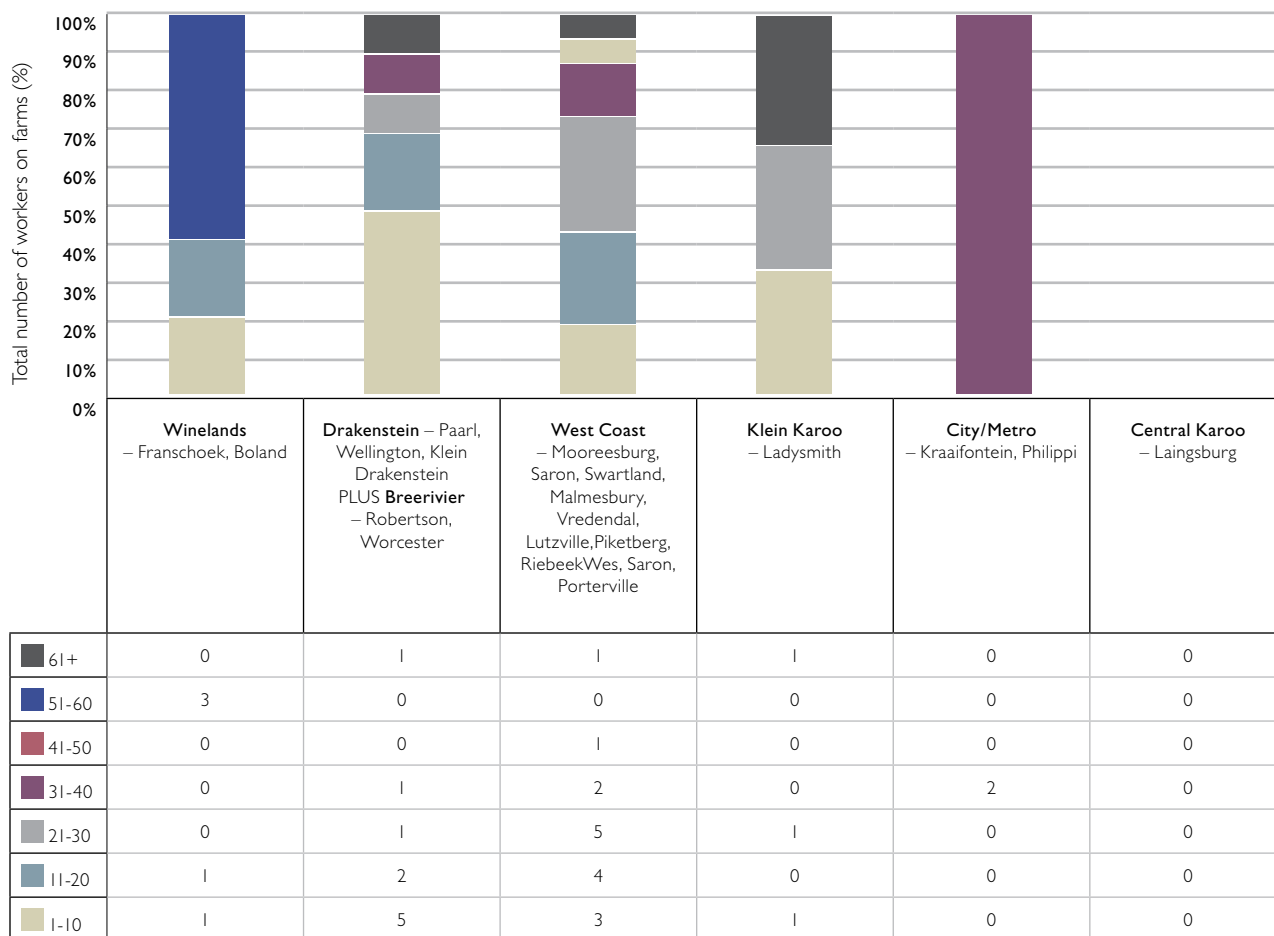
Distribution of farm types across regions (only for study sample)





#### 4. Resident Farm Workers

No. of farms with related number of workers resident on farms



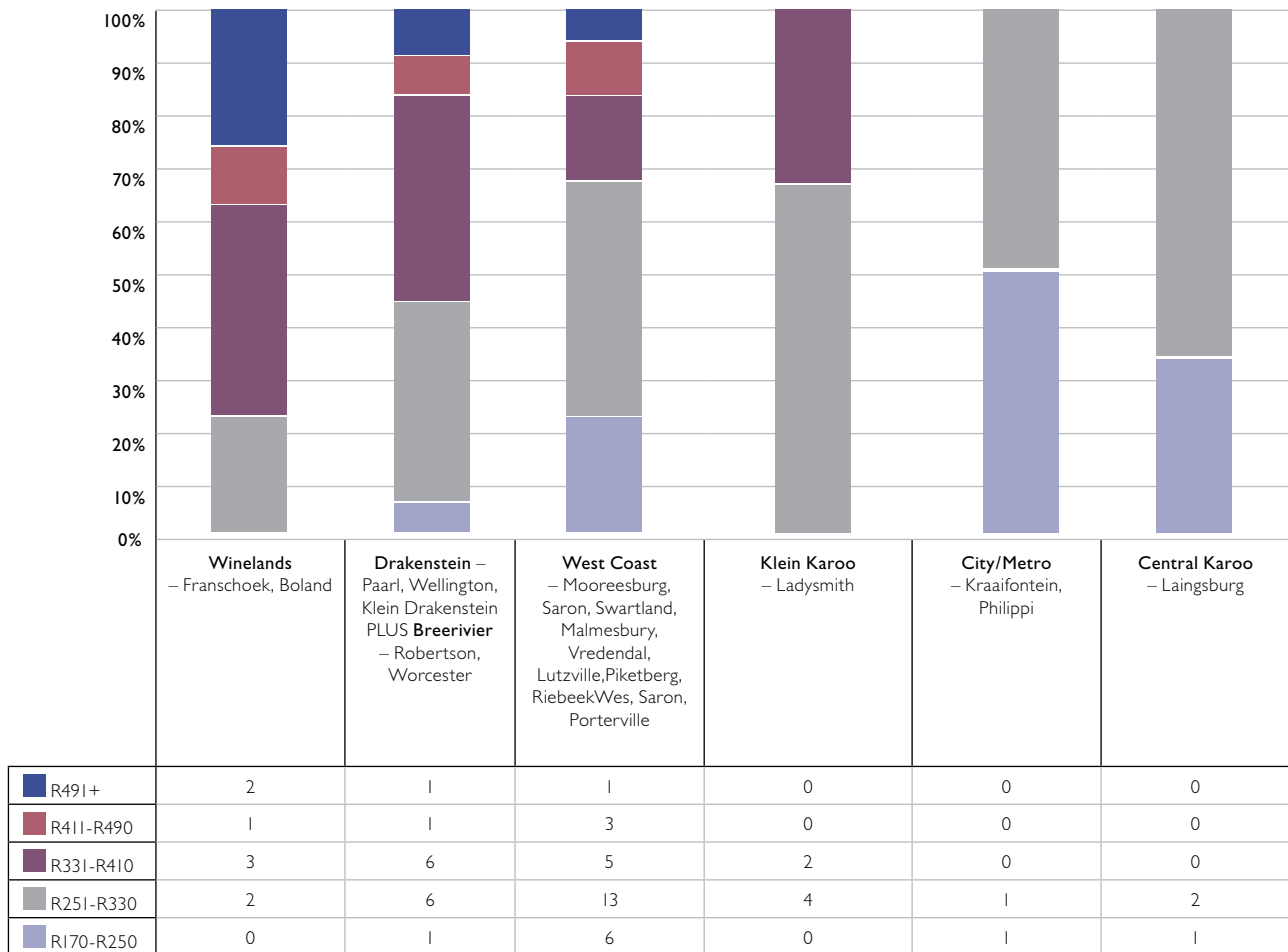
Given that the research has as its intent the reflection of the realities of those farm workers living on the farm, it is important to note how many are currently resident.

It is also of interest to note that where there seems to be more of a tendency to house labour on farms is within only two areas, namely that of the Winelands and West Coast Districts. It may be assumed that this tendency is related to the nature and type of the farming activities being more labour intensive.



## 5. Wages

Wages scales per region (percent & quantity)



The ability to sustain and provide for one's own sustenance is the primary indicator of self-determinism. Within a capitalist environment one's earning power in terms of income for work performed in relation to the cost of living would be a clear reflection of the felt conditions or ability to self-determinism within one's environment.

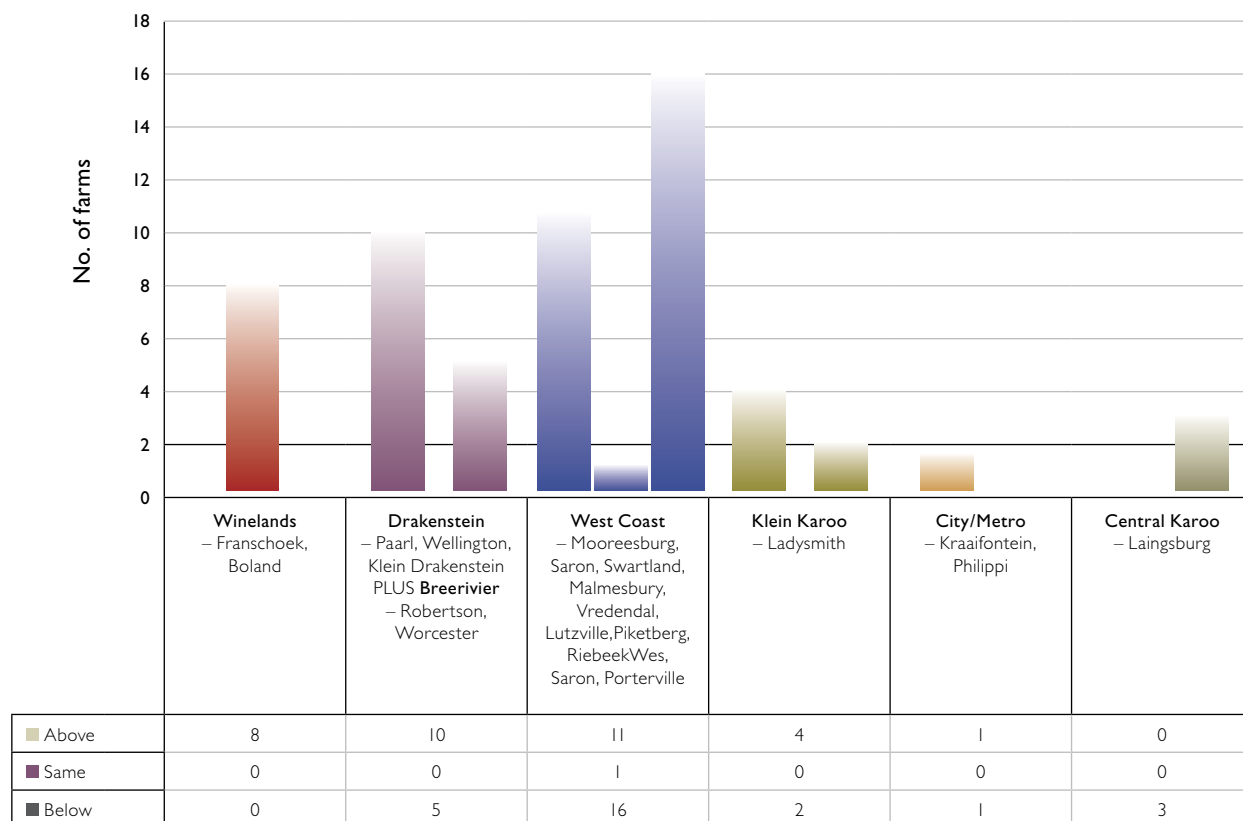
Farm workers remain one of the poorest groups not only because of their often removed geographical location from basic human rights/services and opportunities to further educational development, but because they too remain one of the lowest wage earners.

Among the participating farms the higher paid employee is to be found within the Winelands District followed by that of the Drakenstein region.

Ironically farm workers living within the Cape Town Metro are paid the least. This may be the outcome often fostered by a high supply of readily available labour naturally found in high populated/density and the low demand sought by the agricultural sector.



### Minimum Wage Payment per Region

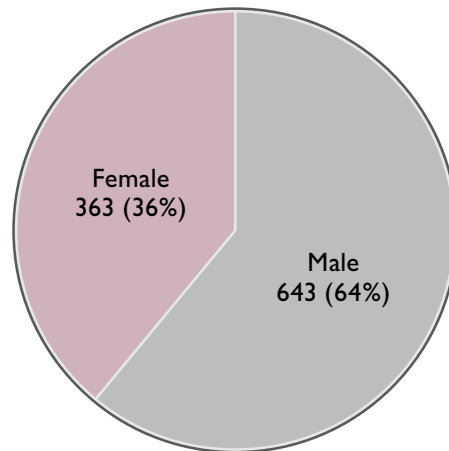


Stemming from the research is the large discrepancy in terms of wages that exists within the sector. More than 50% of farm workers receive between R251 to R330 per week – hence the majority receive less than the legal stipulated minimum amount of R303 per week.

Notwithstanding the anomaly regarding that of the Metro region, focused attention is required within the more distant rural areas as these suffer the worst in terms of unjust wage allocations. However it must be borne in mind that farm workers located further from cities and towns may be recipients of other employment benefits such as housing and transport.



## 6. Gender Composition



### Note:

Total no. of Males based on sample of 33 farms

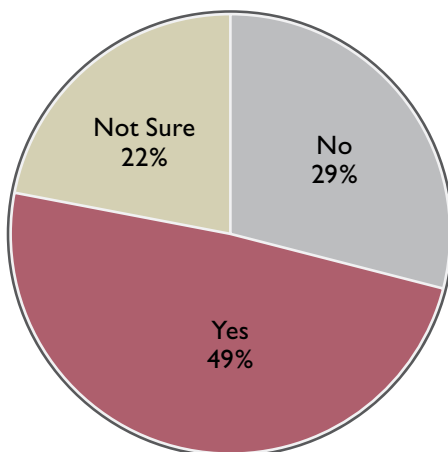
Total no. of female employees based on sample of 25 farms

As expected and because of the nature of labour of farms, the majority of employees (64%) were male compared to 36% that were female. To be noted is that most of permanent female workers were employed of farms either in or close to urban areas especially within the Cape Metro. This is due to the nature of the farming activity being that of vegetable growers or vineyards and secondary activities such as packing and processing of agricultural produce, which does not make such a high demand on physical strength.

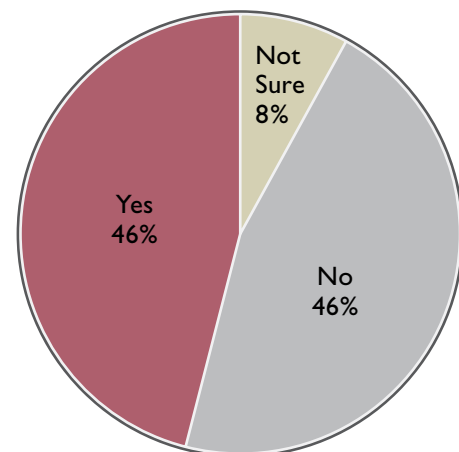
It is also to be noted that it is within the urban areas, that a lower wage category is found, and there exists an over-supply of labour – this has proven to have a negative impact on gender equality.

## 7. Related Work Expenses

Does the farmer provide relevant tools for working?



Does the farmer provide clothing?



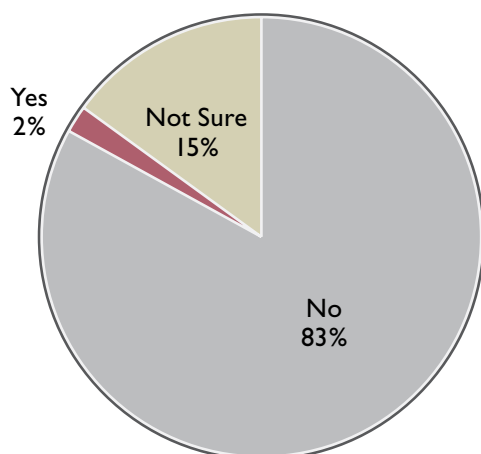
Most jobs have related expenses governed by the types of equipment or materials to perform a related function. Consider if you may the work of a secretary. In order for a secretary to optimally perform his/her duties, they would require a range of equipment and infrastructure such as a telephone and computer. Are such items for his/her expense or for that of the employer?

In the same way standard equipment and required infrastructure is required as basic elements for farm workers to be effective and efficient on a farm. Even more so given that much of the related equipment in question is frequently used under stressful conditions and requires constant maintenance or renewal. If such items as clothing or pruning sheers are not provided for, the related expense is immense and places a large burden on an individual whose earnings are already under duress.

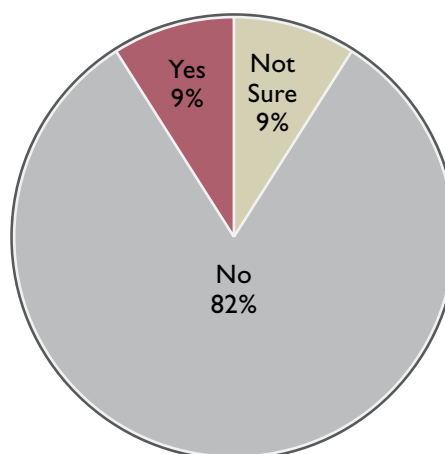
Even given the unsure responses to these areas in question, the statistics illustrate much room for improvement. The employer taking responsibility for related work equipment and materials can alleviate an undue burden placed on his/her workforce and can directly provide for better employment conditions and indirectly improved living conditions through legitimate cost savings to the farm worker.

## 8. Indirect Work Benefits

Does the farmer provide workers with food?



Do workers get transport to and from town?



There used to be a tendency historically, for employers to provide for basic food stuffs and/or transport to and from town so as to allow for workers to purchase their own goods. These tendencies were naturally extenuated within the deeper rural areas where access to food and other forms of services such as health clinics and schools were restricted due to distance and scale.

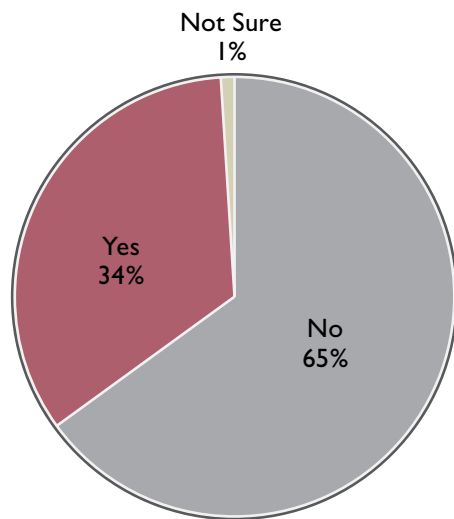
The research has shown that these services or added benefits are on the decrease. Naturally a reduced access to such services and goods place a further financial burden on the farming community. It is advised that this tendency be further monitored and should include access to educational facilities, health and medical clinics, and sports engagements.



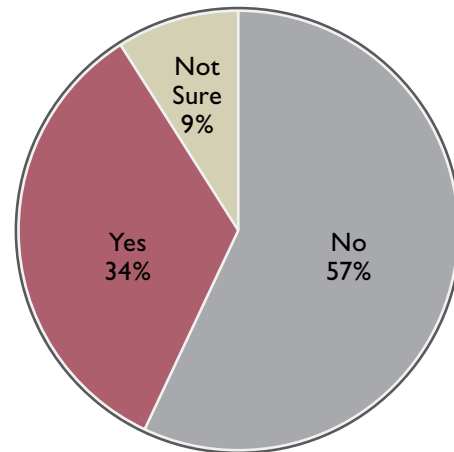


## 9. Basic Working Conditions

Are there sanitary facilities and drinking water available in workplace or when harvesting?



Do workers receive safety training and education?

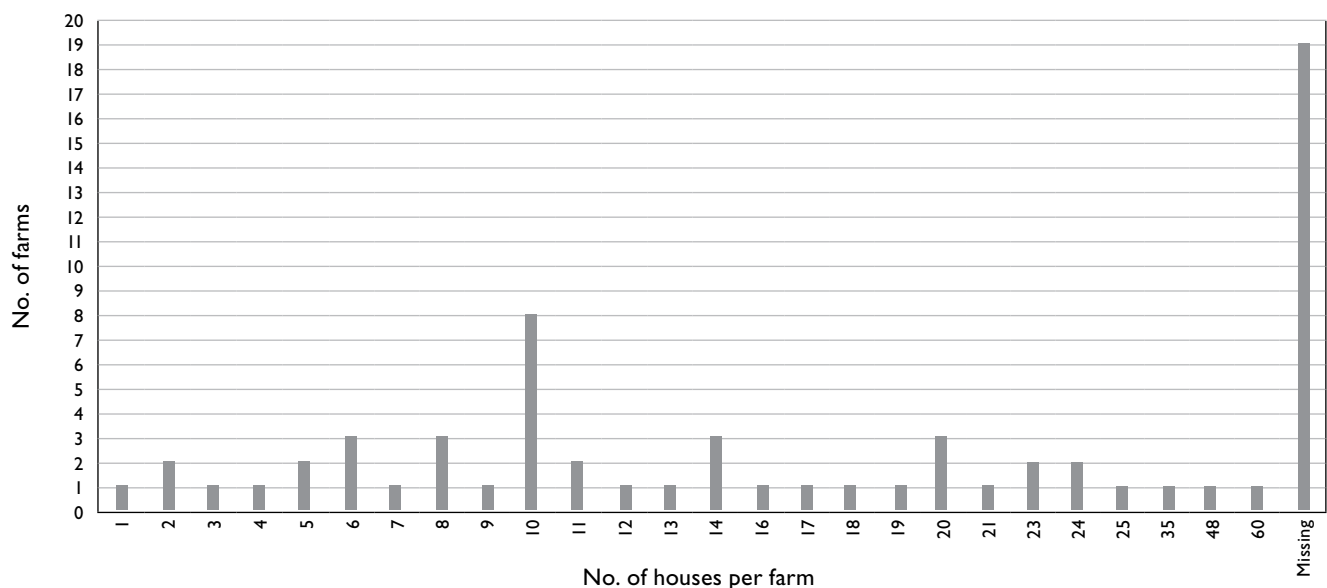


These indicators of basic working conditions may seem too basic to review! Yet it is these very basic elements that still remain the focal and vocal indicators for farm workers that for them reflects the often slow transformation of improved conditions and hence a better quality of life.

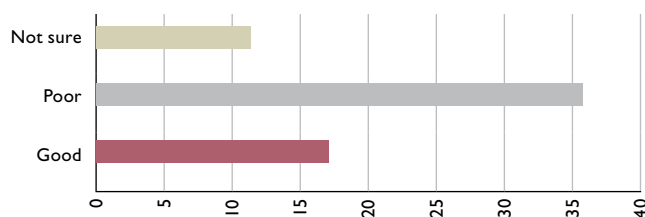
The vast majority of farm workers are still denied access to elements of what are basic human rights. These are further floundered through the often lack of safety protocols, protective or relevant clothing (46% do not receive clothing) and related training provided to an employee.

## 10. Home on the farm

No. of Permanent Houses on Farm for Labourers



## General Condition of Houses

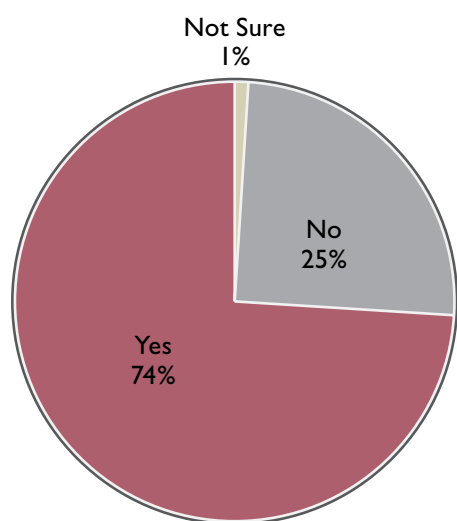


Of the 65 farms researched, 19 were unable to provide complete data. The median houses per farm is 10.5, with the most amount of farms (8) possessing 10 houses in total. The housing on 36 of the farms in this sample group were described as being in poor condition. This represents 55.4% of farms, with only 26.2% experiencing their homes to be in good condition.

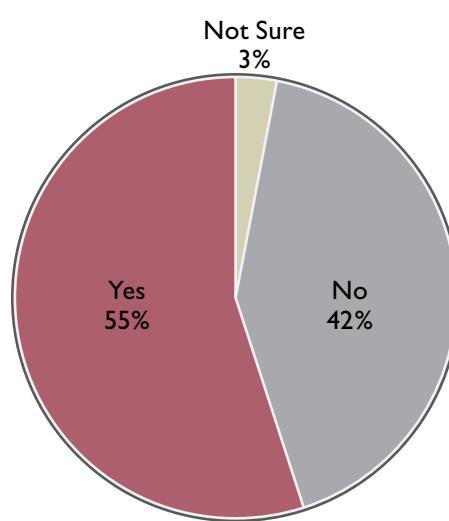
Issues of housing are not only complex and often political in nature, but are the most relevant to an individual and his/her dignity and conditions of living (quality of life). Therefore more research work and the monitoring is needed of shifts in housing provision, and standards should be created, to ensure conditions faced by farm workers are of a decent quality of life.

## II. Rights and the Worker

Do workers have the freedom to join a trade union?



Does a trade union have ready access to the workers?



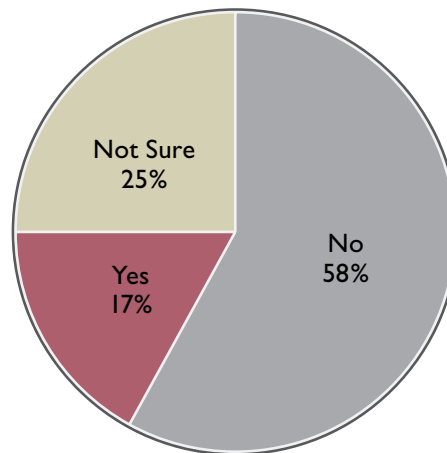
There is a natural correlation between a trade union having ready access to a farm and whether union activities can be freely conducted on such farms or not. However it is the held perception by workers that they enjoy more freedom than is actually facilitated by trade unions and farming entities. This is encouraging for trade unions as it indicates a 19% potential growth in soliciting membership.

What must be noted is that there is a lack of trade union activity generally found on the smaller and more isolated farms. There are a variety of reasons for the phenomena but the primary causes are the simple economies of scale that are further accentuated by the fact that many Unions themselves do not have the required organisational capacity, infrastructure or personnel to service remotely located farms. This can be referred to as functional discrimination as it is not in the economically viable interest of a trade union to recruit or engage with small numbers of employees found in distant isolated areas.



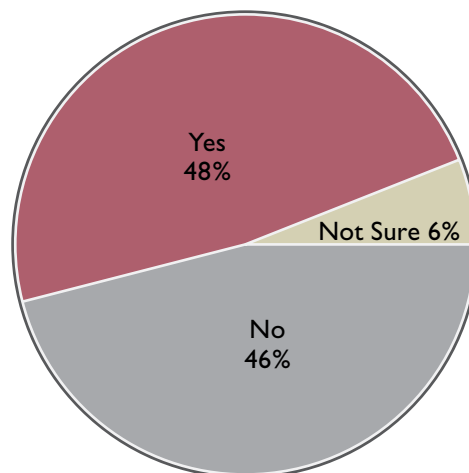
## 12. The Worker and their Rights

Is there a grievance procedure or complaint boxes for the workers?



The clear provision and shared understanding of a grievance procedure or complaints forum is an indicator of the level to which an individual has the power to inform and influence unjust operations or practices. Fifty eight percent (58%) of farm workers remain disempowered on a personal or issue specific level. If platforms for the raising and management of grievances or issues are neglected, the impact can lead to subservient organisational culture, and the eventual outcome can be a general rise in collective action, but generally only given a critical mass of worker participation.

Are workers allowed to bargain collectively?

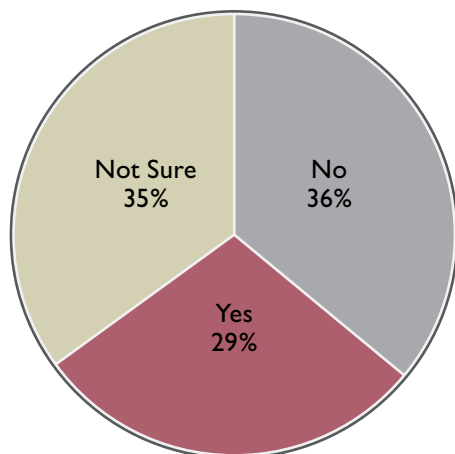


The majority of the farms interviewed are relatively small in terms of labour force and so the critical mass towards collective action is stymied. However the larger farms do tend towards and allow (48%) for collective bargaining.

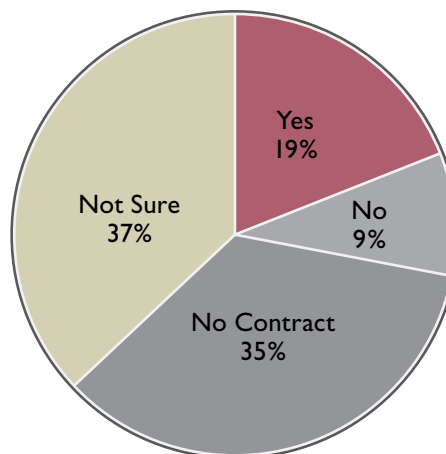


### 13. Doing it Write

Do workers sign a written contract?



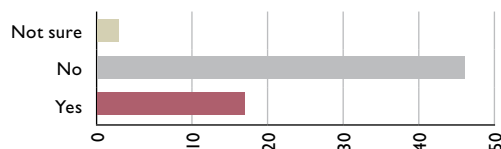
Do workers have a copy of their contracts in their possession?



Less than a third of the participating farms have signed contracts of employment with their staff, and of the latter only two thirds possess a copy of such a contract. This reflects that less than 20% of farm workers are empowered with the full knowledge of their conditions of service and rights as workers within their context. This speaks not only to rights however, but also to the systems and processes that uphold these rights. Effort must be made by industry players in encouraging and supporting producers in instilling just and equitable human resource practices through the creation of appropriate and robust human resource systems and procedures.

### 14. Are things Alright?

Are there discriminatory practices in the workplace?



Sixteen of the sixty five farms reflected discriminatory practices, most of which experience one of the following three categories namely that of Gender (the unequal opportunities and remuneration between that of male and female workers), Race (the unequal opportunities and treatment of African staff specifically, and Wages (the unequal remuneration for the same work performed). The most frequent discriminatory practice remains those associated to gender. The archaic practice of remunerating differently based on gender must be addressed once and for all.

### 15. Concluding Remarks

This research project has revealed some underlying problem areas within the farming industry that unfortunately still require continuous attention. In fact, serious effects are needed in creating stability and sustainability within this all-important sector that has not only been foundational to our culture as nation, but feeds us all.

It is logical that farming activities are mostly found in generally remote regions (rural areas) but this does not mean that those involved should in turn be isolated and found to be restricted from enjoying human rights and a decent quality of life. It is still evident that wages, access to quality basic services, housing conditions, legal rights, and gender discrimination issues remain high agenda items for all within the sector. Through this participatory action research, farm workers themselves have been empowered to monitor and assess their own reality. These voices are the voices of our constituencies, and as BAWSI we will continue to pay attention to these issues, seeking and creating solutions where necessary – not only for the transformation of the sector but in essence for the betterment of all society.



## LIST OF FARMS

The evaluation of 65 farms are reproduced here (unedited) as it was captured by the researchers.

- |                              |                                     |
|------------------------------|-------------------------------------|
| 1. Anhohe Landgoed Farm      | 34. Lusthof Farm                    |
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| 16. Groede hoop Farm         | 49. Soliter Farm                    |
| 17. Groenendal Farm          | 50. Sonnerstraal farm               |
| 18. Halfmanshof Farm         | 51. Stagmankop Farm                 |
| 19. Hocheim Farm             | 52. Stawelklip Estate               |
| 20. Houmoed Farm             | 53. Uitkijk Farm                    |
| 21. JP Theron Farm           | 54. Up to Date Farm                 |
| 22. Karamelkvei Farm         | 55. Vark Farm                       |
| 23. Kleinfondeling Farm      | 56. Van Zyls Damme Farm             |
| 24. Kleinkoopmans Kloof farm | 57. Voorbaat Farm                   |
| 25. Klipfontein Farm         | 58. Vorentoe Farm                   |
| 26. La Rhine Farm            | 59. Vredenhof Farm                  |
| 27. Labori Ed-Picardi Farm   | 60. Welgegund Farm                  |
| 28. Lanquedoc Farm           | 61. Wesland Farm                    |
| 29. Langverwaght farm        | 62. Wesland Boerdery Farm           |
| 30. Leeuwenhoek Farm         | 63. Western Cape Seedling Farm      |
| 31. Leliefontein Farm        | 64. Wylekeldershoek Farm            |
| 32. Lindes Dam Farm          | 65. ZZ2 Farm                        |
| 33. Lombardye Farm           |                                     |







## I. ANHOHE LANDGOED FARM/ BRAKFONTein

Owner: Nicklaas Hanekom • Tel nr: 082 332 4910 • Fax nr: (021) 8641057

### Introduction

The farm is situated, about 10 km outside Wellington and employs 6 permanent workers and 18 contract workers which are men and some women only work when there is work. Anhone Landgoed/ Brakfontein farming with grapes.

### Wages

- Contract workers earn R300, 00 per week and permanent workers earn R520 per fourthnight.
- Earnings are made electronically in their bank account.
- Workers are receiving pay slips and are getting paid on an hourly rate and timekeeping is per attendance register.
- Farm provides tools, protected clothing and during harvest time. The farmer did not provide sanitation and drinking water during harvest time and workers must go to the bush and carry the drink water with them.
- Farmer does not comply with sectoral Determination in terms of earnings and overtime and comply with, annual leave, maternity leave, incentive bonus, yearly bonus; family responsibility leave and women are discriminate against in term of their earnings.

### Child Labour

- No child labour on the farm every worker are over 18 years old.
- The farm got a policy of no employment of children under the age of 16 years.

### Working Hours

- Workers are working 45 hours per week as per the BCEA excluding rest times.
- Overtime is consulted in advance with workers and payments are secured as per hour and a half time recorded and correct in terms of the sectoral determination.

### Forced Labour

- No forced labour on the farm, but when workers refuse to work overtime, the employer victimized them.
- Some workers resign from work and some was dismissed in the past, because they were threatened by the employer for not working overtime.

### Freedom of Discrimination

- Their rights to join a union are respected, but there is no union in place and workers are vulnerable and they don't know their rights as to the LRA and BCEA.
- Workers have no workers committee and no representation when a dispute arose.
- Workers can freely go in and out on the farm and their family is welcome to visit them.

### Health and Safety

- No training to the workers.
- Drinking water and sanitation are not provided for workers during working hours and workers go home when they work close to their houses.
- Workers go home or eat in the store room when they have lunch and tea time.
- Workers are compelled to wear protection during working on the land with poison.





### Houses

- There are 8 households on the farm and all 8 houses got electricity, water and hot water and have bathroom.
- Some houses need attention here and there and roof leakages.
- Workers reported these problems to the farmer, but nothing has been done so far.

### Absence of Association

- No discrimination against workers accepted in their earnings between some men and women and only men are getting permanent work.
- No workers gets promotion only whites are in manger positions.

### Community Impact

- Farm makes use of people in town some times during harvest time.
- There is a venue people can make use of for church and other events to generate funds for them.

### General

- Children received transport to school.
- Workers must wait for the farmer to go to town, because the farm is 10km outside the town and if they need some food or other items they must pay extra for transport.
- Workers have pension fund and death covery.





## 2. ARBEIDSVREUGDE FARM

Owner: Danie Jacobs • Tel nr: • Fax nr:

### Introduction

Morester is situated outside Villiersdorp in the Breerivier area. On this farm there is only one family and other workers stay in town. Mr. Danie Jacobs is the owner of the farm and he is farming with cattle and butternuts.

### Wages

- All employees receive a salary of R500.00 per week.
- A valid payslip are provided and payments are made by hand or through bank.
- Workers must work over time and they receive R20,00 per hour.
- Employees receive overalls from the farmer but shoes they must buy self.
- The employer provides houses and water but there is no electricity and education.
- There are no leave days given to the workers.
- UIF is deducted from the workers salaries.
- The farmer does not provide any benefits beyond the legal requirement.

### Child Labour

- There is age confirmation in the farm.
- There is no child labour.

### Working hours

- Working hours is as follow:
- Monday till Friday: 7:30am-17:30pm
- Lunch: 12:30pm-13:30pm
- Over time is only on weekends.
- Working hours are recorded electronic on their pay slips.

### Forced Labour

- The employer and the workers have a good relationship; sometimes they don't understand each other.
- Workers have the freedom to go and work somewhere else but then they have to leave the farm also.
- The owner asks the workers to work over time and they do not have a choice but to work weekends.

### Freedom of Association

- Workers have the right to join a union if they want to.
- The right to collective bargain is not respected.
- There were never union problems.
- Workers can not complain anonymously they must go to the farmer.





## Health and Safety

- There are no warning signs and no masks and there is only one person who handles the tractor.
- The workers safety is insured and they get a payout if they get hurt.
- There is sanitation in place and but not safe because workers do not have any protection in their workplace.
- There are no rest areas, no drinkable water for the employees. There are no toilets in the working environment; they had to build their own toilets outside.
- The toxic are being store in a toxic room.
- No rubbish is being removed; workers have to through rubbish in a hole and then burn it.

## Housing

- The houses of the workers are in a stable condition, there are four rooms and a bathroom.
- There is an established H&S system in place, but it is not implemented.

## Absence of discrimination

- Workers cannot tell because there was never anyone sick.
- No worker has received any opportunity.
- All workers do the same work.

## Community Impact

- The farmer does not have any impact on the community they must just do their work and that's it.

## General

- The workers need to be informed about their rights, in a work place. The department of social development must visit the farm. The children that stay in the farm are not given any education. The farmer should provide the workers with the appropriate toilets and a better safe environment.





### 3. AVONDRUST FARM

Owner: Alfred Borchers • Tel nr: (021) 988 6814 • Fax nr: (021) 988 6814

#### Introduction

This farm is situated in the Kraaifontein area. They work with vegetables and guavas. The farmer supply fruits and vegetables to the Epping market. Here are 18 workers of which 10 are women and 8 are men. They are all permanent workers. There are also 12 part time workers. On the farm there are 11 children still at school and 3 children not attending school. The employees interviewed was Japie Franke and Edward

#### Wages

- Workers get their salaries through Standard Bank. They are paid on hourly rate on a weekly basis.
- Correct payment is insured by proper payslips and time is recorded by register.
- Wages is R285 per week
- Bonuses are only paid at the end of the year.
- Tools are provided during harvesting time (scissors)
- No childcare or healthcare facilities
- No transport
- They provide all legally required benefits
- leave > 3 weeks per year
- sick leave > 12 days per year
- maternity leave > 4 months ( one month before labour and 3 months after)
- family responsibility leave > 3 days
- No pension or provident fund
- Deductions for UIF are made
- Extra benefits= people do get vegetables for free
- If they work overtime they do get paid as required by law
- They only work 1 hour overtime per day.

#### Child labour

- Their system of age verification is by checking I.D document or birth certificates.
- There is no children working on the farm under the age of 25 years

#### Working hours

- Their daily and weekly hours are 48 hours per week.
- Their working hours are recorded manually and verified by employees
- Start at 7H00 till 17H30
- Breakfast from 10h00 to 10h15 lunch from 12h30 to 13h30
- Tea break of 10min.
- They do not work on weekends.

#### Forced labour

- There is an established working relationship with employees.
- Nobody is compelled to stay with the company which means they can leave as they wish
- We could not find any evidence of forced labour.
- People sign contracts of employment and do have copies of it.
- No withholding of salaries or benefits if people decide to leave.







### Freedom of association

- The rights of the workers are respected although there is no union.
- There is no other alternative means to negotiate in an absence of a trade union.
- No other committees to deal with the problems and issues of the workers.
- The employer implements salary and conditions unilaterally.
- There is a grievance procedure.
- There is a complain box.

### Health and safety

- Accidents are prevented by safety education and training and first aid.
- People was given fire evacuation training (regular meetings with workers)
- They have supervisors as the health and safety representatives
- They do have toilets and water with rest areas in the harvest area
- They do have disposal areas in the harvest area for waste, organic, inorganic material
- They are very concerned about their health and safety methods.
- They do have a health and safety policy.
- Management deals with the H & S system.

### Housing

- There are 17 houses on the farm
- He rents out 7 houses to other farm workers
- The employer doesn't charge rent for houses.
- They pay R20 per week for electricity
- All the houses have water, electricity and busy preparing toilets inside.
- The houses are in very good conditions.

### Absence of discrimination

- The hiring practices is not discriminatory
- There are equal opportunities in terms of promotion and training
- The only difference is between the salaries of the permanent workers and the seasonal workers and piece workers
- There is no difference in working assignments, everybody does the same work.

### Community impact

- Appoint seasonal workers from the local community( about 12 every season and harvesting time)
- He donates fruits and vegetables to the community

### General

- He prepares for government the soup kitchen food on the farm.
- They have church services before they start working in the mornings
- The farm shop is closed on request of the workers
- He has mutual respect for his workers and treats them with dignity
- He complies with the basic conditions of employment act and the sectoral determination for farm workers.





## 4. BAKENHOF FARM

Owner: Julia Johnson • Tel nr: 021 869 8910 • Fax nr:

### Introduction

Bakenhof is situated outside Wellington, also in the Cape Winelands area. Over 50 workers are employed on this farm.

### Wages

- The employees receive R350.00 a week and if the entire employees work a full week they get a R60.00 bonus.
- Each employee get a valid payslip and payments are been made through the bank.
- There is no over-time on this farm, except for the permanent workers. They all receive a bonus at the end of the harvest season.
- Employees receive overalls, scissors and shoes as part of their equipment. And at the end of each season a small amount is deduct from their salaries.
- The employer provides the workers with houses and electricity.
- Each worker receives maternity leave annual and sick leave and UIF is deducted from their salaries.
- The farmer provides houses and education to the workers and their children.

### Child Labour

- There is no child labor, and people's age is always confirmed before they can start working.

### Working hours

- Working hours is as follow:
- 
- Monday till Friday:7:00am-17:30pm
- Lunch time is 12:30am-13:30 am
- No over-time is allowed.

### Forced Labour

- There is a good relationship between the workers and the employer and they have the freedom to complain at any time.
- Workers have the freedom to go they are not compelled to stay on the farm.
- The owner asks the workers to work over time but they not compelled to do it.

### Freedom of Association

- The employees have the freedom to join any union and they can vote for any party they would like to.
- The right to collective bargain is respected.
- There were never union problems.
- Workers can negotiate freely with their employer.
- Workers can complain anonymously.

### Health and Safety

- To deal with accidents on the farm they have a first aid or the farmer takes the worker to Medi Clinic.
- The workers safety is insured and if anything happen to them they get a payout.
- It is sanitize and safe in their workplace.
- Drinkable water, toilets and the rest areas are near the harvest area.
- The toxic are being stored in a toxic room.
- Rubbish is being removed every week with the rubbish truck.





### Housing

- The houses of the workers are in a good condition, but can be upgrade further.
- There is an established H&S system.

### Absence of discrimination

- There are pregnant woman and sick people in labour.
- When is prune time, everyone work together but otherwise man and woman are are separate.
- Woman work in the store room and men in the vineyards.

### Community Impact

- After season time the farmer take his workers to the beach and he also provide them with food.

### General

- School, church and a playground for the children are needed.
- It is clear that this farmer treats his people well; it is just a few things that are needed.





## 5. BRAKFONTAIN TRUST FARM

Owner: Mr N.W Hanekom • Tel nr: (021) 8641057 • Fax nr: (021) 8641057

### Introduction

The farm is situated, about 10 km outside Wellington and employs 6 permanent workers which are men and 3 women only work when there is work sometimes. Mr N.W. Hanekom is farming with cows and wine grapes. There is a shop on the farm that sells only meat, tobacco and baking flour. One household got old people who receiving pension. The employer also make use of contract workers during harvest time.

### Wages

- Permanent workers which are only men earn R285, 00 per week and women earn R250, 00 per week.
- Earnings are made electronically in their bank account.
- Workers are receiving pay slips and are getting paid on an hourly rate and timekeeping is per attendance register.
- Farm provides tools, protected clothing and during harvest time. The farmer did not provide sanitation and drinking water during harvest time and workers must go to the bush and carry the drink water with them.
- Farm did not comply with sectoral Determination in terms of earnings and overtime, but comply with, annual leave, maternity leave, incentive bonus, yearly bonus; family responsibility leave and women are discriminate against in term of their earnings.

### Child Labour

- No child labor on the farm every worker is over 18 years old.
- The farm got a policy of no employment of children under the age of 16 years.

### Working Hours

- Workers are working 45 hours per week as per the BCEA excluding rest times.
- Overtime is consulted in advance with workers and payments are secured as per hour and a half time recorded, but are not correct in terms of the sectoral determination.

### Forced Labour

- No forced labor on the farm, but when workers refuse to work overtime, the employer victimized them.
- Some workers resign from work and some was dismissed in the past, because they were threatened by the employer for not working overtime.

### Freedom of Association

- Their rights to join a union are respected, but there is no union in place and workers are vulnerable and they don't know their rights as to the LRA and BCEA.
- Workers have no workers committee and no representation when a dispute arose.
- Workers can freely go in and out on the farm and their family is welcome to visit them.

### Health and Safety

- No training to the workers.
- Drinking water and sanitation are not provided for workers during working hours and workers go home when they work close to their houses.
- Workers go home or eat in the store room when they have lunch and tea time.
- Workers are compelled to wear protection during working on the land with poison.





### Houses

- There are 7 households on the farm and 5 houses got electricity, water and hot water and have no bathroom.
- Some houses need serious attention due to structural problems and roof leakages.
- Workers reported these problems to the farmer, but nothing has been done so far.

### Absence of Discrimination

- No discrimination against workers accepted in their earnings between some men and women and only men are getting permanent work.
- No workers gets promotion only whites are in manger positions.

### Community Impact

- Farm makes use of people in town some times during harvest time.
- There is a venue people can make use of for church and other events to generate funds for them.

### General

- Children received transport to the main road and a bus takes them to school.
- Workers must wait for the farmer to go to town, because the farm is 10km outside the town and if they need some food or other items they must pay extra for transport.
- Workers have no pension fund, and death cover.







## 6. DAG EN NAG FARM

Owner: Mr Loubsters • Tel nr: (022) 482 1645 • Fax nr: (022) 482 1645

### Introduction

This farm is situated in Swart Land area in N7 Road. The farmers name is MR DUPLESSI. This farm has about 60 people who are working for the farmer. This is a weed farm and cows. There are men and women on the farm but it is only men who are working.

### Wage

- They pay R250 week.
- They get pay cash but no pay slips
- No clock machine, and no UIF deductions
- No sick leave, if you are sick, you go to the doctor by your self.

### Child Labour

- No children working on the farm.

### Working Hours

- This people working any time of the day, that's why they call the farm Dag Gernag. The situation of this people is very bad.

### Force Labour

- They work anytime time by force; if they don't want to work the farmer fired them.

### Freedom of Association

- The workers want to join Union and also to be help in other issues that they deal with on the farm.

### Health and Safety

- No health and safety on the farm.
- No representative on the farm.
- No rest room on the farm.

### Houses

- There are 20 houses on the farm; they pay rent on the farm.
- No toilets, no water, no power on this farm.

### Absence of discrimination

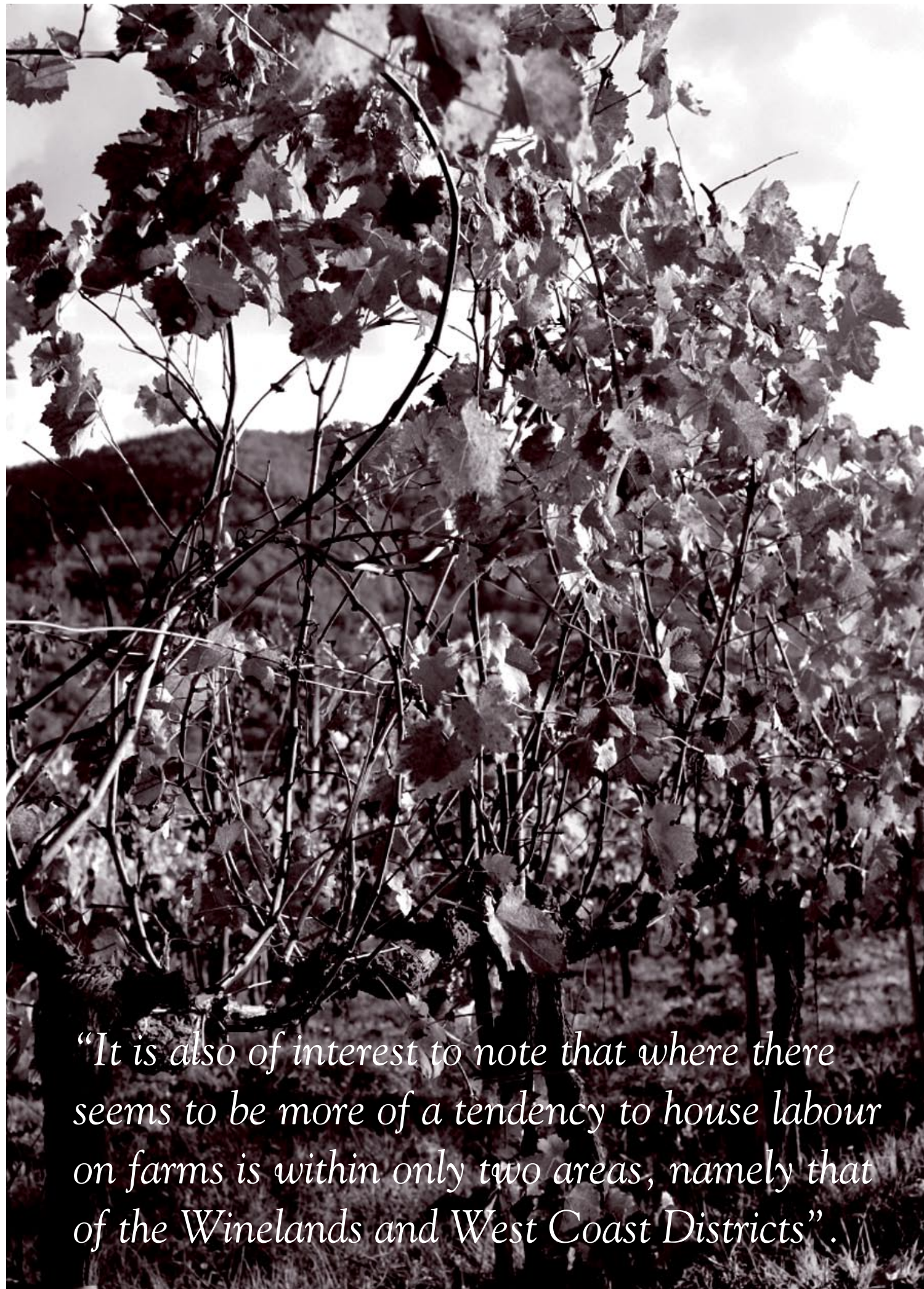
- The farmer calls people names.
- If they don't want to work the long hours, he does not give them money. He does not give transport if some one is sick.

### General

- This farm is very dirty. The houses are in a very bad situation, people don't have electricity and water. The houses are leaking when it is raining. The farmer tells the people that no one can do any thing to him. Children are sick because of the dirtiness of this farm.







*“It is also of interest to note that where there seems to be more of a tendency to house labour on farms is within only two areas, namely that of the Winelands and West Coast Districts”.*





## 7. DASDRIF FARM

Owner: Mr L.S Marais • Tel nr: (022) 433 2611 • Fax nr: (022) 433 1005

### Introduction

The farm is situated about 25 km outside Moorreesburg and employs 10 permanent workers which are men and 6 seasonal workers which are woman. Mr. L.S. Marais farming export table grapes, lemons, wine grapes and oranges and supply wine grapes to Riebeeck Kasteel Cellar.

### Wages

- Permanent workers which are only men earn R300, 00 – R480, 00 per week and women earn R260, 00 per week.
- Earnings are made electronically in their bank account.
- Workers are receiving pay slips and are getting paid on an hourly rate.
- Farm provides tools, protected clothing and during harvest time, provided drinking water and sanitation to the workers on site.
- Farmer fully comply with the sectoral Determination in terms of overtime,(15 working days) annual leave,(4 months) maternity leave, incentive bonus, yearly bonus, wages and (3 days) family responsibility leave and women are discriminate against in term of their earnings promotion workplace if any.

### Child Labour

- No child labour on the farm, every worker is over 18 years old.
- The farm got a policy of no employment of children under the age of 16 years.

### Working Hours

- Workers are working 45 hours per week as per the BCEA excluding rest times.
- Overtime are consulted in advance with the workers.

### Forced Labour

- No forced labors on the farm, but workers who do not want to work extra hours have been victimized in the past.

### Freedom of Association

- Their right to join a union are respected, but there is no union in place and workers get representation by fellow workers and union officials are allowed to a certain extend as to labor advice to the accuse.
- Workers can freely go in and out on the farm and their families are welcome to visit them.
- Workers find problems with the foreman in terms of his behavior and did complain to the owner and a meeting was held to resolve the issue.

### Health and Safety

- The farmer gave training on site by himself together with some safety reps from AGEF.
- Drinking water and sanitation are provided for workers during working hours or workers can go home when they work close to their houses.
- Workers go home or eat in the store room when they have lunch.
- Workers are compiled to wear protection during working with poison.





### Houses

- There are 10 households on the farm and all 10 houses got electricity, water and hot water and have a full bathroom.
- No structural problems with houses, no roof leakages, but need to be paint and some need to be touched up here and there.

### Absence of Discrimination

- No discrimination against workers accepted in their earnings between some men and women.
- No promotion for workers happened in the past only white people are employed in managerial positions and those blacks who are in favor of the farmer.

### Community Impact

- Farm makes use of people in town some times during harvest time and self employed people.
- There is a venue which people can make use of for church, events etc.

### General

- Children walk long distance to the pickup points to go to school.
- The farmer sometimes supply transport for children depends on his mood.
- Workers must wait for the farmer to go to town, because the farm is 25km outside the town and if they need some food or other items must pay extra for transport.
- Workers are covered with pension scheme and the detail should be obtained with the farmer.





## 8. DE HOEK FARM

Owner: Kobus De Loka • Tel nr: • Fax nr:

### Introduction

De Hoek is a farm situated outside Saron in the Drakenstein area. Mr. Kobus De Loka is the owner of the farm and he is farming with sheep, but previously he used to farm with grapes and citrus. There are 17 families on this farm.

### Wages

- Workers get R81, 00 daily and the supervisor R120, 00.
- Each employee gets a valid payslip and payments are made through the bank.
- If workers are asked to work over time they do it and receive a bonus for it.
- Employees received work clothes and shoes 3 years ago.
- The employer provides houses and a R20, 00 electricity card for free further on they must buy their own electricity.
- Each worker receives maternity, annual and sick leave and UIF is deducted from their pay.
- No worker gets any benefits beyond legal requirement.

### Child Labour

- On this farm there is no child labour only holidays the children work two to three days.

### Working hours

- Summer time: 7:00am-18:00pm
- Winter time: 8:00am-17:45pm
- Tea time: 7:30am-8:00am
- Lunch time: 12:30pm-13:30pm
- The working hours are indicated electronically on the workers payslip.

### Forced Labour

- Workers did not sign any working contract but workers have a good working relationship with the farmer it is just sometimes they have a misunderstanding.
- Workers have the freedom to go and work on other farms and they can still live on the farm.
- The farmer asks the workers to work over time but they not compel to do it.

### Freedom of Association

- Workers have the freedom to join any union and can vote for any party.
- Workers can have meetings whenever they like to but it must be after work.
- There were never union problems.
- If workers have any complaints the supervisor goes and talks to the farmer.
- Workers do not have to file suggestions or complaints anonymously they talk straight to the owner.

### Health and Safety

- If any of the workers get hurt the owner takes them to the hospital and there are no warning signs on this farm.
- The workers safety is not insured but the farmer is busy arranging it.
- It is sanitized and safe in their workplace.
- There is drinkable water but there are no toilets near the harvest area.
- The toxic are being stored in a store room.





## Housing

- The houses of the workers have four to seven rooms and they are in stable condition but there are some of the houses that need to be upgraded.
- There is an established H&S system available but it is not implemented.

## Absence of discrimination

- Pregnant woman and sick people are allowed to work on the farm.
- Everyone does the same work and get a chance to go on courses.
- Workers do different work some work in the garden some take care of the sheep and others work in the vine yards.

## Community Impact

- The workers do not get anything from the farmer just a braai.

## General

- People do not have toilets and make use of bushes which can cause illness.
- Some of the houses need to be renovated.
- The department of social development and health must visit the farm.





## 9. DE LA ROCHE FARM

Owner: J.N Basson • Tel nr: (082) 441 5772 • Fax nr: (086) 528 2668

### Introduction

The farm is situated on the road between Wellington and Malmesbury. It is a grape farm. They supply to K.W.V and Overseas.

### Wages

- There are ± 15 permanent workers.
- The men are 15 and the women are 20 seasonal workers.
- Their wages are been paid every forth night electronically into there bank accounts.
- The seasonal workers get paid R680-00 summer and winter R610-00.
- The general worker get R725-00 and the Drivers get ±R800-00/R900-00 every fortnight
- Time keeping is kept by an attendance register.
- There payment is ensured by a pay slip.
- Work overtime on request.
- They also get leave after the season.
- The sick days, 30 days over 3 years. Terms and Conditions apply.

### Benefits

- The tools are available when needed.
- There are child care facilities on the farm.
- There is also transport available for the people on the farm.
- The people also get training on the farm although they do not do the work in which they are trained in.
- They also paid half of the funeral policy and the farmer paid the other half.
- UIF is also been deducted from the workers salaries.

### Child Labour

- No child labor is allowed on the farm. All the children must be over 20 years old. They do not have any policies on child labor.

### Working Hours

- They worked 45 hours.
- The workers start working at 06h55
- 08h30 to 09h00 Breakfast
- 13h00 to 14h00 Lunch
- 17h30 to 18h00
- Friday's time finished 05h00

### Forced Labour

- Nobody is forced against there will.
- Only when you work on other farms than you must paid rent.
- Everybody have an Employment Contract.
- Everybody is satisfied with Employment.





### Freedom of Association

- No freedom of Association.
- There are no representatives on the farm.
- There are no other structures such as a Committee.
- No grievances procedures or complain boxes available to workers.
- No meetings with workers take place.
- No alternatives means in place for negotiation.

### Health and Safety

- There are Healthy and Safety mechanism in place.
- There are two representatives namely: Minna Kock
- Divan Smith
- There are safety regulations in place.
- Safety education or training is given to workers.
- Water and sanitation is available. The water is clean.
- There are restrooms available for the workers.

### Housing

- There are 10 houses on the farm.
- The workers pay for electricity on the farm. There is a meter installed in the houses.
- There are toilets and sanitation in the houses.
- There is also clean water in all the houses.
- People that is not working on the farm must paid rent to the farmer.
- Some of the houses are not in a good condition.

### Absence of Discrimination

- There is no discrimination against sick or pregnant people.
- There are skills and development training for the workers.

### Community Impact

- There is no community Impact to the community.







## 10. DIE DENNE FARM

Owner: Thuys Van Niekerk • Tel nr: • Fax nr:

### Introduction

Die Denne is situated outside Porterville, also in the Drakenstein area. Mr. Thuys Van Niekerk the farmer is farming with vegetables and wine grapes, grenades and figs. There are 19 families living on the farm.

### Wages

- Every worker receives R86.00 daily.
- Each employee gets a valid payslip and payments are made through the bank.
- Only when its harvest time workers are asked to work over time and they get payment.
- Employees receive overalls for free but R100,00 are getting deducted each week from their salaries for the safety boots.
- The employer provides houses but workers have to pay for electricity.
- Each worker receives paid annual/sick leave of 30 days and maternity leave of 3 days and UIF are getting deducted from their salaries.
- The farm provides a crèche for children but they must pay fees each.

### Child Labour

- On this farm there is age confirmation which means there is no child labour but, children work after school or on holidays for two to three days

### Working hours

- Working hours is as follow:
- Monday till Friday: 7:00am-17:30pm
- Tea break: 11:00am-11:15am
- Lunch: 12:30pm-13:30pm
- Working hours are recorded electronically on their pay slips.

### Forced Labour

- Workers have a very bad relationship with the farmer.
- Workers have the freedom to go somewhere else; they are not compelled to stay on the farm.
- The owner asks the workers to work over time but they not compelled to do it.

### Freedom of Association

- There were never union problems.
- Workers can negotiate freely with their employer.
- Workers can complain anonymously for an example write a note without a name.

### Health and Safety

- To deal with accidents on the farm they have a first aid or the farmer take the worker to Medi Clinic.
- The workers safety is insured, and if anything happen to them they get a payout.
- It is sanitized and safe in their workplace.
- Drinkable water, toilets and the rest area are near the harvest area.
- The toxic are stored in a toxic room.
- Rubbish is being removed every week with the rubbish truck.





### Housing

- The houses of the workers are in a stable condition.
- There is an established H&S system

### Absence of discrimination

- There are pregnant woman and sick people in labour.
- Man and woman work separately.
- Woman work in the store room and men in the vineyard.

### Community Impact

- After season time the farmer take his workers to the beach and he also provide for the food.

### General

- There is a need for school, church and playground for the children in the farm.
- It is clear that the farmer treats his people well; it is just a few things that are needed.





## 11. DIEMERSKRAAL FARM

Owner: Daan Morkel • Tel nr: • Fax nr:

### Introduction

This farm is situated in the Klein Drakenstein area near Wellington. The owner of the farm is Mr. Daan Morkel who is farming with grapes, cows and wheat.

### Wages

- Workers receive a salary of R710.00 every fortnight.
- Each employee gets a valid payslip and payment is made through the bank.
- It is a need for workers to work over time when it is harvest time otherwise there is no need to work over time.
- The employer provides the workers with work clothes and shoes for free.
- Workers receive basic needs like houses and electricity.
- Only if the workers bring a doctor certificate he/she will receive sick leave and UIF is deducted from their salaries.
- Employees do not receive any benefits from the employer.

### Child Labour

- There are no children under the age of 16 in labour.

### Working hours

- Summer: 6:30am-17:30pm
- Winter: 7:30am-17:30pm
- Tea time: 8:00am till 8:30am
- Lunchtime: 12:30pm till 13:30pm
- Workers book them self in.

### Forced Labour

- Workers have a good relationship with the employer.
- If workers decide to go and work on another farm, they must leave the farm.
- There is no evidence of forced labour.

### Freedom of Association

- Employees can join a union if they like to.
- Workers can have meetings but it must be after work.
- There were several union problems.
- There are alternative meanings for negotiations.
- Workers talk directly to the farmer if they have any complaints.

### Health and Safety

- The farmer takes the injured one to the hospital if they get hurt.
- Employee's safety is insured.
- There are no sanitary facilitation and employees use the bushes as lavatory.
- Nothing is proximity to the harvest area.
- Chemicals like poison are being stored in the employer's garage.
- The employer dumps his rubbish in front of the workers houses and it is then the workers responsibility to get rid of it.





### Housing

- Every house has two rooms which are divided into a bedroom and a kitchen.
- The manager is in control of safety and security.

### Absence of discrimination

- There are pregnant women, patients with aids and TB on duty but there are no masks available for the workers.
- Each worker does the same work and none of them were in training.

### Community Impact

- The owner had never given anything back to his workers for appreciation.

### General

- The living standard on this farm is unbearable.
- The workers need to be made aware of their rights.

### During our research on this farm we have identify few social problems like;

- There is no drinkable water,
- Houses are in bad conditions,
- No lavatory use,
- There is no transport for the workers.





## 12. DOORN KRAAL FARM

Owner: Mr Smith • Tel nr: (022) 482 2138 • Fax nr: (022) 482 2138

### Introduction

The farm is in Durbanville Road in Malmesbury, it is a dairy farm. They supply the dairy to the shops and local. There are 38 people on the farm; 15 women, 23 men and 12 children. The farmer's name is M.C Smith. On this farm all the farm workers are permanent and they are all staying on the farm. Children are schooling; some of them in Malmesbury's schools and the others on the farm. On the farm there are black people and coloureds.

### Wages

- The workers salaries range from R800.00 to R1600.00 per month.
- There are no toilets on the farm, and workers do not receive any legal requirements.
- UIF is not deducted from the employee's salaries.
- Employees work overtime but they do not get paid for it.
- They get pay through the bank and get paper pay slip.
- They work more that 45 hours per week.
- People do not get any uniforms.

### Child Labour

- Children under the age of 15years are working on the farm over weekends and when the schools are closed. There is a boy who is working there is 9 years old.

### Working Hours

- Some of the workers are starting at 5h00am-10h30am and go back at 14H30 pm to 18H30pm.
- No tea time or lunch time. The working hours are more and they don't get pay for it.

### Force Labour

- The farmer force people to work on Sundays if they don't want to work he fires them.
- There is no meeting take place on the farm. The relationship is not good at all.
- The workers are obliged to work; otherwise they are supposed to go.

### Freedom of Association

- It is their choice to join the union.
- There is no committee. They work in their private clothes.
- Their right to collective bargaining is respected.

### Health and Safety

- There is no mobile clinic, if some one sick, they go by them selves to the hospital.
- No first aid kit, many people get injured but they see their way to hospital.
- The work place is not healthy at all.





## Houses

- 14 House and big place where it was for houses and other people stay there.
- The stall place doesn't have power, no water, and no toilets.
- The houses don't have toilets; they pay rent of 36 per month.
- The place is very dirty for children.
- Employees pays rent R50.00

## Absence of Discrimination

- The farmer don't treat the people the same. He calls them names and the black people working by force on week ends, but the others do not get the same treatment.
- When the workers look for help out side he fires the people who brought people to help them.

## Communication Impact

- There is no communication at all.

## General

- This farm got many problems. People are treated like dogs. The condition of the houses is too bad. He employs small children of age 9 years. If someone is sick that person must see his/her way to the hospital. People are 15km away from town but they must hike to see the doctors. One of the workers got an accident at work, but the farmer does not pay her. He wants her to work even though she walks with crushes. The place where the other people stay was the stables where the horses used to stay. The place is dirty and the people are staying with small children. The women work with water and they do the same work that the men are doing, milking the cows. The other sides of the houses need to be fixed.





## I 3. ELSANA FARM

Owner: Hugo Louw • Tel nr: (083) 269 3227 • Fax nr: (024) 865 803

### Introduction

This farm is situated in Swart Land area Darling Road. This farm has 20 people, 10 men and 10 women and 4 disabled people who also stay on the farm. There are also 8 children that are also staying on the farm. Only men are working on this farm. Some of the women are just staying there because of their husbands.

### Wages

- Workers salaries are not the same. Some are getting R460 per week and others less. They get paid by hand and there is no pay slip.
- The UIF is deducted but they don't know how much their UIF is.
- Basic needs like housing, water, electricity are provided to the workers.
- There is no clock machine and they don't sign any book.
- They work overtime and they get paid for it.
- The workers receive protective clothes.

### Child Labour

- No children are working on this farm.

### Working Hours

- They work 45 hours per week, 3 weeks Annual leave.
- Tea time 15 minutes and lunch 1 hour.
- They start working at 7h00am-18h00pm.
- No sick leave pay. If you are sick, you must go by your self to the doctor.
- No overtime are worked.

### Force Labour

- There is no good relationship with the farmer.
- There are no contracts that have been signed.

### Freedom of Association

- Workers do want to join Union but some of them are afraid.
- There is no structure as committee.
- No meetings take place on the farm with the farmer.
- The workers are allowed to have meetings on the afm.
- The workers get one overall per year.





### Health and Safety

- No health and safety that is in place, first aid box is not provided. If you hurt yourself you go by your self to the doctor, but you don't get pay.
- Toilets are not clean.
- There is no warning signs o the farm.
- The life's of the employees is not insured.

### Houses

- There are 8 houses on the farm, with 4 rooms in.
- They pay the rent but they don't know how much they pay because it is deducted from their salaries.
- There is an established H&S system on the farm.

### Absence of Discrimination

- There is no discrimination against the workers. There is a man who is 60 years who still working on the farm.
- No sick people are allowed to work on the farm.

### Community Impact

- The farmer employed more people in season from different places but those people don't stay on the fa

### General

- The houses on the farm are in good condition and the rooms are big. There is a man that is working on the farm from 1972 but he still getting R480 per week. His salary is the same like those who came after him. People have many problems but they are afraid to speak. Children have a bus that is picking them up to school every day. There is no crèche for those children who are still too young to attend school.







## I 4. FLENTERSKLOOF FARM

Owner: Dawid De Villiers • Tel nr: • Fax nr:

### Introduction

Flenterskloof farm is situated outside Franshoek in the Wynland area. Mr. Dawid De Villiers is the owner of the farm and he is farming with plums. On our visit to the farm the owner was present and he gave us permission to interview one of his workers.

### Wages

- The employees get paid on a weekly basis.
- Their money is paid through the bank,
- During irrigation the owner asks the workers to work longer hours, but they are not obliged to do it. And there is no bonus if they work overtime.
- The employees do not receive any protection gear or a mask if they work with chemicals.
- The workers do not receive annual, sick leave or social insurance.
- The employees do not receive any benefits from the employer.

### Child Labour

- There is no child labour on this farm; you must be strictly 16 and older.

### Working hours

- Working hours are as follows:
- Monday to Thursday: 8:00am till 17:00pm
- Friday: 8:00am till 15:00pm
- Lunchtime: 12:30pm till 13:00pm
- No working hours are recorded, employees only receive a payment of R270.00.

### Forced Labour

- No working contract has been signed, and the employees do not have a clock time.
- If the employees decide to go work somewhere else they must leave the property.
- The employer always tells the workers to work overtime.

### Freedom of Association

- The employer decides whether the employees could join a union or which party to vote for.
- Whenever there are meetings, the employer wants to be invited.
- There were no union problems.
- The employees do not have the ability to speak out about their problems.
- There is no one to complain to, when the workers have problems.





## Health and Safety

- The employer just gives the employees a warning.
- The employer does not care about the employee's safety.
- There is no working floor, and employees use their own toilets and water.
- There are no rest areas for the employees, and they make use of their own toilets.
- Chemicals are being stored in a room.
- The employees are responsible for the rubbish removal.
- There are no firefighters, seeing that the employees cook with gas
- There is no one who is in charge for health and safety.

## Housing

- The houses of the workers are not in a stable condition.

## Absence of discrimination

- There is no protection when working with chemicals, and one of the employee has asthma.
- There is only one employee, there is equal opportunity.
- There is no separation, because there is only one employee.

## Community Impact

- The farmer means nothing to the local community.

## General

- Only white tenants receive electricity.
- Employee only received a payment of R270.00, sometimes nothing.
- The walls and ceiling are black from the smoke coming from the wooden coal stove being used to cook food and the roof leaks which is a health and safety risks.





## 15. GOEDEVERWAGTING FARM

Owner: Pieter Dreyer • Tel nr: (022) 482 2118 • Fax nr: (022) 482 2118

### Introduction

The farm is situated, about 13 km outside Wellington and employs 11 permanent workers which are men and some women only work when there is work sometimes. Mr Pieter Dreyer has farming with grapes. The farmer also has another farm called Gras Dal and only seasonal workers are working on that farm.

### Wages

- Permanent workers which are only men earn R240, 00 per week and women earn R240, 00 per week but they are not permanent.
- Earnings are made electronically in their bank account.
- Workers are receiving pay slips and are paid on an hourly rate and timekeeping is per attendance register.
- Only male workers are allowed to work overtime and they receive R10.44 per hour.
- Farm provides tools, protected clothing and during harvest time. The farmer does not provide sanitation and drinking water during harvest time and workers must go to the bush and carry the drink water with them.
- Farmer does not comply with sectoral Determination in terms of earnings and overtime, but comply with, annual leave of 15 working days, 4 months maternity leave, incentive bonus, yearly bonus; family responsibility leave and women are discriminate against in term of their employment.
- UIF is deducted from their salaries.

### Child Labour

- No child labor on the farm every worker is over 18 years old.
- The farm got a policy of no employment of children under the age of 16 years.

### Working Hours

- Workers are working 45 hours per week as per the BCEA excluding rest times.
- Overtime is consulted in advance with workers and payments are secured as per hour and a half time recorded, but are not correct in terms of the sectoral determination.

### Forced Labour

- No forced labor on the farm, but when workers refuse to work overtime, the employer victimized them.
- Some workers resign from work and some was dismissed in the past, because they were threatened by the employer for not working overtime.
- Employees did not sign any employment contract.

### Freedom of Association

- Their rights to join a union are respected, but there is no union in place and workers are vulnerable and they don't know their rights as to the LRA and BCEA.
- Workers have no workers committee and no representation when a dispute arose.
- Workers can freely go in and out on the farm and their family is welcome to visit them.
- Employees are not allowed to have meetings without the owner's presence.





## Health and Safety

- No training to the workers.
- There are no pay-outs or insurance for when the workers get hurt.
- There are no warning signs on the farm, to prevent workers from getting injured.
- Drinking water and sanitation are not provided for workers during working hours and workers go home when they work close to their houses.
- Workers go home or eat in the store room when they have lunch and tea time.
- Workers are compelled to wear protection during working on the land with poison.

## Houses

- There are 9 households on the farm and all 9 houses got electricity, water and no hot water and have no toilets.
- The workers pay a monthly rent.
- Some houses need serious attention due to structural problems and roof leakages.
- Workers reported these problems to the farmer, but nothing has been done so far.
- There is an established H&S system on the farm.

## Absence o Discrimination

- No discrimination against workers accepted in their earnings between some men and women and only men are getting permanent work.
- No workers gets promotion only whites are in manger positions.

## Community Impact

- Farm makes use of people in town some times during harvest time.
- There is a venue people can make use of for church and other events to generate funds for them.

## General

- Children received no transport and must walk about one kilometer to the main road and a bus takes them to school.
- Workers must wait for the farmer to go to town, because the farm is 13km outside the town and if they need some food or other items they must pay extra for transport.
- Workers have no pension fund and death covery.





## 16. GOEDEHOOP FARM

Owner: Mr. Poena Marlerbe • Tel nr: • Fax nr:

### Introduction

The farm is situated in Klein Drakenstein, Paarl. This farm is one of KWV grape suppliers. The owner of the farm is Mr. Poena Malerbé. The farm has 10 permanent workers of which 4 is men and 6 women. There are two houses on the farm. The farm provides KWV with 30 loads of grapes per week during harvest time. I interviewed two employees, Miss Roslin Pietersen and Miss Elizabeth Koopman. The farmer, Mr Poena Marlerbé was not available to be interviewed.

### Wages

- The permanent workers get paid on a forth nightly basis. Money is paid electronically into their bank accounts.
- Each worker gets a piece of paper which serves as a pay slip. No proper pay slips with the relevant details as required by the Act.
- The workers do not get a production bonus.
- Wages: Men R720 per forth night and Woman R570 per forth night.
- They provide tools for the men workers only.
- They do give clothing
- There is no child care facilities on the farm
- No transportation for the school children
- No savings facilities
- No skills and development training
- No sick leave system – No work, no pay system.
- 3 month maternity leave
- Only deduct U.I.F
- They do not supply them with food.

### Child Labour

- They employ workers of 16 years and older
- The farmer requests a birth certificate or ID when they apply for work.
- They do lighter work than other
- There is no worst form of child labor.
- There are no threats to their health at this point.
- The child labor employee is Tania

### Working Hours

- Employees worked 48 hours per week
- Summertime period starts from:
- 06h30
- 09h00 – 09h30 tea time
- 12h30 – 13h30 lunch
- -07h30
- Winter time period 07h30 – 17h00
- The working hours recorded manually by the supervisor.
- There records could not be checked because the supervisor was not available.
- There is no overtime worked.





### Forced Labour

- Nobody is forced against their will to work on the farm.
- There is no contracts employment
- There is no working relationship between worker and farmer because of his rude attitude and behavior toward his workers.
- The workers according to him can leave when they please.

### Freedom of Association

- No trade union
- No workers committee
- No meetings with the farmer to discuss their problems
- No grievance procedures or complaint / suggestion boxes
- The workers indicated that they are interested to join a trade union

### Health and Safety

- They have visible safety signs everywhere and the workers know the rules.
- Mr. Stoffels is the safety representative. Davids must go for training.
- There are no toilets and rest rooms in the harvest areas
- There is only waste containers in the harvest areas
- There is a first aid box with a injury log book on the farm

### Housing

- There are only two houses on the farm. The houses space capacity is big enough.
- The sewerage pipes are broken.
- The houses have kitchens but not showers
- There is electricity and clean water supply
- The farm has an H&S management system in place.

### Absence of Discrimination

- No discrimination against race on employment
- Gender discrimination in terms of salary increases the men get more than the woman
- There is no discrimination against pregnancy and HIV Aids
- The benefits are only for the U.I.F deductions of workers.

### Community Impact

- They provide seasonal work for ±20 people out of community and no other support given to the community.

### General

- In my opinion it is totally heartbreaking to see how our farm workers must live in poverty
- No transport is available for the children to transport them to school and they must stay with their families in town during the week and return home only on weekends.
- It is also clear that Mr. Malerbé do not comply with the sectorial determination and that he is disrespectful towards his workers
- The workers living conditions is also poor and not healthy especially with the broken sewerage pipe.
- There is no activities such as churches and sports

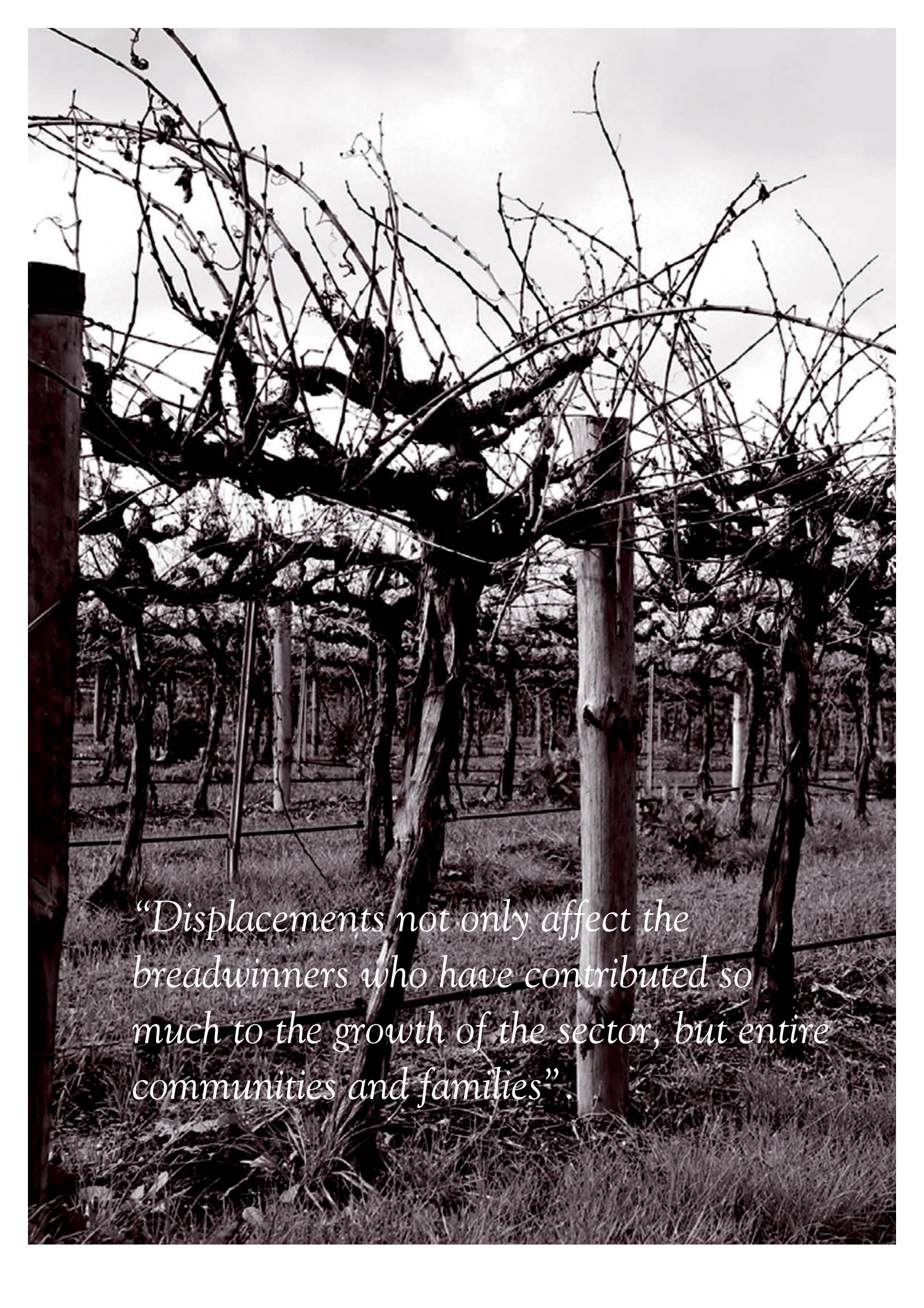




- There is no day care centre or child care on the farm
- These kind of farms need to be address towards transformation and development so that they workers can be development
- Funding is shifted for the implementation of social projects and worker leadership development.
- The KWV Group Ltd clearly is one of the major companies in the industry and exerts a huge amount of influence and power in the industry and does anything to enforce their agenda on others.
- The KEET entity is also a perfect example of the superficial empowerment in that the black workers had to borrow millions of rands for their equity but will only be able to receive bursary funding and medical support. From the inception the company bosses insisted and did for a fact registered a trust deed that was based on superficial empowerment and the control o the equity rested with them.
- The Phetogo Investment (PI) consortium is another perfect example of the KWV's obsession with powers that all the agreements (shareholders & articles of association) places so much prohibition on the consortium and the onerous conditions by the KWV group Ltd as if it is a subsidiary of the KWV. Even the right to appoint their own directors on the KWV board is denied.
- The above entities bought their shares and KWV have not given them a seat and it seems the KWV's attitude is that they were given the shares.
- The KWV Group Ltd is a good company to work for in comparison to other companies in the industry, but clearly their obsession with power and control from the board of direction must be addressed and that culture will only change when the likes of De We is removed because they are stuck in the legacy of apartheid and maintaining it in a different form.
- The company was given an opportunity to provide written answers but did not do so.
- My recommendation is that the Department of Labor must do regular farm visits to enforce the sectorial determination.
- I also want to enclose that KWV must enforce their code of conduct to their supplies. Failure to comply than sanction must be implemented.







*“Displacements not only affect the breadwinners who have contributed so much to the growth of the sector, but entire communities and families”.*





## 17. GROENENDAL FARM (LTD)

Owner: H.L. Le ROUX • Tel nr: (021) 8733115 • Fax nr:(021) 8733115

### Introduction

The farm is situated in the Wellington area and farm with guava/ grape vines. The farm has 19 permanent workers with 9 women and 10 men. There are only two children that attend school and 4 girls who stay at home. The unemployed on the farm is about four people but still stays in their houses. They have two old aged people on the premises with 2 disabled as well and 20 seasonal workers. They have 10 houses on the farm. The employer deduct every week R100, 00 for electricity and R100, 00 for house rental from employees weekly earnings. The woman I interviewed is Mrs. Annie Resant contact no. 072 548 2035.

### Wages

- Workers salary is R188.00 per week for the woman and R202 per week for the men.
- They get their salary cash and get paid by hourly rate.
- They do get pay slips.
- Time keeping is by a register.
- Their basic needs like housing are met, but they don't have toilets. Toilet falls apart and they must use buckets.
- They do get tools to work with only during harvest time.
- They work overtime but do not get the rate as per the sectorial determination.
- The employer only gives transport to the doctors and the workers must go to town on their own.
- No health care and child facilities on the farm.
- Annual leave is 3 weeks.
- Maternity leave 4 months
- Family responsibility leave is 3 days

### Child Labour

- The employer does not verify the age with ID's or birth certificates if somebody seek employment.
- There is only one person aged 16 years working on the farm and doing the same work as the other workers but under supervision. He is working for more than one year on the farm.
- They do not have any policies on child labor.

### Working hours

- They work 48 hours per week.
- Start at 07h30-17h30
- Tea time from 10h00-10h30
- Lunch time from 12h15-13h30 the woman work from 07h30-17h15.
- They work overtime as request but do not get the overtime rate.
- Their working hours are recorded manually as per registered and confirm by the employers.

### Forced Labour

- There is no working relationship between employee and employer.
- They do have contract of employments.
- They are not forced to stay against their will and can resign as they wish and their salary will not be deducted or withheld.





### Freedom of Association

- Their right to join a trade union is respected although there is no union present to represent workers.
- No alternatives means in place for negotiations.
- The employer implement rulers himself without consulting with the workers
- There is no other structure such as a Committee.
- No grievance procedures or complain boxes available to workers.
- No meetings with workers take place.

### Health and Safety

- No health and safety mechanism in place
- No safety education or training is given to the workers.
- There personal safety is not insured.
- No toilets or water in the harvesting areas
- No rest rooms, workers go to their houses during lunch times.

### Houses

- There are 10 houses on the farm.
- Some of the houses have electricity and water.
- The houses consist of 2 to 3 bedrooms.
- The houses are in bad conditions with no toilets.
- The roofs are broken and leaking when it rains.
- The houses need to be upgraded
- They do not pay rent.

### Absence of Discrimination

- There is no discrimination against sick or pregnant people.
- The employer discriminate against the Africans (black people) they are been treated differently as the other races.
- No skills and development training- no promotions for workers.
- Everybody get 3 bread loaves per week.
- The women and men do the same work but the women earn less than the men.

### Community Impact

- Farm just foresees work to  $\pm$  20 people during seasonal time of the community.
- Employer sells his fruit to the community.

### General

- The employer salary scale is not according to the sectorial determination, he pays less.
- The pay slips are not according to the Basic Conditions of Employment Act.
- The overtime rate is not according to law.
- No UIF deductions.
- The pay difference must be corrected.
- The houses need to be repaired although the workers do not pay rent.
- The employer's attitude towards his workers needs to be addressed.
- There are no toilets on the farm- still use the bucket system.
- No insurances are provided





## I 8. HALFMANSHOF FARM

Owner: Danie Immilman • Tel nr: • Fax nr:

### Introduction

Halfmanshof is situated outside Porterville, also in the Bergrivier area. Mr. Danie Immilman is the owner of the farm, and is farming with vegetables and fruits.

### Wages

- Workers get paid R393, 75 per week.
- Each employee gets a valid pay slip and payments are made through the bank.
- The owner always asks the workers to work over time and receive a bonus at the end of the week.
- Employees receive one overall for free, and they must pay for their shoes.
- The employer provides houses, electricity, education and drinkable water for the workers.
- Each worker receives maternity leave, annual and sick leave but do not get paid for it.
- UIF is deducted from their pay.
- Workers do not get any benefits from the farmer.

### Child Labour

- On this farm there is age confirmation, which means there is no child labour.

### Working hours

- Monday till Friday: men: 6:00am-18:00pm
- Women: 8:00am-18:00pm
- 12:30pm-13:30pm
- 16:00pm-16:15pm
- The employee's salaries are made electronically on their payslips.

### Forced Labour

- The workers have a good relationship with their employer, but sometimes they do not understand each other.
- Workers have the freedom to go and work somewhere else, but then they must pay rent if they choose to stay at the farm.
- The owner asks the workers to work over time but they are not compelled to do it.

### Freedom of Association

- Workers have the freedom to join a union or vote for any party.
- The right to collective bargain is respected.
- There was one unfair dismissal case, but it was solved by a trade Union called BAWUSA.
- Workers can negotiate with their supervisor but if that doesn't work they ask Theuns Carollus to come in.
- Workers can complain anonymously for an example write a note without a name.

### Health and Safety

- There is a first aid kit on the farm in case of injuries, or the farmer will take the workers to the hospital.
- The workers' safety is not insured if anything happens to them they do not get payout.
- There is sanitation in the workplace, because there are workers who clean the farm.
- Drinkable water, toilets and the rest area are not close to the harvest area.
- The toxic are being stored in a toxic room near the work place.
- Rubbish is being removed every week with the rubbish truck to Porterville.





### Housing

- The houses of the workers are in a stable condition with four to five rooms and there are 10 families staying in one house.
- There is an established H&S system but it is not implemented.

### Absence of discrimination

- There are pregnant women and sick people in labour.
- There were never union problems before and now opportunities for any worker.
- Women and men do sometimes the same work otherwise they separated.

### Community Impact

- The farmer has no impact on the people of this farm.

### General

- School, church and a playground for the children is needed.
- It is clear that this farmer treats his people well; it is just a few things that is needed.





## 19. HOICHEIM FARM

Owner: • Tel nr: • Fax nr:

### Introduction

The farm is situated on Daljosaffat, Paarl. Hocheim farm is one of the Distell grape suppliers. The lady interviewed was Lorraine van Heerden. The size of the farm is 43 hectors, and during harvest time, the grapes are supplied to Distell on a daily basis. There are 16 houses on the farm with 9 permanent workers.

### Wages

- The permanent workers get paid electronically on a fortnight basis.
- The seasonal workers also get paid electronically on a fortnight basis.
- This farm does not use a clock card system, there is somebody who monitors when workers start and knock off.
- No harvest bonus or production bonus is paid.
- The fortnightly wages are R583.90.
- The overtime rate is 1,5 per hour
- The workers get two weeks annual leave
- In terms of sick leave, they need to provide a doctor's certificate to get remuneration for that specific day. Otherwise, no pay.
- There is no childcare facilities on the farm
- The workers have no savings facility.
- Even though the workers are underpaid, they are still satisfied and have a good relationship with the farmer.

### Child Labour

- There is no child labor present on the farm.
- When job applications are done, the farmer uses an ID as verification
- All the workers are above the age of 20.

### Working Hours

- Winter times are from 7h30 till 17h30 with lunch from 12h30 till 13h30.
- Summer times are from 7h00 till 18h00 with lunch from 12h30 till 13h30.
- The men and women work the same amount of hours
- Each worker has a funeral plan/policy in place as social insurance
- No training is provided for workers so that they can be empowered and promoted.

### Forced Labour

- Workers are not forced to work against their will on the farm, it's by choice.
- There is no employment contract in place for workers.

### Freedom of Association

- Workers are allowed to join Unions; the farmer has no problem with that.
- There is a good relationship between the farmer and workers
- Complaints can be done anonymously.
- There are no unions/committees in place at the moment.
- There is no grievance procedure in place.





## Health and Safety

- There is no health and safety person/representative available on site
- The previous safety representative resigned, but there is one in training.
- Proper and safe clothing is provided, especially for the workers using chemicals.
- Harvest/Working areas have decent toilets and drinkable water.
- In terms of health care, the owner provides transport to the clinic in the case of an illness. There are no nurses that come out to the farm.

## Absence of Association

- No discrimination against anyone could be found on the farm, except;
- In terms of wages, the male workers are paid more than the females.
- No discrimination against pregnancies and HIV Aids
- The labor of men is more intensive.

## Community Impact

- Seasonal workers are employed for harvest times.
- There is a church on the farm called Heaven Voice in Christ.
- Supports sport activities in the community.

## General

- The workers are quite happy with their housing; they say that the housing is adequate and that there are no leakages. The houses are in a good condition with enough water and electricity supply. It is also important that more workers get first aid training or health and safety training, for the case of an injury or emergency. At the moment workers are not receiving their minimum wage and that issue will need to be addressed.





## 20. HOUMOED FARM

Owner: • Tel nr: • Fax nr:

### Introduction

The farm is situated in the between Vredendal and Klawer. The owner is Johan Theubis. The father and son are farming together. They farm with grapes and tomatoes. They supply grapes to Namaqua Wines in Lutzville. Julia and Jan Gertze were interviewed.

### Wages

- The general workers earn R284.00 per week and the drivers R320.00 per week.
- Their salary is paid to them in cash in a brown envelop
- The workers worked overtime during harvest time (January – April)
- Time keeping is by a register book.
- Annual leave is 2 weeks in December and 1 week in April.
- No sick leave money
- Women get maternity leave without payment from Dept. Labour.

### Child Labour

- No child labour on the farm.
- The youngest workers on the farm are 18 years.
- The workers are verified with their ID document or birth certificate when they are interviewed.

### Working Hours

- They work 45 hours per week 9 hours per day
- Starts at 07h15- 17h45 with one hour lunch without a tea time.
- They work overtime as requested during harvest time but only get paid the end of April.
- Their working hours are recorded manually as per register and get paid accordingly.

### Forced Labour

- The workers are forced to work in the sun and rain without protection.
- When they stopped work of the poor working conditions, they do not get paid.
- When the workers do not work for the owner they face evictions.

### Freedom of association

- No trade union
- The workers faced evictions and intimidation when they want to belong to a trade union.
- No grievance procedures.

### Health and Safety

- No health and safety system in place.
- No safety education or training is given to the workers.
- Their personal safety is not insured.
- No safety representative on the farm.
- Workers do not have rest rooms.
- Chemicals are stored in store rooms.





## Housing

- There are 10 houses on the farm.
- The houses have electricity and water inside the house.
- The houses consist of 2 rooms.
- The houses are in bad conditions.
- The roofs are broken and leaking when it rains.
- The houses need to be upgraded
- They do pay rent.

## Absence of Discrimination

- The workers are discriminated against. Management use strong language towards the workers
- No opportunities for the workers skills and development.
- The foreman suppressed the workers.

## Community Impact

- The community is not allowed on the farm.
- No social programmes.
- He only employs 10% of the community during harvest time.

## General

- The houses need serious attention.
- Workers worked under pressure
- No recreation for the children.
- Workers need know you rights training.
- The workers are scared to belong to a Union







## 21. JPTHERON FARM

Owner: Mr C. April • Tel nr: (02) 864 3688 • Fax nr: (02) 864 3688

### Introduction

The farm is situated, about 15 km outside Wellington and only has seasonal workers during harvest time. Mr. C. April is farming with prunes. The farmer makes use of a contractor who employs about 30 people per harvest time.

### Wages

- Seasonal workers which are men and women earn R290, 00 per week.
- Earnings are made electronically in their bank account.
- Workers are receiving pay slips and are getting paid on an hourly rate and timekeeping is per attendance register.
- Farm provides tools, protected clothing and during harvest time. The farmer did not provide sanitation and drinking water during harvest time and workers must go to the bush and carry the drink water with them.
- The contractor complies with sectoral Determination in terms of earnings and overtime, and complies with, 15 working days of annual leave, 4 months maternity leave, yearly bonus; 3 days family responsibility leave.

### Child Labour

- No child labor on the farm every worker is over 18 years old.
- The farm got a policy of no employment of children under the age of 16 years.

### Working Hours

- Workers are working 45 hours per week as per the BCEA excluding rest times.
- Overtime is consulted in advance with workers and payments are secured as per hour and a half time recorded, but are not correct in terms of the sectoral determination.

### Forced Labour

- No forced labor on the farm, but when workers refuse to work overtime, the employer victimized them.
- Some workers resign from work and some was dismissed in the past, because they were threatened by the employer for not working overtime.

### Freedom of Association

- Their rights to join a union are respected, but there is no union in place and workers are vulnerable and they don't know their rights as to the LRA and BCEA.
- Workers have no workers committee and no representation when a dispute arose.
- Workers can freely go in and out on the farm and their family is welcome to visit them.

### Health and Safety

- No training to the workers.
- Drinking water and sanitation are not provided for workers during working hours and workers go to the bushes if they want to use the toilets.
- Workers go eat in the store room when they have lunch and tea time.
- Workers are compelled to wear protection during working on the land with poison.





### Housing

- There are no workers staying in the farm, except the farmer and the foreman.

### Absence of Discrimination

- No discrimination against workers.
- No workers gets promotion only whites are in manager positions.

### Community Impact

- All the workers on the farm are from the townships.
- There is a venue people can make use of for church and other events to generate funds for them.

### General

- The farmer is busy renovating the old houses for renting and makes use of building contractors.





## 22. KARAMELVLEI FARM

Owner: • Tel nr: • Fax nr:

### Introduction

The farm is situated in the Swartland area Moorreesburg. The farm main product is wheat. It is also a dairy and they pack meat as well. They supply dairy products to Rosendal Dairy in Paarl. The farm has 11 permanent workers 7 workers is men and 4 is women. The owner is Mr. N Carstens. The interviewed was conducted amongst the farmworkers.

### Wages

- The workers earn R1150.00 per month. Some are paid weekly and, the others monthly.
- Their salary is paid to them in cash in a brown envelop
- They only pay overtime during harvest time.
- All the workers are general workers.
- Time keeping is by a registered book.
- Annual leave is 3 weeks and sick leave 10 days per annum.
- Maternity leave 4 months

### Child Labour

- No child labour on the farm
- All the workers is 20 years and older.
- The workers are verified with their ID document or birth certificate when they are interviewed

### Working Hours

- They work 45 hours per week 9 hours per day
- Starts at 08h00- 18h00 with one hour lunch.
- They work overtime as requested during harvest time
- Their working hours are recorded manually as per register and get paid accordingly.

### Forced Labour

- The workers are forced to work on public holidays without getting paid.
- The workers do not have working contracts.
- The owner assaulted the workers when they refused to work. Instead to following the disciplinary procedures. There is currently a case against the owner for assaulting a worker.

### Freedom of Association

- No trade union
- The owner worked with the workers problems and in the process the workers is victimized.
- No grievance procedures.





### Health and Safety

- No health and safety mechanism in place
- No safety education or training is given to the workers.
- Their personal safety is not insured.
- No safety representative on the farm.
- There are only 4 toilets on the farm.

### Housing

- There are 5 houses on the farm. Some of the workers stay in the barn.
- Some of the houses have electricity and water inside the house.
- The houses consist of 2 rooms.
- The houses are in bad conditions with no windows
- The roofs are broken and leaking when it rains.
- The houses need to be upgraded
- They do pay rent.

### Absence of Discrimination

- The workers are discriminated against. The owner called them hotnots.

### Community Impact

- The owner has no interest in the community.
- He does not make use of workers in the community.

### General

- The houses need serious attention.
- The workers need more houses.
- He must pay the workers for public holidays.
- No recreation for the children.
- Workers need protective clothing.
- No insurances are provided





## 23. KLEINFONDELING FARM

Owner: Julia Johnson • Tel nr: 021 869 8910 • Fax nr:

### Introduction

This farm situated in the Klein Drakenstein area near Malmesbury. The owner of the farm is Mr. Julian Johnson who is farming with wine grapes. On our visit to the farm the owner was not available, but we have interviewed a general worker.

### Wages

- Seasonal workers get R486.00 a week and permanent workers R1215.00 a month.
- Every employee receives a pay slip at the end of the week, as proof of their payment.
- During season time employees are ask to work longer hours, but they are not forced and do not receive a bonus.
- Uniforms and tools are provided to employees, and there is no deduction.

### Child Labour

- Children do exactly the same work as the grown ups and receives the same remuneration.
- There is youth labour. Children who go to school work on holidays.
- Children between the age of 16 and 18 years work on the farm.
- No policies are in place but the employer always consults with the parents if their kids may work on the farm.

### Working hours

- They work 9 hours a day and 45 hours a week. Peak time they work 12 hours a day and 60 hours a week.
- Tea time: 8:00 till 8:30
- Lunchtime: 12:30 till 13:30
- The salaries get paid electronically.

### Forced Labour

- The workers were not given any contracts to sign.
- Workers get bad mouthed at other farms, so that they do not have a choice but to stay with the farm.
- They are forced to work on farm.

### Freedom of Association

- Workers have the right to join a union and vote for any party.
- Workers can join meetings, but afterhours.
- There have never been any recent trade union problems, members are not part of any union and the workers have a problem with their salaries.
- Workers have many complains, but no one is there to listen to them.

### Health and Safety

- Some of the workers were on first aid training. There is also first aid available, but is not utilized.
- Life insurance is available for the workers.
- Toilets are now clean, and there is drinkable water.
- Chemicals are being stored in a room, and they make use of toxicologist.
- The farmer has his own refuse site.





### Housing

- Each house is divided into two rooms; the other room is used for both the kitchen and the living room.
- Their toilets are outside the houses.

### Absence of discrimination

- Pregnant women are allowed to work on the farm, and there is also a mobile clinic available once a week.
- Each worker receives an equal salary, as well as training.
- There are several work areas and harvest field.
- The farm is always clean.

### Community Impact

- There is also a day care centre on the farm for the children. The workers and the youth always organize talents shows on weekends.

### General

- There are no health facilities, training facilities and worship centre for the benefit of the individuals on the farm.





## 24. KLEINKOOPMANS KLOOF FARM

Owner: Dr Donald Rix • Tel nr: (021) 988 1186 • Fax nr: (021) 988 6623

### Introduction

This farm is situated in the Kraaifontein area and is one of 8 farms of Dr Rix on the corner of Botfontein and Bottlary road. They work with vegetables. The vegetables are for the Epping market and the local shops in the area. Here are 125 workers of which 16 are women and they are all permanent workers. With only 9 unemployed people on the farm and 2 year old aged. The employee interviewed was John Schippers, who works for more than 40 years on the farm at the age of 64 years.

### Wages

- Workers are paid through Absa bank on a weekly basis, their salary is calculated on a hourly rate
- Correct payment is insured by proper payslips and time is recorded by register.
- Wages is between R285 and R383 per week
- Bonuses are only paid at the end of the year; R500 per person. It also depends on your attendance at work during the year.
- Tools are provided during harvesting time (scissors)
- Some basic needs are covered for example they do have houses, energy, etc.
- They have no childcare and no transport
- They do not provide all legally required benefits
- leave > 3 weeks
- sick leave>no sick leave
- Maternity leave> 3 weeks after the baby is born they have to get back to work.
- family responsibility leave>none
- No pension or provident fund
- Deductions for UIF are made
- No extra benefits beyond the legal minimum requirements like education, food, etc.

### Child labour

- Their system of age verification is by checking I.D document or Birth Certificates.
- There are children working on the farm under the age of 14 years who is also involved in substance abuse
- There is no company policy to outline acceptable forms of labour for this group.
- There is no light work for the child under the age of 14; they work the same hours as other people.

### Working hours

- Their daily and weekly hours are 45 hours per week.
- They don't work overtime except during harvesting time by working 2 hours extra.
- Their working hours are recorded manually but isn't verified by employees
- Start at 7H15 till 17H30
- lunch from 12h00 to 13h00
- no breaks in between
- only clock in, in the mornings
- They do not work on weekends, only on request.

### Forced labour

- There is no established working relationship with employees.
- Nobody is compelled to stay with the company which means they can leave as they wish
- We could not find any evidence of forced labour.
- People didn't sign contracts of employment.





- No withholding of salaries or benefits if people decide to leave.
- The people's documentation is not withheld when they decide to leave.

### Freedom of association

- The rights of the workers are not respected.
- There is no other alternative means to negotiate in an absence of a trade union.
- No other committees to deal with the problems and issues of the workers.
- The employer implements salary and conditions unilaterally.
- No grievances or complain boxes on the farm.

### Health and safety

- No methods in place for health and safety
- The personal safety of the employees is not insured.
- No education, no signs and no health and safety representative
- No toilets or water in harvesting area
- No disposal area
- No storage and application of agrochemical
- No H & S system.

### Housing

- There are 11 houses on the farm
- The employer doesn't charge rent for houses.
- It is 1 to 3 bedroom houses.
- All the houses don't have water, electricity.
- All toilets are outside
- The environment around the houses are very bad and unhealthy
- The houses are in very bad conditions and needs to be renovated.

### Absence of discrimination

- The hiring practices is not discriminatory
- There are equal opportunities in terms of promotion and training
- The only difference is between the salaries of the permanent workers and the casual workers.
- There is no difference in working assignments, everybody does the same work.

### Community impact

- Appoint casual workers from the local community( about 30 every season and harvesting time)

### General

- The employer deducts 2 days salary for 1 day absent from work
- Magrieta Maarman works for more than 40 years and was told by the employer not to come to work anymore without any compensation due to her illness
- Workers must pay R50 to receive visitors
- The employer doesn't comply with the basic conditions of employment.
- It is clear that he has no respect for his employees.







## 25. KLIPFONTEIN FARM

Owner: Andreas Kristen • Tel nr: (022) 492 2866 • Fax nr: (022) 492 2866

### Introduction

This farm is situated in the Swart Land area in Darling road, and work with grapes and supply to the wool to countries around South Africa. The farm has 27 permanent workers with 16 men and 11 women, and 21 children who are staying on the farm. There is also 1 old age woman who is still staying on the farm her husband is 63 but he still working on the farm.

### Wages

- Workers salary is R1600 per month
- They get paid cash
- They get brown pay slips
- They don't clock and they don't sign attendance Register
- The farmer deduct the UIF money

### Child Labour

- There is no children who is working on the farm
- He ask for ID when someone came and look for job

### Working Hours

- They work 45 hours per week.
- 2- weeks Annual leave
- No sick leave pay
- Start working at 7h:00am- 6h:00 pm
- Some of them are working on week ends but no pay.
- No tea time 1 hour lunch
- They work overtime as requested.

### Force Labour

- The relationship between worker and the farmer is not really good
- No contracts have been signed by the workers.

### Freedom of Association

- The workers want to join the Union
- There is no structure as committee
- No meetings take place with the workers
- The workers get one overall per year

### Health and Safety

- No health and safety that are in place
- No safety representative on the farm
- No rest room on the farm





## Houses

- There are 10 houses on the farm
- 2 sleeping room, 1 bath room dinning room and kitchen.
- The workers pay the rent R160 and buy their own electricity.

## Absence of Discrimination

- There is no discrimination against the workers
- There is a 63 years old man who still working on the farm

## Community Impact

- The farm employed more people in season time but those people are not staying on the farm they stay in Malmesbury and Darling.

## General

- The houses need to be painted inside and out side. There are two children whose mothers passed away a long time ago, but those children don't get any support from SASSA. The grand mother who is taking care of those 2 children, 1 is also not getting any grant yet, she still need to go and apply for her old age money and the other one force her self to work so that she can be able to support her grand child. Both of them are schooling. One is in high school. This woman went to the social workers many times but she didn't get any help.





## 26. LA RHINE FARM

Owner: Mr Nollie Smit • Tel nr: (022) 482 2160 • Fax nr: (022) 482 2160

### Introduction

The farm is situated, about 15 km outside Wellington and employs 23 permanent workers which are men and some women only work when there is work and there is old aged people who does work on the farm anymore and the 2 sons of the employer are now treating them badly. Mr Nollie Smith farming with grapes and Earth moving. Mr Nollie and his 2 sons are running the farm and the elder people on the farm are now being victimized and marginalized by the 2 sons. A permanent worker was dismissed 2 years ago and now facing eviction, but now BAWSI is busy resolving the matter.

### Wages

- Permanent workers which are only men earn R280, 00 per week and women earn R265, 00 per week.
- Earnings are made electronically in their bank account.
- Workers are receiving pay slips and are paid per hour and timekeeping is per attendance register.
- Farm provides tools, protected clothing during harvest time. The farmer does not provide sanitation and drinking water during harvest time and workers must go to the bush and carry the drink water with them.
- Farm does not comply with sectoral Determination in terms of earnings and overtime, but comply with, (15 working days) annual leave, 4 months maternity leave, yearly bonus; 3 days family responsibility leave and women are discriminate against in term of their earnings.

### Child Labour

No child labor on the farm every worker are over 18 years old and above.

The farm got a policy of no employment of children under the age of 16 years.

### Working Hours

- Workers are working 45 hours per week as per the BCEA excluding rest times.
- Overtime is consulted in advance with workers and payments are secured as per hour and a half time recorded, but is not corrected in terms of the sectoral determination.

### Forced Labour

- No forced labor on the farm, but when workers refuse to work overtime, the employer victimized them.
- Some workers resign from work and some was dismissed in the past, because they were threatened by the employer for not working overtime.
- There is no working relationship between the employees and the farmer.

### Freedom of Association

- Their rights to join a union are respected, but there is no union in place and workers are vulnerable and they don't know their rights as to the LRA and BCEA.
- Workers have no workers committee and no representation when a dispute arose.
- Workers can freely go in and out on the farm and their family is welcome to visit them.





## Health and Safety

- No training to the workers.
- Drinking water and sanitation are not provided for workers during working hours and workers go home when they work close to their houses.
- Workers go home or eat in the store room when they have lunch and tea time.
- Workers are compelled to wear protection during working on the land with poison.

## Houses

- There are 23 households on the farm and all 23 houses got electricity, water and hot water and some have no bathroom.
- Some houses need serious attention due to structural problems and roof leakages.
- Workers reported these problems to the farmer, but nothing has been done so far.
- Some of the houses are in bad conditions.

## Absence of Discrimination

- No discrimination against workers accepted in their earnings between some men and women and only men are getting permanent work.
- No workers gets promotion only whites are in manager positions.

## Community Impact

- Farm makes use of people in town some times during harvest time.
- There is a venue people can make use of for church and other events.

## General

- Children received transport to the main road and a bus takes them to school.
- Workers must wait for the farmer to go to town, because the farm is 15km outside the town and if they need some food or other items they must pay extra for transport.
- Workers have no pension fund and death cover.





## 27. LABORI ED-PICARDI FARM

Owner: • Tel nr: • Fax nr:

### Introduction

The farm is situated on Cecilia Street South Paarl. They are one of KWV grape suppliers. I interviewed Mr. Dirk Visser the manager of the farm. The farm has 14 hectar and has 14 permanent workers and 4 of them have houses on the farm. It provides 150 ton of grape per year to KWV. They also have 25 hector lands in Stellenbosch and provide 300 ton of grapes per year to K.W.V.

### Wages

- The permanent workers get paid on a monthly basis electronically into their bank accounts.
- The seasonal workers get paid on a hourly rate on a weekly basis electronically
- They make use of the cock card system.
- Each worker get a proper pay slip with the relevant details require by the Act.
- We saw the pay slips that the company uses.
- The workers get an additional production bonus.
- Wages: Post grade 18-R4679.00 per month
- Post grade 16-R6212.00 per month
- The over time rate is 1,5 per hour
- They also provide tools for workers
- The workers get a subsidy for medical aid
- Annual leaves 21 working days
- Sick leave 30 days over 3 years period as per BCEA.
- They do give safety clothes
- There is no child care facilities on the farm
- No transportation ,no savings facility
- Workers are well trained.
- It was also observed that the company standard is above the minimum expectation.
- The workers are happy with their terms and conditions on the farm.

### Child Labour

- The farmer makes use of contract workers, no child labor.
- The farmer requests a birth certificate or ID when they apply for work.
- All the workers are above 20 years of age.
- The farm have a child labor policy

### Working hours

- Employees worked 45 hours per week
- Summertime period December–February starts from:
- 08h00– 08h30– tea time
- 12h30– 13h30– Lunch
- 17h30
- Friday they clock out at 16h15
- Spring time period they start 06h45 to work
- Winter time period 07h00–17h30





- The women workers worked 42 hour per week.
- They start at 07h30, 12h30–13h00–Lunch time
- Friday they work from 06h45–16h15

### Forced Labor

- Nobody is forced against their will to work on the farm.
- The workers possessed a copy of their employment contract.
- No discriminatory clauses stipulated in their contracts.

### Freedom of Association

- According to the manager, it is the right of the workers to belong to a trade union of their choice and they respect the workers choice of trade union.
- The workers belong to FAWU and FAWU bargain on behalf on the workers.
- They have shop stewards union representatives in the workplace.
- Management and the meet on a regular basis.
- The farm has a grievance procedure and a daily K.G.A system for problems and complaints.

### Health and Safety

- Workers are trained on a regular basis on the work floor
- The previous safety representatives resigned but they have one in training
- The work floor and rest rooms have sanitation and clean water to drink
- Harvest areas have toilets, water and restrooms
- The farm comply with the safety regulations
- The farm have a health and safety policy

### Absence of Discrimination

- We could not find any discrimination during our visit and records check.
- They comply with the equity Act term of management.
- People are treated equally in term of promotions and training.
- The women do not work on farm. They work in the nurseries.
- There is no discrimination against pregnancy, HIV Aids
- Benefits are equally for all workers.
- Different work and assignments – only the women do lighter work.

### Community Impact

- The farmer avail the hall to the community for weddings and church services.
- They provide seasonal ±60 people out of the community.

### General

- The farm Labori is up to standard with compliance to the minimum requirements of the sectorial determination and other labor legislation. The only problem was that they did not hand over the documentations as required because of confidentiality although they shown us the paper work.
- We thank management for their cooperation.
- The previous human resource manager (Mr. Nosey Pieterse) of KVV was responsible for this farm and development





## 28. LANQUEDOC FARM

Owner: Mr A.J Joubert • Tel nr: • Fax nr:

### Introduction

The farm is situated in Klein Drakenstein, Paarl, Western Cape, and Boland Region. This farm is one of KWV's grape suppliers. The owner of the farm is Mr. A.J. Joubert. They supply grapes to KWV on a daily basis through out harvest time. There are 55 permanent workers, 27 women and the other men. We interviewed two employees Andrew Martin who has 13 year service on the farm and Rina Conradie who also have 13 year service on the farm. The farmer was not available to be interviewed. Mr. Joubert owns two farms the grape farm and the pig farm.

### Wages

- The permanent workers get paid on a (second Week) forth nightly basis and their pay rates differ. Money is paid electronically into their bank accounts.
- The workers get proper pay slips.
- The workers get an annually harvest bonus of R800.00 per person and annual bonus of R600.00 per person.
- Wages: Men- R650.00 per forth night
- Women- R587.00 per forth night
- He also provides tools for the men to work with.
- The supervisor controls their time keeping manually.
- The workers receive an annual bonus according their attendance performance for the year.
- The men only get a living wage in terms of the sectorial determination but not the women.
- The workers are forced to work overtime without being paid overtime money.
- No transportation for the school children.
- No health care facilities on the farm.
- No skills and development training for the workers.
- The farmer provides transport to the workers to town free of charge.
- The farmer does not adhere to legal requirements according the Basic Conditions of Employment Act.
- The annual leave is two weeks
- Maternity leave is three months.

### Child Labour

- There is no child labor on the farm.
- The workers aged from above twenty years.

### Working Hours

- Employees worked 45 hours per week
- Work starts from:
- 06h30
- 09h00- 09h30 – tea time
- 12h00- 13h30- Lunch
- 17h15
- No payments for overtime although they work  $\pm$  2 hours overtime when it is required.
- Working hours is recorded manually and is verified by the employees.





### Forced Labour

- We did not find any indication of worst form of child labor because there are no children that work on the farm.

### Freedom of Association

- The workers never joined any union and the workers do not know what the farmer's response would be.
- There are no meetings with the employer to discuss their problems.
- They have a grievance procedure in place.
- They do not have a worker committee in place.
- There are no collective bargaining procedures, the employer make all the unilateral decisions.

### Health and Safety

- Accidents are prevented by the signs on the walls in the working areas.
- The safety representative Miss Katrina Adams is currently being trained.
- There is no water and restrooms in the harvest area.
- The farm complied with the safety regulations but no safety policy in place.
- Stinky drains and over flooded drains have not been serviced
- Store places for chemicals
- The farmer has an H&S management system in place.

### Absence of Discrimination

- Farm hiring practices is for everybody.
- No employment discrimination, only discrimination that men are paid more than women.

### Community Impact

- The farmer makes use of ± 25 people of the community to work on a seasonal basis for him.
- No other alternative employment for the community.

### General

- It is clear from the research that Mr. Joubert does not comply with labor legislation, sectorial determination.
- The department of labor needs to visit the farm.
- The farm workers must belong to a trade union in order to protect their rights.







## 29. LANGVERWAGHT FARM

Owner: Luizie Mazorwa • Tel nr: • Fax nr:

### Introduction

Langverwagt is situated outside Touwsriver in the Breerivier area. There are five families living on the farm. The owner is Mr. Luizie Mazorwa is farming with cattle, sheep and the farm is a Lucerne farm.

### Wages

- All employees get paid R655, 00 on weekly basis.
- Each employee gets a valid payslip and payments are made through the bank.
- Workers are obliged to work over time and they receive a bonus of R7, 00.
- Employees do not receive any equipment or protective clothes they have to buy it them self
- Workers have houses but no electricity, education and water plus health are very bad.
- Workers receive no leave and UIF are not deducted.
- Workers do not receive any benefits beyond the legal requirement.

### Child Labour

- On this farm there is an age confirmation which means there is no child labour.

### Working hours

- Monday till Friday: 7:00am-15:30pm
- Over time: 7:00am-18:30pm
- Lunch: 12:30pm-13:30pm

### Forced Labour

- The workers and farmer do not have a good relationship; the farmer is always abusive towards the workers.
- Workers have the freedom to go but then they have to leave the farm. The farmer does not ask the workers to work overtime they must just do it.

### Freedom of Association

- The farmer doesn't want any of his workers to join a union.
- Workers can just have meetings when the owner says so.
- Workers have many union problems but no one to represent them.
- There is no one who speaks for the workers.
- Workers must give in their complains to the farmer, not if anything is going to change.

### Health and Safety

- There are no warning signs for the workers and no provision for if they get hurt.
- If workers get hurt they must just get better and come to work again.
- There is sanitation in place at workplace.
- Drinkable water and rest areas are near the harvest area but there are no toilets they must go to the bushes.
- The toxic are being stored in a toxic room and dipping holes are near the houses.
- Workers must make provision for their rubbish and they do not have rubbish bins.





### Housing

- Each house has 2 to 5 rooms but they are in very bad shape.
- There is an established H&S system but not all are implemented.

### Absence of discrimination

- There are pregnant women and sick people in labour never mind what their condition is.
- There are no equal opportunities just the people working in the office can go on trainings.
- All workers do the same work.

### Community Impact

- The farmer has no impact on the community, even if the workers have problems.

### General

- The social problems that need to be solved, is that there is no water for the workers to use or drink out of. The farmer should also provide the workers with sufficient transport and he should organise mobile clinics for the workers when they get sick. The houses are in bad conditions, they need to be fixed.
- We recommend that, the Department of labour and land affairs need to be contacted.
- The media should be informed about these issues in order to expose this farm owner.
- The worker needs to be made aware of their rights.





## 30. LEEUWENHOEK FARM

Owner: Bennie v/d Merwe • Tel nr: (023) 240 0820 • Fax nr: (023) 240 0313

### Introduction

- This farm is situated in the Saron area and the owner is Bennie v/d Merwe. It is a grape and citrus fruit farm.
- They have 31 permanent employees
- There are 5 women and 26 men
- There are 10 children on the farm whom is still in school
- The unemployed people on the farm is 2
- They only have 1 elderly and no disabled persons
- They have 80 seasonal workers from the Saron community
- The manager interviewed was Mr Warno Steenkamp
- Worker interviewed was Mr Gert Swartz

### Wages

- Employees salary is R285 per week as per the sectorial determination.
- Correct payments are ensured by manual record keeping and payslips
- Workers work overtime by consent
- Nobody is forced to work overtime and get paid according the overtime rate
- They do get a monthly production bonus and harvesting bonuses
- They get tools to work with season times
- They do get the basic needs as housing, electricity, health care, education and water.
- Annual leave 21 days ,sick leave 12 days, maternity leave 4 months and 3 days family responsibility leave per year
- They provide benefits beyond the legal minimum requirements such as education, housing and food
- They don't provide nutrition clothing
- No pension or provident fund is given to workers
- They do have health and child care facilities on the farm

### Child labour

- They do have a system of age verification by checking the I.D or date of birth certificates
- No children under the age of 18 is working on the farm
- Young workers are observed if they are working on the farm
- They will work the same hours as other workers
- There is a company policy to outline child labour.

### Working hours

- Their working hours is from 07H00 to 17H00
- 45 hours per week
- Only work 2 hours overtime per day if required by the manager and up to 10 hours per week
- Breaks is as follows , 30min tea break, hour lunch, 15 min in the afternoon
- Working hours are recorded by a register and confirmed by workers
- Also work with clock card system
- They do not work on weekends, expect on harvesting time.

### Forced labour

- All workers signed contracts of employment and is in possession of a copy
- All relevant legal benefits included in contracts





- There is no harsh clauses in the contracts
- Nobody is forced to stay on the farm
- There is no withholding of salary/benefits or other documentation entitled to the workers when the resign
- If workers do not work on the farm, they must locate to another place.

### Freedom of association

- Workers rights are being respected and they can join any trade union of their choice
- They have regular meetings with the employees
- They consult with the workers for any negotiations.
- There is no grievances procedures or complaint box on the farm
- The right to collective bargaining is not respected.

### Health and safety

- Accidents are prevented by training/education and safety signs
- They do have a first aid box
- People are trained on how to work with the machines
- Sanitary is everywhere in restrooms/working areas toilets and drinking water
- They have a health and safety trained representative
- People's safety is insured by getting training and wall signs.
- There are disposal areas for waste, hazardous, organic and inorganic material and is unavailable to the community
- They had established and implement a H&S management system
- The workers only receive money for 3 months, if they get injured at work.

### Housing

- They have 19 houses
- Some have electricity and some do not have electricity.
- The houses inside is in good condition but outside it needs to be painted
- They have 2 bedrooms, lounge, kitchen and bathroom
- They pay 10% of their salary for rent

### Absence of discrimination

- Hiring practices is for all citizens
- There is no discrimination against pregnant women
- No discrimination in terms of religion, race, sex
- Promotion and training opportunities for everybody
- No different work assignments
- Remuneration is the same

### Community impact

- Just provide seasonal work to people of the community
- The farm sponsors fruit and vegetables to community structures in need

### General

- They will rectify the wages accordingly
- They will give the employees copies of their contract of employment
- The people do not have a problem with the attitude of the employer and that he respects them at all times
- The record keeping is up to standard





## 31. LELIEFONTEIN FARM

Owner: Mr J.T Basson • Tel nr: (021) 862 3181 • Fax nr:

### Introduction

Leliefontein is situated in Klein Drakestein, Paarl. The farm is one of KWV grape suppliers. The farm consisted of 5 male permanent wokers and 1 women worker. There are 10 houses for farm workers on the farm. There are 30 permanent seasonal farm workers on the farm.

### Wages

- The permanent workers get paid on a weekly basis electronically into their bank accounts. The men earn R70.00 per day and the women earn R60.00 per day.
- They make use of the clock card system.
- The workers get an additional±R100.00 harvest bonus per year.
- The farmer provides funeral policies.
- He also provide tools for the workers
- There is no child care facilities on the farm
- No transportation is provided and there is no saving facility
- There are no skills and development projects.

### Housing

- The electricity supply to the farm houses is out of order.
- There are two houses without toilet facilities and they must share with other household
- They do have clean water facilities
- Workers pay R20.00 rental weekly.
- The roofs are broken. The owner was informed long ago but no repairs were done yet.
- Workers get one week per year for holiday time after season time.

### Child Labour

- No child labor on the farm.
- The employer, request a birth certificate or ID when they apply for work.

### Working hours

- Employees worked 45 hours per week
- Summertime periods 07h00-17h30
- Winter time period 07h00-17h30
- There is no tea time ,12h30-13h00-lunch time
- They do not work overtime.

### Forced labor

- Nobody is forced against their will to work on the farm.
- There is no contract of employment in place.
- No company policies





### Freedom of Association

- The workers do not belong to any trade union.
- The previous unions disappointed the workers on service delivery.
- No grievance procedure
- No complaints/ suggestion boxes.
- No worker committees.

### Health and safety

- Workers are trained on a regular basis on the work floor
- The previous safety representatives resigned but they have one in training.
- The working area and rest rooms have sanitation and clean water to drink.
- Harvest areas have toilets/ water and restrooms
- The farm comply with the safety Regulations
- The farm has a Health and Safety policy.

### Absence of Discrimination

- The men get increases of R5.00 and the women nothing.

### Community Impact

- The farmer, make use ±80 people of the community to work on a seasonal basis for him.

### General

- The farmer is never available to attend the meetings requested from the farm workers.
- The hall is available for the farm workers.
- The transport to the town is charge R20.00 per person
- Supply grapes to KWV on a weekly basis during harvest time.
- There is no child care facilities on the farm
- There are five retired people on the farm and two disabled people.





## 32. LINDES DAM FARM

Owner: Wally Oelof • Tel nr: (021) 936 1100 • Fax nr: (021) 936 1100

### Introduction

This farm is situated in the Philippi area in Pin road. They work with vegetables and supply all local markets and Epping market. There are 23 workers of which 20 are women and 3 are men and they are all permanent workers. On the farm are 8 children which 3 are still on school. The employee interviewed was Elisabeth Beukes (074 562 4214) she has more than a year service.

### Wages

- Workers get their salaries by hand (cash) worked out on a daily rate.
- Correct payment is insured by proper payslips and time is recorded by register.
- The salaries range between R281.00 and R330.00.
- Work overtime without payments.
- Bonuses are only at the end of the year, R150 per person.
- Tools are provided during harvesting time (scissors)
- Some basic needs are covered for example they do have houses and electricity.
- No childcare or transportation for the workers
- They provide all legal required benefits such as sick leave and maternity leave.
- No pension or provident fund
- Deductions for UIF are made
- No extra benefits beyond the legal minimum requirements like education, food, etc.

### Child labour

- Their system of age verification is by checking I.D document or Birth certificates.
- There are no children working on the farm under the age of 18 years
- There is no company policy to outline acceptable forms of labour for this group.

### Working hours

- Their daily and weekly hours are 45 hours per week.
- They don't work overtime except during harvesting time by working 2 hours extra and don't get paid for it.
- Their working hours are recorded manually and is verified by employees
- Start at 6H30 till 18H00
- lunch from 13h00 to 14h00
- no breakfast or tea breaks
- They don't work on weekends and public holidays

### Forced labour

- There is an established working relationship with employees.
- Nobody is compelled to stay with the company which means they can leave as they wish
- We could not find any evidence of forced labour.
- People sign contracts of employment but don't have copies of it.
- No withholding of salaries or benefits if people decide to leave.





### Freedom of association

- The rights of the workers is respected
- The representative union is N.A.S.A.W
- The union deal with the problems and issues of the workers.
- The union negotiate on behalf on the workers.
- There is a grievance procedure and complaint boxes

### Health and safety

- No health and safety policy at all.
- People's safety is not insured
- No storage facilities
- No overall working conditions have sanitary.
- No disposal areas all over the farm
- No H&S management system in place.
- There are no warning signs to prevent employees from accidents

### Housing

- There are 14 houses on the farm with 2 to 3 rooms.
- 10 houses are empty
- The employer doesn't charge rent for houses.
- All the houses have water, electricity and toilets outside.
- The houses are in very good conditions.

### Absence of discrimination

- The hiring practices is not discriminatory
- There are no opportunities in terms of promotion and training
- There is no difference in working assignments, everybody does the same work.
- There is no pregnancy discrimination.

### Community impact

- No community impact

### General

- Employer shows no respect towards workers
- There are no activities available like sport or church services







## 33. LOMBARDYE FARM

Owner: Mr Marco & Johanita • Tel nr: 072 2179 758 • Email: jpasserini@vodamail.co.za

### Introduction

The farm is situated, about 8 km outside Wellington and employs 1 casual worker which is a men and make use a contractor, Mr. Laurens, cell nr. 082922752, during harvest time. Mr Marco is farming with grapes.

### Wages

- Casual worker which are a men earn R350, 00 per week.
- Earnings are made cash to the employee.
- Seasonal workers are receiving pay slips and are getting paid by the contractor on an hourly rate and timekeeping is per attention register.
- Farm provides tools, protected clothing and during harvest time. The farmer did not provide sanitation and drinking water during harvest time and workers must go to the bush and carry the drink water with them.
- Contractor, Mr. Laurens did not comply with sectoral Determination in terms of earnings and overtime, but comply with, 15 working days annual leave, yearly bonus; 3 days family responsibility leave.

### Child Labour

- No child labor on the farm every worker is over 18 years old.
- The farm got a policy of no employment of children under the age of 16 years.

### Working Hours

- Workers are working 45 hours per week as per the BCEA excluding rest times.
- Overtime is consulted in advance with workers and payments are secured as per hour and a half time recorded, but are not correct in terms of the sectoral determination.

### Forced Labour

- No forced labor on the farm, but all the permanent workers who use to live on the farm, move to the township and the farmer bulldoster all the houses down.
- Some workers resign from work and some was dismissed in the past, because they were threatened by the employer for not working overtime.

### Freedom of Association

- Their rights to join a union are respected, but there is no union in place and workers are vulnerable and they don't know their rights as to the LRA and BCEA.
- Workers have no workers committee and no representation when a dispute arose.

### Health and Safety

- No training to the workers.
- Drinking water are provided, but no sanitation are provided for workers during working hours and workers go to the bush or sit under the trees when they need to go to the toilet and eat under the tree lunch and tea times.
- Workers are compelled to wear protection during working on the land with poison.





## Houses

- There are 1 household on the farm and the house got electricity, water and hot water and have a bathroom.

## Absence of Discrimination

- No discrimination against workers.
- No workers gets promotion only whites are in manger positions.

## Community Impact

- Farm makes use of people in town some times during harvest time.
- There is a venue people can make use of for church and other events to generate funds for them.

## General

- Workers have no pension fund, and death covery.
- Seasonal workers are regularly contacted by the contractor for work duties and are covered by the BCEA in terms of UIF deductions.





## 34. LUSTHOF FARM

Owner: Sweet sensation P.T.Y Limited • Tel nr: (023) 240 0688 • Fax nr: (023) 240 0688

### Introduction

This farm is situated in the Saron area. Mr Warren Bam is the manager. It is a wine grape farm which sells to various cellars. They have 70 permanent workers, consisting of 25 women and 45 men. There are 15 children living on the farm who is still attending school. There are also 5 unemployed people with 4 old age people on the farm. They also have 70 seasonal workers from the local community. The employee interviewed was Mr. Lukanyo Mateza. There are 23 families living on the farm.

### Wages

- Their weekly salary is R310 which is more than what the sectorial determination prescribes and pays cash.
- They are remunerated weekly by a hourly rate
- There is no piece work on the farm
- The time recording is manually and they do get proper pay slips
- After every harvesting they get a harvest bonus of R40 per person
- Tools are provided to work with during harvesting
- The farm provides basic needs except nutrition, clothing and they don't have health care facilities
- The workers get transport to work and town.
- Their annual leave is 15 days, 12 sick days per year, 4 months maternity leave
- The farmer provides extra benefits such as housing.

### Child Labour

- They do age verification by checking their I.D. books or valid birth certificates
- No children under the age of 17 work on the farm, 2 children of 17 years age work under supervision.

### Working hours

- Work between 08h00 – 18h00
- Their tea time is 15 minutes
- Lunch break is 1 hour
- The children of 17 years old only works 35 hours per week
- Working hours are recorded manually and verified by the manager and confirmed by the workers

### Forced Labour

- All employees have signed contracts of employment and each employee has a copy.
- No harsh clauses or discriminatory is in their contracts
- No employee is compelled to stay on the farm against their free will
- No documentation will be withheld if they resign
- There is no evidence of forced labor.
- If the workers do not work on the farm, they are expected to leave the farm and stay somewhere else.





### Freedom of Association

- The workers right to join a trade union is being respected by the employer
- The union has access to its members by prior arrangements with management
- The union activities are freely conducted
- They can bargain collectively
- Union problems are that the union is not visible and workers complained about this
- There is no grievance procedures or complaint boxes

### Health and Safety

- Accidents are prevented by safety training, signs, and education for employees.
- They do have safety representatives and first aid box as well
- They do not work with machines
- Employees did fire and evacuation drills
- There are emergency exits
- There are sanitary facilities with drinking water in the harvest area, toilets and restrooms.
- They do not have storage and application of agrochemicals
- The workers safety is insured.
- They also have HS management system

### Housing

- They have 23 houses on the farm with enough space, 2 bedrooms, kitchen and bathroom
- All houses have electricity and safe drinking water
- All houses are in good condition and comply with the E.S.T.A legislation
- They pay 10% of their salary for rent

### Absence of discrimination

- There is no discrimination in the work place in terms of hiring although the attitude of the farmer towards the people of the Eastern Cape is disrespectful.
- There are equal opportunities with regard to promotion, training and benefits for all.
- There are no different working assignments and they pay the same rate.
- Only certain people get equal opportunities.

### Community Impact

- They give work to 70 seasonal working from the local communities
- The communities make use of their facilities for weddings

### General

- The manager needs to change his attitude towards the people of the Eastern Cape and treat them with the same respect.
- He must also provide the workers with safety clothes





## 35. MERWIDA CELLARS FARM

Owner: Mr Schalk v.d Merwe • Tel nr: (023) 349 1144 • Fax nr: (023) 391 953

### Introduction

The farm is situated in Rawsonville. The owner of the farm is Mr Schalk van der Merwe and his brother Pierre. He is one of KWV grape suppliers and supply grapes to KWV on a daily basis throughout the harvest time. There are 9 permanent workers, of which there are (8) eight men and (1) one woman. The employees we interviewed were Johannes Carolus and David Dysel. The farm consisted of 600 hectares planted in fertile soil that sits on a bed of river four metres deep. This terrain is well suited to the production of well structured wines that advantage of the temperate climate, characterised by cold winters and warm summers. Furthermore, light summer breezes ensure that vineyards are gently ventilated complementing the slow and balanced ripening process.

### Wages

- The permanent workers get paid on a monthly basis. Money is paid electronically into their different bank accounts.
- They make use of a clock system, each worker has their own clock
- The workers get an annual harvest bonus which start from the middle January until the end of April (harvest time)
- The workers also provide tools for the men to work with, within the cellars.
- The workers are asked to work overtime and are paid overtime money according the Basis Conditions of Employment Act.
- The owners do not provide transportation for the school children. They must walk  $\pm 4$  km everyday to and fro from school. It is very dangerous for the school children especially on the roads.
- There are no health care facilities on the farm as well as at the cellars. The workers must go to the doctor at their own cost.
- There is no skills development training for the workers and according to the workers they have no job description.
- The farmer does not provide transport to the workers or the school children.
- The annual leave is three weeks started from 21<sup>st</sup> December and the beginning of January every year.
- Maternity leave is for 4 months.

### Child Labour

- There is no child labor on the farm
- The owner requests a birth certificate or ID when people or farm dwellers apply for work.

### Working Hours

- Employees work 45 per week
- Work starts from (summer and Winter):
- 07h30
- 12h00 – 13h30 (Lunch)
- 17h30
- Working hours is recorded on the clock card system and is verified by the employees.

### Forced Labour

- The workers do not have contracts of employment
- No forced labor. Workers can leave as they wish.





### Freedom of Association

- The workers belong to the trade union FAWU but according to the workers the union does not see to their problems.
- There is no complaining box to submit their claims.
- They have grievance procedures in place.

### Health and Safety

- Accidents are prevented by the signs on the walls in the working areas.
- They have two safety representatives, David Dysel and Francis Minnies in the workplace.
- Regular fire and evacuation drills.
- The cellar has emergency exits.
- They have a rest room and clean water.
- Store places for chemicals
- The farmer has H & S management system in place.

### Houses

- There are 6, 2 room farm houses at the cellars. The capacity is very small and need to be upgraded. The houses are very small. It is two bedroom houses with kitchen and bedroom. There is no privacy, the children and parents sleeps in one room.

### Absence of Discrimination

- They only employ men on the farm – gender discrimination
- No equal opportunities
- No pension fund

### Community Impact

- The owner does not make any impact to support the community.

### General

- The farm workers receive a yearly increase in September.
- There are 4 unemployed woman on the farm and worked whenever they are needed on the farm
- There is only one retired person on the farm, Mr. Niklaas Tree
- The owner involved him with the sport activities on the farm
- No transport from cellars to the church for the people





## 36. MODDERKLOOF FARM

Owner: Willem Grobler • Tel nr: (021) 862 1388 • Fax nr: (021) 862 1388

### Introduction

The farm is situated in Klein Drakenstein, Paarl, Western Cape, and Boland Region. The farm is one of Distell grape suppliers and supply grapes to Distell on a daily basis during the harvest time. There are 12 permanent workers which are men and 9 seasonal workers which are women. The farmer also makes use of other workers from urban areas.

### Wages

- The permanent employees get paid fortnight and their pay rates are differently. Some get R680,00 and others R600,00
- They have a clock card system
- No production bonus
- Farm workers receive annual bonus as per week allowance during the year
- The farmer provides funeral policies which are deducted from the workers' salaries.
- The farmer provides tools and protective clothing.
- No transport for workers to go to the doctor and for children to go to school
- The children walk everyday 4km to go to school and back home
- There are skill development projects

### Child Labour

- There are no child labour on the farm

### Working Hours

- Employees worked 45 hours per week
- Summertime period starts from:
- 07h00
- 09h00 – 09h30 (tea time)
- 12h30 – 13h30 (Lunch)
- 17h15
- Winter time period 07h30 – 17h45
- No payment for overtime

### Forced Labour

- Nobody is forced against their will to work on the farm, but they are requested to work when needed.
- The workers were given a copy of their contract of employment enclosure with the company policies and procedures.

### Freedom of Association

- No trade union
- The workers never join any union and workers do not know what the farmer's response will be if they join a Union.
- No meetings place with the farmer to discuss their problems
- They have a grievance procedures in place
- They do not have a worker committee





### Health and Safety

- The workers are trained on the vineyards and other fruit trees.
- They have a safety representative in the workplace that was recently trained.
- There are no toilets and rest rooms in the harvest areas. The workers must go home or use the bushes.
- The farm complies with the safety regulations but have no safety policy in place.
- Stinky drains and over flooded drains are not been service.

### Housing

- There are structural problems on the houses, cracks and some roof leakage.
- They have toilets in the houses.
- No payments on the houses
- There is electricity and clean water supply
- The workers buy their own electricity through Eskom.

### Absence of Discrimination

- The men and woman workers do the same work but their salary differ
- Only the men are permanent and not the woman.

### Community Impact

- The farmer do not employ workers from the community
- There are no hall facilities for events and the workers entertained themselves on the farm.

### General

- The farmer have meetings with the workers to discuss issues
- The workers asked the farmer to provide the children transport to school. His response was that they must ask the government.







## 37. MORESTER GRAPE AND OLIVES FARM

Owner: Mr J.L Vlok • Tel nr: • Fax nr:

### Introduction

The farm is situated in the Swart land area Riebeek Kasteel. It is a grape and olives farm, and they sell them to other countries. The farm has 42 males, 45 females and 62 children all are permanent workers. 12 of the children are in crèche and 50 attend school and others are sitting at home. There are 6 people that are unemployed, and some are old age, but they still stay on the farm. There are 21 houses on the farm.

### Wages

- Workers earn between R285.00 and R350.00 per week.
- They get paid by cash.
- They get pay slips and they have clock time.
- They work 45 hours per week
- They also work overtime and they get paid for it.
- They do not have UIF deductions.

### Child Labour

- The worker does not verify the children's ID for hiring practices.
- Children are working on the farm during season time
- The farmer employs children from the age of 14 years.

### Working Hours

- The workers start working at 8h00am to 17h00pm
- They get tea time 15 min and lunch from 12h00 to 13h00
- They work 45 hours per week

### Force of Labour

- They do have meetings with the employer ones are month
- They are not compelled to stay on the farm.
- The working hour are recoded they have clock machine.
- There is not really a good relationship with the employer and other workers have a good relationship with the employers.

### Freedom of Association

- It is their right to join the union
- There is no structure as committee
- Their right to collective bargain is respected.

### Health and Safety

- The mobile clinic come once a week for children and sick people
- There are no warning signs on the farm.
- Workers safety is insured, they get payout.
- There is a first aid on the farm if some one gets injured at work.
- There is no protected uniform.
- They work in their clothes
- There is also big dam next to the houses that is not safe for children





## Houses

- There are 21 houses on the farm
- Each house have three rooms inside
- The houses are not in good condition.
- The workers pay, rent of R27.00 and water
- They don't pay for electricity.
- Only one family per house
- There is an established H&S system on the farm.

## Absence of Discrimination

- Yes there is discrimination on the farm
- If you do some thing, the farmer beats the employees.
- He call the black people "kaffers"
- The black people houses are different from the other race group.

## General

- All the houses are made of face brick. The dam that is next to the people needs to be fenced. It is too deep for the people because one of the people who drowned in that dam. It is not safe for the people because when the rain start the dam became full and the water overflow to people's houses and it is a danger to the people more especially to the children. All the houses need to be painted; the crèche is not in a good condition, and need to be painted. They need more space for children to play. The children are sleeping on the floor, which does not have any carpet. The playing ground there is dirty. There is water next to the ground were the children are playing. The workers need to get safety uniform and boots because the floor is very cold and there is a lot of water.





## 38. NUUTGEWEK FARM

Owner: Christie Borchers • Tel nr: (021) 988 2283 • Fax nr: (021) 988 2283

### Introduction

This farm is situated in Botfontein road, Kraaifontein. They work with vegetables such as cabbage, potatoes and carrots and sell it to the Epping market and to the local shops. Here are 10 workers of which 3 are women and 7 are men. They are permanent workers. They have 30 seasonal workers during harvesting time. On the farm are 10 children still at school with only 6 unemployed people on the farm and 4 old age women. The employee interviewed was Ernest Cupido, he has 20 years service on the farm (078 2656 878).

### Wages

- Workers get their salaries through Absa Bank on a weekly basis.
- Correct payment is insured by printouts of the payments
- Wages is R500 per week for drivers and R280 for general workers.
- Bonuses are only at the end of the year for all workers( depends on your attendance for the year)
- Tools are provided during harvesting time (scissors)
- Some basic needs are covered, for example they do have houses and energy.
- No transport, healthcare and childcare
- They provide all legally required benefits, but not according the basic conditions of employment act.
- Leave > 2 weeks and get paid for the other week as a bonus at the end of the year.
- sick leave>12 days per year
- maternity leave> 3 months
- family responsibility leave>3 days
- No pension or provident fund
- Deductions for UIF are made
- No extra benefits beyond the legal minimum requirements like education, food, etc.

### Child labour

- Their system of age verification is by checking I.D document or Birth certificates.
- The child working on the farm is Sissie Hartsenberg who is 18 years old
- She is working under supervision.
- Her employment is approved by her parents.

### Working hours

- Their daily and weekly hours are 45 hours per week
- No overtime work
- Their working hours are recorded manually, and verified by employees
- Start at 7H00 till 18H00
- lunch from 12h00 to 13h00
- no other breaks in between
- Fridays they work till 15H30
- The employer works with the time register and no verification
- They do not work on weekends.

### Forced labour

- There is no established working relationship with employees.
- Nobody is compelled to stay with the company which means they can leave as they wish





- We could not find any evidence of forced labour.
- People didn't sign contracts of employment
- No withholding of salaries or benefits if people decide to leave.

### Freedom of association

- The rights of the workers are not respected
- The employer adopts a attitude when workers want to join a union
- There is no other alternative means to negotiate in an absence of a trade union.
- No other committees to deal with the problems and issues of the workers.
- The employer implements salary and conditions on his own without any consultation.
- No grievances or complain boxes on the farm.

### Health and safety

- There is no health and safety policy in the workplace
- Employees personal safety is not assured
- People do not get safety education or training
- There is no first aid box, or accidents and injury logs books.
- There is no working condition sanitary on the work floors or residents.
- No toilet in the harvest area, water or rest areas.
- There is no method of harvest and safety measures in place with regards to PPE use, machine safety.
- There is no storage facility
- There is no disposal area for waste, for hazardous, organic or inorganic material.
- There is no H&S system in place.

### Housing

- There are 6 houses on the farm( 1 empty house)
- The employer doesn't charge rent for houses.
- It is 2 bedroom houses.
- All the houses don't have electricity and toilets are outside and 2 taps for all 6 households
- The houses are in very bad conditions.
- Windows broken and the doors are falling apart
- The roofs leak when it rains.

### Absence of discrimination

- The hiring practices is not discriminatory
- There are no opportunities in terms of promotion and training
- The only difference is between the salaries of the permanent workers and the seasonal workers.
- There is no difference in working assignments, everybody does the same work.
- There are no benefits in terms of pension or provident fund

### Community impact

- Appoint seasonal workers from the local community( about 30 every seasonal and harvesting time)

### General

- The employer needs to be visited by the dept. of labour for unfair labour practising





## 39. OU MURE FARM

Owner: Polla Van der Westhysen • Tel nr: (082) 929 6047

### Introduction

The farm is situated 60 km out of Laingsburg. It is sheep farm, and they sell sheep's to the local butcheries and to individuals in the area. There are 2 men permanent workers. There are 3 children on the farm, 2 are still in school. The employer stays and works in Stellenbosch and only visit the farm twice a month. The employee interviewed is Gert Lennert, and he has been working for 11 months on the farm.

### Wages

- They get paid cash by hand.
- No piece work.
- They work on daily rates, not hourly rates.
- They do get pay slip.
- They do have a time recording system, by attendance register.
- There is no incentive for longer hours worked and are forced to work longer hours.
- They only work 5 days a week, from Monday to Fridays.
- They pay R1200.00 per month for 5 days.
- Tools are provided
- They get a year end Bonus of R500.00 each.
- They don't work overtime.
- Not all employees' basic needs are covered, just housing.
- There is no energy, education, child care, transportation and savings.
- Annual leave is two weeks for the year.
- Sick leave is 12 days per year.
- They deduct UIF for employees.
- No benefits beyond the legal minimum requirements.

### Child Labour

- He request ID or Birth Certificates for hiring practices.
- There are no children working on the farm.

### Working Hours

- Employees worked 45 hours per week.
- They start at 07h00 to 17h30
- Breakfast from 09h00 to 09h30
- Lunch from 12h00 to 13h00
- They do not work on public holidays and weekends.
- Working hours are recorded by the workers.

### Forced Labour

- There is no contract of employment signed.
- They are not compelled to stay; they can go as they wish.
- No evidence of forced Labor.





### Freedom of Association

- The workers rights are respected, although they do not belong to a Union.
- There is no collective bargaining, but the employer has regular meetings with them.
- No grievance procedure.
- No complaints/suggestion boxes.
- No worker committees.

### Health and Safety

- No health and safety measures in place.
- Employee's safety is not insured.
- No H&S management system in place.

### Housing

- There are 3 houses on the farm, one empty and 2 occupied.
- There is electricity inside
- Water inside
- Toilets inside
- The floors are cracked
- They are 2 bedroom houses
- Employees do not pay rent to the employer.
- Houses needs to be painted.

### Absence of Discrimination

- No discrimination at the work place.
- Workers do not have opportunities, such as promotions and training.
- No provident fund or pension fund available.
- There is no different work assignment.

### Community Impact

- There is no economic impact for local community.

### General

- The employees have no support or help and it is difficult for them to go to town, to buy the necessary households.
- The farmer does not show interest to the employees and the farm, he only visits twice a month.





## 40. PLAISIR DE MERLE FARM

Owner: Freddie Le Roux • Tel nr: (021) 874 2053 • Fax nr:

### Introduction

Plaisir De Merle is a historic farm located in the fertile Groot Drakenstein valley near Franschoek. The new cellar which houses wine production at Plaisir De Merle represents a minor architectural triumph. Inside the cellar, equipment has been kept basic, reflecting a philosophy of simplicity as opposed to sophistication. The focus is on noble cultivars only, a philosophy inspired by the soil, and founded upon the firm belief that the grapes grown here would produce wines with a singular character in the classic style. Grapes were sourced from vineyards in Simondium. The vines, ranging from 7 to 22 years old, are situated between 360m and 450m above sea-level on the south-eastern slopes of the Simonsberg. The soaring peaks of the Simonsberg Mountain have long served as a guardian to the birth, renaissance and continuing triumph of Plaisir de Merle with its founder Charles Marais.

He has granted this land in 1963 having fled religious persecution in France. Under his inspired grandson Jacob Marais, grew to be the finest in the region. He built the manor house in 1964 with its elegant gable it remains of the earliest and finest examples of Cape Dutch architecture.

At this stage the name of the manager is Freddie Le Roux. The worker that was interviewed is Andries Maritz (021 8742053). There are approximately 60 workers that are permanent during the off season and 250 workers during season time. The majority of their wine gets exported to international markets and annually awards are received for the wines.

### Wages

- Wages get paid on an hourly rate.
- Payments are made electronically.
- Harvest time is January to mid April.
- Each worker has one electronic clock.
- The electronic system does not record overtime.
- No overtime is recorded on the slip. Tools are also not provided.
- Wages are above minimum as prescribed by the Sectoral Determination.
- General worker: ±R2000-00 (Grade2) (Rose van de Westhuizen 17 years (0780344007)
- Truck Drivers: R2800-00 (Grade4) Collin van der Westhuizen 15 years (0849987841
- Supervisor: R2800-00 (Grade 4)
- Tracker Driver: ±R2300-00 (Grade 3) (Andries Maritz 27 years
- There are also no incentives for any long services
- There is Social Insurance like a Provident Fund (Distell Voorsorg Fund)
- No late payment on salary is observed. In the past there was illegal deduction on salary but not anymore.
- Payroll register is on the computer and also piece-rate records. Personnel records and labor contracts are in place.
- They do not get nutrition but they do get clothing.
- The Crèche is closed because there are not enough children, but they look into it to open it again. There is also a school for the children.
- There are water facilities and no payment is charged.
- Housing is also available no payment is charged.
- There are 28 families that stay on the farm and 20 families on Damval. In Damval the houses are very cold in the winter.
- The only food they received is bread.
- There is also a mobile with a medical sister only on a Monday (ICON)





### Leave/Sick days

- Annual leave 5 days over Fest of season
- 5 days after harvest time
- 5 days any time
- Sick leave 30 days over 3 years period as per BCEA.

### Child Labor

- There are no children employed.
- No youth labor.
- There are no indications of use of worst forms of child labor.

### Working Hours

- Employees worked 45 hours per week.
- In Summertime they worked from starting time: 06:30 (Sept-March)
- Breakfast: 09:00 - 09:15
- Lunch time: 12:30 – 13:30
- Closing time: 17:30
- Friday's they clock off at 15:00
- In Wintertime they worked from: 07:30 (April-August)
- Lunch time: 12:30 – 13:15
- Closing time: 17:30
- Friday's they clock off at 16:15
- Everybody is working the same hours.

### Forced Labor

- Nobody is forced against their will to work on the farm.
- The workers possessed a copy of their employment contract.

### Freedom of Association

- According to the three people we interview it is the right of the workers to belong to a trade union of their choice and the farmer respect the workers choice of trade union.
- The workers belongs to a Union name UWF and the shopstewards name is Andries Maritz.
- The union and management meets on a regularly basis when necessary.
- The farm has also grievance procedures.

### Health and Safety

- There is a health and safety committee.
- They don't have a rest room but they do have a sanitation and clean water from the mountain also in the harvest areas.
- The farm complies with Safety Regulations.







### Absence of Discrimination

- They comply with the Equity Act in terms of management.
- People are treated equally in terms of training but not of promotions.
- There is also not discrimination against pregnancy, HIV AIDS.
- Benefits are equal for all workers.
- All workers are treated equally when it comes to do the work except at DAMVAL the women feels they discriminate against them only men are driving tractors and motorbikes.

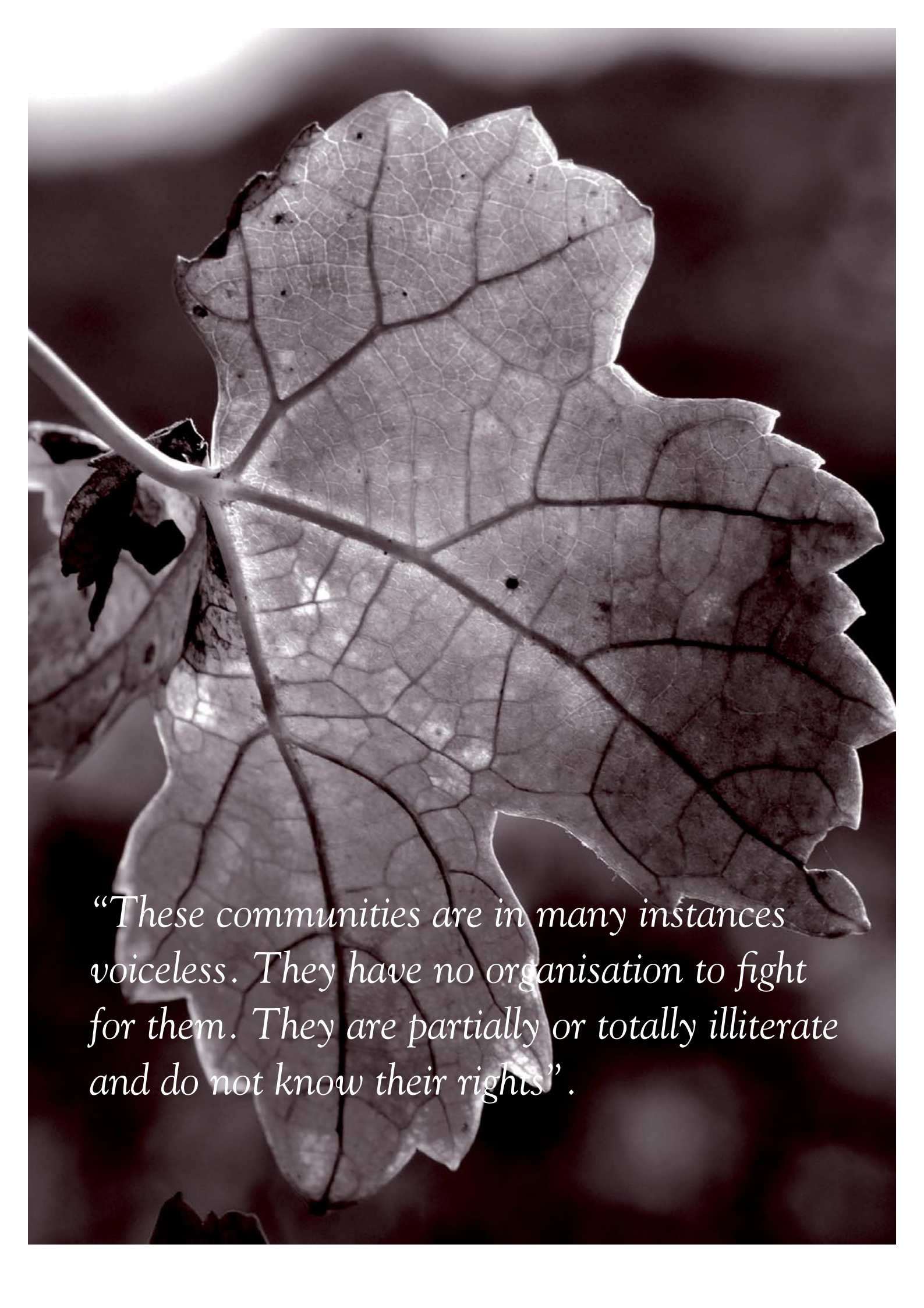
### Community Impact

- There is no hall, but there is a crèche department that the farm workers used for there activities like churches and meetings.
- There are also seasonal workers that come from other town's ± 40 people to assist.

### General

- The farm Plaisir de Merle is up to standard in front but where Damval is situated that is also part of Plaisir de Merle there is a lot to do, especially the houses. At Damval they feel they discriminate against women because only men can drive tractors and motorbikes.





*“These communities are in many instances voiceless. They have no organisation to fight for them. They are partially or totally illiterate and do not know their rights”.*



## 41. PORSELEINBERG FARM

Owner: Mr. WJD Serdyn • Tel nr: (022) 482 2120 • Fax nr: (022) 482 2120

### Introduction

The farm is situated, about 15 km outside Wellington and employs 6 permanent workers which are men and 1 woman is employed as a house keeper. Mr. Serdyn farming with Goats, grapes and wheat.

### Wages

- Permanent workers which are only men earn R560, per fourtnight and women earn R600, 00 per fourtnight week.
- Workers getting pay cash and no proper payslips
- Workers are getting paid on an hourly rate and timekeeping are per attendance register
- Farmer provides protected clothing only ones a year. During harvest time, he provides no drinking water and sanitation to the working on site.
- Farmer not fully complies with sectoral determination, because getting paid under the belt and not receiving overtime.
- Workers only receive (10 working days) annual leave, (4 months) maternity leave, yearly bonus, wages and no family responsibility leave.

### Child Labour

- No child labor on farm every worker is over 18 years old.
- The farm got a policy of no employment of children under the age of 16 years.

### Working Hours

- Workers are working 45 hours per week the BCEA excluding rest times.
- Overtime is not consulted in advance with workers and no payments are secured.

### Forced Labour

- Workers are forced to work on the farm.
- Workers are forced to work overtime.

### Freedom of Association

- Their rights to join a union are not respected.
- Workers have not a workers committee.
- Workers can freely go in and out on the farm, but their family is only welcome to visit them on permission from the employer.

### Health and Safety

- The farm received training via AGEF.
- Drinking water and sanitation are not provided for workers during working hours, workers can go home when they work close to their houses.
- Workers go home or eat in the store room when they have lunch.
- Workers are not getting protection clothing when working on the land with poison.





### Houses

- There are 6 households on the farm and all 6 houses got electricity, water and no hot water and have a full bathroom.
- There are some structural problems with houses and roof leakages and need to be paint.

### Absence of Discrimination

- Workers are getting equal pay, although the employer did not complies with the Sectoral Determination and the housekeeper are getting paid R600, 00 per fourthnight.
- No promotion for workers happened in the past only white people are employed in management position.

### Community Impact

- Farm makes use of a harvesting machine some times during harvest time and self employed people are welcome to buy grapes to sell for an income.
- There is no venue for people to make use for church and other activities, people have church in their houses.

### General

- Children received no transport to school.
- Workers must wait for the farmer to go to town, because the farm is 15km outside the town and if they need some food or other items they must pay extra for transport.
- Only 4 workers are covered with pension scheme and the other 2 and housekeeper did not receive benefits.





## 42. ROODEHOGTE DIARY FARM

Owner: • Tel nr: • Fax nr:

### Introduction

The farm is situated in the Langeberg Municipality area, Robertson. The farm products are dairy, grapes and apricots. The farm has 12 permanent workers. Some of the workers were interviewed. The workers stay on the farm 10 to 20 years.

### Wages

- The workers earn R380.00 per week. Salary differs from worker to worker.
- Their salary is paid to them in cash in a brown envelop.
- All the workers are general workers.
- Time keeping is by head counting
- Annual leave is 3 weeks and sick leave 30 days over 36 month cycle worked
- Maternity leave 4 months.
- The workers do not receive other benefits.

### Child Labour

- No child labour on the farm.
- The workers are verified with their ID document when they are interviewed.

### Working Hours

- They work 45 hours per week 9 hours per day
- Starts at 06h30- 17h 30.
- Teatime 08h00- 08h30
- Lunch time 12h 00- 13h 30.
- They work overtime as requested during harvest time.
- They are not remuneration for the overtime.
- They get time off or 2litres milk free.
- The workers have contracts of employment.

### Forced Labour

- The workers are forced to work on public holidays when they refused they do not get paid for the day.

### Freedom of Association

- No trade Union.
- No grievance procedures.
- There is no worker negotiation with the employer.

### Health and Safety

- No health and safety system in place
- No safety education or training is given to the workers.
- Their personal safety is not insured.
- No safety representative on the farm.
- There are no toilets and restrooms in the working area.





### Housing

- There are 5 houses on the farm.
- Some of the houses have electricity and water inside the house.
- The houses consist of 2 rooms.
- The houses are in bad conditions with no windows and broken doors.
- The houses need to be upgraded
- They do pay rent.

### Absence of Discrimination

- The workers are discriminated against.
- There are no skills development training and promotion opportunities for the workers.

### Community Impact

- He make use of a small percent of workers in the community during harvest time
- There are no social projects for the workers.

### General

- The houses need serious attention
- He must pay the workers for public holidays.
- No recreation for the children





## 43. ROOI DRAAI FARM

Owner: Pietie van Carinus • Tel nr: (022) 482 2897 • Fax nr: (022) 482 2897

### Introduction

The farm is situated in the Swart land area. It is a Grape farm, and they supply them to Swartland winery. The owner is Mr. Pietie Van Carinus. The farm has 50 permanent workers with 18 women and 32 men, 13 of the workers are from Saron, they only go home on weekends. There are only 4 children; 2 are attending school and 2 are under age, they stay at home. There is also a 16 year old boy who is disable but working on the farm and he don't get disability grant. There are 5 unemployed people, and 2 old age people staying on the farm. They do not have seasonal workers. There are 25 houses on the farm.

### Wages

- Workers get salaries of R800.00 per fortnight.
- They get their salaries through the bank and they get paid on hourly rate.
- They get pay slip.
- Time keeping is done by one of the worker.
- They work overtime and they get paid for it.
- The farmer deducts UIF and Insurance policy from the workers salary, but they were never given any documents to sign.
- Medical aid is also deducted from their salaries.
- No maternity leave as per L.R.A.
- There is no Family and responsibility leave
- There is no sick leave.
- Protective clothes are given to the employees for free.

### Child Labour

- The employer does not verify the ID or birth certificate for hiring purposes.
- There is only one person with the age of 16 years, and also disable working on the farm.
- No policies on child labour.

### Working Hours

- They start at 7h45-17h15
- No tea time
- Lunch time from 12h00-13h30
- They also get unexpected working hours.
- The workers always ask to work overtime
- Their working hours are determined by the security.

### Force Labour

- There is no working relationship between employer and the employees
- They do have contract of employment
- If the workers decide to work somewhere else they get evicted from the farm immediately.

### Freedom of Association

- Employees are allowed to form and join trade unions.
- Employees can have meetings independently without the owner being present.
- If the workers have any problems they have to complain to the supervisor.





## Housing

- There are 25 houses on the farm
- The houses have 3 rooms with water, electricity and toilets inside.
- The houses are not in good condition.
- The roof and the walls need to be painted
- The workers don't pay rent

## Health and Safety

- There are warning signs to prevent accidents on the farm.
- The workers safety is insured, in case of any accidents they get pay out.
- The workplace is sanitised and safe for the employees to work in.
- There is drinkable water and the toilets are clean

## Absence of Discrimination

- No skills and development training was given to workers.
- They do not get promotion.

## Community Impact

- There is no community impact from the famer side

## General

- The people have been working on the farm for 10 to 20 years, and most of them are boys.
- The houses need to be painted, the floor needs carpets because it is cold
- The walls need also to be fixed because when it is raining the water go through the walls







## 44. RUITERS REST FARM

Owner: PJ Niemand • Tel nr: • Fax nr:

### Introduction

Ruier Rest is a farm situated in Aan de Doorns the Breerivier area. Mr.PJ Niemand is the owner of the farm and he is farming with wine grapes. There are eight families living in the farm.

### Wages

- Workers get paid R405,00 a week.
- Each employee get a valid payslip and payments are been made through the bank.
- Workers are obliged to work over time and do not get a bonus.
- Employees receive an overall and shoes once a year.
- The employer provides only houses for the workers.
- Workers do not receive any leaves and UIF is deducted from their salaries.
- No worker gets any benefits beyond legal requirement.

### Child Labour

- On this farm there is no child labour, children are allowed to work three days during harvest time.

### Working hours

- Usual time: 7:00am-17:00pm
- Harvest time: 6:30am-17:00pm
- Over time: 7:00am-18:00pm
- Tea time: 9:00am-9:30am
- Lunch time: 12:00pm-13:00pm
- There is no record of working hours on their pay slips.

### Forced Labour

- Workers did not sign any working contract but workers have a good working relationship with the farmer.
- Workers have the freedom of working somewhere else, but they have to leave the farm.
- Workers are obliged to work over time.

### Freedom of Association

- The farmer does not want workers to join a union, but some of them did join the union.
- Workers can not have meetings whenever they like they must wait for the farmer to tell them when to have a meeting.
- There was one unfair dismissed case.
- Workers must complain to the farmer.
- Workers can not file suggestions anonymously they must give it to the farmer.

### Health and Safety

- Workers have to take care of themselves if anything happens to them.
- The workers safety is not insured.
- There is no sanitation in place and is not safe in their workplace, because there is weed in the wine yards.
- There is no drinkable water; workers take their own water to work there are also no toilets they have to use the bushes.
- The toxic are being store in a store room
- Rubbish is being removed every Friday.





### Housing

- The houses of the workers have 3 to 4 rooms.
- There is an established H&S system available, but it is never implemented.

### Absence of discrimination

- Pregnant women and sick people are allowed to work on the farm.
- No worker receives any opportunity from the farmer.
- Women work in the vineyards and men are driving the tractors.

### Community Impact

- The workers and the community do not get anything from the farmer.

### General

- The children on the farm do not have education.
- The circumstances of the houses are not in good condition.
- I recommend that; the department of health should visit the farm.
- Most of the employees do not know their employment rights; they need to be aware of their rights.





## 45. SALEM FARM

Owner: Mr. J.T Basson • Tel nr: (021) 862 3181 • Fax nr: (086) 546 5050

### Introduction

Salem is situated in Klein Drakenstein, Paarl. The farm is one of KWV grape suppliers. Mr J.T Basson is the owner of the farm. There are 10 houses for farm workers on the farm. There are 30 permanent seasonal farm workers on the farm.

### Wages

- The permanent workers get paid on a weekly basis electronically into their bank accounts. The men earn R70.00 per day and the women R60.00 per day.
- They make use of the clock card system.
- The workers get an additional ± R100.00 harvest bonus per year.
- The farmer provides funeral policies.
- He also provides tools for the workers.
- No transportation is provided and there is no savings facility.
- There are no skills and development projects.

### Housing

- The electricity supply to the farm houses is out of order.
- There are two houses without toilet facilities and they must share with other households.
- They do have clean water facilities.
- Workers pay R20.00 rental weekly.
- The roofs are broken. The owner was informed long ago but no repairs were done yet.
- Workers get one week per year for holiday time after season time.

### Child Labour

- No child labor on the farm.
- The employer, request a birth certificate or ID when they apply for work.

### Working Hours

- Employees worked 45 hours per week.
- Summertime period 07h00 -17h30
- Winter time period 07h00 -17h30
- There is no tea time, 12h30 -13h00- lunch time.
- They do not work overtime.

### Forced Labour

- Nobody is forced against their will to work on the farm.
- There is no contract of employment in place.
- No company policies.





### Freedom of Association

- The workers do not belong to any trade union.
- The previous unions disappointed the workers on service delivery.
- No grievance procedure.
- No complaints/suggestion boxes.
- No worker committees.

### Health and Safety

- Workers are trained on a regular basis on the work floor.
- The previous safety representatives resigned but they have one in training.
- The working area and the rest room have sanitation and clean water to drink.
- Harvest areas have toilets/water and rest rooms.
- The farm complies with the Safety Regulations
- The farm has a Health and Safety policy.

### Absence of Discrimination

- The men get an increase of R5.00 and the women nothing.

### Community Impact

- The farmer makes use of ±80 people of the community to work on a seasonal basis for him.

### General

- The farmer is never available to attend the meetings requested from the farm workers.
- The hall is available for the farm workers.
- The transport to the town is charged R20.00 per person.
- Supply grapes to KWV on a weekly basis during harvest time.
- There are no child care facilities on the farm.
- There are five retired people on the farm and two disabled people.





## 46. SANDDRIF FARM

Owner: N. HAUPTFLEISCH • Tel nr: (021) 8732026 • Fax nr: (021) 8732089

### Introduction

The farm is situated, about 10 km outside Wellington and employs 8 permanent workers which are men and some women only work when there is work sometimes. Mr N. Hauptfleisch is farming with grapes and earth removal.

### Wages

- Permanent workers which are only men earn different wages according to their job descriptions. Some earn R461, 57 and Others R385 per week and if women do some work during season times, they earn R300, 00 per week.
- Earnings are made electronically in their bank account.
- Workers are receiving pay slips and are getting paid on an hourly rate and timekeeping is per attendance register.
- Farm provides tools, protected clothing and during harvest time. The farmer did not provide sanitation and drinking water during harvest time and workers must go to the bush and carry the drink water with them.
- UIF is also deducted from their salaries , but they do not receive money when they leave the farm.
- Farm do comply with sectoral Determination in terms of earnings and overtime and comply with, (15 working days) annual leave, (4 month) maternity leave, yearly bonus equivalent to their wages; (3 days) family responsibility leave and women are discriminate against in term of their earnings.
- The salaries ranges between R265.00 and R385.00 per week.

### Child Labour

- No child labor on the farm every worker is over 18 years old.
- The farm got a policy of no employment of children under the age of 16 years.

### Working Hours

- Workers are working 45 hours per week as per the BCEA excluding rest times.
- Overtime is consulted in advance with workers and payments are secured as per hour and a half time recorded, but are not correct in terms of the sectoral determination.

### Forced Labour

- No forced labor on the farm, but when workers refuse to work overtime, the employer victimized them.
- Some workers resign from work and some were dismissed in the past, because they were threatened by the employer for not working overtime.
- Employees are forced to work overtime and they receive small amount for it.

### Freedom of Association

- Their rights to join a union are respected, but there is no union in place and workers are vulnerable and they don't know their rights as to the LRA and BCEA.
- Workers have no workers committee and no representation when a dispute arose.
- Workers can freely go in and out on the farm and their family is welcome to visit them.
- They are not allowed to hold meetings without the presence of the farmer.





## Health and Safety

- No training to the workers.
- Drinking water and sanitation are not provided for workers during working hours and workers go home when they work close to their houses.
- Workers go home or eat in the store room when they have lunch and tea time.
- Workers are compelled to wear protection during working on the land with poison.
- There are no warning signs on the farm to prevent accidents.
- The safety of the workers is not insured.

## Houses

- There are 8 households on the farm and all 8 houses got electricity, water and hot water and have bathroom facility.
- Some houses need serious attention due to structural problems and roof leakages.
- Workers reported these problems to the farmer, but nothing has been done so far.

## Absence of Discrimination

- No discrimination against workers accepted in their earnings between some men and women and only men are getting permanent work.
- No workers gets promotion only whites are in manger positions.

## Community Impact

- Farm makes use of people in town some times during harvest time.
- There is a venue people can make use of for church and other events to generate funds for them.

## General

- Children received transport to the main road and a bus takes them to school.
- Workers must wait for the farmer to go to town, because the farm is 10km outside the town and if they need some food or other items they must pay extra for transport.
- Workers have no pension fund, and death covery.





## 47. SCHONENBERG FARM

Owner: Mr Johan van Tonder • Tel nr: 082 8034 800 • Fax nr: (021)

### Introduction

The farm is situated, about 10 km outside Wellington and employ 13 permanent workers which are men and 6 casual workers which are women. Mr. Johan Van Tonder farming wine grapes and supply to Wellington Cellar.

### Wages

- Permanent workers which are only men earn R330, 00 per week and women earn R290, 00 per week.
- Earnings are made electronically in their bank account.
- Workers are receiving pay slips and getting pay on hourly rate and timekeeping are per attendance register.
- Farm provides tools, protected clothing, and during harvest time provides drinking water and sanitation to the workers on site.
- Farm fully comply with sectoral Determination in terms of overtime, annual leave, maternity leave, incentive bonus, yearly bonus, wages and family responsibility leave and women are discriminate against in term of their earnings.

### Child Labour

- No child labour on the farm every worker are over 18 years old.
- The farm got a policy of no employment of children under the age of 16 years.

### Working Hours

- Workers are working 45 hours per week as per the BCEA excluding rest times.
- Overtime is consulted in advance with workers and payments are secured as per hour and a half time recorded.

### Forced Labour

- No forced labor on the farm, but when workers refuse to work overtime, the employer victimized them.
- Some workers resign from work, because they were been threatened by the employer for not working overtime.

### Freedom of Association

- Their right to join a union are respected, but there is no union in place and workers get representation by fellow workers and union officials are allowed to a certain extend as to labour advice to the accuse.
- Workers have no workers committee and no representation when a dispute arose.
- Workers can freely go in and out on the farm and their family is welcome to visit them.

### Health and Safety

- No training to the workers.
- Drinking water and sanitation are provided for workers during working hours or workers can go home when they work close to their houses.
- Workers go home or eat in the store room when they have lunch.
- Workers are compelled to wear protection during working on the land with poison.





### Houses

- There are 13 households on the farm and all 13 houses got electricity, water and hot water and have a fully bathroom.
- No structural problems with houses, no roof leakages, but need to be paint and there's no sealing in some of the houses and some need to be touch up here and there.

### Absence of Discrimination

- No discrimination against workers except in their earnings between some men and women.
- No workers gets promotion only whites are in manger positions.
- No promotion for workers happened in the past only white people are employed in manager position

### Communication Impact

- Farm makes use of people in town some times during harvest time and self employed people are welcome to buy grapes to sell for a living.
- There is a venue people can make use of for church, events etc.

### General

- Children received transport to school.







## 48. SKAAPKRAAL N7 FARM

Owner: Mr Du Toit • Tel nr: (022) 485 7044 • Fax nr: (022) 485 7044

### Introduction

The farm is situated in the Swartland area. It is a vegetable farm, and they supply the vegetables to all the Checkers and Pick'n Pay wholesalers, and also other countries. The owner is Mr Du Toit. The farm has 27 permanent workers, with 7 women and 14 men. There are only 9 children that attend school, 2 attend West Coast College and 5 are staying at home. There are 5 unemployed people staying on the farm. The old age people have the choice of staying on the farm or moving to town. There are no seasonal workers. They have 11 houses on the farm. The person interviewed is Miss Charisma.

### Wages

- Workers salary is R 438, 90 per fort night.
- They get their salaries through the bank
- Their payment is ensured by a pay slip.
- Time keeping is done by attendance register.
- They work overtime but the rate is as per sectorial determination.
- There is no UIF deduction.
- The employer only give transport for children when it is raining to take them to the bus
- The workers use taxis when they go for shopping
- Mobile clinic visit the farm
- There is Maternity leave as per L.R.A.
- Family and responsibility leave as per L.A.R

### Child Labour

- The employer does the verification of I.D or birth certificates when someone is looking for a job
- He employs only children who are older than 18 years.
- They have policies on child labour.

### Working Hours

- They work 45 hours per week
- Start at 7h30-17h45
- Tea time from 10h00-10h30
- Lunch time from 13h00-14h00
- They work overtime as requested.
- They get the overtime rate as per sectorial determination for the hours worked.
- The working hours are recorded as per clock time.

### Forced Labour

- There is a good working relationship between the employer and employees
- They have contracts of employment
- They are not forced to stay against their will and can resign anytime.





### Freedom of Association

- Their right to join a Trade Union is respected, although there is no Union that represent the workers
- No alternative means in place for negotiations
- There is no structures as a committee
- No meetings take place with workers and the employer.
- The permanent workers get 3 overalls per year and seasonal workers get 2 overalls per season

### Health and Safety

- No health and safety mechanism in place
- No safety representative on the farm
- Only one worker get training for first aid
- No rest room for the workers

### Houses

- There are 11 houses on the farm.
- Some houses have electricity, water and toilets inside
- The houses have 2 bedroom inside
- The workers don't pay rent they only pay for the electricity.

### Absence of Discrimination

- There is no discrimination against sick or pregnant people.

### Community Impact

- The farm employs up to 250 people from the community during season time.

### General

- The manager mention that they take good care of his workers and he also let them to have their food garden in their yards.
- The workers must join a Trade Union.
- The farmer gives false information to cover for him.





## 49. SOLITER FARM

Owner: Roelof De Toit • Tel nr: • Fax nr:

### Introduction

Soliter is situated in Aan de Doorns, also in the Breerivier area. There are 12 families living on this farm. Mr. Roelof De Toit is the owner of the farm, and they are farming with dairy and wine grapes.

### Wages

- Workers are getting paid on hourly basis; men get R8, 00 and woman R6, 00 per hour.
- Each employee get a valid payslip and payments are been made through the bank.
- Workers are obliged to work over time and do not get any payment for that.
- Employees receive overalls part of their equipment, but shoes they must buy for themselves.
- The employer provides houses, electricity and a crèche for the workers and their children.
- Each worker receives maternity leave annual and sick leave, but do not get any payment for leave so are UIF deduct from their pay.
- The farm provides houses and education to the workers and their children.

### Child Labour

- On this farm there is an age confirmation which means there is no child labour.

### Working hours

- Usual time: 7:00am-17:30pm
- Season time: 6:30am-17:30pm
- Daily and weekly rest period:
- Lunch time: 12:00pm-13:15pm
- Extra break: 15:30pm-15:45pm
- Working hours are not record.

### Forced Labour

- There is a good relationship between the worker and the employer it is just sometimes they have words for each other.
- Workers have the freedom to go but then they must leave their houses.
- Workers are obliged to work.

### Freedom of Association

- Workers can join a union if they want to and they can vote for any party.
- The right to collective bargain is respected.
- There were two unfairly dismissed cases and a strike.
- Workers can negotiate with the employer if they feel so.
- Workers can not write notes they must go self to the farmer and give their complaints.





## Health and Safety

- The farmer do not deal with accidents, there were once a case were someone had die because of the farmer's wickedness.
- The workers safety is not insured and if anything happen to them they do not get a payout.
- It is not sanitized and safe in their workplace because the weeds are so much and that could hurt people.
- Drinkable water, toilets and the rest area are not near the harvest area people have to use the bushes or go to their houses.
- The toxic are being store in two toxic rooms which one is open and do not have any warning signs on.
- The workers must take care of their own rubbish removal.

## Housing

- Each house has five rooms which can be upgrade further.
- There is an established H&S system, but was never implemented.

## Absence of discrimination

- There are pregnant woman and sick people in labour if they are in a stable condition.
- Each one receives an equal opportunity for instants going on training.
- Some workers work in the dairy and others in the vine yards.

## Community Impact

- After season time the farmer take his workers to the beach and he also provide for the food.
- The farmer provides the farm also with a crèche.

## General

- Gravel roads can cause an increase in TB.
- No freedom of association.
- No health facilities nearby.
- No clean water which can make people sick.
- The department of health.
- Department of social services.
- And the department of labour should come.
- The workers need to be made aware of his/her rights also.





## 50. SONNERSTRAAL FARM

Owner: Arthur Oelof • Tel nr: (021) 703 6101 • Fax nr: (021) 703 6101

### Introduction

This farm is situated in the Philippi area. They work with vegetables. They sell to the Epping market. Here are 50 workers of which are 33 women and 17 men and they are all permanent workers. On the farm are 25 children still on school with only 20 unemployed people on the farm with 1 old age. The employee interviewed was the shop steward.

### Wages

- Workers get their salaries by hand (cash) worked out on an hourly rate.
- Correct payment is insured by proper payslips and time is recorded by register.
- Wages is R305 per week
- Bonuses are weekly R30 per person.
- No Tools are provided only tractors
- They don't have transport
- They provide all legal required benefits
- leave > 3 weeks
- sick leave > 12 days per year
- maternity leave > 4 months ( one month before labour and 3 months after)
- family responsibility leave > 3 days
- No pension or provident fund
- Deductions for UIF are made
- No extra benefits beyond the legal minimum requirements like education, etc.
- Extra benefits are that they get vegetables
- No childcare or healthcare facilities
- No training or promotion for the workers are available

### Child labour

- Their system of age verification is by checking I.D document or Birth certificates.
- There is no children working on the farm under the age of 14 years
- Sheraton SCHIPPERS 17 years old
- Shane GILBERTS 16 years old
- Both work under supervision
- They both have parent's permission to work.
- There is a company policy to outline acceptable forms of labour for this group of workers.

### Working hours

- Their daily and weekly hours are 45 hours per week.
- They do work overtime but just the men and only get R70 per day.
- Their working hours are recorded manually. and verified by employees
- Start at 8H00 till 17H30
- lunch from 12h00 to 13h00
- They don't work on public holidays and weekends.





### Forced labour

- There is no established working relationship with employees.
- Nobody is compelled to stay with the company which means they can leave as they wish
- We could not find any evidence of forced labour.
- People did not sign contracts of employment
- No withholding of salaries or benefits if people decide to leave.

### Freedom of association

- The rights of the workers are respected and there is a union.
- The employer bargain with the union for conditions of employment and wages
- There are grievances and complain boxes on the farm.
- The union doesn't experience any problems
- Meetings among union members take place.
- Union activities are freely conducted

### Health and safety

- There is no health and safety methods in place to secure the safety of employees
- No education for prevention of accidents, no signs at all
- No water, toilet or disposal areas in harvest areas
- There is no health and safety policy in place
- No storage facilities
- No H&S management system in place

### Housing

- There are 24 houses on the farm
- The employer doesn't charge rent for houses.
- It is 2 to 4 bedroom houses.
- All the houses have water, electricity but pit toilets outside.
- The houses are in very good conditions but some of it in bad conditions.
- 5 of the houses are corrugated iron houses

### Absence of discrimination

- The hiring practices is not discriminatory
- The only difference is between the salaries of the women and the men. The women get R5 less than the men
- There is no difference in working assignments, everybody does the same work.
- There is no separation of workers.

### Community impact

- No contribution towards the local community

### General

- Workers don't have a problem with the attitude of their employer; they have a good working relationship.
- Employer provides loans without any interest
- He provide them with a hall for church services
- He made a field available to them to practice sports





## 51. STAGMANKOP FARM

Owner: Richard Hacking • Tel nr: (022)921 3607 • Fax nr:

### Introduction

The farm is situated between Piketberg and Citrusdal Area and its also part of Cederberg Municipality. It is a fruit farm. There are 36 permanent workers and 80 seasonal workers during the season time. The owner is Mr. Richard Hacking. The interviewed was conducted amongst 15 farm workers.

### Wages

- The women and men earn R285.00 per week. The more skilled workers earn more than the general workers.
- The workers get paid weekly: Monday evenings the men get paid and Tuesday the women get paid.
- The manager do a head count and then put data on the computer system.
- They get overtime money only when they worked the full week overtime.
- Annual leave is 3 weeks and sick cycle 30 days per 36 months cycle.
- Maternity leave 4 months.
- There are no other benefits.
- Only the legal minimum conditions apply.

### Child Labour

- School children must work during school holidays.
- The workers are verified with their ID document when they are interviewed
- Children under 15 years work 45 hour per week during the school holidays

### Working Hours

- They work 45 hours per week 9 hours per day
- Starts at 18h00- 07h 00 am and 36 hrs over weekend
- They work overtime as requested during harvest time
- Head counting by the supervisor

### Forced Labour

- The workers are forced to work on Saturdays.
- The workers are disciplined if they refuse to work on Saturdays.

### Absence of Discrimination

- Union members; workers joined the Union
- The farmer refuse to meet with the Union
- No grievance procedures.

### Health and Safety

- No health and safety system in place
- No safety education or training is given to the workers.
- There personal safety is not insured.
- No safety representative on the farm.
- The sanitary system is out of order.
- There are only 2 toilets for ± 100 people
- They store chemicals next to the toilets.





### Housing

- The farm houses are in a bad condition.
- The seasonal workers need houses.
- They sleep and cook in the same area.

### Absence of Discrimination

- The owner is racist.
- The owner called the workers hotnots.
- The union members are treated differently

### Community Impact

- The owner has no interest in the community.
- He rather gets seasonal workers from far.

### General

- The houses need serious attention.
- The workers need more houses.
- He must pay the workers for public holidays.
- No recreation for the children.
- Workers need protective clothing
- No insurances are provided







## 52. STAWELKLIP ESTATE FARM

Owner: Hugo Schreider • Tel nr: • Fax nr:

### Introduction

The farm is situated in a Bergriver Municipality, Piketberg. It is a stone and fruit farm. They supply fruit to overseas markets. The farm is managed by Mr. Hugo Shreider. I interviewed Tracy Grootboom.

### Wages

- Some of the general workers are paid cash on a weekly basis.
- The packer's money is paid in weekly electronically into their bank accounts.
- They have a clock system.
- They have employment contracts.
- They have no choice to work overtime because when it rains they take the time off.
- Annual leave is 2 weeks and the other week is been paid for.
- Only the permanent workers are entitled to sick leave.
- Maternity leave is 4 months
- No other benefits

### Child Labour

- No child labour on the farm.
- The workers are verified with their ID document when they are interviewed.
- No workers under 18 years are employed.

### Working Hours

- They work 45 hours per week 9 hours per day
- Starts at 07h 45- 17h 30 during wintertime.
- 07h 30- 18h 00 during summer time
- They get 1 hour lunch and 10 minutes tea time.
- The workers work two hours per day overtime during summer time.

### Forced Labour

- The workers are not forced to work overtime but when they refused to work the workers are called in for disciplinary hearing.
- When the workers refuse to work overtime they have to vacate their houses.

### Freedom of Association

- No trade union
- Management makes own rules and policies.
- When the workers join the union, they are victimized by management it has happen in the past.
- The workers are scared to join a union.

### Absence of Discrimination

- There are safety representatives and do monthly plant inspections.
- There personal safety is not insured only in the building but not in the fields where the farm workers worked
- No sanitary system in the field. The workers make use the bushes.
- The disposal area is covered with a fencing and is far from the living area





## Housing

- There are 60 houses on the farm. .
- Only of the 30% of the houses have electricity and water inside the house.
- The houses consist of 2 rooms.
- Some of houses are in bad conditions.
- The houses need to be upgraded
- They do not pay rent only electricity/

## Community Impact

- The women are being treated differently, no permanent contracts.
- Management is racist because the black workers are mostly contract workers.
- Only the men with good look get the opportunity

## Community Impact

- Management has no interest in the community.
- They use seasonal workers from other areas and not the local community.

## General

- The houses need serious attention.
- The workers need more houses.
- There is no social upliftment for the workers.
- No recreation for the children





## 53. UITKJYK FARM

Owner: Jan Eksteen • Tel nr: • Fax nr:

### Introduction

Uitkijk is a farm situated in the Drakenstein area. Mr. Jan Eksteen is the owner of the farm and he is farming with grapes. He has permanent workers and contract workers.

### Wages

- Workers get a salary of R90 a day and the farmer takes a R30 as part of savings.
- Each employee gets a valid payslip and payments are made through the bank.
- There are no over-time on this farm, except for the permanent workers. They all receive a bonus by hand at the end of the week.
- Employees receive overalls and shoes as part of their equipment for free.
- The employer provides houses and electricity for the workers for free.
- Each worker receives maternity leave, annual and sick leave.
- UIF is deducted from their salary.
- No worker gets any benefits beyond legal requirement.

### Child Labour

- There is no child labour in the farm.

### Working hours

- Monday till Friday: 6:00am-17:30pm
- Tea time: 9:00am-9:30am
- Lunch time: 12:30pm-13:30pm
- The working hours are indicated electronic on the workers pay slip.

### Forced Labour

- Workers did not sign any working contract but workers have a good working relationship with the farmer.
- Workers have the freedom to go but have to leave the farm.
- The farmer asks the workers to work over time but they not compel to do it.

### Freedom of Association

- Workers have the freedom to join any union and can vote for any party.
- Workers can have meetings whenever they like, but it must be after work.
- There were never union problems.
- Workers complain to the supervisor and he/she take it from there.
- Workers can not file suggestions anonymously they must give it to the supervisor.

### Health and Safety

- To deal with accidents on the farm the farmer takes the workers to the hospital.
- The workers safety is insured and if anything happen to them they get a payout.
- It is sanitize and safe in their workplace.
- There is no drinkable water, toilets or rest areas near the work place.
- The toxic are being stored in a store room.
- Rubbish is being removed every month with the rubbish truck.





### Housing

- The houses of the workers have 3 rooms, a kitchen bedroom and a living room.
- There is an established H&S system available.

### Absence of discrimination

- No pregnant woman and sick people are allowed to work on the farm.
- Woman and man do the same work.
- Woman and man work in the store as well in the vi

### Community Impact

- The workers do not get anything from the farmer.

### General

- School, church and a playground for the children are needed.
- Workers are also not happy about the R30 that is being deducted from their salaries.
- It is clear that this farmer treats his people well; it is just a few things that need to change.





## 54. UP TO DATE FARM

Owner: Patrick Blom • Tel nr: • Fax nr:

### Introduction

This farm is situated in the Lutzville area. The owner farms with vegetables and fruits.

### Wages

- The employees receive R56.79 a day, and their salaries differs.
- They get paid by hand, and they also get pay slips.
- The farm worker tells the workers to work overtime and they do not get paid for working overtime.
- The farmer gives protection clothes for the permanent workers, and the contract workers must pay for their own equipment.
- The houses that the farm workers live in has electricity and others do not have electricity. The workers also get free water, but their Toilets are not in good condition.
- The workers get sick leave. UIF is deducted on their salaries as well as insurance policies.
- The houses are given to the workers for free.

### Child Labour

- There is child labor in the farm, and the ID documents were not asked for employment purposes.

### Working hours

- The employees start at 06h30 am until 17h30 pm.
- Tea time: 09h00am until 09h30am
- Lunch: 12h30pm-14h00pm
- Working hours are indicated on their payslips.

### Forced Labour

- Employer has a good relationship with the workers that works in the store room, but does not have a relationship with the vineyards employees.
- The farm workers are not allowed to work on other farms.
- There is no evidence of forced labour taking place at this particular farm. If employees decide to work somewhere else they must leave the farm.

### Freedom of Association

- The employees are not allowed to join the Trade Unions.
- The farm workers always hold meetings on the farm, but they are very careful because someone will report them to the farmer
- There are no recent union problems, because there is no union representing the workers. One of the employers was forced to leave the Union.
- Employees are scared to negotiate because they are scared to talk.
- There are no complaining boxes for workers. When the workers have any complains; they must tell the supervisor and he will tell the farmer.





## Health and Safety

- There are warning signs. The workers are safe to work in the farm.
- One of the employees was involved in a forklift accident but did not get money for insurances.
- There is a storeroom for chemicals in the farm.
- On the harvest there is no water or toilets, the farmer used to bring them water to drink, but he does not do it anymore.
- There is a store room for all chemicals, and it is always locked.
- There is a disposal area.

## Housing

- 3 workers are living in a 1 bedroom house and they must all share. If another person comes to work for the farm, they must also move in with the other 3.
- There is H&S system on this farm.

## Absence of discrimination

- Sick people can also work in the farm, but only if their condition is stable.
- The workers do not get equal opportunities and they do not get pension fund.
- The women are working in the store room, and the men work at the vineyards.

## Community Impact

- The workers get bonuses after seasonal work, but it is not enough. The farmer holds parties for the community workers.

## General

- There was a guy who went to the farm and told the farm workers that they must join the trade union for R27 and he also gave them wrong information about the Trade union. The farmer threatens to dismiss the workers if they do not comply with his rules. The workers do not have transport to go to their houses, they must hike for lifts. The workers do not have any rights; they must listen to what the farmer tells them to do.

## We recommend that:

- The workers should be informed about their rights
- Democracy is unknown and a term that can't be associated to this worker.
- The workers should be given transport to their houses. A change should be done regarding the situation in the farms





## 55. VARK FARM

Owner: • Tel nr: • Fax nr:

### Introduction

The farm is situated in Klein Drakenstein, Paarl, Western Cape and Boland Region. This farm is one of KWV grape suppliers. The owner of the farm is Mr. A. J. Grobler. They are one of K.W.V's grape suppliers and supply grapes to KWV on a daily basis throughout the harvest time. There are 55 permanent workers, 27 is women. We interviewed two employees Andrew Martin who has 13 year service on the farm and Rina Conradie also has 13 years' service on the farm. The farmer was not available. Mr. Joubert owns two farms the grape farm and the pig farm.

### Wages

- The permanent workers get paid on a (second week) forth nightly basis and their pay rates differ. Money is paid electronically into their bank accounts.
- The workers get proper pay slips.
- The workers get a harvest bonus of R 800.00 per person and an annual bonus of R600.00 per person.
- Wages: Men- R 650.00 per forth night
- Women- R 587.00 per forth night
- They also provide tools for the men to work with.
- The supervisor control their time keeping manually.
- The workers receive an annual bonus on their attendance performance.
- The men only get a living wage in terms of the sectorial determination but not the women.
- The workers are forced to work overtime without getting paid.
- The farmer foresee to some of the worker's basic needs:
- Their houses are in good conditions with electricity and clean water supply
- No transportation for the school children. They must walk  $\pm$  4 km every day to and back from school.
- No health care facilities on the farm.
- No skills and development training for the workers.
- No child care or day care facilities. The children must go to the day care centre in town.
- The farmer provides transport to the workers to town free of charged.
- The farmer does not adhere to the legal requirements according the Basic Conditions of Employment Act.
- The annual leave is two weeks
- Maternity leave three months.

### Child Labour

- There is no child labor on the farm.
- The workers aged from above twenty years.

### Working Hours

- Employees worked 45 hours per week
- Summertime period starts from:
- 07h00
- 09h00- 09h30 – tea time
- 12h30- 13h30- Lunch
- 17h15
- Winter time period 07h30- 17h45
- No payments for overtime





### Forced Labour

- Nobody is forced against their will to work on the farm, but is requested to work when needed.
- The workers were given a copy of their contract of employment, including the company policies and procedures.

### Freedom of Association

- No trade Union
- The workers never join any union and workers do not know of the farmer response when they join a Union.
- No meetings with the farmer to discuss their problems.
- They have grievance procedures in place.
- They do not have a worker committee.

### Health and Safety

- The workers are trained on the vineyards and other fruit trees.
- They have a safety representative in the workplace that was currently trained.
- There are no toilets and rest rooms in the harvest areas, the workers must go home to use the bushes.
- The farmer complies with the safety regulations but have no safety policy in place.
- Stinky drains and over flooded, drains are not been service.

### Housing

- There are structural problems on the houses, cracks and some roof leakage.
- They have toilets in the houses.
- No payments on the houses.
- There is electricity and clean water supply.
- The workers buy their own electricity through Eskom.

### Absence of Discrimination

- The men and women workers do the same work but their salaries differ.
- Only the men are permanent and not the women.

### Community Impact

- The farmer does not employ workers from the community.
- There are no hall facilities for events and the workers entertained themselves on the farm.

### General

- The farmer has meetings with the workers to discussed issues.
- The workers asked the farmer to provide the children transport to school. His response was that they must ask the government.
- The farm workers need a trade union to protect their rights.





## 56. VAN ZYLS DAMME FARM

Owner: Dr M. Nel • Tel nr: (028) 551 2112 • Fax nr: (028) 551 2112

### Introduction

The farm is situated 30 km out of Ladysmith, with the post box address 6. It is a grape, figs and milk farm, and they sell the grapes to the cellars and milk to the Ladysmith cheese factory in the area. There are 37 permanent workers, of which 27 are men and 10 women. There are no seasonal workers on the farm. There are 20 children on the farm, who is still in high and primary school. The elderly people are 18, with 4 men and 14 women, they get Government Grant. There are also 11 disabled people. There are 14 unemployed people on the farm the employee interviewed is Leandre Jooste and has been working for 7 months on the farm.

### Wages

- They get paid cash by hand.
- No piece work.
- Correct payment is insured by clock system.
- A few of them works overtime and get hourly rate.
- They work on daily rates.
- They do get pay slips.
- They do have a time recording system, by clock card.
- There is no incentive for longer hours worked and they are forced to work longer hours.
- They only work five days a week, from Monday to Friday.
- Tools are not provided
- They get R100.00 to R200.00 harvest or production Bonuses.
- Casual workers get R250.00 per week
- Some workers work fortnight for R600.00 to R700.00.
- Monthly workers get R1700.00, weekend work is included.
- All employees' basic needs are covered, like housing, electricity, child care facilities and portable water.
- There is no, education, transportation and savings.
- Annual leave is three weeks for the year.
- Sick leave is 12 days per year with pay.
- They do not comply with maternity leave policy, woman get up to 2 months.
- They deduct UIF for employees.
- There is no provident fund or pension benefits
- No benefits beyond the legal minimum requirements, such as education and food.

### Child Labour

- He request ID or birth Certificates on hiring practices.
- Hendrik Rooi works on the farm and he is 17 years old.
- He does the same work as other workers.
- He is working under supervision and the same hours as the other employees.
- His parents approved his employment.
- There is no company to outline acceptable forms of labor for this group.



## Working Hours

- Employees worked 45 hours per week.
- They start at 06h00 to 16h00
- Breakfast from 08h00 to 08h30
- Lunch from 12h00 to 13h00
- They do work overtime, for 2 hour per week with payment.
- They do not work on weekends and public holidays.
- Working hours are recorded by book, and is not verified by the employees.

## Forced Labour

- They signed contracts of employment, but is not in possession of copies.
- All legal benefits are included in contract and no harsh clauses.
- No one is compelled to stay against their will on the farm; they withhold documentation if people resign.
- There is no evidence of forced labor.

## Freedom of Association

- The workers right to join Trade Union is not respected.
- He force them to resign from CSAAWU.
- There is no collective bargaining, the employer just implement.
- He bought them furniture after they resigned from the Trade Union
- The workers do not belong to any trade union.
- No grievance procedure.
- No complaints/suggestion boxes.
- No worker committees to bargain on employees behalf.

## Health and Safety

- No health and safety measures in place.
- Workers personal safety is not insured no machine safety.
- The previous safety representatives resigned but they have one in training.
- The working area and the rest room do not have sanitation and clean water to drink.
- Harvest areas have no toilets/water and rest rooms.
- No disposal area, for waste, hazardous, organic or inorganic material.
- There is no storage and application of agrochemicals.
- The farm does not comply with the Safety Regulations.
- The farm has no Health and Safety policy.

## Housing

- They have 35 houses, with 2 bedrooms
- They have electricity.
- Toilets are outside
- Water is outside
- The walls are full of cracks.
- Houses are in bad conditions.
- Workers do not pay rent.





### Absence of Discrimination

- Hiring policy is the same for every one.
- They discriminate against women.
- No opportunities for workers, such as training and promotions.
- There is discrimination in term of salaries; men get more than women, even though they do the same work.
- There are different pay days, weekly, monthly and fortnights.
- There is a separation of workers, with different work assignments.

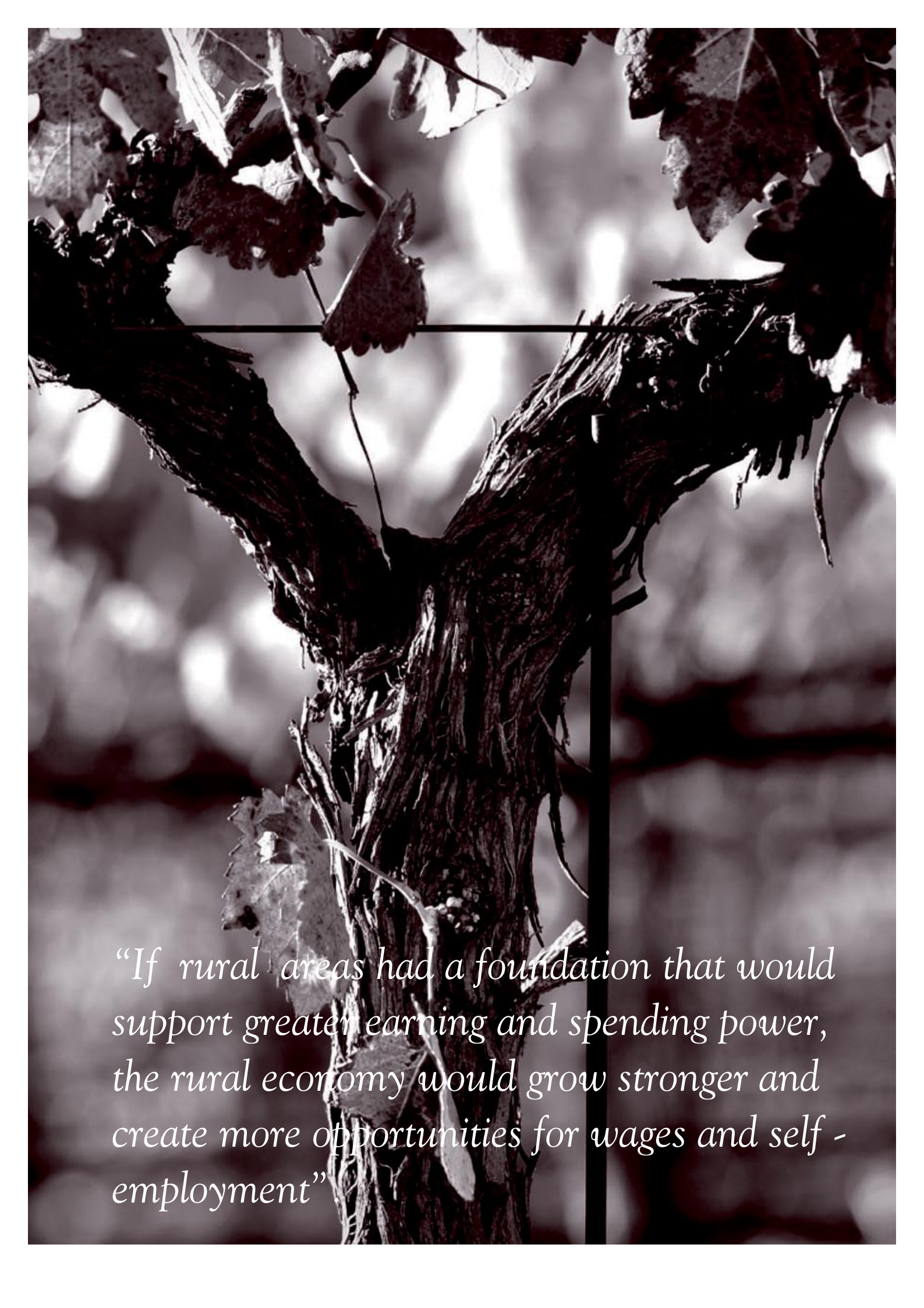
### Community Impact

- There is no community impact on the local community.

### General

- The farmer needs to be addressed, about the bad housing condition.
- He is victimizing the workers, if they join the Union.
- Transport to the town must be provided.
- The living conditions of the workers really need to be looked at.





*“If rural areas had a foundation that would support greater earning and spending power, the rural economy would grow stronger and create more opportunities for wages and self-employment”.*



## 57. VOORBAAT FARM

Owner: J.P Crawford • Tel nr: (028) 551 2463 • Fax nr: (028)

### Introduction

The farm is situated 27 km out of Ladysmith, with the post box address 188. It is a grape farm, and they sell the grapes to the cellars in the area. There are 32 permanent workers, of which 20 are men and 12 women. There are no seasonal workers on the farm. There are 25 children on the farm, which attend high and primary school. The elderly people are 10, with 4 men and 6 women, they get Government Grant. There are also 2 disabled people. The employee interviewed is Chris Antonie, and who has been working for 3 years on the farm.

### Wages

- They get paid cash by hand.
- No piece work.
- They work on a daily rate.
- They do not get pay slips.
- They do have a time recording system, by attendance register.
- There is no incentive for longer hours worked and they are forced to work longer hours.
- They only work four days a week, from Monday to Thursdays.
- They pay R225.00 per week for 4 days.
- Tools are not provided
- There is no harvest or production Bonuses.
- No payment for overtime.
- Not all employees' basic needs are covered, just housing.
- There is no electricity, education, child care, transportation and savings.
- They must get water from the river for them to drink and to wash.
- Annual leave is three weeks for the year.
- Sick leave is for e.g. if they take three days sick leave then he only pays for two days.
- They comply with maternity leave.
- They deduct UIF for employees.
- No benefits beyond the legal minimum requirements, such as education and food.

### Child Labour

- He request ID for hiring practices.
- Jason Wagner works on the farm since he was 14 years old, and he is now 15 years old.
- He does the same work as other workers, but paid differently.
- Sometime he gets R10.00 per week, R60.00 per week and then he work for free as well.
- He is working under supervision and the same hours as the other employees.
- Elizabeth Wagner, the mother of Jason, she did not approve Jason's employment.

### Working Hours

- Employees worked 40 hours per week.
- They start at 06h00 to 18h00
- Breakfast from 08h00 to 08h30
- Lunch from 12h00 to 13h00
- They do work overtime, for 30 minutes per week without payment.
- Working hours are recorded by book, and is not verified by the employees.







### Forced Labour

- They signed contracts of employment, but is not in possession of copies.
- They where not given opportunity to read it for themselves.
- Jason Wagner was forced to work on the farm.
- The Employer withholds their salaries, benefits and documentation if they want to resign.
- He phones the other employers to dismiss them, if they resign from him.

### Freedom of Association

- Their rights to join Trade Unions is not respected, he force them to resign from the Trade Union CSAAWU.
- There is no collective bargaining, he take unilateral decisions.
- No negotiations take place.
- There are no alternative structures such as a committee to negotiate on workers behalf.
- No grievance procedure or complain boxes.

### Health and Safety

- There are no health and safety policies in place.
- Employees personal safety is not insured
- People do not get training or education as far as health and safety is concerned.
- No sanitary on the work floors, rest rooms and no drinkable water.
- No toilets, water, rest rooms in the harvest area.
- There is no storage facilities
- No disposal area for waste, hazardous, organic, inorganic material.
- They don't have H&S system in place.

### Housing

- There are 20 houses on the farm and are 2 bedroom houses.
- Houses are in a very bad condition, and not for human beings to stay.
- No electricity in the house
- No water inside, they must go get it from the river.
- Floors and walls are cracked and walls
- They have rough graveled floors.
- Doors and windows are covered with corrugated iron plates.
- The roof is leaking on raining days.
- They have toilets outside the houses.

### Absence of Discrimination

- There is no discrimination in terms of hiring practices.
- There are no opportunities for training, promotions and no benefits.
- There is discrimination in terms of salaries, although they do the same work.
- Men get R56.00 per day, and women R55.00 per day.
- There is discrimination of pay dates, Men pays on Tuesdays and Women on Thursday.
- No separation of workers.
- No different work assignments.





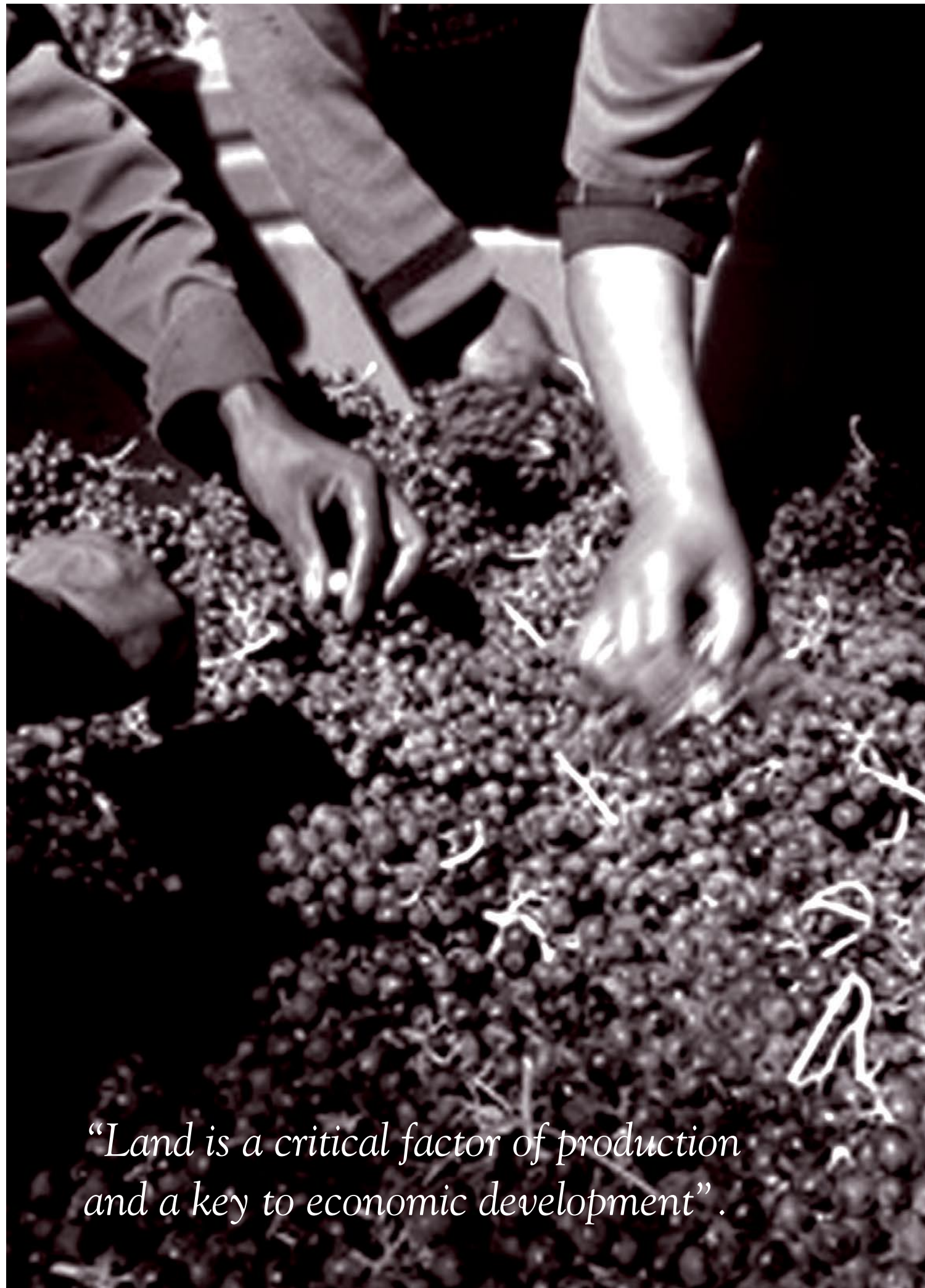
### Community Impact

- The farm has no impact on the local community.
- The local community does not get any support from the farmer.

### General

- It is clear that this employer does not care for his employees and he is very disrespectful towards them.
- Something urgent needs to be done to transform the livelihood of these employees.
- The Department of Labor needs to go out for Health and Safety inspection.
- The houses need to be renovated as a matter of urgency.





*“Land is a critical factor of production  
and a key to economic development”.*



## 58. VORENTOE FARM

Owner: Koosie Van Niekerek • Tel nr: (021) 240 0549 • Fax nr: (021) 240 0549

### Introduction

This farm is situated in the Porterville area and is one of 7 farms of Mr. Koosie van Niekerek. They work with grapes and oranges. The grapes are for international markets. Here are 80 workers of which 50 are women and 30 are men and they are all seasonal workers with only 15 permanent workers. On the farm there are 15 children still on school with only 2 unemployed people on the farm with 1 old age. The employer interviewed was Ms Cristina Van Rooy.

### Wages

- Workers get their salaries by hand (cash) worked out on an hourly rate.
- Correct payment is insured by proper payslips and time is recorded by register.
- Wages is R253 per week whether they work long or short hours.
- Bonuses are only at the end of the year, R30 per person.
- Tools are provided during harvesting time (scissors)
- Some basic needs are covered for example they do have houses, electricity, childcare and transportation.
- They provide all legal required benefits such as sick leave and maternity leave.
- No pension or provident fund is provided.
- Deductions for UIF are made
- No extra benefits beyond the legal minimum requirements like education and food.

### Child labour

- Their system of age verification is by checking I.D document or Birth certificates.
- There is no children working on the farm under the age of 20 years
- There is a company policy to outline acceptable forms of labour for this group.

### Working hours

- Their daily and weekly hours are 45 hours per week.
- They don't work overtime except during harvesting time by working 2 hours extra.
- Their working hours are recorded manually. and verified by employees
- Start at 7H30 till 17H30
- Breakfast from 9h00 to 9h30 lunch from 12h30 to 13h30
- They do not work on weekends, only on request.

### Forced labour

- There is an established working relationship with employees.
- Nobody is compelled to stay with the company which means they can leave as they wish
- We could not find any evidence of forced labour.
- People sign contracts of employment but don't have copies of it.
- No withholding of salaries or benefits if people decide to leave.





### Freedom of association

- The rights of the workers are respected although there is no union.
- There is no other alternative means to negotiate in an absence of a trade union.
- No other committees to deal with the problems and issues of the workers.
- The employer implements salary and conditions on his own.
- No grievances or complain boxes on the farm.
- There right to collective bargaining is respected.

### Health and safety

- Accidents are prevented by safety education and training and first aid.
- People's personal safety are insured
- People was given fire evacuation training
- They have supervisors as the health and safety representatives
- They do have toilets and water with rest areas in the harvest area
- They do have disposal areas in the harvest area for waste, organic, inorganic material
- They are very concerned about their health and safety methods.
- They do have a health and safety policy (H&S)

### Housing

- There are 24 houses on the farm with 3 to 4 rooms.
- The employer doesn't charge rent for houses.
- All the houses have water, electricity and toilets inside.
- The houses are in very good conditions.

### Absence of discrimination

- The hiring practices is not discriminatory
- People are treated the same by the employer.
- There is no discrimination against pregnant women.
- There are equal opportunities in terms of promotion and training
- The only difference is between the salaries of the permanent workers and the seasonal workers.
- There is no difference in working assignments, everybody does the same work.

### Community impact

- Appoint seasonal workers from the local community( about 50 every seasonal and harvesting time) and building a crèche for the children

### General

- It is clear from the research that the employer doesn't fully comply with the sectoral determination and that he pays less than required by law.
- The employees must be in position of a copy of their contract of employment.
- The farm has no sport rounds or other activities for the youth to keep them busy with.
- There is no personal relationship with its employer
- There are many holes in the houses.





## 59. VREDENHOF FARM

Owner: • Tel nr: • Fax nr:

### Introduction

The farm is situated in the Matzikama area Lutzville. They farm with grapes vineyards and tomatoes. They supply to local factories and cellars. The farm is owned by a white family. Only 10% of the Lutzville community worked on the farm. The other workers are recruited by labour brokers. A group of workers was interviewed.

### Wages

- The workers earn between R200 and R270.00 per week which is less than the sectoral determination minimum wage.
- Their salary is paid to them in cash in a brown envelop.
- Some of the workers get paid weekly and some forth nightly.
- The workers worked long hours but are not paid overtime as required.
- Annual leave is 3 weeks.
- No sick leave paid. No work no pay although the owner accepted doctor certificate.
- No maternity benefits. The women must stay at home when they are pregnant.
- Workers do not receive other benefits.

### Child Labour

- No child labour on the farm.
- The workers are not verified because they worked without an identity documents.
- The majority of the youth workers are matriculated.

### Working hours

- They work 60 hours per week 12 hours per day without being paid overtime.
- Starts at 08h 00- 18h 00 with one hour lunch.

### Forced Labour

- The workers are forced to work under bad weather conditions.
- They are also forced to work public holidays without getting paid.
- They are compelled to stay on the farm when the workers resigned they must leave the farm.

### Freedom of Association

- The workers joined the Union but management delay the process for verification and intimidate the workers.
- The workers suspected that the Dept. of Labour inspectors were bribed because they did not do anything to the owner when they went to visit the farm.

### Health and Safety

- No health and safety mechanism in place
- No safety education or training is given to the workers.
- There personal safety is not insured.
- No safety representative on the farm.
- There are no toilets and rest rooms near the working areas.





### Housing

- There are 20 houses on the farm. Some of the workers stay in the barn.
- Some of the houses have electricity and no water inside the house.
- The houses consist of one room.
- The houses are in a bad condition with broken windows.
- The roofs are broken and leak when it rains.
- The houses need to be upgraded
- Only outside toilet to serve 30 workers

### Absence of Discrimination

- The owner is racist. The white unschooled workers are supervising the black matriculated workers.
- No skills and development training for the general workers.

### Community Impact

- They make use of outside labour.
- 10% of the workers are from the community and other from other provinces.

### General

- The houses need serious attention.
- He does not provide transport for the workers. The workers must travel long distances to churches, children to schools
- He must pay the workers for public holiday
- No recreation for the children
- No insurances are provided





## 60. WELGEGUND FARM

Owner: Wick Mostert • Tel nr: (022) 4822420 • Fax nr: (022) 4822420

### Introduction

The farm is situated, about 10 km outside Wellington and employs 10 permanent workers which are men. Mr. Danie Le Roux, is farming with sheep, cows and wheat.

### Wages

- Permanent workers which are only men earn R250, 00 per week.
- Earnings are made electronically in their bank account.
- Workers are receiving pay slips and are paid on an hourly rate and timekeeping is per attendance register.
- Farm provides tools, protected clothing and during harvest time. The farmer did not provide sanitation and drinking water during harvest time and workers must go to the bush and carry the drink water with them.
- Farmer does not comply with sectoral Determination in terms of earnings and overtime, but comply with, 15 working days annual leave, 4 months maternity leave, yearly bonus; 3 days family responsibility leave.

### Child Labour

- No child labor on the farm every worker is over 18 years old.
- The farm got a policy of no employment of children under the age of 16 years

### Working Hours

- Workers are working 45 hours per week as per the BCEA excluding rest times.
- Overtime is consulted in advance with workers and payments are secured as per hour and a half time recorded, but is not corrected in terms of the sectoral determination.

### Forced Labour

- No forced labor on the farm, but when workers refuse to work overtime, the employer victimized them.
- Some workers resign from work and some was dismissed in the past, because they were threatened by the employer for not working overtime.

### Freedom of Association

- Their rights to join a union are respected, but there is no union in place and workers are vulnerable and they don't know their rights as to the LRA and BCEA.
- Workers have no workers committee and no representation when a dispute arose.
- Workers can freely go in and out on the farm and their family is welcome to visit them.

### Health and Safety

- No training to the workers.
- Drinking water and sanitation are not provided for workers during working hours and workers go home when they work close to their houses.
- Workers go home or eat in the store room when they have lunch and tea time.
- Workers are compelled to wear protection during working on the land with poison.





### Houses

- There are 10 households on the farm and all 10 houses got electricity, water and hot water and have no bathroom.
- Some houses need serious attention due to structural problems and roof leakages.
- Workers reported these problems to the farmer, but nothing has been done so far.

### Absence of Discrimination

- No discrimination against workers.
- No workers gets promotion only whites are in manger positions.

### Community Impact

- Farm makes use of people in town some times during harvest time.
- There is a venue people can make use of for church and other events.

### General

- Children received transport to the main road and a bus takes them to school.
- Workers must wait for the farmer to go to town, because the farm is 10km outside the town and if they need some food or other items they must pay extra for transport.
- Workers have no pension fund, and death covery.



## 61. WESLAND FARM

Owner: Wessel Van Niekerk • Tel nr: (023) 931 3083 • Fax nr: (023) 931 3083

### Introduction

- The farm is situated in the Porterville area and works with table grape and supplies wine grapes to cellars in the area.
- The owner is : Mr Wessel Van Niekerk and the manager is Mr George Charles who was also interviewed
- They have 28 permanent workers : 23 men and 5 women
- They have 13 children who are still attending school
- Unemployed people are 4
- 2 elderly persons on the farm.
- No disabled persons
- 70 seasonal workers on the farm
- The employee interviewed: Mr Sam Peters

### Wages

- The salary of the people is R281 per week which is less than what the sectorial determination describes
- Some get their salaries cash and some through the bank system
- Time recording is manually and workers get proper payslips
- They get a weekly attendance bonus and harvesting bonuses
- The employer provides tools to work with
- The only time they work overtime is during harvesting time, and they get overtime payment as per the law.
- Their basic needs are covered, but they need to get their own working overalls
- They get 15 days annual leave, 12 days sick leave, 4 months maternity leave
- They have a provident fund

### Child labour

- They do age verification when people come for employment by checking their date of birth on the birth certificate or I.D book
- Children of 18 years only work during harvest time in the packaging department and under supervision
- They are approved by the parents.

### Working hours

- They work 45 hours per week
- 2 hours overtime per week when needed, with payment
- Work 07H00- 18H00
- Resting time 30min(tea time) 1hour(lunch)
- No working on weekends or public holidays
- Working hours are recorded manually and verified by the employees
- They don't work on weekends and public holidays except harvesting time.

### Forced labour

- All employees signed contracts of employment but don't have copies in their possession
- Nobody is compelled or forced to stay against their will
- They can resign as they wish
- No documentation will be withheld because of their resignation



### Freedom of association

- The employees has the right to join a trade union
- They belong to the SDTU union
- They have representatives and the union has access to its members
- They do collective bargaining and negotiations
- Do have grievance procedure
- There are no other structures then the union.

### Health and safety

- Workers do get safety education and training in order to prevent accidents from happening
- They have a health and safety committee on the farm as well
- They don't work with machines on the farm
- They have sanitary all over the farm
- Harvest areas have toilets, water, and restrooms
- Safety signs are on the walls
- Disposals areas for waste hazardous, organic, inorganic material is available, but not to the community.
- They have an H&S management system on the farm.

### Housing

- There are 14 houses on the farm with clean drinkable water and electricity
- Houses has 2 bedrooms, lounge, kitchen and bathroom
- The houses are in good condition
- Pay 10% rent of their salary

### Absence of discrimination

- I observed no discrimination at all in the work place by going through their documents and records
- Workers are treated equally in terms of promotion and training
- No difference in working assignments
- There are 5 African people in managerial positions

### Community impact

- They provide work to the local community
- The farm sponsors fruit and vegetables to community structures in need

### General

- They will rectify the wages accordingly
- They will give the employees copies of their contract of employment
- The people do not have a problem with the attitude of the employer and that he respects them at all times
- The record keeping is up to standard







## 62. WESLAND BOERDERY FARM

Owner: Wessel Van Niekerck • Tel nr: • Fax nr:

### Introduction

Wesland boerdery is situated outside Saron, also in the Cape Drakenstein area. There are eighteen houses on this farm. Mr.Wessel Van niekerck is the owner of the farm and they are farming with grapes, olives and cattle.

### Wages

- Workers receive salaries of R303, 00 per week.
- Each employee get a valid payslip and payments are been made through the bank.
- Workers must work over time and they receive a bonus of R11.75 an hour.
- Employees receive an overall and veldt shoes but they must buy the safety boots.
- Each worker receives maternity leave annual and sick leave so are UIF deduct from their pay.
- The farm provides houses and education to the workers and their children.

### Child Labour

- On this farm there are age confirmations which mean there is no child labour.
- Children are only allowed to work on holidays.

### Working hours

- Working hours is as follow:
- Monday till Friday: 6:00am-18:00pm (man)
- 7:00am-18:00pm (woman)
- Tea break: 11:00am-11:10am
- Lunch: 12:30pm-13:00pm
- Extra break: 16:00pm-16:10pm
- Working hours are recorded electronically on their payslips.

### Forced Labour

- There is a good relationship between the workers and the employer.
- Workers have the freedom to go and work somewhere, they are not compelled to stay on the farm but have to pay rent if they stay.
- The owner asks the workers to work over time and they are compelled to do it.

### Freedom of Association

- Workers have the freedom to join a union if they want to.
- Workers have the right to collective bargain and can have meetings if they want to but it must be after working hours.
- There were never union problems.
- Workers can negotiate freely with their employer.
- Workers can complain anonymously for an example write a note without a name.





### Health and Safety

- The farmer put on flags to prevent any accidents.
- If workers get hurt they get a temporary payout.
- It is sanitized and safe in their workplace.
- Drinkable water, toilets and the rest area are near the harvest area.
- The toxic are being stored in a toxic room.
- Rubbish is being removed every week with the rubbish truck to Saron.

### Housing

- The houses of the workers are in a stable condition, it have two to three rooms.
- There is an established H&S system and some of it has been implemented.

### Absence of discrimination

- There are pregnant woman and sick people in labor only if they are in a stable condition.
- Most of the workers are man so they do mostly of the work.
- Women work in the store; and men in the vineyard.

### Community Impact

- After season time the farmer take his workers to the beach and he also provide for the food.

### General

- There is a need for school, church and playground for the children in the farm.
- It is clear that the farmer treats his people well; it is just a few things that are needed.





## 63. WESTERN CAPE SEEDLING FARM

Owner: Erol Ohloff • Tel nr: (021) 374 1177 • Fax nr: (021) 374 1177

### Introduction

The farm is situated in the Philippi area. They have a nursery, and they supply directly to the community and shops. Here are 25 workers of which 20 are women and 5 are men and there are 15 part time workers. The worker interviewed was Paul Herpman who works for 3 years on this farm.

### Wages

- Workers get their salaries by hand (cash) worked out on an hourly rate.
- Correct payment is insured by proper payslips and time is recorded by register.
- Wages is R250 per week and R280 per week.
- Bonuses are only at the end of the year, R400 per person.
- Tools are provided during harvesting time.
- Some basic needs are covered for example they do have houses, electricity and
- Don't provide transport to workers
- Don't get paid for overtime work
- They provide all legal required benefits.
- No pension or provident fund
- Deductions for UIF are made
- No extra benefits beyond the legal minimum requirements like education and food.

### Child labour

- Their system of age verification is by checking I.D document or Birth certificates.
- Sherelene is 15 years old and works under supervision
- There is no children working on the farm under the age of 14 years
- Her employment was approved by her parents.
- There is a company policy to outline acceptable forms of labour for this group of employees.

### Working hours

- Their daily and weekly hours are 45 hours per week.
- They do work overtime but don't get paid for it
- Their working hours are recorded manually, and verified by employees
- Employees have to sign in
- Start at 7H30 till 17H30
- lunch from 12h00 to 13h00
- They do not work on weekends and public holidays.

### Forced labour

- There is an established working relationship with employees.
- Nobody is compelled to stay with the company which means they can leave as they wish
- We could not find any evidence of forced labour.
- People sign contracts of employment but don't have copies of it.
- No withholding of salaries or benefits if people decide to leave.
- During season time they are asked to work overtime.





### Freedom of association

- The rights of the workers are respected although there is no union.
- Only the Xhosa people belong to the union( N.A.S.A.W )
- The union bargain on behalf of the Xhosa people
- There is no other alternative means to negotiate in an absence of a trade union.
- No other committees to deal with the problems and issues of the workers who do not belong to a union.
- The employer implements salary and conditions on his own.
- There is a grievance procedure and complain box.
- Employees are not allowed to have meetings without the employer's concern.

### Health and safety

- No health and safety methods in place, no signs, no education or training to workers to what health and safety concern

### Housing

- There are houses on the farm with 2 to 4 rooms.
- The employer doesn't charge rent for houses.
- All the houses have water, electricity and toilets inside.
- The houses are in very good conditions.

### Absence of discrimination

- The hiring practices is not discriminatory
- There are no opportunities in terms of promotion and training
- The only difference is between the salaries of the permanent workers and the seasonal workers.
- There is no difference in working assignments, everybody does the same work.

### Community impact

- No contribution to the local community

### General

- It is clear from the research that the employer doesn't fully comply with the sectoral determination and that he pays less than required by law.
- The employees must be in position of a copy of their contract of employment.
- The farm has no sport grounds or other activities for the youth to keep them busy with.
- There is no personal relationship with its employer because he is disrespectful towards his workers an investigation should be conducted by the dept. of labour





## 64. WYLEKELDERSHOEK FARM

Owner: Chris Auret • Tel nr: (022) 482 4351 • Fax nr: 086 628 8985

### Introduction

This farm is situated in the Malmesbury area in Riebeeckriver Swartland, and exports fruits, and sells it around Western Cape. The farm has 24 permanent workers 12 women and 12 men. There is also a labour broker called Konelius Waterboer. He got about 40-50 people working for him.

### Wages

- Workers salaries are about R250 per week those who pay weekly.
- The other workers are getting payed per fortnight and others are paid monthly.
- They get tea time 15 min and lunch time 30 min
- They get paid by hand and get a pay slip
- They have a register book to sign every morning when they come to work
- They have uniforms and safety
- Employees work overtime and they get paid for it.
- They receive protective clothes for free.
- No pension funds available after they have retired.

### Child Labour

- There are no children working on the farm.
- When someone came to seek for work, the person must have an I.D.

### Working Hours

- The workers work 45 hours per week
- They do get tea time and lunch
- They start at 8h00 till 6h00
- They don't work on weekends
- They get paid overtime when they work till late

### Forced Labour

- They do have meetings every Monday before they start to work
- They have contact with the employer
- They are not force to stay against their will on the form; they can resign if they want to.

### Freedom of Association

- Employees have the right to join any union of their choice.
- Employees have not experience any union problems.
- Whenever the employees have any complaints they complain to the owner.

### Absence of Discrimination

- Sick people are not allowed to work on the farm.
- Only certain employees receive training .





### Health and Safety

- The inspectors came every week to check for hygiene
- The mobile clinic is also coming once a week
- They also come once a month for women injections

### Houses

- There are 12 Houses on the farm with 3 rooms.
- Children are walking to school

### General

- The condition of the houses is not good. Houses need to be painted. There is no electricity. People are paying rent. The road to school is not safe for children because there is river next to the houses. When the rain is strong, children can not cross the river to school, it is dangerous for them. The people do want to join Union.





## 65. ZZ2 FARM IN RIEBEEK FARM

Owner: Anton Hartneck • Tel nr: (022) 461 2508 • Fax nr: (022) 461 2360

### Introduction

The name of the farm is ZZ2 Boedery that is based in Riebeek Wes. This farm has more than 400 workers. Some of them are coming from different countries. This farm is selling the tomatoes to the big shops like Woolworths, Spar, Pick 'n pay, Checkers and all over the world.

### Wages

- Workers are working 9 hours and they don't get paid over time money.
- Some of the workers have been working for this farm for more than 20 years, but they still get salary between R400.00 and R300.00 per fortnight. They get paid on an hourly rate.
- They do not have clock machine, they sign the register book. When they retire they do not get pension funds. Some of the workers are getting paid R109.00 per fortnight.
- They pay R250.00 for their working clothes.
- UIF is always deducted from their salaries.
- The workers pay rent for their houses.

### Child Labour

- There is no child labor on the farm

### Force Labour

- The farmers asked the workers to work and if they do not want to, he threatens to take them back home.
- There is no good understanding between the farmer and the workers. The employees do not have employment contracts.

### Absence of Discrimination

- They do not have skills and development training and promotion for workers. No uniforms for the workers, they work with acid but they do not have protection clothes. The farmer says they must buy it for themselves.
- The workers also pay for the transport that picks them up to work. If one of the workers is sick the farmer does not allow them to go to the clinic or see the doctor. The farmer is keeping the document of the workers, and they do not have any contract paper that they sign.

### Community Impact

- The farmer calls the workers names like, monkeys and kaffers.

### Child Labour

- There are no children under the age of 18, working in this farm. This farm has about 30 children that are still at school.
- There is a 14 year old boy, who is disabled, and the child's situation is very bad and both his parents are not working.
- The children are walking about 1 km to school, even if it's raining they should go to school because they do not have transport.
- Those children who are still small are kept in a container that is in the bush. A woman uses her house to keep the small children, and her place is not in a good condition.

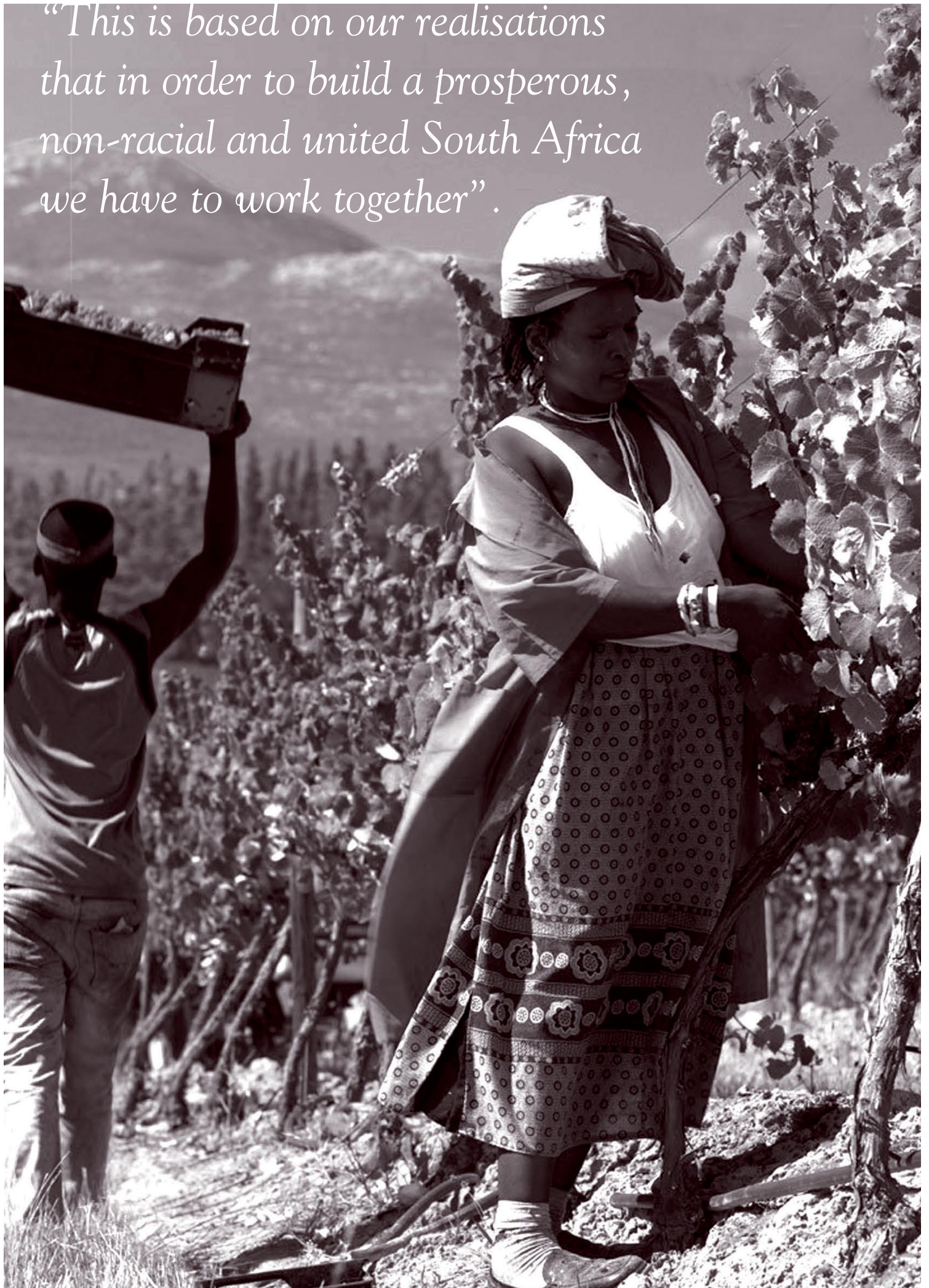
### General

- On this farm there are about 400 workers and they are staying in the containers, some of them are married but they do not stay with their partners. The workers go to the bushes for toilets, and there are about 15 containers and there are 8 to 10 people in each container, the containers are not in a good condition. One of the guys has been working for more than 20 years, but he is staying in a place that was used for chickens, every time when it rains, the place gets full of water.





*“This is based on our realisations  
that in order to build a prosperous,  
non-racial and united South Africa  
we have to work together”.*







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*“We pledge ourselves as members of Bawsi to strive together, sparing nothing of our strength and courage, until the changes for transformation have been achieved.”*



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