



Fighting for Work with Dignity in the Fields:

Agriculture Global Supply Chains in Morocco, Colombia, Guatemala, and Mexico

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Cover photo

Some 1,000 agricultural workers on five large farms in Morocco's fertile Meknes region won their first collective bargaining agreement in 2015. The pact—signed by Solidarity Center ally Confédération Démocratique du Travail with agro-industry employer Les Domaines Brahim Zniber—won performance bonuses for workers as well as safety equipment and social benefits. Photo: Solidarity Center/Hind Cherrouk

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Acknowledgements

This report draws on the work of five previous reports. The sections on Morocco are based on two reports. The first Morocco report is *The Power of Workers in Global Agriculture Supply Chains: Collective Bargaining between Confederación Democrática del Trabajo and Les Domaines Brahim Zniber-Diana Holding Group*. The report was published in April 2018 by the CGWR with Matthew Fischer-Daly and Glenn Perusek as primary authors. The second Morocco report is *The Benefits of Collective Bargaining for Women A Case Study of Morocco* by the International Center for Research on Women, Solidarity Center and the Confédération Démocratique du Travail and published in February 2019. The sections on palm oil in Colombia draw on the May 2019 CGWR report, *The Palm Oil Supply Chain in Colombia: Working Conditions, Firm Interactions and the Distribution of Value Along the Chain*. Daniel Hawkins was the primary author of that report. The Guatemala banana portions of this report draw on the January 2021 CGWR report, *What Difference Does a Union Make? Banana Plantations in the North and South of Guatemala*, authored by Mark Anner. The Mexican strawberry segments are based on the March 2021 CGWR report, *Strawberry Global Supply Chains in Mexico*, with Matthew Fischer-Daly as the primary author. Countless organizations and individuals contributed to these five reports, including: Alexis De Simone, Alistair Smith, Bouchta Boukhalfa, Carmen Molina, César Guerra, Eduardo Juárez, Hind Cherrouk, Jason Boccaccio, Joell Molina, Julio Coj, Kaouthar Hmimou, Kate Conradt, Lance Compa, Liliane Winograd, Lisa McGowan, Luis Fuentes, Luis Mendoza, Naziha Sultana, Pablo Quino, Sarah Gammage, Shawna Bader-Blau, Tara Mathur, Teresa Casertano, Tom Egan, and Tula Connell. We are also profoundly grateful to the numerous workers who participate in our surveys and who trusted us with their stories. We hope that these reports contribute to their efforts for work with dignity through strong union representation and collective bargaining.

Overview

The COVID-19 pandemic has reminded the world that workers are essential to our wellbeing and survival. Crucial among these workers are agricultural workers, who make up one-third of the world's workers.¹ No labor is more fundamental to society than food production, yet most agricultural workers live in poverty and endure dangerous conditions.² While much of the world went into lockdown and worked remotely, agricultural workers labored on in the fields. For most workers in agribusiness, the seasonality of work heightens wage dependence. Instead of financing pauses for public health, national states across North America and Europe exempted agribusiness from border closures to ensure employers access to immigrant labor with few protections.³

During the pandemic and *prior to the pandemic* agricultural workers showed us that they can fight back and ensure better and safer conditions of workers, including by addressing gender-based violence at work. As our research shows, this is most clearly illustrated by efforts of workers to organize and bargain collectively in Guatemala and Morocco. Also, during COVID, unions and workers collectives responded by ensuring that employers provided personal protective equipment such as masks, striking for safer workplaces, demanding adequate response from governments, and reminding the public that workers, not just agribusiness, are essential.⁴

This report seeks to understand employment relations in agricultural global supply chains and struggles for the dignity and empowerment of the workers who provide the food upon which so many depend. The report does so by providing an overview and analysis of five agribusiness sectors in four countries, detailed in studies by the Center for Global Workers' Rights with the support of the Solidarity Center. These are:

- ▶ Wine grapes and olives in Morocco
- ▶ Palm oil in Colombia
- ▶ Bananas in Guatemala
- ▶ Strawberries in Mexico

We focus on providing new analysis and broad takeaways by comparing and contrasting the findings from the prior four studies. The field research for these studies was conducted prior to the onset of COVID-19, yet the insights about bargaining power explain the dynamics observed during the ongoing pandemic. Retailers drive agribusiness supply chains, limiting the amount of capital that production workers might negotiate over with their employers. In agribusiness, governments provide employers flexibility while constraining workers' rights as part of national, export-oriented development policies. Collective bargaining coverage is therefore low. Where unions establish collective bargaining in the industry, it is demonstrably the strongest mechanism for protecting workers' health and dignity.

The Industry Context: Understanding agricultural global supply chains

The five sectors present a picture of contemporary agribusiness global supply chains (GSCs), as summarized in Table 1. Each contributes substantially to national incomes through export sales. Mega supermarkets, led far-and-away by Walmart, wield the most influence over every exchange in these GSCs. Even previously powerful trading companies are squeezed by Walmart and its followers. The second-most pow-

erful actors in the GSCs are companies specializing in transportation and marketing. The distribution of value skews away from labor, which is concentrated in production, and workers receive the lower share from retail sales of the more commodified products. Workers lack access to healthcare and essential services due to employer avoidance of social security contributions and suffer gender discrimination across the sectors, in addition to low wages, precarious employment, and violent retaliation and intimidation against unionists in multiple sectors.

Table 1: Indicators of Bargaining Power in Five Agribusiness Global Supply Chains

	Wine Morocco	Olive oil Morocco	Palm Oil Colombia	Bananas Guatemala	Strawberries Mexico
Annual export value	\$12 million ⁵	\$67 million ⁶	\$350 million ⁷	\$953 million ⁸	\$564 million ⁹
Supply chain driver	Retail, France (Carrefour)	Retail, Spain & USA (Mercadona, Walmart)	Biofuel, Mexico (PEMEX) & Brazil (GranBio); Food processing, Netherlands (Cargill)	Retail, USA (Walmart, Costco, Kroger, Ahold Delhaize)	Retail, USA (Walmart, Costco, Kroger, Ahold Delhaize)
Supply chain 2nd most powerful	Importer-distributors France (Ebertec)	Processor-marketer Spain (Devico)	Trading companies Colombia (Acepalma, Biocosta)	Trading companies (Chiquita, Dole, Fresh Del Monte)	Trading companies (Driscoll's)
Share of retail sales to field workers	15%-18%	n/a	n/a	5.5%	3.9%
Traceability	Vineyard	Processor-marketer, country(ies)	n/a	Retail/trading company, country	Retail/trading company, country
Unionization rate	One company ¹⁰	One company	11% ¹¹	4%	<1%
Issues facing production workers	<ul style="list-style-type: none"> - Low wages - Temporary, unstable employment - Social security non-registration - Gender discrimination 		<ul style="list-style-type: none"> - Anti-union violence - Labor subcontracting - Work intensity/injuries - Social security non-registration - Gender discrimination 	<ul style="list-style-type: none"> - Anti-union violence - Low wages - Excessive hours - PPE access - Gender-based violence 	<ul style="list-style-type: none"> - Employer protection contracts - Low wages - Social security non-registration - Gender & anti-indigenous discrimination

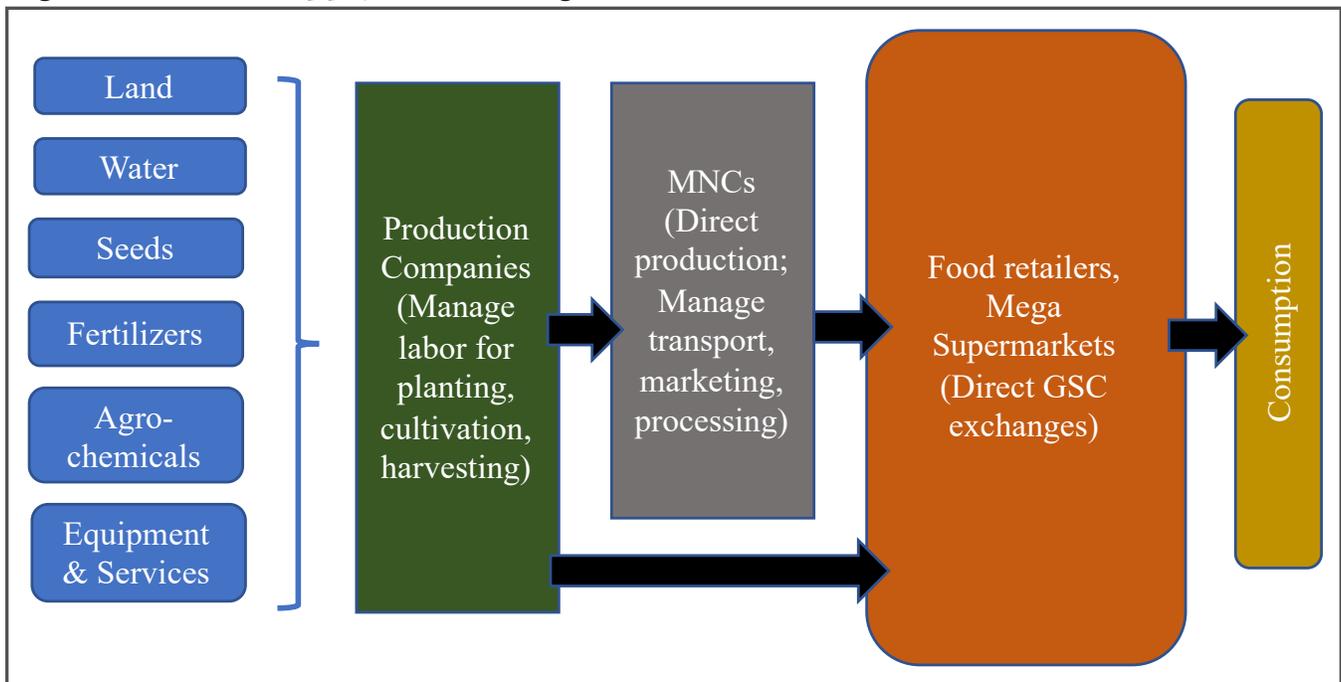
Agribusiness GSC Capital Organization and Implications for Labor

Agriculture Global Supply Chains (GSCs) are characterized by profound power imbalances that squeeze labor. This is true in all four countries and all five sectors that we studied. Power is distributed across a range of business and economic interests that are supported by state policies. These are dynamic relationships. Going back more than 100 years to the days of United Fruit in Latin America and the Caribbean, the mega fresh fruit companies held all the power. Not only were they able to exploit workers, but they controlled governments and private armies. The retail segment was relatively unimportant, but grocers and local shops sold prod-

ucts and accepted profits at rates set by the fruit companies. Those days are gone. Today power increasingly resides with the mega supermarkets who set prices and squeeze lead firms, who in turn squeeze their suppliers, who squeeze their workers.

While agricultural supply chains share many traits of other supply chains, such as apparel and consumer electronics in terms of power relations, separation of workers across the chains, and the squeeze on workers, they differ in several important ways. Harvesting seasons, the biological time needed for plant maturation, weather, insects, bacteria, and fungi all greatly complicate production in agriculture.¹² Moreover, production is limited to locations with conditions favorable to the crop in terms of land, access to water, and climate.

Figure 1: Global Supply chains in Agribusiness



Transportation infrastructure, including roads, rails, and deep-water ports are needed for quick market access to sell perishable products. Furthermore, manual harvests require a higher proportion of capital to be invested in labor.

The distribution of value in agribusiness skews away from labor's point of leverage in production, reflect-

ing lead firms,' particularly retailers, interest in reliable supplies and ability to set terms of trade. The retailers derive their power to set prices and conditions on suppliers from their control over sales markets. Sales of the edible final products are dominated by oligopolistic retailers. Four companies account for more than 40% of U.S. grocery sales, and five account for 80% of sales in France, and for 62% in Germany.¹³ In 2020 Walmart

alone accounted for nearly one-third of U.S. grocery sales and had three times the annual revenue of the next largest retailer of any type.^{14,15} For palm oil, buyers' power is also concentrated. For the 56% of Colombia's palm oil destined for biofuels, buyers include PEMEX in Mexico and GranBio, Raizen, and other members of the Brazilian Association of Industrial Biotechnology (ABBI), while the sector's buyers for edible oils include dominant commodity traders Bunge and Cargill. Retailers' increasing power drives consolidation and strategic changes by trading companies seeking to maintain their leverage.¹⁶

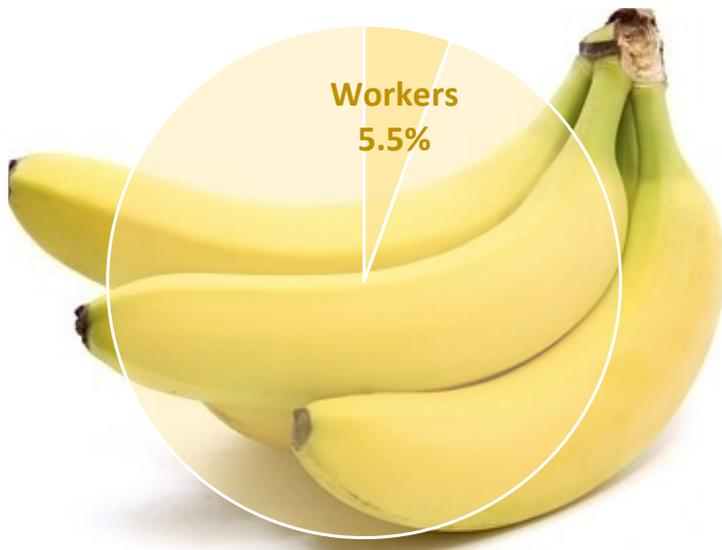
Morocco's leading agribusiness company dominates the national wine and olive oil sectors and has sought international partnerships to gain leverage with retailers. Les Domaines Brahim Zniber of the Diana Holding company ("Zniber-Diana") controls 85 percent to 90 percent of Moroccan wine production and more than 90% of domestic sales.¹⁷ Price declines since 2010 led it to seek leverage in retail sales by buying shares of Marie Brizard Wine and Spirits SA and contracting marketing firm CMA to increase sales in China and Russia.¹⁸ For olive oil, it partnered with the Spanish multinational, Devico, to sell mixed oils under the Pompeian brand to U.S. markets.¹⁹ Indicating national

employer strategy in agribusiness, the collective bargaining agreement (CBA) negotiated by the Democratic Labor Confederation (CDT) with Zniber-Diana raised terms and conditions of employment into compliance with national laws. Even with the best contract in national agribusiness, workers at Zniber-Diana receive the legal minimum wages, which hover at the national poverty line.²⁰ The International Center for Research on Women estimated that "full compliance with labor law would require an additional redistribution of approximately 3 percent of the value added in" wine supply chains.²¹

In Colombia's palm oil sector, production companies have consolidated, organized associations, and adopted precarious employment practices to compete internationally despite higher average labor costs than in leading exporters Indonesia and Malaysia. Ten conglomerates control approximately 75% of sales, and 3% of production companies control almost 70% of production.²² Producers founded the association Fedepalma and its trading firm C.I. Acepalma to expand sales, and the largest shifted investments from managing production to input development, sourcing, processing, and marketing. In this context, contracted production companies have recruited migrant workers, turned to piece-rate pay modalities, increased use of labor subcontractors, raised workloads for the same pay, and avoided payments into the national social security system. Sixty-three percent of workers reported workplace accidents in 2018.²³ Furthermore, women workers reported lower payrates, higher work intensity, and more harassment than male coworkers.

Guatemala is the third-largest banana exporter in the world. Chiquita, Fresh Del Monte, and Dole are the dominate fresh fruit multinational corporations (MNCs). (Internationally, Fyffes is also a dominate company). However, as retailers increase direct purchasing, the trading companies have responded to loss of market capture by restructuring financing, ownership boundaries, and labor management. Indica-



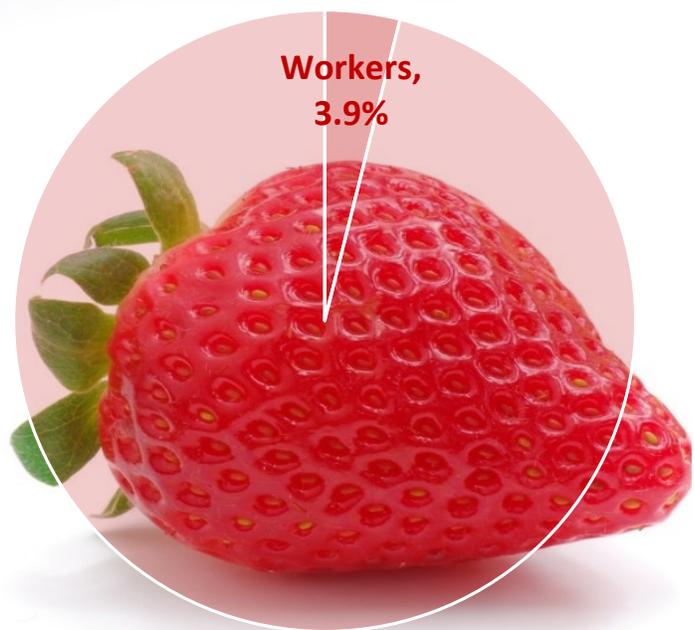


tive of retail's power, Walmart purchases 30% of Fresh Del Monte's bananas from Guatemala, for which it demanded dollar-per-box price reductions. More broadly, U.S. import prices stagnated for the latter half of the 2010s, a revenue decline in real terms for production companies.²⁴ Chiquita and Dole changed from public to privately owned companies financed by owners based in tax-friendly Ireland and Switzerland. All three reduced ownership of production and continue to increase outsourcing. Today only Fresh Del Monte and Chiquita own significant banana production facilities in Guatemala, and 62% of bananas marketed by Fresh Del Monte are purchased from its contracted suppliers—a figure for Chiquita not reported due to its private ownership. They have used the flexibility gained from outsourcing to avoid unions by sourcing from non-union plantations in southern Guatemala where violence against unions is pervasive. Unionists now estimate 87% of banana workers are employed along the Pacific, southern coast, where violence suppresses unionization, and employers pay 204% less than at union operations in the North, require overtime, charge workers for personal protective equipment (PPE), and more commonly harass and abuse women.

Mexico is the third-largest producer and second-largest exporter of strawberries worldwide. Organized in the last three decades, its strawberry sector exemplifies concentration in retail, secondarily

in trading companies. Since 1990, annual exports to the United States increased 11.8% on average, enabling retailers to sell berries year-round. The sector is dominated by Driscoll's, which owns no production, owns 28% of strawberry plant patents, sources from 400 suppliers in 21 countries, markets berries in 48 countries, and whose owners also own Reiter Affiliated Companies, the parent company of Berrymex, the largest berry company in Mexico.²⁵ Berrymex directly employs 4,000 field workers during peak harvest, manages production, contracts smaller production companies, buys berries from others, and markets through Driscoll's. Production is dispersed across

hundreds of companies, the largest of which are members of the national association, Aneberries, and, in Baja California, the Agriculture Council of Baja California. Strategies for profit in the labor-intensive production of strawberries in the country include the racialized division of fieldwork by indigenous people and management by those with European heritage, use of protection contracts to avoid union collective bargaining, wage suppression, piece-rate pay, short-term hiring, and avoidance of paying legal benefits prescribed in labor and social security laws.²⁶



Seasonal Demands for Labor and Precarious Employment

In addition to similar flows of capital away from workers in production, seasonality affects certain agribusiness GSCs. Among the sectors studied, wine grapes, olives, and strawberries have seasonal demands for labor, whereas bananas and palm oil employ labor year-round. Labor struggles reflect the difference. Year-round production allows for more stable unionization formation, whereas as seasonal labor means a less stable workforce, but one that has increased strike leverage during the peak of harvest season.

Seasonal demand for labor provides workers strike leverage and risks of underemployment. Workers derive bargaining power from employers' dependence on manual labor for time-sensitive harvests at limited locations. Returns on investment quickly disintegrate in the fields when workers withdraw their labor. Morocco is ideal for wine grape and olive production due to its climate of moderate annual temperature variation. The CDT brought Zniber-Diana to the bargaining table after a series of strikes during olive harvests and the transition of vineyards to new varieties, which

illustrates the strike leverage workers have during a harvest and season transitions when the demand for labor is at its highest. Strawberry production to date relies on temperate, climate, and sandy soils near seas, and fresh berries require refrigerated transport to market within days of harvesting. Workers in Mexico won wage and social-security registration increases and recognition of the Independent National Democratic Union of Day Laborers (SINDJA) by striking during peak strawberry harvest.

However, seasonal labor demand also risks precarious employment. The more oligopolistic retailers dominate buying, the stronger the incentive for farms to specialize in order to supply the volumes demanded; and the more production is specialized, the shorter the demand for labor. In Morocco's wine grape and olive sectors and Mexico's strawberry sectors, employer under-registration of workers in the national social security systems means limited worker access to healthcare and other essential services. The CDT had to negotiate with Zniber-Diana a multi-year schedule toward registering all workers with the national social security system, and seasonal workers at Zniber-Diana raised under-employment as an ongoing concern, even under



Strawberry harvesting, San Quintin, Mexico. *Photo: Matthew Fischer-Daly.*

their union contract.²⁷ In Mexico, central grievances of strikers in 2015 were employers' "integrated" pay modality that obfuscates payments of legal benefits and social security registration, which remains below 40%.²⁸

In contrast, the banana and palm oil sectors have year-round labor demand, with implications for labor relations. The banana plants and palm trees cycle seasonally; however, production management has developed sequenced planting to harvest and supply product year-round. Whereas labor and management struggle primarily over managerial duties to seasonal workers, especially legal benefits and social security registration, in the wine grape, olive, and strawberry sectors, in bananas and palm oil, the struggle is over direct versus contracted employment. In Colombia, employers have turned to labor contractors, who typically pay lower piece-rates, do not compensate for work time lost to weather, provide low-quality PPE and work tools, and supervise work on the most difficult and least-productive palm fields. In Guatemala's banana sector, unions achieved their most robust contracts when the multinational fresh fruit companies owned most production and directly employed the workers. This was especially true when the union was able to centralize its power by incorporating all firms into one collective bargaining agreement, as is the case of Sitrabi and Del Monte. As the companies shifted more toward contract production, they have shifted employment duties onto the contractors, whose position in the GSC inclines them to suppress unionism to maintain competitiveness.

Pushing Natural Limits: Climate and ecosystem changes and implications for labor

There are no laboratory environments for the production of most agribusiness products, including the five sectors studied. Each depends on and seeks to assert predictability over natural systems that are increasingly demonstrating instability. Agribusiness's efforts to control natural systems implicate workers' livelihoods and health.

Climate change, loss of biodiversity, freshwater depletion, deforestation, nitrogen and phosphorus biogeochemical flows, and chemical pollution are among the planetary boundaries pushed by agribusiness sectors such as those studied.²⁹ In Morocco, climate change is increasing the frequency and severity of droughts, floods, other weather events that present risks to agriculture, and the country's Green Plan responds in large part by consolidating land and tightening GSC linkages.³⁰ In Guatemala, elsewhere in Central America, and southern Mexico, climate change is reducing subsistence agriculture as a livelihood or subsidy to wage labor, driving more people to migrate in search of alternatives, increasing labor supplies.³¹ In response, the U.S. and Mexican governments have criminalized immigration for all but a select few.

The transformation of land for agribusiness's typical monocultural production is common across the sectors and contributes to the loss of biodiversity and disruption of flows of nitrogen, phosphorus, and other components of soils. To sustain production in such deteriorating conditions, the banana and strawberry sectors rely on extensive use of chemicals to protect against natural pathogens.³² The sectors leave behind residues from the chemicals and large quantities of plastics used in combination with fumigants, pesticides, and fertilizers. Freshwater depletion forced agribusiness in Baja California, Mexico, to increasingly rely on desalinization plants, and has exacerbated conflict over water usage between the industry and local communities with highly irregular access. The palm sector infamously accounts for significant deforestation, and attendant land struggles that include violence against land defenders.³³

For labor, agribusiness's tenuous interactions with nature present several issues. The industry's land needs drive it toward displacement of the poor, who join already swollen labor supplies in search of waged livelihoods. Competition over scarcer water and use of chemicals to push beyond biochemical limits present health problems to workers. In bananas, workers fought for decades for remediation from toxic exposures, and

in strawberries in Mexico, workers have unsuccessfully demanded that local hospitals record poisoning cases. In the near term, pushing the limits of climate change risks the viability of sectors such as those studied and the many jobs that they now involve.

Workers' Rights and the Institutional Context in Four Countries

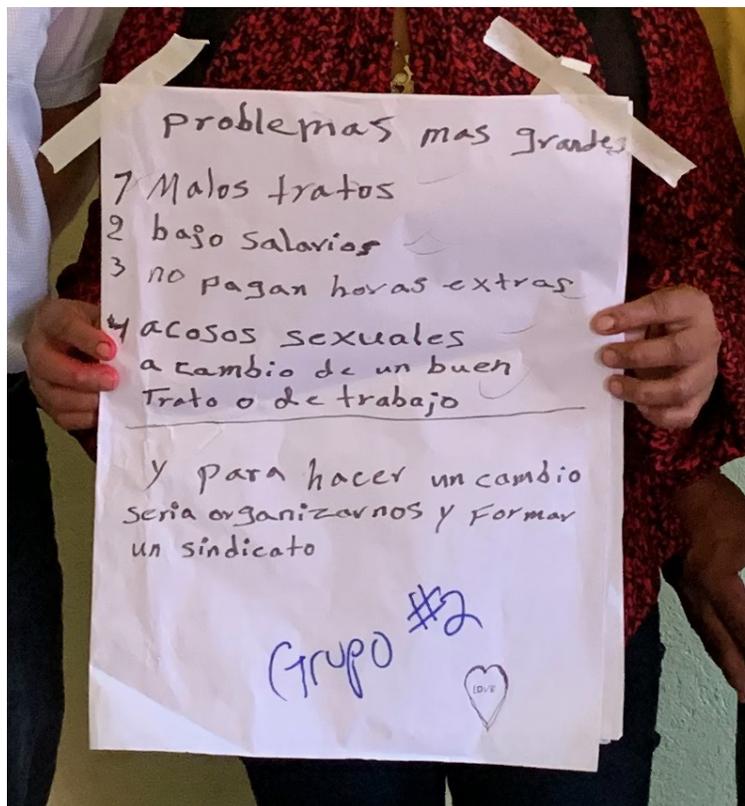
The four countries studied all present enormous challenges for workers' rights. Indeed, two of the countries – Colombia and Guatemala—have long been among the most dangerous countries in the world to be a trade unionist. For decades, more trade unionists were killed in Colombia each year than the rest of the world combined. Guatemala is a smaller country that at times has had the highest per capita killing of trade unionists in the world. Enormous decent work deficits in the area of freedom of association also exist in Mexico and Morocco. Intertwined with labor regimes, national state policies exempting agribusiness from certain legal duties and social hierarchies subordinating women and racialized groups, such as indigenous peoples, result in contexts of institutional adversity toward the rights of workers in the sectors studied.

National Labor Regimes

At the national level, each state has glaring gaps between internationally recognized workers' rights and its laws and practices. All four countries have ratified ILO Convention 98 on the right to organize and collective bargaining, and all countries but Morocco have ratified ILO Convention 87 on the right to freedom of association and protection of the right to organize. However, the International Trade Union Confederation (ITUC) gives Morocco a score of 3 for workers' rights, which signifies 'regular violations of workers' rights. Mexico has a score of 4, signifying systemic violations of rights. And Colombia and Guatemala are each given a score of 5, which indicates 'no guarantee of rights.'³⁴

The Labor Rights Indicators of the Penn State Center for Global Workers' Rights separates scores for "in law" violations versus "in practice" violations.³⁵ Here we see that Morocco has the worst score (4.35) for in law violations (the law itself fails to meet international labor standards), whereas Guatemala has the best score

of the group (2.31). However, most problems emerge when we examine "in practice" violations. For example, the law itself might allow for unionization without an undue burden on workers, but in practice this law is routinely violated by employers and not enforced by the state. Here Guatemala has the worst score in the group (7.75), followed closely by Colombia (6.57).



Worker report on problems and need to unionize, southern coast, Guatemala. Photo: Mark Anner

Table 2: Comparison of Workers' Rights in Four Countries

	Morocco	Colombia	Guatemala	Mexico
ILO C87 Ratified	No	1976	1952	1950
ILO C98 Ratified	1957	1976	1952	2018
ITUC Worker Rights Score (5-point scale, 5 = worst)	3	5	5	4
Labor Rights Indicators Score, In Law (10-point scale, 10 = worst)	4.35	2.31	3.74	3.34
Labor Rights Indicators Score, In Practice (10-point scale, 10 = worst)	2.66	7.75	6.57	3.21
Unionization Rate	5%	9.5%	2.60%	12.5% ⁵⁷
Collective Bargaining Coverage	<1%	15.7%	<1%	9.9%

The impact of these adverse labor relations regimes can be seen when we examine unionization and collective bargaining coverage rates. Only Mexico has a unionization rate above 10%. However, this includes the very large number of workers organized by company-controlled unions. In arrangements known as “protection contracts,” employers select and compensate a union entity in exchange for protection from worker collective action, a distortion of the country’s corporatist labor relations system that has proliferated since the 1980s.³⁶ Guatemala has the lowest unionization rate among these four countries, with only 2.6% of workers represented by trade unions. And fewer than 1% of workers in Guatemala are covered by collective bargaining agreements. [See Table 2.]

Agribusiness Exceptionalism and Non-protection of Workers’ Rights

The global norm in agribusiness is a state of exception from labor laws. As the ILO reports, “[i]n a number of cases, they [agricultural workers] are explicitly excluded, either fully or partially, from the relevant laws, or, when they are covered under the law, they are excluded from protection in practice.”³⁸ For example, the U.S. federal law protecting workers’ collective bargain-

ing rights, the National Labor Relations Act, excludes workers in agriculture. The national states studied indicate that the pattern of regulatory exceptionalism encompasses more than labor law; national development approaches to labor, trade, and investment underpinned the emergence of each sector.

In Morocco, non-enforcement replaced non-regulation. The government delayed passage of its Labor Code from 1957 until 2004. The Code still does not align with ILO standards, notably by imposing a 35% representation threshold for collective bargaining and not requiring equal benefits for equal work, despite prohibiting discrimination in wages.³⁹ Labor law enforcement is minimal, in part with fines set insufficiently low to deter violations and few inspectors—reportedly 442 for 120,000 registered companies.⁴⁰ Indicating interest in tightening labor control, in 2017 the Ministry of Labor proposed regulating strikes with compulsory arbitration, prohibition of sit-ins, a required 10-day notice, strikes banned within one year of a CBA over issues it covers, and empowerment of authorities to disperse strikers.⁴¹ While leaving working conditions to employers, the government granted land owned by the monarchy to Zniber-Diana and restructured the economy toward exports under International Monetary Fund programs throughout the 1980s and 1990s.

Colombia's palm oil sector similarly relies on state support for employer discretion. While laws limit labor subcontracting, employers increasingly use the model by misclassifying workers as independent contractors, a status that precludes benefits, such as twice-annual bonuses and paid holidays, and shifts responsibility for registering and paying into social security systems to the workers. The Labor Ministry also reports 14% affiliation of palm-oil workers in the workplace accident and illness insurance system, indicating pervasive employer avoidance of social security duties. Subcontracting hampers collective bargaining, not least by forcing unions in the sector to focus negotiations on ensuring compliance with contracting laws. The national culture of anti-union violence suppresses unionization, indicated by workers reporting fear of reprisals as the primary reason for not affiliating. Furthermore, employers avoid union bargaining by using "collective pacts," which the Labor Ministry permits despite evident violations of ILO Convention 98.⁴² Employers appear to not even bother with legally required occupational safety and health committees and programs, which workers report do not exist or function. In contrast to its approach to employment regulation, the government subsidized the palm oil sector's growth with a Price Stabilization Fund, tax deductions, and preferential credit in the 1980s, and backing the biodiesel sector since 2000. These factors drove 312% growth in production between 2000 and 2017. Colombia's trade and investment treaty with the European Union further boosted palm oil production and sales in the 2010s.

The Guatemalan and U.S. governments are so intertwined with the banana sector as to obscure their roles in creating and sustaining it. The sector began with land concessions by the dictatorship of Manuel Estrada Cabrera (1898-1920) and then grew with guarantees of low wages by the military regime of Jorge Ubico (1931-1944), and its long-term growth was secured by the U.S.-supported coup d'état that halted democratic labor and agrarian reforms and ushered in decades of violent, state-backed labor repression, including wholesale dissolution of unions.⁴³ Throughout the 1970s and 1980s, anti-union violence took on its extrajudicial

contemporary guise, and killings of unionists continue, with more than 100 since 2004.⁴⁴ The labor inspectorate is notoriously underfunded and under-staffed. On the rare occasions that it does inspect farms and detect violations, it is largely disempowered from levying and collecting fines from employers. In this context, employment practices such as ignoring work-intensity regulations, forced overtime, and suffering of sexual harassment by most women workers remain pervasive at non-union plantations.⁴⁵

Mexico's strawberry sector emerged thanks to the government's construction of the trans-peninsular highway, displacement of millions of mostly indigenous poor, shifting of subsidies from small producers to exporters, currency devaluations, privatization of water and land, and commitment to liberalized trade and intellectual property rights under the North American Free Trade Agreement (NAFTA).⁴⁶ Labor repression and under-enforcement of labor and social security laws have since supported its growth. National police forcefully suppressed the 2015 strike, using riot tactics against workers, jailing dozens, and raiding communities with armored vehicles.⁴⁷ The government has permitted agribusinesses to avoid paying full benefits owed to workers under national laws by initially exempting the industry, then defining most field workers as temporary and excluded, and, to date, under-enforcing compliance.⁴⁸ National laws establish workers' rights to healthcare, pensions, maternity leave, paid vacation, year-end bonuses, modest profit sharing, job protection, and indemnification for dismissal without just cause under the social security and labor laws.⁴⁹ In San Quintín, a key export production area, when asked about government presence workers responded, "What do you mean their presence?" "You don't see them." "What government?" "We don't see any agencies." "It seems that the company doesn't allow inspectors to enter." Furthermore, employers have used protection contracts, agreements between union entities and employers with government support that prevent collective bargaining, to avoid collective bargaining since the late 1980s.⁵⁰

Whether national states might support agribusiness workers' rights remains a question. Even where governments advance international labor standards, progress is limited. As unions establish collective bargaining in agribusiness in Morocco, the Labor Ministry advocates against strike rights. The Colombian government committed to enforcing laws against labor subcontracting, under the 2011 Labor Action Plan with the U.S. Department of Labor, yet the precarious employment model continues. Agriculture is excluded from the United States-Canada-Mexico Trade Agreement (USMCA) mechanism to enforce freedom of association and collective bargaining rights in Mexico.

Discrimination and Violence Against Women and Racialized Groups

As evident in the five sectors studied, agribusiness development is intertwined with the use and reproduction of gender, racial, and indigenous social constructs in ways that deepen managerial control over labor. Most glaring across the sectors are discrimination and gender-based violence against women. Generalized gender subordination in society intersects with low wages and precarious employment conditions to layer burdens of labor on women workers. Divisions of labor limiting employment positions available to women reify patriarchal tropes, contributing to male hierarchical environments and resulting in verbal derogatory treatment and, in the worst cases, assaults.

Women's unpaid care work subsidizes agribusiness and multiplies the workloads carried by women workers. In Morocco, "patriarchal norms, illiteracy" and lack of child-care access undermine female participation in formal employment.⁵¹ An estimated 74% of women in rural, agricultural areas of Morocco perform unpaid work. In Mexico, the subsidization of agribusiness by women's unpaid care work is evident in their schedules. As described by women and men in San Quintín, women workers rise at 4 in the morning, prepare breakfast and lunch for their families, work the exhausting shifts in the fields, return home to do laundry, prepare

dinner, care for their children, and repeat. "The woman has no time to rest," a female worker summarized in an interview.

Gendered divisions of labor and valuations of women reduce women's earnings, reify patriarchy, and risk undermining labor's associational power. In Morocco, women's average wage income is 70% of what men receive,⁵² and for the same skill-intensive tasks, men still receive 25% more than women.⁵³ Higher remunerated positions such as pruning and scissoring in vineyards are almost always assigned to men in the country's wine grape sector. Colombia's palm oil sector is highly masculinized, with women employed in 14% of jobs, limited to administration, cleaning, pollinating, and plantation nursery positions.⁵⁴ For the same positions, women workers receive 90% of male coworker's pay, and were more likely to report being overworked.⁵⁵ In Mexico's strawberry sector, most production companies restrict certain, better remunerated positions like tractor driving and pesticide application to men, and indigenous women are typically excluded from pack-house jobs. Instead of their work, indigenous women described in interviews that the means of gaining better jobs than picking fruit is by attracting the sexualized attention of male supervisors. As a form of social power, patriarchy extends beyond the workplace, and women activists directly challenged male leaders to gain voice in the labor movement that brought about the 2015 strike in San Quintín.

Inextricably linked to the gendered hierarchies is pervasive violence against women, which is likely underreported given fears of retaliation and social stigma. Moroccan women workers avoided responding to questions about sexual harassment, and male managers demonstrated use of patriarchal power by claiming that either perpetrators are swiftly sanctioned, or that accusing women lied.⁵⁶ In Colombia's palm oil sector, one in four female workers surveyed reported experiencing sexual harassment at work, in addition to generalized verbal abuse by supervisors.⁵⁷ In the non-union banana plantations of Guatemala, 58% of women reported sexual harassment at work.⁵⁸ Reflecting women

Table 3: Impacts of union collective bargaining in five agribusiness sectors

	Wine & Olive Oil Morocco	Palm Oil Colombia	Bananas Guatemala	Strawberry Mexico (no CBAs)
Legal Compliance	Minimum wage, 8-hour day, overtime payrates, maternity leave, young worker protections, social security registration, holiday bonuses	1.5 minimum wage, direct hiring, quality PPE & tools, health & safety committees, social security registration	Basic-needs wage, voluntary overtime, provision of PPE	<i>Strike increased wages, social security registration</i>
Stability	Inclusion of seasonal workers, seniority-based promotions, grievance system, progressive discipline	Increasing contract formalization, limiting work intensification	Limited work hours & intensity	
Equity	Equal pay & benefits for equal work, access to all positions, respect for pregnancy, parental leave	Union grievance process for harassment	Reduced sexual harassment with union grievance process	<i>Strike reduced gender-based violence at work</i>
Wellbeing	“ . . . increased our dignity” ⁶⁰		“There is more respect now.” ⁶¹	

workers’ assertion of leadership, a central demand of the 2015 strike during Mexico’s strawberry harvest was to end sexual assaults against women workers by supervisors.⁵⁹

The Union Difference: Impacts of union collective bargaining

Union collective action and bargaining are almost entirely responsible for increasing respect for workers’ rights in the five sectors. It has been the difference between legal exceptionalism and compliance, precarious and stable employment, gender-based violence and safety, discrimination and equity, and denial and access to essential services through national social security systems. Table 3 summarizes these impacts. Increased union density and collective bargaining coverage would expand the improvements. Challenges facing unions to increase their power in each sector reflect the supply chain price squeeze on agribusiness producers, illegal and legal union resistance, and difficulty of deconstructing patriarchy to build associational power.

Unions are performing the task of government to protect workers’ legal rights in agribusiness, where national states derogate their duties. Moroccan labor law is enforced in grape wine and olive oil production managed by Zniber-Diana, due to the CBA negotiated by the CDT. Colombian unions have negotiated to replace illegal subcontracting with direct hiring, operationalize legally required health and safety committees, and ensure workers’ access to services through employer social security participation, in the absence of public enforcement.

In Guatemala’s banana sector, union representation means compliance with laws on working hours, remuneration, provision of PPE, voluntary overtime, protection from sexual abuses, and freedom of association. While not achieving collective bargaining, the 2015 strike during Mexico’s strawberry harvest compelled employers to increase wages and registration of workers in the national social security system, towards compliance with laws requiring living wages and consistent registration.

Where established, collective bargaining is providing stability in otherwise precarious employment sectors. The CDT-Zniber-Diana CBA stabilized work in the company's grape wine and olive oil segments by including seasonal workers, enforcing working hours, and establishing paid leaves, seniority-based promotions, progressive discipline, and severance pay. In Colombia, unions negotiated CBAs that increased direct hiring by three palm oil production companies. Countering the sector's use of labor subcontracting remains a central challenge, given the modality effectively denies subcontracted workers union representation and provides them lower pay and more precarious terms and conditions.

In Guatemala, collective bargaining coverage limits work intensification, while some non-union workers have turned to intoxicants to sustain energy needed to keep up with management's orders. The unions are also negotiating against relocation of production to retain their capacity to stabilize employment. Meanwhile, in the context of employer protection contracts blocking union collective bargaining, employers in Mexico's strawberry sector dismiss workers prior to their employment automatically becoming permanent.⁶²

Union representation is providing a mechanism for women to deconstruct patriarchy. While Moroccan law fails to prescribe comprehensive equitable treatment, women's participation in CDT negotiations with Zniber-Diana resulted in clauses requiring equity, although progress in women workers' access to all positions is ongoing. In Guatemala's banana sector, women workers covered by union contracts report 50% less incidence of sexual harassment than peers at non-union plantations, because union women "can inform the company," as a female unionist explained.⁶³ Women in Mexico's strawberry sector reported that the 2015 strike helped reduce sexual abuse at work.

Workers challenge is to increase union membership and thereby expand collective bargaining. Wages for workers at the best agribusiness job in Morocco, unionized Zniber-Diana, remain at the national mini-

mum wage, effectively the national poverty line. The low rates reflect the combination of GSC price squeezes and the fact that the CDT-Zniber-Diana CBA stands alone in the grape wine and palm oil sectors. Expanding collective bargaining can reduce employers' ability to accept low prices from buyers at workers' expense. The union-represented workers reported concerns that the CBA continue, given the lack of rights protections without it.⁶⁴

In Colombia's palm oil sector, unions have established collective bargaining at 24 employers, covering approximately 11% of the workforce. Yet 23% of non-union workers report the only reason for not affiliating is the lack of unions at their workplaces, indicating a gap between democratic desire and reality held open by union resistance strategies of retaliation and use of wedge mechanisms such as "collective pacts."⁶⁵

In Guatemala's banana sector, union resistance through violence and outsourcing has hemorrhaged associational power, with union membership falling from 5,000 to 2,900 between the 1980s and 2020. The prioritization of securing union jobs in the sector is well placed, and a major task, given 86.7% of workers are at non-union, southern plantations.⁶⁶ For workers in Mexico's strawberry sector, establishing collective bargaining is an ongoing goal, requiring the removal of employer protection contracts and increased independent union membership. However, indicating workers' positionality, as many as 80,000 workers went on strike in 2015 demanding respect for their freedom of association and collective bargaining rights.

Towards stronger unions in each sector, a clear task is to increase women's participation. To-date, the CDT in Morocco, Sitrabi in Guatemala, and SINDJA in Mexico have deliberately involved women. Yet women workers' union and collective bargaining participation remains insufficient, reflecting material burdens on their time and the social force of patriarchy. Towards internal equity, CDT and SITRABI established women's committees, and the collective Women United in Defense of Indigenous Women Day Laborers (MUDJI) initiated an organizing program in collaboration with SINDJA

in Mexico. Such strategies to implement equity within the unions are likely to translate into leverage vis-à-vis employers and improved working conditions.

International solidarity can also help build bargaining power in agribusiness GSCs. Like other industry

GSCs, workers across the chains are separated by geographic and political boundaries, and their capacity to engage in solidarity actions offers a means to gain more control over employment terms and conditions. In agribusiness GSCs, food's perishability and fundamental role in people's lives increase the potency of

Table 4: Common Certification Programs in the Sectors and Countries Studied

Certification Program		Primary Goals	Union Participation	Joint Worker-Manager Investment	Required Production	Complaint Channels
Fair Trade USA	Mexico, strawberry	Equitable terms of trade, safe working conditions, environmental conservation	None	Fair Trade Committee oversees standards & premium use	Premium paid by buyer to production company	Directed to & decided by Fair Trade USA
Equitable Food Initiative	Mexico, strawberry	Food & worker safety, equitable value distribution across supply chain	United Farm Workers & Farm Labor Organizing Committee are board members	Leadership Team oversees standards	Premium paid by buyer & passed through to production workers	Directed to leadership team or EFI: final decisions by EFI
Rainforest Alliance	Guatemala, banana; Mexico, strawberry	Biodiversity conservation & sustainable livelihoods	None	Occupational safety & health committee	None	Directed to certification body or Rainforest Alliance; final decisions by Rainforest Alliance
GlobalGAP	Guatemala, banana; Mexico, strawberry	Food safety & quality	None	None	None	Directed to & decided by GlobalGap Secretariat
SA8000	Guatemala, banana	ILO fundamental standards, living wages, health & safety, and management systems for continuous improvement	Nuove Identità di Lavoro – CGIL representative is a board member	None	None	Directed to certification body, accreditation agency SAAS, or SAI; final decisions by SAAS or SAI
Roundtable on Sustainable Palm Oil	Colombia, palm oil	“legal, economically viable, environmentally appropriate and socially beneficial management and operations”	None	None	None	Mediation process overseen by the RSPO Dispute Settlement Facility advisors

cross-chain solidarity. Coordination between unions in production, transportation, and food retail offers potential for increasing the bargaining power of labor with all firms in agribusiness GSCs.

Private Certifications of Labor Standards Demonstrate Ineffectiveness

One response to increased communications among workers across supply chains, from production to consumption, has been industry development and adoption of private, voluntary certification programs that claim to ensure compliance with standards, some including international workers' rights. Certification programs in sectors and countries studied involve standard-setting organizations that develop the standards, accreditation organizations that approve organizations to audit companies against the standards, auditing agencies that assess compliance with the standards, and companies seeking certification that hire the auditing agency and pay the standard-setting organization for use of the certification. Table 4 lists certifications observed in the studies.

While not a reliable means to protect workers' rights, certain certification practices might serve as footholds for union organizing by highlighting distribution of value across supply chains and mitigating the worst working conditions. Fair Trade USA and EFI transfer money across the supply chain to production employers and workers. Rainforest Alliance and GlobalGAP mitigate environmental impacts. EFI provides training for workers, managers, and auditors on agriculture-specific safety and health standards, and a clear dispute settlement timeline. Union participation on some certifications' boards offers potential for workers' interests to be represented in strategic decisions of the programs.

The listed programs are among a broader certification industry that has demonstrated minimal capacity to detect and remediate workers' rights violations for several reasons. The underlying "theory of change" that non-certification would translate into lost consumer sales has not come to pass, so certification programs'

ultimate sanction of decertification is a weak deterrent to standards violations. Certifications are financially structured for the industry to pay for inspection and certification from auditing and standard-setting entities reliant on the industry for business, creating a conflict of interest that public law avoids and certifications have not resolved.

Most certifications, including those observed in the study, maintain audits confidential between the audit company, the company obtaining certification, and the accreditation and standard-setting organizations, sidelining workers from a process of judging respect for their rights and shielding entities involved from scrutiny. Confidentiality also means that certifications systems do not seek to reinforce public regulation through collaboration with governments.

Conclusions and Recommendations

This report has analyzed workers' rights in agribusiness global supply chains by comparing and contrasting reports on five sectors in four countries conducted between 2018 and 2021 by the Center for Global Workers' Rights and (in the case of Morocco) with a collaboration between the CGWR and the International Center for Research on Women. The sectors studied exemplify trends throughout agribusiness global supply chains.

The studies focused on workers in production stages of agribusiness GSCs. Assessment of the bargaining power of workers and employers throughout the GSCs evinces concentrated bargaining power in retail, primarily, and trading companies, secondarily. Even companies such as Chiquita, Dole, and Fresh Del Monte, and those with near monopolies like Driscoll's, are largely price-takers from Walmart and similar retailers and mega supermarket chains. The buyer-skewed distribution of value in agribusiness GSCs means less capital available for workers to negotiate with their direct employers. This GSC price squeeze reverberates throughout agribusiness labor relations. It drives the minimum wage acting as a ceiling in Morocco's



MUDJI International Women's Day 2020 Event, Mexico. Photo: Matthew Fischer-Daly.

wine grape and olive oil sectors, and union avoidance through labor subcontracting in Colombia's palm oil sector, outsourcing production in Guatemala's banana sector, and employer protection contracts in Mexico's strawberry sector.

While structured to extract value from labor, managers of these agribusiness sectors could adopt alternative approaches. As lead firms of agribusiness GSCs, retailers could stop demanding lower prices, and shift from dead-letter codes of conduct to trilateral collective bargaining with suppliers and unions. Trading companies have lost leverage to retailers, yet nevertheless maintain power through management of patents, production, transportation, and marketing. Whether as direct employers or not, they should also shift from union avoidance to collective bargaining, in line with their claims of support for human rights. No direct employers should operate outside of labor and social security laws, which in all cases include union and collective bargaining rights.

The organization of each sector for profit has been achieved through national state subsidization, securing

of market access, and implementation of policies providing employers with flexibility and suppressing union collective bargaining. None of the sectors exist to satisfy a human need; they exist to transform the agricultural labor process into profitable enterprise. Building on natural advantages for particular crops, lead firms in each sector obtained profitability through government interventions. These included land concessions in Morocco and Guatemala, privatizations of land and water and infrastructure development in Mexico, financial subsidies to agribusiness in Colombia and Mexico, and negotiations of trade and investment treaties by all four governments that facilitated international sales. Just as importantly, governments have also provided employers exemptions from labor regulations, variously in law and through non-enforcement, while countering unionism through its prohibition until 2004 in Morocco, sanctioning of anti-union violence in Colombia and Guatemala, and use of national police force to quell strikers in Mexico.

National state orientations toward workers in agribusiness could be dramatically improved. The governments of Colombia, Guatemala, Mexico and Morocco can fa-

cilitate unionization and increase labor law enforcement by investing financially in these activities, just as they have in the profitability of each agribusiness sector. With governments of primary destination markets, they can negotiate revisions to trade agreements to tie individual companies' export permission to labor law compliance, as attempted in the USMCA for other industries.

The sectors also commonly use patriarchy as a tool to extract more value from workers' labor, regardless of whether employers acknowledge their practices in these terms. In all cases, unpaid care work by and underpayment of women subsidizes employers by reducing their share of the costs of labor reproduction. Also common to all five sectors are gendered pay discrimination and division of jobs that reduces women workers' earnings and reifies their socially constructed subordination. Employers can and should stop inequitable treatment, and their business partners can and should not tolerate it.

At the intersection of these economic, political, and social forces, workers are creating decent work by organizing unions and compelling employers into collective bargaining agreements. The CDT's first CBA in Morocco's agribusiness industry is a historic breakthrough that has achieved compliance with laws that the government has been unable or unwilling to enforce. Unions are pressing to maintain meaningful employer duties by countering illegal labor outsourcing in Colombia's palm oil sector. In Guatemala's banana sector, collective bargaining coverage is the stopgap against the anti-union violence, poverty wages, forced overtime, and gender-based violence that characterize employment in its non-union, southern plantations. While yet to overcome government-backed employer protection contracts, the labor movement in Mexico's agribusiness sector demonstrated its capacity for col-

lective action to improve conditions through its 2015 mass strike, which resulted in the independent union SINDJA and increased remuneration.

Unfortunately, workers have yet to receive support for their union and collective bargaining rights from the certification programs that claim to verify employers' respect for internationally recognized labor standards. Whether intended or not, certifications have thus far served as diversions of consumers' attention from workers' struggles to exercise their rights. Certifications could and should establish unequivocal requirements for employers to respect freedom of association, establish dispute settlement processes in which workers may contest determinations of standards compliance before a party independent of the companies in the supply chain, report legal violations to government officials to support enforcement of laws, and welcome union representatives to have decision-making authority on their boards of directors.

Now, since more allies and adversaries of labor alike recognize agricultural workers as essential, the challenge remains to translate acknowledgement of dependence on labor for food into recognition of workers' rights. The workers who produce the food consumed worldwide have worked throughout the ongoing COVID-19 pandemic without the social safety nets and wealth to stop working, and often without access to healthcare services when infected. In this context, unions provided PPE and guidance on mitigation measures and vaccinations, and advocated for safe workplace practices. The dynamics during the pandemic serve as a reminder that conditions turn on bargaining power. Where workers are able to unionize and collectively bargaining, conditions improve, wages increase, and gender-based violence is curtailed.

Endnotes

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² Food and Agriculture Organization (FAO). (2016). Assessment of international labour standards that apply to rural employment, FAO Legal Papers #100. FAO: Rome.

³ The United Kingdom and United States governments ensured agribusiness use of immigrant labor with no rules to protect them from the virus (<https://www.dtnpf.com/agriculture/web/AG/news/world-policy/article/2020/03/20/cross-border-movement-banned-ag>; <https://www.theguardian.com/world/2020/mar/31/us-coronavirus-outbreak-california-farm-workers>; <https://www.cnn.com/2020/04/16/business/farmers-fly-in-workers-to-beat-coronavirus/index.html>). Canada and Germany exempted agribusiness from border closures and imposed rules to protect workers from the virus (<https://www.thestar.com/news/canada/2020/03/17/migrant-workers-help-grow-our-food-coronavirus-is-leaving-them-in-limbo.html>; <https://www.reuters.com/article/us-health-coronavirus-farmworkers/canada-u-s-farms-face-crop-losses-due-to-foreign-worker-delays-idUSKBN21O179>; <https://www.nytimes.com/2020/05/18/world/europe/coronavirus-german-farms-migrant-workers-airlift.html?smid=em-share>)

⁴ Unions and workers collectives distributed masks and sanitizer to workers and compelled government officials to provide mitigation measures, including SINDJA in Mexico, the SAT in Spain, Alianza Agrícola, the Coalition of Immokalee Workers, Familias Unidas por la Justicia, Farm Labor Organizing Committee, and United Farm Workers in the United States. Workers also independently went on strike to press employers into implementing mitigation measures, including at several Washington State fruit packhouses.

⁵ UN Comtrade. 2019. Morocco, Exports, World, HS 2204, <https://comtrade.un.org/data/> (accessed 30 June 2021).

⁶ UN Comtrade. 2019. Morocco, Exports, World, HS 1509, <https://comtrade.un.org/data/> (accessed 30 June 2021).

⁷ UN Comtrade. 2019. Colombia, Exports, World, HS 1511, <https://comtrade.un.org/data/> (accessed 30 June 2021).

⁸ UN Comtrade. 2019. Guatemala, Exports, World, HS 0803, <https://comtrade.un.org/data/> (accessed 30 June 2021).

⁹ UN Comtrade. 2019. Mexico, Exports, World, HS 081010, <https://comtrade.un.org/data/> (accessed 30 June 2021).

¹⁰ The CDT represents workers at Zniber-Diana's grape wine and olive oil operations, the only union presence in the two sectors in Morocco.

¹¹ Unions' combined membership was 6,595, of a total 59,566 workers employed in non-administrative positions in Colombia's palm oil sector (Center for Global Workers' Rights. 2019. *The Palm Oil Supply Chain in Colombia*, 15-16).

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¹³ United States Department of Agriculture, Economic Research Service, <https://www.ers.usda.gov/topics/food-markets-prices/retailing-wholesaling/retail-trends/>; Lawrence, Geoffrey and David Burch. (2007). *Supermarkets and Agrifood Supply Chains*, Cheltenham, UK; Northampton, MA, USA: Edward Elgar.

¹⁴ Walmart grocery sales of \$208,413,000,000 accounted for 32% of total grocery revenue (Walmart Inc. 2021a. Annual Reports 1980-2021. <https://stock.walmart.com/investors/financial-information/annual-reports-and-proxies/default.aspx> (accessed 14 April 2021); Fernandez, Cecilia. 2020. In the bag: Rising discretionary income is expected to support revenue growth. Supermarkets & Grocery Stores in the US 44511, IBISWorld).

¹⁵ The comparison is based on Deloitte "Global Powers of Retailing 2021" report: for FY2019, Walmart revenue was \$523,964,000,000 compared to Amazon's \$158,439,000,000, Costco's \$152,703,000,000, Schwarz Group's \$126,124,000,000, and The Kroger Co.'s \$121,539,000,000.

¹⁶ On retailer power over agribusiness production, see Lawrence, Geoffrey and David Burch. (2007). *Supermarkets and Agrifood Supply Chains*, Cheltenham, UK; Northampton, MA, USA: Edward Elgar. On consolidation driven by retailers' power, see Mohapatra, S., Goodhue, R. E., Carter, C. A., & Chalfant, J. A. (2010). Effects of forward sales on spot markets: Pre-commitment sales and prices for fresh strawberries. *American Journal of Agricultural Economics*, 92(1), 152-163.

¹⁷ Pierre Casamayor, "Vins du Maroc: les quatre domaines phares," *La revue du Vin de France*, n.d. [2014 or 2015?] at <http://www.larvf.com/vin-terroirs-marocains-les-quatre-domaines-phares,13186,4267907.asp> (acc. October 12, 2017). If Zniber-Diana companies produce 35 million bottles per year and a bottle is .75 litres, that is 26,250,000 liters/year. In 2015, Morocco produced 31 million liters of wine—that would give Zniber-Diana 84.7%. So those numbers match up. "There are eight vineyards operating" in Morocco today [2016]. The sector produces an estimated 35m bottles a year and employs up to 20,000 people." Lindsey, "Morocco's Atlas Mountains." Interview, M. Mohamed Korri Youssoufi, Rabat, September 13, 2017, [transcript p. 6].

¹⁸ Interview with M. Mohammed Korri Youssoufi, September 13, 2017, Rabat. Youssoufi represented Zniber Domains during negotiations for the CBA.

¹⁹ Korri, 2017, *Ibid*.

²⁰ For agricultural workers (salaire minimum agricole garanti, SMAG) was 69.73 dirhams (\$7.22) per day, compared to the World Bank's poverty line of 70 dirhams daily (United States Department of State (USDOS). (2017). Country Human Rights Reports: Morocco. Washington, DC: Department of State of the United States. (acc. 24 November 2017)).

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²² Center for Global Workers' Rights. 2019. *The Palm Oil Supply Chain in Colombia*, 10.

²³ Center for Global Workers' Rights. 2019. *The Palm Oil Supply Chain in Colombia*, 21.

²⁴ Center for Global Workers' Rights. 2021. *What Difference Does a Union Make?*, 4.

²⁵ United States Patent and Trademark Office (USPTO). Patent Assignment Search. <https://assignment.uspto.gov/patent/index.html#/patent/search> (accessed 9 August 2020); Goodyear, Dana. (August 14, 2017). Strawberry Valley, *The New Yorker*. (accessed 21 November 2019); Shanker, Deena. (November 21, 2016). The Berry of the Future Is Fed a Specialized Diet and Picked by a Robot. *Bloomberg*. (accessed 21 November 2019); Sherman, Mary. (2018). Driscoll's. University of California, Davis. California Agribusiness Executive Seminar. *Supermarket Business Magazine*. 53(10).

²⁶ Center for Global Workers' Rights. 2021. *Strawberry Global Supply Chains in Mexico*, Table 2.

²⁷ ICRW, 2019: 36-38.

²⁸ Local IMSS office data showed a total of 46,165 employees registered in the social security system, 6,000 of whom were registered as permanent workers, and, of those registered as temporary workers, 10,000 were in agriculture. Conservatively assuming 16,000 agricultural workers registered on any basis (despite the obviousness that some number of the 6,000 permanent workers are in other industries) would suggest that 40% of the 40,000 workers employed in San Quintín agriculture were registered in IMSS in 2020, most only for part of the year.

²⁹ For more on planetary boundaries, see Stockholm Resilience Centre. Planetary boundaries, <https://www.stockholmresilience.org/research/planetary-boundaries.html> (accessed 30 June 2021).

³⁰ Leila Radhouane, "Climate change impacts on North African countries and on some Tunisian economic sectors," *Journal of Agriculture and Environment for International Development* 107, 1 (2013): 101-113; Rudy Ruitenberg and Celeste Hicks, "Morocco prays to save wheat fields after catastrophic drought," *Bloomberg*, March 2, 2106, at

<https://www.bloomberg.com/news/articles/2016-03-03/morocco-prays-to-save-wheat-fields-after-catastrophic-drought> (acc. October 20, 2017); Food and Agriculture Organization of the United Nations, Crop prospects and food situation, no. 1, March 2016, at <http://www.fao.org/3/a-i5455e.pdf> (acc. October 20, 2017), pp. 11; 12; Emily Terazono, “Supply problems put pressure on olive oil,” *Financial Times*, October 27, 2016; Harold D. Nelson, ed., *Morocco: A country study* (Washington: U.S. Government Printing Office, 1985), available from Haitih Trust, at <https://babel.hathitrust.org/cgi/pt?id=mdp.39015011513267;view=1up;seq=6> (acc. October 8, 2017), p. 164.; Kingdom of Morocco, Ministry of Culture and Communication, Department of Communication, “Green Morocco Plan,” at <http://www.maroc.ma/en/content/green-morocco-plan> (acc. October 21, 2017); N. Faysse, “The rationale of the Green Morocco Plan: missing links between goals and implementation,” *The Journal of North African Studies* 20, 4 (2015) : 622-634.

³¹ 2019. Spotlight: The Northern Triangle, in *Climate Refugees: The Climate Crisis*, Berkeley: Othering & Belonging Institute, <https://belonging.berkeley.edu/climaterefugees/northerntriangle> (accessed 15 June 2016).

³² See FAO. 2021. Fusarium Tropical race 4 (TR4), *World Banana Forum*, <http://www.fao.org/world-banana-forum/fusariumtr4/en/> (accessed 15 June 2016) and Guthman, Julie. 2019. *Wilted: Pathogens, Chemicals, and the Fragile Future of the Strawberry Industry*. Oakland, California: University of California Press.

³³ Global Witness and *The Guardian*. 2017. *The Defenders: 2017 environmental defenders have been killed in 2017*, <https://www.theguardian.com/environment/ng-interactive/2017/jul/13/the-defenders-tracker>

³⁴ <https://www.ituc-csi.org/IMG/pdf/2019-06-ituc-global-rights-index-2019-report-en-2.pdf>

³⁵ According to Kucera and Sari (2019: ...) “Violations in law refer to national legislation that is not in conformity with FACB rights as defined by the ILO and to actions taken on the basis of such legislation. Violations in practice refer to acts committed and in violation of the existing national legislation that is in conformity with FACB rights as defined by the ILO. In cases where there is no relevant national legislation, violations in practice refer to acts committed in violation of FACB rights as defined by the ILO’s supervisory bodies.” See: Kucera, David, and Dora Sari. 2019. “New Labour Rights Indicators: Method and Trends for 2000–2015.” *International Labour Review* 158 (3): 419-446.

³⁶ See Graciela Bensusán. (2000). *El modelo mexicano de regulación laboral*. Mexico: FES/Plaza and Valdés/FLACSO/ UAM-X and G. Bensusán, J.A. Bouzas Ortiz, A. Hernández Cervantes, C.P. Juan Pineda, M. Xelhuantzi López, M. Muñoz, J. Robles, y L.O. Reyes Ramos. (2007) *Contratación Colectiva de Protección en México. Informe a la Organización Regional Interamericana de Trabajadores (ORIT)*.

³⁷ This rate includes company controlled ‘yellow’ and ‘ghost’ unions. The unionization rate of legitimate, independent unions is much lower.

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⁴⁴ Center for Global Workers’ Rights. 2021. *What Difference Does a Union Make?*, 8.

- ⁴⁵ Center for Global Workers' Rights. 2021. *What Difference Does a Union Make?*, 10-14.
- ⁴⁶ Mexican federal fiscal support for small producers declined 60% in the 1980s (Lara Flores, Sara María. (2005). Mercado de trabajo rural y organización laboural, en H. Carton de Grammont (Ed.), *Neoliberalismo y Organización Social en el Campo Mexicano*, Mexico City: Universidad Nacional Autónoma de México, 69–111.). As NAFTA liberalized trade, US-subsidized corn flooded Mexico, and non-remunerated employment in agriculture and forestry declined 58% between 1991 and 2007, meaning approximately 4.9 million people were displaced from non-commercial agriculture (Weisbrot, Mark, Stephan Lefebvre, & Joseph Sammut. 2014. Did NAFTA help Mexico? An Assessment After 20 Years. Center for Economic and Policy Research. <http://cepr.net/documents/nafta-20-years-2014-02.pdf>)
- ⁴⁷ The police response to the 2015 strike in San Quintín was described in interviews in 2020 and is documented in the national government report: Secretaría de Gobernación (SEGOB), Estados Unidos Mexicanos, Comisión para el diálogo con los pueblos indígenas de México. (2017) Notas Informativas sobre el Conflicto de los Jornaleros Agrícolas del Valle de San Quintín, Ensenada, Baja California, Marzo 2015 – Mayo 2017.
- ⁴⁸ Velasco, Laura, Christian Zolniski, and Marie-Laure Coubès. (2014). *De jornaleros a colonos*. Tijuana: El Colegio de la Frontera Norte, 195-200.
- ⁴⁹ The Instituto Mexicano del Seguro Social (IMSS) provides healthcare, retirement, and occupational disability benefits.
- ⁵⁰ On early labor organizing in San Quintín agribusiness, see Velasco et al. *Supra* footnote 10. On protection contracts, see: Bensusán, Graciela, Alfonso Bouzas Ortiz, Aleida Hernández Cervantes, Claudia Patricia Juan Pineda, María Xelhuantzi López, Mara Muñoz, Jorge Robles, y Luis Oliver Reyes Ramos. (2007) Contratación Colectiva de Protección en México. Informe a la Organización Regional Interamericana de Trabajadores (ORIT).
- ⁵¹ Latif, Nida, "Morocco, Country Gender Profile," Institute for Women's Studies in the Arab World, 2015.
- ⁵² Danish Trade Union Council for International Development Cooperation, Ulandssekretariatet, LO/FTF Council, Labour Market Profile, 2015.
- ⁵³ For instance, for harvesting olives or for transporting onions from the nursery, men received 70 dirhams (\$7.15) whereas women received 50 dirhams (\$5.11) (Antonucci, M., "Shedding Light on Women's Wages and Working Conditions in the Agricultural Sector in Morocco," CGIAR, 2016, <http://drylandsystems.cgiar.org/content/shedding-light-womens-wages-and-working-conditions-agricultural-sector-morocco> (Accessed on January 24, 2019).).
- ⁵⁴ DANE and Fedepalma. 2016. Palm Oil Census, cited Center for Global Workers' Rights. 2019. *The Palm Oil Supply Chain in Colombia*, 15, 19.
- ⁵⁵ Center for Global Workers' Rights. 2019. *The Palm Oil Supply Chain in Colombia*, 27.
- ⁵⁶ ICRW, SC, CDT 2019, 36.
- ⁵⁷ Center for Global Workers' Rights. 2019. *The Palm Oil Supply Chain in Colombia*, 25.
- ⁵⁸ Center for Global Workers' Rights. 2021. *What Difference Does a Union Make?*, 14.
- ⁵⁹ Alliance of National, State, and Municipal Organizations for Social Justice and Independent National Democratic Union of Agricultural Dayworkers (SINDJA). 2015. "March 17 Manifesto", on file with authors.
- ⁶⁰ ICRW, SC, CDT. 2019, 7.
- ⁶¹ Center for Global Workers' Rights. 2021. *What Difference Does a Union Make?*, 14.
- ⁶² Center for Global Workers' Rights. 2021. *Strawberry Global Supply Chains in Mexico*, 14.
- ⁶³ Center for Global Workers' Rights. 2021. *What Difference Does a Union Make?*, 14.
- ⁶⁴ ICRW, SC, CDT 2019, 40-41.
- ⁶⁵ Center for Global Workers' Rights. 2019. *The Palm Oil Supply Chain in Colombia*, 26.
- ⁶⁶ Center for Global Workers' Rights. 2021. *What Difference Does a Union Make?*, 9.