

RSPO

Roundtable on
Sustainable Palm Oil

UNICEF & Fauzan, 2018



CHILDREN'S RIGHTS

in RSPO Member Oil Palm Plantations
in Indonesia

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This report was prepared and submitted by Lingkar Komunitas Sawit (LINKS) in the capacity of RSPO's implementing partner, in collaboration with UNICEF for the CRBP Palm Oil Programme in Indonesia. For further information about this programme, please contact the RSPO's Indonesian office.

The best interests of children is one of the four main principles of the UN Convention on Children's Rights.

This principle is applicable to any action and decision relating to children which advocates active efforts to respect their rights; promoting their right to live, grow and develop, to support their welfare, and to help their parents and other parties held responsible for the realisation of children's rights.



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GLOSSARY

Children	Individuals below 18-years-old, including young workers and young mothers.
Antenatal Care	Pregnancy checks to optimise mental and physical health conditions of pregnant mothers.
Basic Education Data	An integrated nationwide database system and serves as the main data source of national education as part of the national education planning program.
Educational Toys	Educational toys are specifically designed for educational purposes. APE's can optimise children's development and can be customised according to age groups and development progress.
Exclusive Breastfeeding	Process of giving breast milk to newborn babies without any other supplementary food or drink until the babies are above the age of six months.
BPJS Kesehatan	The State's Health Insurance Provider is a public legal entity, directly responsible to the President and tasked to provide health insurance at a nationwide scale for all Indonesian people.
CRBP	Children's Rights and Business Principles are principles developed by UNICEF, Global Compact and Save the Children to encourage the employers (companies) to respect and protect children's rights.
CSR	Corporate Social Responsibility.
FGD	Focus group discussion.
HRGA/HRM	Division or department at the estates, responsible for dealing with human resources and general affairs or also known as human resource development.
ILO	A specialised agency of the United Nations devoted to advancing opportunities for men and women to obtain productive work in conditions of freedom, equity, security and human dignity.
INA NI P&C RSPO	Indonesia National Interpretation on the Principles and Criteria of RSPO.
KIA	Mothers and children's health service.
KHL	Karyawan Harian Lepas or casual workers.
KT	Karyawan Tetap or permanent workers.

Estate Management	The leaders of oil palm plantation companies. At the company level (limited liability company), it is led by a President Director, General Manager (GM) or Regional Head (RH). GM and RH will be assisted by Plantation Manager or Areal Controller (AC) and Estate Manager (EM).
Duplex Housing	Several units of houses located in a single row with side-by-side configuration using either a single or the same roof structure.
LINKS	Social NGO member of RSPO. LINKS was established in 2009 in Bogor, Indonesia.
Paternal Leave	Paid leave for a father within a certain period of time to support the expectant mother.
PAUD	Early Childhood Education Program.
POLSATA	The school's initiative in Bukit Santuai district of Kotawaringin Timur about the importance of communication, tolerance, diversity, anger management, and teamwork.
Postnatal Care	Healthcare service after childbirth.
Posyandu	Family Planning and Integrated Health Service Post is an activity of rendering basic health services for and by the community with the assistance of health officers.
Rombel	A learning group or groups of students registered in a class unit.
RSPO	RSPO is a non-profit, international membership organisation that unites stakeholders from the seven sectors of the palm oil industry to develop and implement global standards for sustainable palm oil.
CS	Caesarean Section or surgical delivery of a baby.
UNICEF	The United Nations Children's Fund is a program of the United Nations devoted to providing humanitarian assistance for the development of children and mothers in developing countries.
USG	Ultrasonography is a health check procedure using high frequency sound waves to view the womb and other internal organs reflected in images called a sonogram, visible from a monitor.

INTRODUCTION

Background

The Children’s Rights and Business Principles (CRBP) contain principles that encourage business actors (companies) to respect and protect children’s rights. The company’s responsibility “to respect and protect the children’s rights” applies not only in business activities but also in business relationships in terms of operations, products and services, as well as the commitment to voluntarily advocate human rights, including children’s rights in the main agenda of a company, social investments and strategic philanthropy, advocacy and public policy, and/or working in partnership or other collective actions.¹

CRBP is derived from internationally acknowledged children’s rights principles and does not aim to create any new international laws. CRBP is specifically based on the rights established by the convention of children’s rights and optional protocols. This convention is a pact on human rights that has been ratified by many countries, and to date, as many as 193 countries support this convention. This principle is also based on the ILO Convention No. 182 on the Worst Forms of Child Labour and ILO Convention No. 138 on Minimum Age.

To monitor how CRBP has been implemented in various business sectors, United Nations Children’s Fund (UNICEF) has developed a cooperation with diverse stakeholders.

In 2016, UNICEF conducted a qualitative research on the palm oil sector and children in Indonesia. The research took place at oil palm production centres in the provinces of North Sumatra and Central Borneo. Through this research, UNICEF identified seven impact areas in relation to children in oil palm plantations. These impact areas are; maternity protection and breastfeeding, childcare, nutrition and healthcare, housing, water, sanitation and hygiene, access to education, child protection, child labour and young workers. This qualitative research also identified some of the main root causes contributing to the above impact areas.¹



¹ See the report of “Palm Oil and Children in Indonesia Exploring the Sector’s Impact on Children’s Rights, published by UNICEF in 2016.



Between 2017 and 2018, UNICEF and the Roundtable on Sustainable Palm Oil (RSPO) implemented the CRBP Palm Oil Programme for oil palm plantation members of RSPO in Indonesia. This programme aimed at providing information and knowledge to the estate managers and staff on the standards, as well as the positive implications of children's rights to the business world. At the same time, the programme also aimed to discover best practices relating to the seven impact areas by oil palm plantation members of RSPO in Indonesia.

The information and knowledge acquired was then forwarded as recommendations to the RSPO Principles and Criteria Review Task Force, with the expectation that the CRBP standards shall be incorporated into the revised Principles & Criteria.

To implement the CRBP Palm Oil Programme in Indonesia, RSPO contracted Lingkar Komunitas Sawit (LINKS) as its implementing partner and the results are presented in detail in this report.

Scope of the programme

The participants of the CRBP Palm Oil Programme consist of nine companies from five business groups who are RSPO members with estates located in Indonesia. These five business groups followed the CRBP Palm oil Programme in four stages of activities. The first stage involved selecting the estates as programme locations and preparing initial workshops, which took place from May to September, 2017.

The selection of companies as participants for the CRBP Palm Oil programme covered both newly developed estates and existing estates. The factors considered in the selection process included the scale of estate areas, the number of workers, the number of occupied houses during the one-year period prior to the programme

implementation, as well as the willingness and participation of these companies in the RSPO certification system.

The second stage involved conducting CRBP trainings, listing subjects, filling out questionnaires on estate information and self-assessment by estate management. This stage took place from September to November, 2017.

In the third stage of the project, the CRBP conducted field observation of the estates, document reviews, and Focus Group Discussions (FGDs) with workers, staff, and managers. This was carried out between April and May, 2018. The fourth and final stage was the submission of the CRBP Palm Oil report in June, 2018.

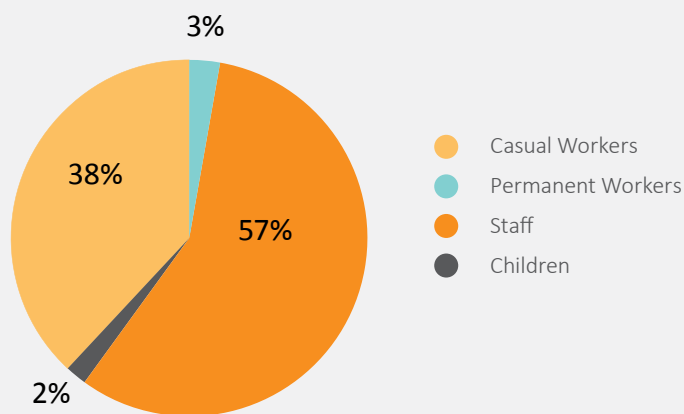
Impact of the programme

The CRBP Palm Oil Programme both directly and indirectly impacts all workers, staff, managers, and children in the estates. While some people may not have been directly involved in the programme itself, they may have benefitted from the CRBP training and survey activities conducted,

which introduced knowledge and awareness of the seven key impact areas for children in oil palm plantations. The number of workers, staff, managers, and children in the participating companies directly and indirectly impacted are presented in detail in the diagrams below.

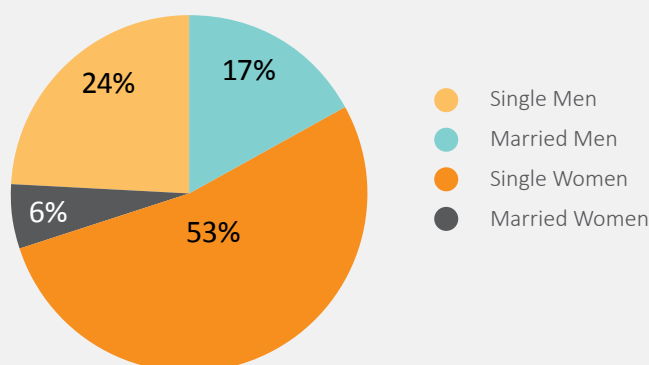
Figure 1. Diagram on the number of workers, staff and children indirectly impacted by the CRBP Palm Oil Programme

Number of workers, staff and children indirectly impacted by the CRBP Palm Oil Programme



Based on the data collected from the participating companies, it is found that a total of 28,709 workers, staff and children are indirectly impacted by CRBP Palm Oil Programme of which the number of casual workers (KHL) reach 750 persons or around 3%; permanent workers (KT) make up 16,376 persons or around 57%, and staff and managers form 2% or 514 persons and 11,069 children or 38% live in the estate areas of the participating companies.

Number of single and married workers indirectly impacted by the CRBP Palm Oil Programme



In terms of gender and marriage status, it is found that there are 3,042 single men (17%); 9,322 married men (53%); 1,076 single women (6%) and 4,200 married women (24%) indirectly impacted by CRBP Palm Oil Programme.

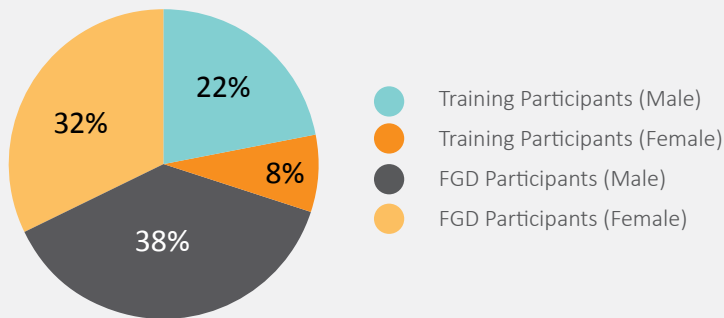
Source: Processed by LINKS based on the data provided by companies participating CRBP Palm Oil on 10 April to 14 June 2018.

This programme also directly impacts the representation of workers, staff, and managers involved as participants in the CRBP training, or as informants during FGD. They directly receive new information and knowledge pertaining to CRBP and the impact areas of CRBP in oil

palm plantations. Furthermore, they engage in discussions with LINKS trainers, co-trainers or surveyors, with regard to services of the seven CRBP impact areas provided to the children of the oil palm estates.

Figure 2. Diagram on the number of workers, staff and managers directly impacted by the CRBP Palm Oil Programme

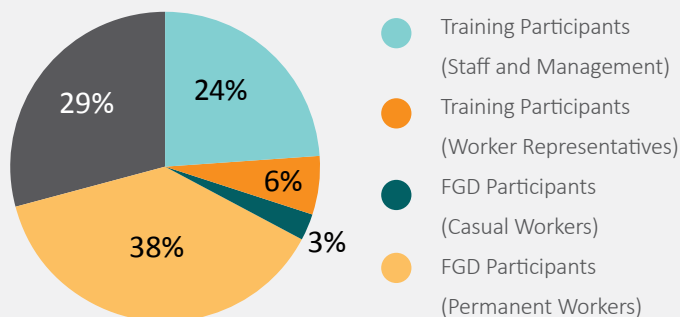
Number of workers, staff and managers directly impacted by the CRBP Palm Oil Programme



Based on the data from CRBP training implementation and FGD the CRBP survey, it was found that:

- 938 people participating in CRBP training have been involved as informants in CRBP FGD.
- 22% training participants were male and 8% were female.
- 38% FGD informants were male and 32% are female.

Number of FGD and training participants directly impacted by the CRBP Palm Oil Programme



Employment status:

- 24% of the training participants were staff and managers
- 6% of training participants were worker representatives
- 3% FGD participants were casual workers
- 38% FGD participants were permanent workers
- 29% of FGD participants were staff and management.

Source: Processed by LINKS based on training participants' data on September to November 2017 and data from FGD informants in CRBP survey on April to May 2018.

FIELD FINDINGS, INITIATIVES AND BEST PRACTICES

Overview of field findings, initiatives, and best practices in CRBP Palm Oil Programme

The field findings elaborated in this research came from the results of observation and Focus Group Discussions (FGD) with workers, staff and managers met by LINKS, as well as a document review conducted during the CRBP survey. This chapter also describes the good initiatives and best practices in the provision of services at seven CRBP impact areas on children's rights by participating companies.

These initiatives have been developed by the plantation management, school principals, teachers, doctors, paramedics, human resource departments of the estates, the sustainability department, CSR department/estate manager, to deal with the challenges encountered when managing CRBP initiatives. These initiatives constitute a new effort and breakthroughs in the sector.

Until the implementation of the CRBP survey, the participating companies did not have any particular policy or financing allocation from their respective business groups. If there were policies and/or financial support, they were channeled from the estate management and not the business groups.

Best practices are actions from management with the provision of support and services to realise children's rights, or other concrete efforts to support and assist workers and staff, in their roles as parents and other related parties. These best practices have been reflected in policies at the business group level, budget allocation, human resource allocation, and the provision of facilities to support service management in CRBP impact areas. These best practices have been introduced for a minimum of three years², and on a periodic basis they are discussed, evaluated, recommended for improvement, and re-agreed during meetings at the business group level.



² The three year period chosen for the LINKS survey was 2015-2017.



UNICEF & Fauzan, 2018

In elaborating on field findings, LINKS adopted qualitative parameters for terminologies such as ‘few’, ‘some’, ‘most’ and ‘all’. The term ‘few’ refers to specific or similar conditions detected in less than two companies participating in the programme. The term ‘some’ refers to specific or similar conditions which occurred in four to five companies participating in the programme. The term ‘most’ refers to specific or similar conditions found out in seven to eight companies participating in the programme. While the term ‘all’ refers to specific or similar conditions identified in nine companies participating in the CRBP Palm Oil Programme.

In addition, these field findings have been corroborated with the qualitative data gathered from a review on documents relating to the provision of services in seven CBRP impact areas against the children’s rights at oil palm estates from 2015 to 2017.

Maternal and breastfeeding rights

All oil palm plantation companies participating in the CRBP Palm Oil Programme introduced a policy on reproductive rights protection for their workers, staff and managers. These rights were set out in their respective social policies or the sustainability policies of the business groups, standard operational procedures (SOP), collective bargaining agreements (CBA) or company regulations, as well as in working instructions or company’s internal memos.

Workers and staff who were interviewed during the CRBP survey said they were well informed on such policies or regulations, and that they also took part in socialisation of said policies during morning parades, counselling at *posyandus* by doctors and paramedics, and other counselling activities by the Gender Committees.



UNICEF & Fauzan, 2018

The policy on reproductive rights protection secures the rights of female workers and staff to receive:

- 1. PAID MENSTRUATION LEAVE FOR TWO DAYS UPON RECOMMENDATION OF DOCTOR OR PARAMEDIC AT THE ESTATE CLINIC;**
- 2. PREGNANCY TESTS OR TRANSFER TO WORKPLACE(S) MORE CONDUCTIVE FOR PREGNANT WORKERS, IF POSITIVE;**
- 3. HEALTHCARE DURING PREGNANCY AND POSTPARTUM;**
- 4. PAID MATERNITY LEAVE FOR THREE MONTHS OR 90 DAYS.**

Based on the findings during the FGD, it was found that pregnancy test services were provided by companies in two categories. In the first category, the company carries out regular health checks under a special programme, i.e. once a month, specifically for female workers or staff who carry out high-risk tasks and have contact with chemicals (hazardous and poisonous substances) such as sprayer operators or fertiliser spreading operators. In the second category, the company performs pregnancy tests at the request of workers and staff whenever they feel any symptoms/indications of pregnancy.

If a worker is pregnant, doctors and paramedics at the estate clinic will send a notice to the management. If the pregnancy is confirmed, the worker will be transferred to lighter tasks during the course of the pregnancy, and she will not handle any chemicals. The worker will not be allowed to work at night and will be moved to work to an area closer to her home and estate office. She will work in this capacity throughout her pregnancy, after childbirth and throughout the breastfeeding period.

Healthcare provision during pregnancy follows standard Antenatal Care (ANC) set by the Ministry of Health³, consisting of pregnancy checks once a month at clinics or *posyandus* when the pregnancy reaches the first to second trimester. In the third trimester, pregnancy checks will be carried out on a biweekly basis at a clinic and when the foetus is nine months old, pregnancy checks will take place every week at a clinic. Immunisations and vaccinations are normally given during the pregnancy between five to six months and six to seven months. Supplements are given during the visit to *posyandus*, i.e. once a month.

Pregnancy checks using ultrasonography (USG) are provided by the company in two categories. Firstly, the company will bear all costs for one to two times of the USG checks for permanent workers who are pregnant. Alternatively, the company provides USG checks to referral hospitals in the event of a “high-risk pregnancy” under the BPJS Kesehatan insurance scheme.

For low-risk pregnancies, the delivery process will be handled by doctors and/or paramedics for free at the estate clinic. However, in the case of a high-risk pregnancy, the patient will be referred to a hospital under the BPJS financing scheme. Based on information collected during FGD, it was identified that some business groups provide pregnancy checks and delivery allowances. Due to this allowance scheme, workers and staff prefer to have pregnancy checks and to deliver their babies at external clinics rather than at an estate clinic.

Postnatal health services have been provided according to standard Postnatal Care (PNC)³ set by the Ministry of Health; with visits by a midwife on a daily basis. These visits are conducted daily for up to a week after childbirth. This postnatal service is also provided at estate clinics, whenever a risk identified. Thereafter, healthcare for mothers and children will be rendered on regular basis at the estate clinics or during *posyandu* activities.

³ Health service refers to the antenatal care standard based on Health Law of Republic of Indonesia No. 36 Year 2009.

A three-month or 90-day paid maternity leave is given to permanent workers and staff. The leave must be taken 1.5 months or 45 days before labour and another 1.5 months or 45 days after the delivery. In the event of miscarriage, the affected mother will still have the right to maternity leave of 1.5 months.

Workers at estate blocks have complained that there was no flexibility in taking maternity leave. Usually, when the pregnancy reaches 32-34 weeks, the doctor or midwife will issue a recommendation letter for maternity leave application to the estate offices. Meanwhile, employees or staff who work at estate offices admit that they have more flexibility when taking their maternity leave. Thus, after childbirth, they can stay at home longer for breastfeeding.

Female workers and staff, particularly those who underwent a Caesarean Section (CS) during delivery, said that they can apply for additional maternity leave (without pay) to their

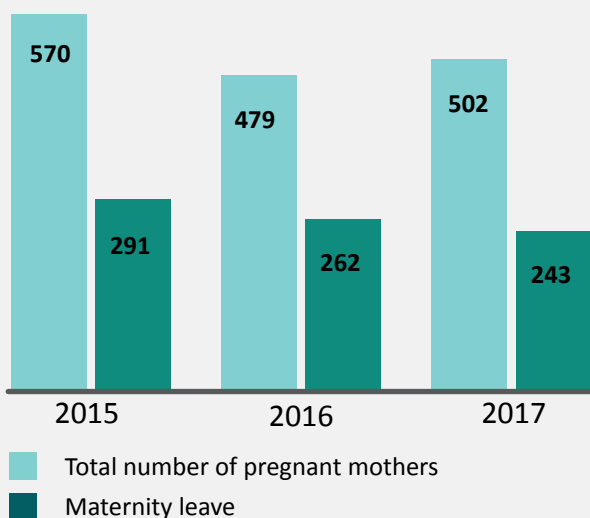
superiors, on the recommendation of the doctor or paramedics. They are also able to use their annual leave entitlement (12 days) to extend their rest at home after delivery.

In addition, to assist women during childbirth, the partner who is registered as a worker or staff of the company will reserve the right to receive paid paternity leave. This leave is given for two days only, although some companies may grant paternal leave for three to five days.

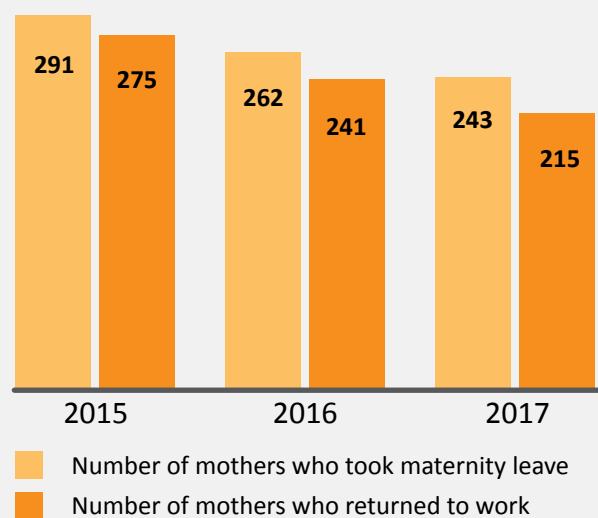
During the FGD, some of the workers and staff interviewed informed the team that most of them are expected to return to work immediately after giving birth, whilst some of them preferred to stop working and focus on caring for their child. Some expectant mothers preferred delivering their children outside the estates (e.g. at their parents' house). The companies do not force their workers to resign or work post delivery, and leave the decision to the workers themselves.

Figure 3. Diagram of the number of pregnant mothers, maternity leave and postnatal re-employment of participating companies (Year 2015-2017)

Data of pregnant mothers and maternity leave at participating companies (2015-2017)



Comparison of workers & staff taking maternity leave with those returning to work at participating companies (2015-2017)



Source: Processed by LINKS based on the data presented by the companies participating in the CRBP Palm Oil Programme from 10 April to 14 June 2018.



Based on the above diagram, it was found that in 2015, all estate clinics of companies participating in this programme provided healthcare services for pregnant women (570 mothers) and mothers on maternity leave. 291 mothers (51%) were female workers or staff who take their maternity leave. The other 49% were the wives of workers/staff of the companies and as such, were not entitled to take maternity leave. In 2016, the estate clinics delivered healthcare services for 479 mothers. Out of the 479 mothers, 262 mothers, or approximately 55%, were registered as female workers or staff of the companies and therefore, went on maternity leave. The other 45% were the wives of workers/staff and hence, were not entitled to maternity leave. Likewise, in 2017, the estate clinics provide healthcare service to 502 pregnant women. Out of them, 243 mothers (48.4%), were the workers and staff of the companies, while the other 51.6% were the wives of workers/staff and do not work at the estates of companies.

Out of the 291 female workers and staff who went on maternity leave in 2015, 275 mothers (94.5%) resumed employment after childbirth. In 2016, out of the 262 female workers and staff who went on maternity leave, 241 mothers, approximately 91.9%, resumed work for their companies. Data in 2017 indicates that out of the 243 female workers and staff that went on maternity leave, 215 mothers (88.5%) decided to work again after maternity leave.

A positive initiative has been developed by one of the participating companies. This company, located in the Ketapang region, in the West Kalimantan province, developed a map based on the data of pregnant women and mothers on maternity leave. This map provides information on the locations where these women reside within the estate areas including their phone numbers and details of their spouses. The databank contains information on their medical reports, including the latest checkup results.

The doctors and paramedics in the estate clinics advised that the making of such maps and databanks is the standard applicable for primary rural healthcare centres (Puskesmas; run by the government). This initiative was able to facilitate mothers and their families to access for healthcare services as well as to medical records. With this map and data, they are able to provide optimum health services to both pregnant mothers and mothers on maternity leave.

Source: Description prepared by LINKS based on the observation and FGD during the CRBP survey from April to May 2018.

The Challenges in implementing Maternity Rights Protection

01. MATERNITY RIGHTS PROTECTION FOR CASUAL WORKERS OF COMPANY PARTICIPANTS OF THE CRBP PALM OIL PROGRAMME.

During FGD, at two newly developed estates, there were some informants who were registered as casual workers in the companies. Their marital status includes married and unmarried, male and female workers. They work during the harvest and maintenance periods and were also required to undergo probation and extended probation.

Pregnant wives of male casual workers or whose wives delivered their babies at estate clinics, informed the team that during pregnancy their wives received pregnancy check services at the estate clinics and *posyandus*. They could access these pregnancy checks and delivery services at the estate clinics for free.

On the other hand, female casual workers with married status confirmed that while they were not pregnant, they still had monthly pregnancy checks at the estate clinics. Pregnancy checks are mandatory, especially for those who come into contact with chemicals such as sprayers or fertiliser spreaders. They stated that they received socialisation from HRGA staff and safety departments. They have also been informed that while they are pregnant, they will be transferred to tasks and a workplace which are deemed safe during pregnancy, and are entitled to receive healthcare, pregnancy checks, delivery service and postnatal service at the estate clinics for free.



UNICEF & Fauzan, 2018

Some casual workers, however, expressed their worries of not being registered as BPJS Kesehatan members. When they needed referral healthcare from health facilities beyond their estates, they would face financial barriers. All female casual workers also complained about the lack of entitlement to paid leave for menstruation and maternity. Their wages were paid on a daily basis and set in reference to the standard wage set by the regional/provincial government.

In addition, casual workers agreed that they had received socialisation on Independent BPJS Kesehatan or BPJS Kesehatan for Non-Permanent Workers (PBPU)⁴ from the Social Affairs Agency or Estate Management. However, they expressed their reluctance to process their participation in the social insurance programme because they had to pay the contribution fee privately.

⁴ See the Regulation of BPJS No. 1 Year 2015 juncto No. 5 Year 2016.

Moreover, the registration site of the Social Affairs Agency is located too far from the workers' estates. They preferred to wait until they are employed as permanent workers. As permanent workers, their participation in the BPJS programme would be processed by the HRGA Department of the companies and the contribution fees for this health insurance programme would be paid with a subsidy from the companies.

The management of company participants of the CRBP Palm Oil Programme clarified that some plantation companies especially in the estates categorised as newly developed, hired casual workers. These newly developed estates would usually hire short-term workers for up to three months, to work on labour-intensive tasks. Moreover, no pregnant mothers will be employed for this relatively heavy work. If any, they are the wives of casual workers.

Meanwhile, in existing estates or in plantation companies whose application for RSPO certification was still underway, their casual workers are normally new workers undergoing probation.

The term "probation" varies but on average, lasts for three to six months. If they have a good attendance record or are able to reach the prescribed targets and other requirements as established by the company, they will be entitled to a promotion as a permanent worker. Otherwise, they would need to undergo an extended probation. While these casual workers normally record their performance targets, some of them may be subjected to an extended probation term due to certain reasons including poor attendance. According to the estate managers, the appointment of all casual workers as permanent workers is a requirement that must be complied with, to obtain RSPO certification. They are not allowed to employ workers under the casual worker status (except for those on probation) if they want to move forward with the RSPO certification process.

With regards to maternity rights (reproduction rights) for female workers with casual worker status, the estate managers admitted to some disparities in treatment when compared to permanent workers and staff, particularly with respect to:

- Financing allowance for referral health services, since some companies have yet to register their casual workers in BPJS Kesehatan programme. Because of this condition, casual workers will encounter financial barriers when they need referral health services, including USG checks for high-risk pregnancy or delivery that must be referred to health facilities outside the estate. For the companies that have registered their casual workers in BPJS Kesehatan, there were no serious problems faced.
- As for paid leave and assurance of re-employment after maternity leave, casual workers received no paid leave benefit, either for menstruation leave or maternity leave, and if they want to work again after childbirth, the management asks them to submit new application letters.



02. FACILITIES TO SUPPORT CHILDBIRTH SERVICES AT THE ESTATE CLINICS, NOTABLY FOR HIGH-RISK DELIVERY

The estate management of the newly developed estates stated that they had tried to provide health facilities including delivery facilities at estate clinics. Medical resources and other limitations such as the lack of USG machines, poor road conditions and lack of staff are challenges which the estates need to work on. This is especially challenging in emergency situations and high-risk deliveries.

According to the Law of Manpower of the Republic of Indonesia No. 13 of 2003 (Article 83), employers must give its female workers the opportunity to breastfeed during working hours⁵. Additionally, the Health Law of the Republic of Indonesia specifies that every child is entitled to be exclusively breastfed for the first six months (minimum), unless it poses health risks to the mother and/or the child. The national and local governments, as well as the communities (including workplaces), must fully support breastfeeding mothers by allocating special breaktimes and breastfeeding facilities at their workplace.

The implementation of these two laws for the participating companies is reflected in two models. In the first model, companies introduced special policies to provide the opportunity for breastfeeding of children.

In these policies, companies allow mothers to breastfeed for 30 – 60 minutes, during working hours. In the second model, some of the companies did not yet have such special policies in place to allow breastfeeding during working hours, however, in practice, they already permitted exclusive breastfeeding of between 30 – 60 minutes during working hours.

All participating companies stated that they would transfer these breastfeeding mothers to tasks with no chemical contact and place them in workplaces that are close to daycares or their homes, to make it easier for them to breastfeed their babies.

Meanwhile, for the provision of facilities to support breastfeeding, the observation and FGD revealed that all companies participating in the CRBP Palm Oil Programme have provided special rooms for breastfeeding (Pojoy ASI or Breastfeeding Corner), including the associated supporting facilities at clinics. Most of them have established a Pojoy ASI and provided the supporting facilities at daycares. They procure ice cooler boxes to store breast milk. Only a few companies who participated in the pilot have yet to allocate Pojoy ASI or ice cooler boxes at the daycares.

Best practices – two existing plantation companies located in Kabupaten Kotawaringin Timur, Central Kalimantan province, permit breastfeeding during work hours. They have also allocated budget and human resources for the provision of Pojoy ASI with complete and convenient facilities for breastfeeding mothers at clinics and daycares with ice cooler boxes to store breast milk and a 24-hour power connection.

Source: Description prepared by LINKS based on observation and FGD during CRBP survey from April to May 2018.

⁵ See Law of Republic of Indonesia No.13 Year 2013 on Labor and Workforce.

Challenges in Exclusive Breastfeeding

While health services and counselling documents at the estate clinics show that doctors and paramedics make effort to enhance awareness of the importance of breastfeeding, periodically, the workers and staff still claimed that there are just too many challenges to exclusive breastfeeding.

01. AWARENESS OF EXCLUSIVE BREASTFEEDING

During the FGD, female workers and staff expressed their support for the companies to permit and encourage exclusive breastfeeding. Information in this respect was socialised during morning parades and other activities in posyandus. Some agreed that they have high awareness of the benefits of exclusive breastfeeding. Others, however, were told not to provide exclusive breastfeeding. In light of this discrepancy, facilities that were provided for exclusive breastfeeding were not fully utilised.

Some arguments that support breastfeeding practices by workers and staff include cost-saving; better nutritional value of breast milk; a child's right to exclusive breastfeeding; and the cementing of the psychological connection between baby and mother. As for workers and staff who do not breastfeed, they argued that formula milk is more practical and easier to obtain. Additionally, they claimed that the nutritional value of formula milk is favourable for the growth of babies.



02. WORKING CONDITIONS AT THE EASTATES

Workers and staff who work at the estate office said they found no serious constraints to exclusively breastfeed since they work in closed rooms. They are also located relatively close to the housing areas which enables them to breastfeed their babies with permission, during working hours.

Meanwhile, workers in the field, although not far from their homes felt that because they are more exposed to the elements, it was inconvenient and unhygienic for them to breastfeeding during working hours. They admitted that they rarely ask to be excused to breastfeed their children during working hours. When they return back to work after their maternity leave, they would normally feed their children a combination of breast and formula milk.

03. CULTURAL CHALLENGES AND GEOGRAPHICAL BARRIERS

Some of the breastfeeding mothers who were registered as workers and/or staff at the estate office, when met during FGD, expressed their uneasiness to pump and store their breast milk. They are not accustomed to this practice and said they would need more education in this respect.

There were also workers who argued that geographical barriers were the main reasons behind their decision not to exclusively breastfeed their children. There were also workers who argued that geographical barriers were the main reasons behind their decision not to exclusively breastfeed their children. They would normally entrust their babies to close relatives residing in nearby villages or outside the estates, while they go to work.

04. VISITS TO POSYANDUS

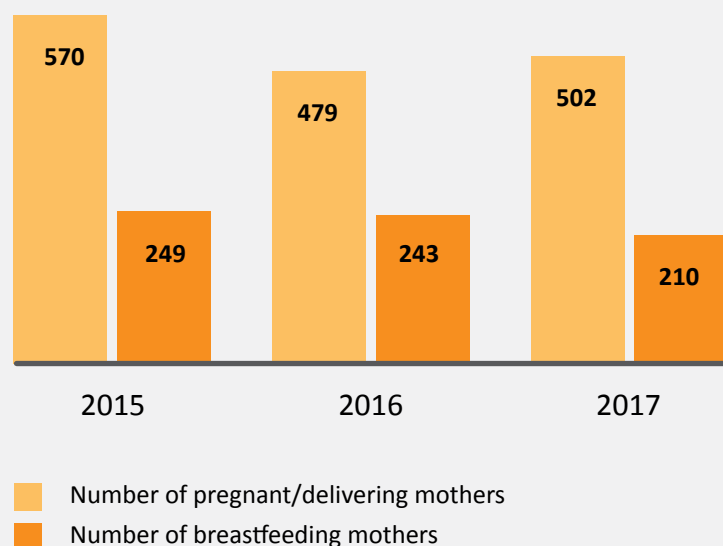


Doctors and paramedics working in the participating companies highlighted that the awareness of exclusive breastfeeding amongst mothers was low, which has resulted in low participation in *posyandus* established at the estates.

During pregnancy, the workers would routinely visit *posyandus*. However, most of them would no longer attend during their breastfeeding period. While *posyandu* activities take place outside working hours or during holidays, with public announcements made beforehand, the visits of breastfeeding mothers to *posyandus* remained low. Consequently, doctors and paramedics experience difficulties in monitoring the number of breastfeeding mothers, whether they exclusively breastfeed or not, and the condition of both the mother and child during this period. This information presented by doctors and paramedics was consistent with the data of breastfeeding mothers who visited the *posyandus* from 2015-2017, which was below 50%, lower compared to that of pregnant women during the same period, as described in the details below.

Figure 4. Diagram of the ratio of pregnant/delivering mothers and breastfeeding mothers visiting posyandus of company participants at the CRBP Palm Oil Programme Year 2015 – 2017

Comparison of pregnant/delivering mothers and breastfeeding mothers visiting posyandus of company participants of the CRBP Palm Oil Programme (2015 – 2017)



Data from all the participating companies show that in 2015, there were 570 pregnant and delivering mothers. From this number, only 249 mothers, or about 43.6% visited posyandus when they were breastfeeding. In 2016, out of 479 pregnant and delivering mothers, only 243 mothers or about 50% came to posyandus when breastfeeding. In 2017, out of the 502 pregnant and delivering mothers, only 210 mothers, or about 41.8% visit posyandus when breastfeeding.

Source: Processed by LINKS based on the data presented by the companies participating in CRBP Palm Oil from 10 April to 14 June 2018.

CHILDCARE

All of the participating companies provide daycares in each estate or housing complex for children of workers and staff. The ages of children eligible for care in these daycares varies, but the age range is normally between 1.5 months to six years.

Based on the findings collected from the FGD, observation and document review during the CRBP survey, it was identified that daycares provided by companies can be differentiated into three different models.

In the first model, the daycares serve as a place to take care of the children when their parents are working. It can be set up without any special company policy. Daycares of this kind are run to replace the role of working parents when it comes to childcare.





The daycares in this first model are equipped with playrooms, dining rooms, lockers to keep the children’s belongings, bedrooms, kitchens, bathrooms and toilets.

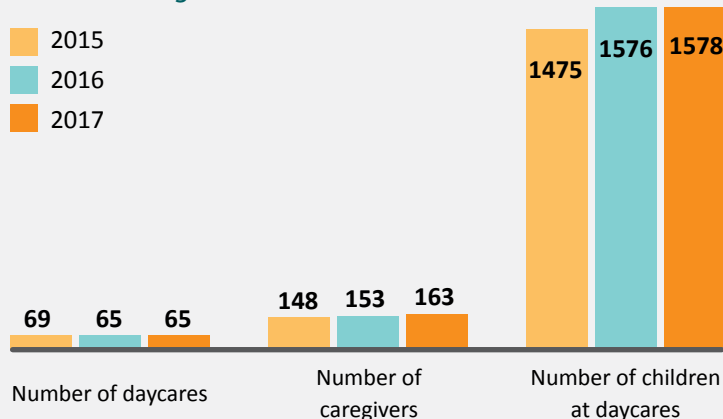
The second model was organised with reference to an internally developed and agreed policy by the company. This policy does not refer to any specific government standards.

Daycares in this model have supporting facilities that are relatively more complete than that in the first model, and are inclusive of playrooms, bedrooms, dining rooms, lockers to keep the children’s belongings, fans, breastfeeding corners, refrigerators, or ice cooler boxes to store breast milk, kitchens, bathrooms and toilets.

In the third model, the daycares are managed as childcare and early childhood education centres. Their operations are based on the policy set out by the company with reference to the standards established by the government⁶ for their development and management. Daycares in this model are more complete than that in the second model, which makes it optimal in providing childcare services. These daycares have a learning curriculum and on a periodic basis (at least once a month), invite kindergarten teachers with childcare and early childhood education background, to train caregivers at daycares.

Figure 5. Diagram of the number of daycares, caregivers and children at daycares run by company participants of the CRBP Palm Oil Programme Year 2015-2017

Number of daycares, caregivers and children at daycares run by company participants of the CRBP Palm Oil Programme (2015-2017)



Data collected from all companies show that in 2015, daycares at the estates recorded 69 units with a total of 148 nurses and 1,475 children. In 2016, the number of daycares at the estates reached 65 units, with 153 nurses and 1,576 children. In 2017, 65 units of daycares with 163 nurses and 1,578 children were identified.

Source: Processed by LINKS based on the data presented by the companies participating in the CRBP Palm Oil Programme from 10 April to 14 June 2018.

⁶ See Permendikbud No. 137 Year 2014 on Technical Guidance of Day Care.

At the daycares in the first model, it was identified that the available educational toys were not yet maximised and there was no task allocation between caregivers or room segregation by the age groups of children. Meanwhile, in the second model, educational toys have been optimally utilised despite no specific work allocation of caregivers and no age-based room segregation. As for the third model, educational toys have been developed according to the childcare and learning curriculum, and work of caregivers was allocated according to the age groups of children.

Based on information received from workers, staff and managers during FGD, the ratio of caregivers to children at daycares in the first model and the second model are 1:10 or 1:15, respectively, in which a caregiver must take care of 10-15 children, on average. Meanwhile, at the daycares in third model, the ratio was counted by the age group of the children.

From the data described in Diagram Five, it is clear that all companies have provided and run daycares, or hired caregivers. The ideal daycare operations however, will be reached if the ratio of caregivers to children is set by the age group of children. According to the Regulation of the Minister of Education and Culture Number 137 of 2014⁷, for two-year old children, the ratio of caregivers to children should be 1:4; for two to four-year-old children, 1:8; and for children who are four to six years old, 1:15.

The operational hours of daycares at the estates are normally from 05.00 or 05.30 to 14.00 or 15.00. At present, all daycares at the estates owned by the companies participating in the CRBP Palm Oil Programme have been operating under the subsidy system. In this system, the companies would provide daycares, caregivers, health services for mothers and children, supplemental foods and sanitation amenities like soaps and shampoo for the children. On the other hand, the parents would provide food, clothes and other personal necessities for their children.

⁷ See Permendikbud No. 137 Year 2014 on Technical Guidance of Day Care.



In terms of administration and operational support, caregivers working in all models of daycares state that they recorded the data of children as well as that of parents, in the Children Data Logbook. Every day, parents must drop off and pick up their children. Data of persons dropping off and picking up their children are also recorded in the Daily Attendance List. In addition, midwives, doctors, managers or wife association of staff of all companies pay routine visits to daycares and provide counseling to caregivers with regards to caring for babies and nutrition for children. Specific training on caring patterns and early childhood education is only provided for caregivers at the daycares in the third model.

Best practice – Two existing plantation companies in Kabupaten Kotawaringin Timur, Central Kalimantan province, have implemented this child parenting service. These two companies manage the daycares in the third model. They introduced a special policy, a special budget allocation and human resources to run daycares as childcare and early childhood education centres. Daycares in these two companies have complete facilities for the convenience and safety of children. In addition, they have also introduced a learning curriculum and on a periodic basis, invite kindergarten teachers from the surrounding companies to train caregivers on parenting and early childhood learning.

Source: Description is prepared by LINKS based on observation and FGD in CRBP survey from April to May 2018.

Challenges in Childcare at Daycares

Workers and staff of companies running daycares in the first and second models expressed their worries when sending their children to daycares. The concerns brought up were in relation to the level of childcare training provided to the caregivers. Consequently, as pointed out by some staff during FGD, they seemed to prefer to hire nannies to take care of their children and were willing to pay extra for these services. Some mentioned that they ask their close relatives to supervise and care

for their children. In most cases, these relatives would stop working and concentrate on looking after the children.

During FGD, it was discovered that workers and staff prefer the third model. They had no hesitation bringing their children to daycares in the third model. They believed that their children will be cared for and would receive education according to the standards applicable for daycares at the estates.



Nutrition and healthcare



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Workers and staff who live in the estates of the participating companies stated that they are able to find nutritious food with ease, since they can access rural markets that operate nearby the estates, or those that operate on the payday.

In addition, all estates have implemented policies that support the provision of food by providing transport to markets at certain times. They have also allocated meal and/or rice allowances; given permission for food vendors to enter housing complexes of workers and staff; set up food courts and canteens, and allowed employees to open food stalls - although this is subject to set terms and conditions. The companies also facilitated the formation of cooperatives and allowed workers to grow vegetables in the vicinity of their housing complexes. According to the workers, the companies would socialise this policy during the morning parades or in *posyandus*.

However, during FGD and document review, it was found that in some plantation companies, especially in newly opened estates, data relating to malnourished children has been recorded. Doctors and paramedics who work in the estates where malnutrition was recorded, explained that malnourished children are those of new employees. During the collection of data, it was identified that they had just arrived at the estates within a month.

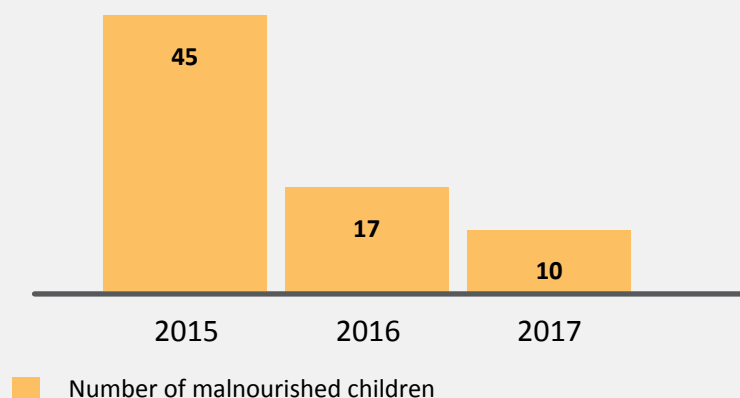
The doctors and paramedics also explained that they have applied a clear, standard response for malnourished children according to standards set by the Ministry of Health. In light of these findings, they intervened by providing supplements and/or medication, where some malnutrition cases were caused by diarrhoea. These doctors and paramedics gave special nutritional advice to the parents. They also gave nutritional food examples suitable for children, and how and where these can be accessed from the surrounding estates. The importance of parents in monitoring the growth of their children in *posyandus* was also highlighted.



UNICEF & Fauzan, 2018

Figure 6. Diagram of the number of malnourished children at company participants of the CRBP Palm Oil Programme Year 2015-2017

Number of malnourished children at company participants of the CRBP Palm Oil Programme (2015-2017)



Data in Diagram 5 shows that the participating companies (especially those engaged in newly opened estates), record malnourished children as follows:

- **Year 2015:** 45 children
- **Year 2016:** 17 children
- **Year 2017:** 10 children.

Source: Processed by LINKS according to the data presented by the companies participating in CRBP Palm Oil from 10 April to 14 June 2018.



With regards to the monitoring of food quality, during FGD, it was discovered that some plantation companies carry out food quality checks on a periodic basis, including the expiry dates of snacks sold in stalls or canteens at the estates. Thus, the workers and staff have no doubt when it comes to the safety of the food they consume. However, this practice is yet to be applied in other companies.

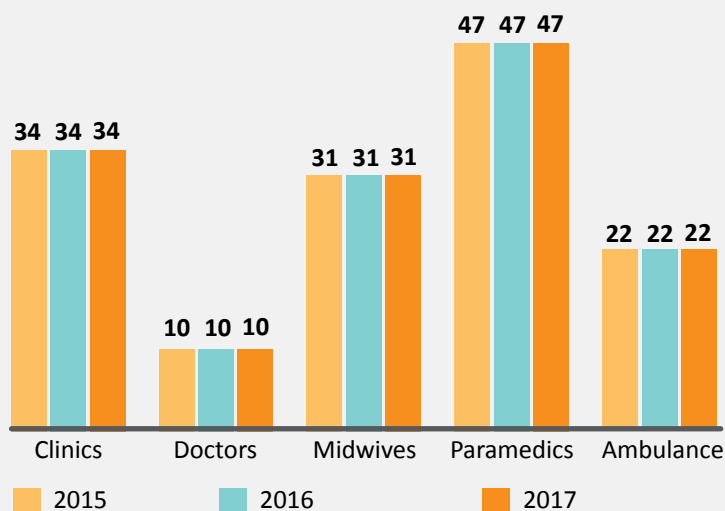
In regards to health services, all estates have their own policy and health service standards that were developed in reference to applicable health laws.

The companies have also socialised their health service policies to all workers and staff. The policies provide for healthcare and insurance coverage, social insurance and sustainability policies, standard operational procedures, collective bargaining agreements, and company regulations.

The management of the estates have also provided clinic facilities, paramedics, doctors and ambulances. At the company level, the primary clinic is usually established with several other satellite estate clinics. These clinics are normally equipped with examination rooms, observation rooms, delivery rooms, pharmacies, administration rooms, doctor and nurse rooms.

Figure 7. Diagram on the number of clinics, doctors, paramedics and ambulances of company participants in the CRBP Palm Oil Programme (Year 2015-2017)

Number of clinics, doctors, midwives, paramedics and ambulances of company participants in the CRBP Palm Oil Programme (Year 2015-2017)



Data from all the participating companies show that in 2015, there were 570 pregnant and delivering mothers. From this number, only 249 mothers, or about 43.6% visited posyandus when they were breastfeeding. In 2016, out of 479 pregnant and delivering mothers, only 243 mothers or about 50% came to posyandus when breastfeeding. In 2017, out of the 502 pregnant and delivering mothers, only 210 mothers, or about 41.8% visit posyandus when breastfeeding.

Source: Processed by LINKS based on the data presented by company members of CRBP Palm Oil Programme from 10 April to 14 June 2018



UNICEF & Fauzan, 2018

Health services at estate clinics include examination and medication, healthcare for mothers and children, vaccinations, medical check-ups (especially for new employees and those whose tasks include being in contact with chemicals). Health services provided at estate clinics are free for workers and staff, their families, and local communities living adjacent to the estates. For more specialised treatments or reference to other medical facilities, the costs will be covered under *BPJS Kesehatan* insurance or the internal medical allowance scheme of the company.

All company participants of the CRBP Palm Oil Programme also provide unpaid leave of up to three days, and paid leave benefits for two days for staff that need to care of sick family members.

Best practices – Two companies in Kotawaringin Timur, Central Kalimantan province, and a company in Musi Banyuasin, South Sumatra province have launched nutrition programmes in their existing estates. These three companies have implemented special policies that support the provision of nutritious food by providing vehicles for employees and staff to shop in the nearest markets at certain times. They also allocate meal and/or rice allowances, allow vendors to sell food inside the housing complexes of employees and workers, and set up canteens. Additionally, the companies have set up cooperatives and supported their workers and staff to grow vegetables in certain parts of the housing complexes. These three companies check the quality of the food on a periodic basis, and the expiry dates of snacks sold in canteens and shops at the estates.

Other **best practices** are also implemented by most of the companies that participated in the CRBP Palm Oil Programme, with the provision of decent health services for their workers and staff. This was done through the establishment of estate clinics, the hiring of doctors and paramedics, provision of medical supplies, provision of supplementary food, posyandus and ambulances. The companies have also cooperated with local Primary Puskesmas (Rural Health Service Centre) run by the Government to report any diseases handled at estate clinics, and actively support government-sponsored immunisation and vaccination programmes, and other health counseling initiatives. The estate clinics also render free medication services to the local communities living in the villages adjacent to the estates.

Source: Description was prepared by LINKS based on observation and FGD during CRBP survey from April to May 2018.

Challenges of Health Service Provision

Before the BPJS Kesehatan programme was initiated and introduced by the government, company participants of the CRBP Palm Oil Programme developed an internal financing mechanism for the referral of health services, where the capped amounts differed, according to the status and positions of workers and staff concerned. After the introduction of BPJS Kesehatan programme in 2011⁸, these companies were required to register their workers and staff in the national health insurance programme. As a result they switched the financing of their main referral health services of workers and staff from an internal mechanism, to that which is under the BPJS Kesehatan programme. All workers and staff met during the FGD complained about this switch.

The workers claimed that the internal financing system by the companies was faster and more accessible. Meanwhile, the mechanism under the BPJS Kesehatan programme was deemed to be more complicated and limited their access to healthcare, as only selected health facilities (hospitals) were BPJS Kesehatan insurance holders. In addition, not all medication was covered by the BPJS Kesehatan programme. During FGD, they expected that the government would evaluate and make the necessary adjustments to facilitate their access to referral health services under the BPJS Kesehatan insurance.

⁸ See Law No. 24 year 2011 on BPJS and President Decree No. 12 Year 2013 on Health Insurance

To address the above-mentioned complaints and challenges, most companies took the initiative to register staff and managers for other health insurance providers on top of the BPJS Kesehatan and reinstated the internal financing mechanisms for health service referrals.

Housing conditions, water, sanitation and hygiene



All company participants in the CRBP Palm Oil Programme have introduced policies relating to the provision of housing facilities, basic and supporting facilities to worker's houses, staff and managers. In line with this policy, the plantation management provided houses with basic facilities such as water, electricity, bathrooms and toilets for all workers and staff. Other supporting facilities were also procured but vary according to the employment status and position of workers, staff, and managers concerned.

The houses allocated for workers and staff can be categorised into semi-permanent and permanent, up to six-door, duplex houses. On average, a unit has a living room, which also serves as a family room, two bedrooms, a kitchen, a bathroom and toilets. The occupancy of each unit is two to four persons or one family.

Some companies provided electricity and water connections for 24 hours a day. However, for other companies, they could only afford to provide these utilities during certain hours of the day, for example from 6:00pm to 11:00pm and 4:00am to 6:00am. or 5:30pm to 10:0pm. and 3:00am to 5:00am. Water and electricity are supplied at the same time. The quality of water varies. Some companies were able to supply clean and odourless water. However, other companies could only supply poor quality, turbid water, which requires further treatment.



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For houses with relatively poor water quality, occupants would only use the water for laundry purposes. For drinking and cooking, they would buy bottled water from nearby shops.

Every housing complex is equipped with domestic sewerage and rainwater drainage systems, as well as temporary waste disposal sites. The waste is normally collected by waste disposal operators one to two times per week, and disposed of at a specified, central site, located away from the housing complexes. Some companies have furnished the houses with sinks and encourage hand-washing habits at schools, daycare, or *posyandus*. However, for other companies, they have yet to encourage hygiene practices. All companies encourage cooperation in maintaining the cleanliness of the housing neighbourhoods. They work together once a week to clean the neighbourhoods. In the event of a damaged house, the rehabilitation and repair will be handled by a civil engineering team at the estate.

For security and safety purposes, the housing complexes for employees are separated from the warehouses where the fertilisers, pesticides, and other poisonous substances are kept.

Any work tools that do not have contact with chemicals will be kept at a special, central place. However, in other companies, the workers may be permitted to bring home such tools under tight supervision, where they are kept in a safe place, out of reach of children. Any tools used to handle chemicals must be kept in a special place. This policy is incorporated by all companies. For workers who perform tasks that involves contact with chemicals, they must undergo sterilisation in a sanitation room before going home.

All companies have put up huts for workers to take shelter during rain, at estate blocks. However, they do not provide toilets at these estate blocks. Toilets, garbage bins, and sinks for hand washing are only available at the estate offices. However, for workers who wish to wash their hands during break times at the estate blocks, the companies do supply 2-5 litres of clean water per worker group, on a given workday.



UNICEF & Fauzan, 2018

Best practice – two existing companies in Kotawaringin, Central Kalimantan province, provide clean water and sanitation facilities to keep housing neighbourhoods in clean conditions at all times. These two companies supply clean water to the houses of workers and staff all day; they also provide bathrooms and toilets; every housing unit is equipped with sinks for hand washing; the companies have also launched special programmes to encourage hand washing habits at schools, posyandus and daycares. They procure garbage bins, which are safe and user friendly, even for children.

Moreover, other **best practices** are also developed by two existing companies in Kabupaten Siak and Kabupaten Rokan Hilir, in the Riau province. If other companies normally provide two bedrooms for each housing unit, they provide three bedrooms per housing unit to ensure more privacy for both parents and their children.

Source: Description is prepared by LINKS based on observation and FGD during CRBP survey from April to May 2018.

The Challenges in Realising Housing Environments Suitable for Children at the Estates

1. There are certain parts of the estates within the surroundings of the housing complexes, which are deemed unsafe for children, such as ditches and reservoirs. Most companies have put up safety perimeter fences and warning boards, in addition to educating the children to not play in these areas. However, several companies have yet to fully implement these safety precautions, raising concerns among the workers and staff for the safety of their children.
2. The limited access to clean water brings about adverse effects to the quality of hygiene and sanitation at housing complexes.
3. For some companies, repair work by the civil engineering team is usually slow and this concern was expressed by the workers and staff during the FGD. The civil engineering team has to wait for the supply of construction materials from the warehouse, before proceeding with any house repair work. According to the workers and staff, this has impacted their living conditions at the estate houses.



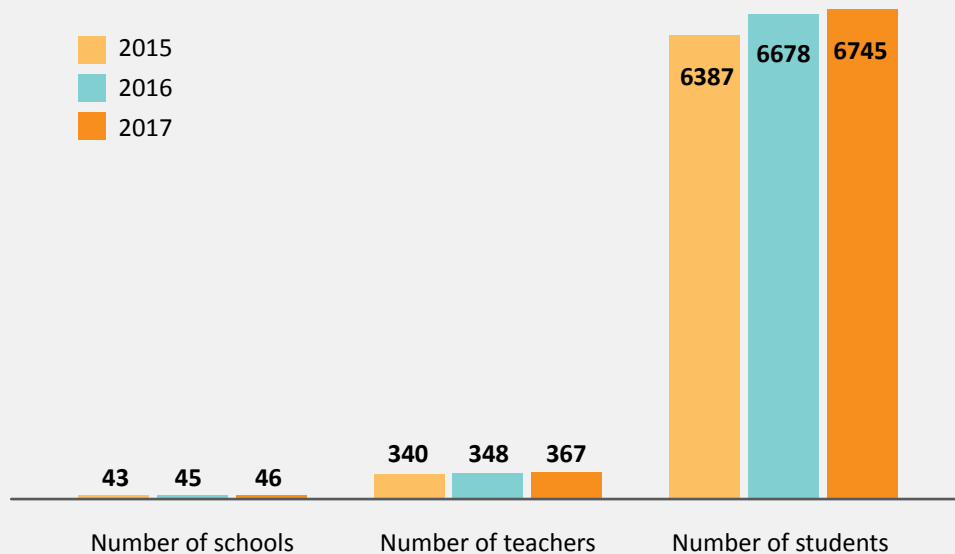
Access to education



In relation to access to education for children at the estates, all companies have introduced policies on the provision of education facilities for the children of workers, staff, and managers. Consistent with this policy, company participants of the CRBP Palm Oil Programme have established and managed education facilities for workers' children and staff, from kindergarten all the way through to vocational senior high school. These education facilities are also accessible by children of local communities living adjacent to estate locations.

Figure 8. Diagram on the number of schools, teachers, and students at company participants of the CRBP Palm Oil Programme (Year 2015-2017)

Number of schools, teachers, and students at company participants of the CRBP Palm Oil Programme (Year 2015-2017)



Source: Processed by LINKS based on the data presented by the companies participating in the CRBP Palm Oil Programme from 10 April to 14 June 2018.



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To manage and run these education facilities, the companies have built partnerships for the provision of distance education services, with government-run schools. They have also employed teachers and provide shuttle bus services for students to access schools located beyond the estates, or other schools that are relatively far from their houses. In addition, these companies also offer scholarships to the children of workers and staff, and other children from villages in the vicinity of their estates.

During observations and FGD with school principals and teachers from the estate schools, it was identified that the number of students at elementary schools, junior high schools, and vocational high schools managed by education foundations at the estates, has met the target specified by the Minister of Education and Culture No. 127⁹ of i.e. 20-28 students for elementary schools 20-32 students for junior high schools and 15-36 students at vocational high schools.

Despite the fewer number of students in new estates, especially for elementary school education, there are still more than 28 students per class. The school principals clarified that the estates are located in remote regions and schools in these estates are the nearest education facilities that can be accessed by children from

neighbouring villages. The schools have even found an exceeding ratio in some classes that must be addressed promptly. To address this, they have contacted the foundation manager to hire more teachers and provide more classes.

In addition, the estate school principals and teachers informed the team that they need to enhance the quality of the learning process by referring to the standards and curriculum, established by the government. On a periodic basis, the teachers attend meetings organised by the government and the estate education foundation. During the FGD with school principals and teachers, it was revealed that they have many praiseworthy achievements, for example, they have won various awards for best school principals and/or teachers, and have produced many study contests and sports competition winners at district, regional, and national levels.



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⁹ See Permendikbud No. 17 Year 2017 on New Students Enrolment in Kindergarten, Elementary School, Junior High School, Senior High School, Vocational School or Other Equivalent Schools

Challenges with Access to Education

01. DROPOUTS AT THE ESTATE

While the estate managers had no specific data relating to the dropout rates of children at the estates, FGD with workers, staff, school principals and teachers found that the children of workers and staff who dropped out, did so due to a lack of awareness from their parents on the importance of education.

It was also identified during the FGD, that students who dropped out of school were children of new workers who were in the process of transferring schools. In some cases, parents have neglected or failed to process documents that were necessary for their child's school transfer. In other cases, the applications for school transfers were done too close to their graduation exams. Since these children have been registered in the Education Baseline Data for national exam purposes, these children can't be transferred, according to the regulation of the Ministry of National Education. They must take national exams at the schools where they were registered as participants. For these cases, the school will not issue any school transfer letters. Consequently, when they arrive at the estates, the children will not have their school transfer letters, and as such, cannot resume their education in the estate schools.

Education service managers at the estates, alongside the principals and teachers would usually provide assistance to process school transfer documents. However, it will take some time before the children can resume their education.

In other cases, some children who have completed their elementary education and/or junior high education were reluctant to

continue their education to, rather than pursue senior high education at the estate school. This is a fact, known by the management of estates, school principals and teachers. In light of that, the management of the estates provided school buses to transport children of workers and staff who wish to access senior high education in the neighbouring villages or district centres.

In response to parents who claim that their children would rather help them work, rather than going to school, the estate managers informed during morning parades that these parents have been advised to not ask their children to work at the estates. The management will not hire any child below 18 years of age, as a worker. According to the estate managers, school principals, and teachers, they have also made various attempts to invite these dropouts, or advised the parents to encourage their children to go back to school. However, the responses received were unsatisfactory.



02. EDUCATION FOR CHILDREN WITH DISABILITIES

During observation of the daycares on the estates run by the participating companies, a child with a disability was identified (blind from birth). The child was older than the other children at the daycares. He should have been attending elementary school, however, he was unable to study at a normal school. Schools at the estate apply the general curriculum and do not have a special curriculum for children with disabilities. During the FGD, the school principals and teachers admitted that they have no specific guidance to teach disabled children.

Special discussions have been held with the estate team to discuss this finding. The estate team informed that they have communicated with the parents and have advised them to send the child to a school for children with special needs. However, the parents could not afford to do so as these schools charge higher fees. A special policy was taken by the estate management to allow such children to be in daycares during working hours, despite the child's age. At the very least, this allows the child to interact with the younger children at the daycares.

Best practices have been implemented by the majority of companies participating in the CRBP Palm Oil Programme. They provide access to decent education for the children of workers and staff. They build and manage schools at the estates. These schools are also accessible by children of local communities living close by to the estates. Besides that, another **best practice** is also performed by a company in the Musi Banyuasin region of the West Kalimantan province, with the inclusion of safety education in the curriculum applied by schools that are managed by their education foundation.

Positive initiatives have been developed in two estate schools located in the Seruyan Kotawaringin Timur regions of the Central Kalimantan province, by improving literacy and developing POLSATA.

Literacy skills are commonly taught in city schools, where books and other media are readily available. Yet, one relatively remote school in Kecamatan Sembuluh of Kabupaten Seruyan, still managed to improve the literacy of their children. One of the school principals met during training and the CRBP survey underlined the importance of enhancing the thinking capabilities of students, to ensure they have broad understanding and good analytical competencies. The limited educational resources have been dealt with by providing more books for children. The majority of books they used were electronic (ebooks). The principal and teachers would also take turns to go to certain locations with internet access to download the electronic books. These books will then be printed out, pasted on school walls, and discussed by the teachers and students. The results of the discussion are then set out in writing by the students.

As for POLSATA, this initiative is currently being trialed in a school located in the Bukit Santuai district of Kotawaringin Timur. In the past, this school was notorious for frequent fights among the students, as they come from different tribes and cultures, they would frequently have disputes. The principals and teachers mentioned that after several observations, it was identified that these students have the potential to become good leaders, if properly guided. As a result, these students were selected to be members of the POLSATA team and were taught lessons on the importance of communication, tolerance, diversity, anger management, and teamwork. The POLSATA team was tasked to monitor the interaction of students and bridge communication among the students during school hours. Since its trial in January 2018, the POLSATA team proved to be effective in preventing fights amongst students, as verified by the principals and teachers.

Source: Description is prepared by LINKS based on observation and FGD in CRBP survey from April to May 2018

Child protection



UNICEF & Fauzan, 2018

Children are entitled to have an identity. To reflect the protection of the children's rights, their birth must be recorded and proven with a birth certificate. The FGD with workers, staff, and managers showed that the majority of companies participating in the CRBP Palm Oil Programme gave no direct facilitation in processing birth certificates for the children of their workers and staff. However, they would support this with a Birth Notification Letter and provide paid leave of one to two days for the parents to process the birth certificate of their newborn babies. Birth Notification letters are issued by the doctors or paramedics who deliver babies at the estate clinic, at the request of the parents.

Best practices have been implemented by a company located in the Musi Banyuasin region of South Sumatra (especially in the existing plantations). The company facilitates the process of issuing birth certificates for newborn babies of workers and staff by inviting officers from the Demography and Civil Registration Agency to the estate. This practice greatly facilitates the workers and staff in registering the birth of their children.

Source: Description prepared by LINKS based on observation and FGD during CRBP survey from April to May 2018.

Moreover, as part of child and female worker protection, all participating companies have introduced policies that forbid sexual harassment and domestic violence. RSPO Principles and Criteria also specify an indicator that requires RSPO oil palm plantation members to set up and manage a gender committee, i.e. a committee with members of worker representatives tasked to socialise zero-tolerance policies for sexual harassment and domestic violence. The gender committee is also obliged to coordinate with estate management when responding to any reports of sexual harassment and domestic violence.

Challenges in Processing Birth Certificates at the Estates

Although estate clinics have issued Birth Notification Letters and the estate management provides paid leave of one to two days for the parents to process the birth certificates of their newborn babies, during the FGD, a number of workers shared that some of them have yet to process the birth certificates of their children. This is due to the distance between the estates and the capital of their respective regions, where the civil registration offices are located. This, coupled with expensive transportation fees, have become the main reasons why parents do not process the birth certificates of their children.

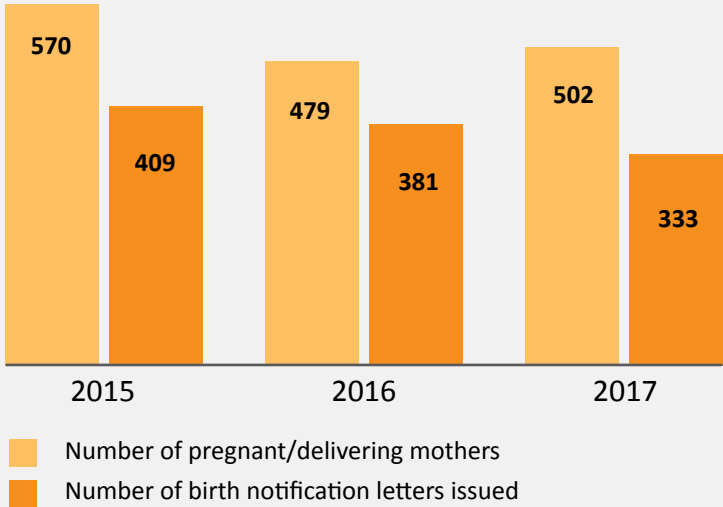
Data from the document review reveals that 66.3% to 79.5% of pregnant and delivering mothers in 2015 to 2017 used the Birth Notification Letter from the estate clinics to process birth certificates. The detailed data are presented in the following diagram.



UNICEF & Fauzan, 2018

Figure 9. Diagram on the Ratio of Delivering Mothers and the Issuing of Birth Notification Letters in estate clinics of company participants of the CRBP Palm Oil Programme 2015-2017

Comparison of delivering mothers and the issuing of birth notification letters in estate clinics of company participants of the CRBP Palm Oil Programme (2015-2017)



Data in this diagram shows that in 2015, from the 570 pregnant and delivering mothers at the estates, 409 mothers or about 71.9% processed the Birth Notification Letter. In 2016, out of 479 pregnant and delivering mothers at the estates, 381 mothers or about 79.5% asked for Birth Notification Letters. In 2017, of 502 pregnant and delivering mothers in the estates, 333 mothers or about 66.3% applied for Birth Notification Letters.

Source: Processed by LINKS based on the data presented by companies participating in CRBP Palm Oil from 10 April to 14 June 2018.

Child labour and young workers

All company participants of the CRBP Palm Oil Programme have policies that ban children from working in plantations and the associated production lines. According to the estate management, these policies have been socialised and their implementations are monitored in all estates, as well as at the premises of partners and contractors. They also informed that as a consequence, they would not recruit any worker or staff below 18 years of age. They also advised their partners and contractors not to employ workers or staff who have yet to reach the age of 18. They will warn workers or staff who bring their children to work to help perform their tasks at the estates. This warning may be expressed verbally, in writing, or as a sanction.

The estate managements have also stated that they received apprentices that are 15-17 years old, especially from vocational agriculture schools. These apprentices would usually visit oil palm estates to carry out practices according to the

curriculum of their schools, and are accompanied by their teachers. This apprenticeship programme covers observations at estate blocks and offices for approximately three hours per day. The apprenticeship will run for three to six months. During this time, the students will receive housing facilities, meal, and transport allowances from the management. After the apprenticeship, they will resume their studies.

During the FGD, workers and staff admitted that child labour is a sensitive issue, especially in oil palm plantations. Socialisation of the ban on child labour has been shared many times by the management to workers, i.e. during morning parades or special meetings between the management, workers, and staff. The workers confessed that they have been advised to not bring their children to help them with their tasks at the estates. Some of them have been warned and sanctioned by foremen or estate assistants because of their violations against this regulation.

Challenges in Banning Child Labour in the Plantation Sector

Workers who have been warned and sanctioned for bringing their children to help them in the estates, have a few arguments they feel should be considered by the management or other parties, with regards to the child labour ban.

01. CULTURE OF HELPING PARENTS



According to these workers, it is part of the culture for children to assist their parents with work. They argue that the practice is common in almost every country and across a wide variety of sectors such as farming, trading, and fisheries. Likewise, in oil palm plantations, children should be allowed to help their parents at certain times, for example, during school holidays.

02. DROPOUTS AT THE ESTATES



According to the workers, they often find children between the age of 15 to 17, who no longer attend school, and are willing to be recruited as estate workers. However, due to the no child labour regulation, they must wait until they reach 18 years of age to be qualified for recruitment as workers at the estates.

03. LACK OF PLAYGROUNDS FOR CHILDREN AND LEARNING VENUES BEYOND SCHOOL HOURS



According to workers, playgrounds in their housing complexes are relatively lacking, as found in some estates. Learning programmes during after school hours are also inadequate. After school, the children sometimes play at estate blocks. When they are found by foremen or supervisors, they will be asked to go home and their parents will receive a warning.

These workers expect the estate management to consider providing playgrounds for their children in the vicinity of their housing complexes, and to develop after school education programmes to prevent the children from playing around the estate blocks.

The estate management, during discussions on the child labour ban, have expressed their understanding on the expectation of parents to involve their children in their work or their expectation of recruiting dropouts to work at the estates. However, the management confirmed that the policy on the child labour ban is final and all parties, including the workers, must support this policy.

LESSONS LEARNT

Policy on the seven impact areas of children's rights and its implementation by the participating companies

Consistent with the field findings during the CRBP survey, it was identified that all participating companies have introduced policies on the protection of reproductive rights, sexual harassment and domestic violence prevention; access to nutritious foods and healthcare services; housing facilities for workers, staff and managers; education services for the children of workers, staff and managers; and a ban on any form of child labour. These policies will be adopted and budgeted for in allocation of human resources by the estate management to implement various programmes that support the fulfillment of children's rights on the estates.

With regards to the implementation of healthcare service and access to education policies, the majority of the participating companies have introduced best practices. As discovered through the CRBP survey, companies voluntarily apply government standards when it comes to the provision of healthcare and education. These companies hire professionals with specialised training and competencies such as doctors, paramedics, and teachers.

Furthermore, some companies have also carried out best practices to facilitate breastfeeding. They allow female workers to breastfeed their babies during working hours and provide facilities which support exclusive breastfeeding, childcare, nutrition, housing facilities, provide

electricity and clean water supply, as well as child protection. Based on findings in the CRBP survey, it was identified that these best practices have been implemented by some of the companies, particularly those that already have internal policies prepared in line with government regulation. In addition, good initiatives have been developed and/or adopted to deal with any challenges that may hamper the provision of healthcare and education on the estates.

Participating companies were also found to vary in their provision of financial support for referral health services for their casual workers including for high-risk pregnancy or delivery checks. In addition, support for exclusive breastfeeding varied, for example in the provision of daycare facilities, electricity and water supply to the houses of workers and staff. The variation and shortfall in CRBP impact areas must be followed up. The preparation of policies must be improved and their implementation must be strengthened.



Flexible maternity leave

The issue of flexible maternity leave was an interesting topic for discussion during the course of training or FGD in the CRBP survey. From the discussions, two important points were highlighted by the doctors, paramedics, staff and managers.

Firstly, flexible maternity leave is recommended, as it provides mothers with the discretion to determine when they wish to take maternity leave, with the expectation that they can safely deliver their babies and stay home after childbirth. This flexibility also helps new mothers decide how long they would like to continue breastfeeding. That said, estate doctors and paramedics argue that flexible maternity leave should also take into account the medical, physical, and personal condition of mothers, as well as the practical requirements of their work on the estate during pregnancy. Thus, flexible maternity leave should be given based on medical examination results and upon doctors' recommendations.

Secondly, provisions contained in Law No. 13 of 2003 concerning Manpower, particularly Article 82 regarding maternity leave, have prescribed that maternity leave shall be for 1.5 months before the delivery and another 1.5 months after childbirth. According to estate staff and managers, the maternity leave implemented by the Human Resources department in their estate should refer to such provisions. For any proposal of flexible maternity leave, decisions should be made in reference to the relevant policies including government regulations on maternity leave.

Dealing with child labour issues and/or cases

Child labour is a sensitive issue in the oil palm sector. During discussions on child labour in the training and the CRBP survey, the estate management explained that while Law No. 13 of 2003 concerning Manpower and the RSPO P&C allows for the employment of young workers aged between 15 and 18 years for light tasks, concerns from international stakeholders has led them to take preventive measures and adopt firm policies that ban the recruitment for workers under 18 years of age.

These estate managers understood and acknowledged that oil palm plantations face international scrutiny and are often criticised on issues relating to child labour. They feel that their clarifications or responses are neither heard nor appropriately responded to, despite their efforts. They also found that the government and other related parties would not provide significant assistance in guiding them to deal with child labour related issues. Thus, the best option is not to recruit any workers below 18 years of age.

Estate managers also suggested that in the future, RSPO and UNICEF should prepare guidance on how to respond to criticism and cases relating to child labour on oil palm plantations. The guidance should be mutually agreed and accepted by RSPO, UNICEF, and other relevant stakeholders, so that if an estate manager receives criticism or discovers an incident, they have clear guidance on how to respond, clarify, or remediate the situation.

The best interests of children in the recruitment process of workers and staff in the estates

Findings in the CRBP survey also indicated that some children's rights are impacted as early as the recruitment stage during their parents employment applications. This is particularly true when parents are required to move to a new workplace. Relocation can significantly impair a child's access to good nutrition, health services, childcare, housing, clean water facilities, education, and birth registrations.

It is therefore important for participating companies to ensure workers' possession of the relevant identification documents of the parents and their children, such as ID cards, birth certificates, and school transfer certificates, when transferring their workers or recruiting new staff.

These companies must provide consistent access to health services and facilities for mothers and children, in addition to providing workers (and families) access to nutritious food, childcare facilities, housing, clean water, electricity, education, and birth registrations. These services and facilities must be available to all workers, staff and managers.

Focus areas of children's rights implementation by company participants of the CRBP Palm Oil Programme

A. INCREASING AWARENESS OF CHILDREN'S RIGHTS AMONG WORKERS AND STAFF THROUGH SOCIALISATION AND COUNSELLING

The company participants of the CRBP Palm Oil Programme need to conduct socialisation and counselling amongst workers and staff to increase awareness of breastfeeding options; to utilise the breast milk storage facilities available on the estates. In addition, encouraging parents to send their children to senior high schools and to register their children for birth certificates.

B. INTEGRATING THE BEST INTERESTS OF CHILDREN UNDER THE RSPO CERTIFICATION SCHEME AND/OR SUPPLY CHAIN MECHANISMS

This can be done by:

- Including child protection and children's rights criteria into the Principles and Criteria of RSPO certification, suppliers' code of ethics, risk assessment, estate management capacity training, and building and reporting of sustainability programmes for RSPO oil palm plantation members.
- Strengthening services in relation to CRBP impact areas for RSPO members through better preparation and consistent implementation of policies, especially with regard to breastfeeding permissions and provision of facilities supporting exclusive breastfeeding; daycare management; and electricity and clean water supply to the houses of workers and staff.
- Enhancing services in relation to CRBP impact areas for RSPO members through cooperation between parents, companies and other related third parties for the education of children with disabilities on the estates. The findings of the CRBP survey indicated that estate managers, school principals and parents at the estates still require special guidance to provide support for disabled children. Thus, all parties at the estates need to cooperate with the relevant parties to resolve these issues.
- Improving CRBP impact areas for RSPO members through the development of mechanisms for response, clarification and remediation of any issues and/or cases relating to child labour at the estates.

C. TO SUPPORT THE REVISION OF GOVERNMENT POLICIES

According to the findings of the CRBP survey, the revision of government policies is especially necessary for flexible maternity leave and financial assistance to access referral health services for casual workers. In general, the proposed revisions cover issues relating to child protection and fulfillment of child rights in the oil palm sector.

This can be realised through:

- A review and gap analysis between the implementation of national laws in the CRBP impact areas and international standards, and the harmonisation of these regulations with international best practices to enhance the situation of parents and their children on RSPO-certified plantations.
- Improved compliance by RSPO members with government regulations on the CRBP impact areas through monitoring system improvements. These can be implemented and delivered by periodic meetings with worker representatives, gender committees, and CRBP service managers (e.g. school principals, teachers, doctors, paramedics and childcare caregivers), and with the introduction of inspection management and complaint resolution mechanisms.
- Multifaceted approaches to promote joint action and to reinforce coordination between public and private sectors, to improve the situations of workers, parents and children in RSPO-certified plantations .

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The RSPO is an international non-profit organisation formed in 2004 with the objective to promote the growth and use of sustainable oil palm products through credible global standards and engagement of stakeholders.

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