Structuring the Flexible and Feminized Labor Market: GlobalGAP Standards for Agricultural Labor in Chile

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Abstract
The expansion of global value chains, together with an export-oriented development strategy by countries in the global South, has been accompanied by the growth of labor markets that are both flexible and feminized. However, the marginalization of sections of the working class, and women in particular, is not an inexorable ingredient of globalization. How, then, are social relations within the labor market constructed? Markets and their institutional arrangements, such as labor standards, are neither passive nor benign processes that simply reflect preexisting social relations. Instead, I argue, markets are socially constructed, and actors use institutions strategically to advance certain interests and preferences. Institutions are powerful because they enable and constrain opportunities, privileges, and responsibilities by defining a person's rights and that person's exposure to the rights of others within the marketplace. To understand this process, I conducted field research in 2005 within the Chilean fresh fruit export sector to examine a set of influential British and European retailer-led standards known as the Global Partnership for Good Agricultural Practices (GlobalGAP). In this article, I show how GlobalGAP's standards for worker health, safety, and welfare act to (re)shape and (re)structure the flexible and feminized labor market in Chile. First, GlobalGAP standards reinforce and extend flexible labor practices by disregarding the issue of subcontracted labor. Second, GlobalGAP's most extensive standards—those that deal with safety issues related to agrichemicals—are applicable only to the relatively small segment of workers who are hired on a permanent, full-time basis, thereby excluding temporary workers, the majority of whom are women. I conclude that major food retailers are constrained in their ability to advance the health and well-being of all workers because their global business strategies benefit from such inequities within the labor market.

Comments
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Food retailers have emerged as key drivers in the formation of global production, distribution, and marketing systems as they have sourced products from farms and factories around the world (Busch and Bain 2004; Henson and Reardon 2005). Studies have shown that the expansion of these global agrifood value chains has been accompanied by the growth of labor markets that are both flexible and feminized (Raworth 2004; Tallontire et al. 2005).

Workers in the global South are hired to work in fields and packing-houses on a part-time, temporary, or contract basis where wages and benefits are typically low. The growth in flexible labor arrangements has been accompanied by an expansion in female labor force participation as employers turn to women to satisfy their need for large numbers of low-cost, disciplined, and so-called unskilled employees. Subsequently, a two-tiered employment system has evolved. Here, men are concentrated in the top tier, where they are more likely to hold jobs that are permanent and that provide higher wages and better employment benefits. Women, however, tend to be concentrated in the bottom tier, where their employment conditions tend to be precarious and low-paid, with few social benefits (Pearson 2007). Moreover, their low status makes them vulnerable to discrimination and abuse in the workplace (Barrientos, Dolan, and Tallontire 2003).

This marginalization of sections of the working class, and women in...
particular, is not an inexorable ingredient of globalization. Markets—including labor markets—and their institutional arrangements are neither predetermined nor inevitable. Feminist scholars have demonstrated that labor market institutions embody, transmit, and reinforce inequalities and prejudices embedded within the labor market (Elson 1999; Rai 2002; Barrientos, Dolan, and Tallontire 2003). For example, labor market regulations, standards, and norms tend to reinforce the gender division of labor because they “reflect the gendered nature of labor markets and economic activity” (Barrientos, Dolan, and Tallontire 2003, 1515).

In this article, I extend this perspective by examining how social relations within the global agrifood value chain are constructed by analyzing a set of influential, retailer-led standards known as the Global Partnership for Good Agricultural Practices (GlobalGAP). In 2004 and 2005, I conducted field research in Chile to examine GlobalGAP standards and their implications for workers in the Chilean fresh fruit export sector. On the basis of this analysis, I argue that institutional arrangements such as labor standards are not passive processes that simply reflect preexisting inequalities. Rather, they are constructed by particular actors, such as retailers, to advance their own interests and preferences. In this case, GlobalGAP standards for worker health, safety, and welfare act to (re)shape and (re)structure the flexible and feminized labor market within the Chilean fresh fruit export sector.

The social construction of markets
Historically, labor standards were largely the product of normative frameworks generated by governments, labor unions, or both (Giovannucci and Ponte 2005). However, with the expansion of global capitalism and neo-
liberal economic and social policies in the 1990s, these normative frameworks came under criticism. Central to neoliberal theory is the idea that the marketplace is the most efficient form of organization, superior at guiding human organization and behavior, setting prices and wages, and distributing resources, goods, and services (Allen and Guthman 2006). From this perspective, regulatory intervention in the economy by the state creates inefficiencies and constrains the innovative capacities of business. Moreover, decisions made by states are inevitably biased toward one group or another since the state is “captured” by powerful interest groups, such as unions, that are able to influence state decisions and distort state intervention in the market for their own benefit (Harvey 2005). The goal of proponents of neoliberalism, then, is to free business from the bureaucratic red tape of government regulation so that markets can respond to consumer demand more quickly and efficiently (Kaldor 2003).

The neoliberal idea that there is a “free” market separate from social and political interests is, as Karl Polanyi ([1944] 2001) argues, a dangerous myth. Markets are socially constructed by different actors, including governments and firms, for whom the struggle is always over how to structure the market to advance some interests and not others (Samuels 2004). This is accomplished through a framework of institutions, including formal institutions such as laws and regulations or informal institutions such as norms and values. Understood in this sense, institutions are not simply rules of the game but rather a system of social relationships (North 1990, 3). These relationships define both a person’s rights and that person’s exposure to the rights of others. In this way, they serve to enable certain opportunities while constraining others (Schmid 2004).

During the 1990s, we began to see new forms of governance and new modes of institutional and regulatory relations (Peck and Tickell 2002). A diverse range of nongovernmental actors, including private corporations, business and industry associations, civil society organizations, and social activists, are now playing a greater role in governing social goods. This includes negotiating and establishing labor standards.3

One of the farthest-reaching and most influential examples of private-sector governance for social goods is GlobalGAP.4 In response to pressure to demonstrate corporate social responsibility, a handful of the largest and most powerful European food retailers came together in 2001 to establish

3 See Busch and Bain (2004), Giovannucci and Ponte (2005), Henson and Reardon (2005), O’Rourke (2006).

4 At the time of this study, GlobalGAP was known as EurepGAP. The name change came in September 2007 and is intended to reflect the organization’s global significance.
GlobalGAP. GlobalGAP members require their fresh produce suppliers to meet not only a broad array of food safety and quality standards but also standards for labor and the environment. These standards must be independently audited by a third-party certifier to demonstrate compliance. The GlobalGAP protocol was the first to establish an international standard for good agricultural practices that included provisions covering worker welfare. While purportedly voluntary, in that it is not mandated through public regulation, GlobalGAP has become the standard for those who want to export fresh produce to Europe. Threatened with exclusion from this valuable market, some ninety thousand producers from eighty-five countries are GlobalGAP certified. Thousands more producers are in the process of becoming certified.

The development of new institutional forms such as private-sector standards, codes of conduct, and audits has become necessary for retailers that act from a distance to order social relations throughout their global value chains. In the case of GlobalGAP, retailers are able to control their supply chains because the rules for labor are embedded within their standards and certification requirements (Ponte and Gibbon 2005). Moreover, from a business perspective, many retailers are eager to establish self-regulation in lieu of “control” by the state (Blowfield and Frynas 2005; O’Rourke 2006).

GlobalGAP seeks to establish legitimacy for its standards by emphasizing their technoscientific values. GlobalGAP explains that its expert-developed, risk-assessed, and independently verified standards will ensure worker welfare: “The protocol has been developed by experts and is heavily risk assessed. By adhering to good agricultural practice we reduce the risk and there are a number of other significant benefits with respect to worker safety and welfare. To achieve their goals, [GlobalGAP] seeks to achieve global consistency in their standards by verifying best practice objectively.” Here GlobalGAP’s technical experts determine a consistent, universally applicable set of best practices for worker health, safety, and welfare. To ensure objectivity, transparency, and accountability, independent third-party auditors assess grower compliance. The presumption by GlobalGAP is that its standards provide a win-win solution for different actors throughout the value chain because they are based on science. In contrast, public standards are viewed as inherently biased because they are the

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5 Membership includes Tesco, Sainsbury, Royal Ahold, and Wal-Mart-owned Asda, among others.
6 This quotation is taken from a document titled “History: EurepGAP Fruits and Vegetables” that appeared on EurepGAP’s Web site.
outcome of competing political and economic interests and values among concerned parties. However, since all standards and third-party audits are the outcome of negotiations and strategic action by certain actors, they are not unbiased (Busch 2000; Hatanaka, Bain, and Busch 2005; Tanaka 2005). Rather, their content embodies the interests, values, and asymmetrical power relations of different actors within the value chain (Bowker and Star 1999; Bingen and Siyengo 2002). Consequently, the power to make and enforce the rules is central to determining distributional outcomes for actors within the value chain (Schmid 2004).

Using this framework, I now turn to describe the historical rise of a flexible and feminized labor market in the Chilean fresh fruit export sector. In the subsequent sections I explain how GlobalGAP standards for worker health, safety, and welfare are not designed to improve the well-being of all workers but rather are constructed to reproduce labor market inequalities. First, GlobalGAP standards that deal with pesticide poisoning are applicable only to the small segment of workers who are hired on a permanent, full-time basis, thereby excluding the majority of temporary workers, most of whom are women. Second, GlobalGAP standards reinforce and extend the practice of flexible labor practices through their silence on the issue of subcontracted labor. I conclude by arguing that this case illustrates that standards are strategic tools used by retailers to advance their business interests. GlobalGAP standards have been constructed to reproduce and reinforce the flexible and feminized labor market since retailers benefit from these labor market inequalities.

**Labor and the Chilean fresh fruit export sector**

Since the return to democracy in 1990, successive Chilean governments have remained committed to a continuance of neoliberal economic policies that began under the Pinochet dictatorship (Murray 2002). The state supports policies that generate favorable conditions for the development of a profitable and competitive agricultural sector capable of competing in the global economy (ODEPA 2005).

One of the country’s chief economic successes has been its rise to global leadership in the export of fresh fruits. Almost half of all exports from the Southern Hemisphere, which supplies the lucrative North American and European markets during the counterseason, come from Chile. The fresh fruit export sector is of critical importance to the national economy in relation to employment, gross domestic product, and investment opportunities. Not surprisingly, then, the leadership of the sector, together with the Ministry of Agriculture, have concluded that the buying practices
and strategies of Northern retailers have enormous import not only for the fresh fruit sector but for the Chilean economy as a whole (ODEPA 2005).

The Chilean fresh fruit export sector was quick to embrace the GlobalGAP concept. By the end of 2005, when my study was under way, approximately half of all produce sent to Europe was GlobalGAP certified. Proponents argue that certification will provide significant benefits for the entire industry, helping to modernize the sector and facilitate access to valuable Northern markets. Furthermore, they mention that implementing a set of good agricultural practices will help establish Chile’s position as a trustworthy and reputable supplier concerned not only about issues of food safety and quality but also about the environment and labor (ODEPA 2005; Chilean Fresh Fruit Association n.d.). Chile has faced extensive criticism for the enormous disparity that exists between the success of the fresh fruit export sector and the highly exploitative labor conditions that operate within it (Raworth 2004). In particular, multinational corporations operating in Chile that have been criticized for their mistreatment of workers, such as Dole and Chiquita, recognize that GlobalGAP certification can help them protect their international image and valuable brand names.

**A flexible and feminized labor force**

The development of commercial export agriculture in Chile produced two distinctive and interrelated features within the industry: a flexible workforce and a feminized workforce. Lowell Jarvis and Esperanza Vera-Toscano (2004) argue that since Chile’s labor was relatively cheap in comparison to its main competitors (i.e., New Zealand and Australia), the industry developed a labor-intensive system that it relied on to improve fruit quality and prepare it for export. Here the demand for workers is highly seasonal, increasing dramatically during the period when the fruit is harvested and packed. What emerged, then, was what Catherine Dolan and Kristina Sorby (2003, 29) call a “dual employment strategy.” This approach involves employing a small number of workers on a permanent basis and then drawing on larger numbers of so-called unskilled workers to work on a temporary basis to complete specific tasks such as pruning, harvesting, or packing (Jarvis and Vera-Toscano 2004).

Jarvis and Vera-Toscano (2004) found that as a result, the permanent labor force fell from 208,000 workers in 1964 to 120,000 workers in 1987. During the same period, the total number of temporary workers increased from 147,000 to 300,000. In 2005, the number of temporary agricultural workers was about 400,000 (Riquelme 2005). Seventy-four
percent of the labor force works six months or less. For these temporary, largely nonunion, and poorly paid workers, essential labor rights such as collective bargaining are weak or nonexistent (Riquelme 2005).

To obtain the necessary numbers of temporary workers, during the late 1970s and the 1980s employers turned to women, a group that had not traditionally worked in the agricultural sector on a salaried basis (Jarvis and Vera-Toscano 2004). By 2005, agriculture had become the third biggest employer of women, following domestic work and salaried work in the commercial sector (Riquelme 2005). More than half of all registered temporary agricultural workers today are women; however, the level of female participation is probably underestimated due to the problem of nonregistration of workers with their employers (Caro and de la Cruz 2004).

In general, these female temporary workers—or temporeras—are a marginalized sector of the labor force, exploited both as agricultural workers and as women (Barrientos et al. 1999; Tinsmann 2004). A number of factors make their working conditions especially precarious. While most temporeras want to work full-time, they are hired almost exclusively on a temporary basis (Jarvis and Vera-Toscano 2004). As a result, temporeras fall within the lowest income bracket, where long days of twelve to fourteen hours or more are often required to earn the minimum salary (115,000 Chilean pesos per month in 2005). Since temporeras are typically paid on a piece-rate basis, they tend to face more wage variation and suffer substantially more unemployment than men (Jarvis and Vera-Toscano 2004).

While the law requires that all workers sign employment contracts specifying the conditions of their employment within five days of starting work, official estimates suggest that over half of all temporary female workers do not have a signed contract (Riquelme 2005). Most temporeras are not enrolled in any social security system (for health insurance and retirement benefits), and those without health insurance are forced to access public health care services as indigents unless they have benefits under their husbands’ insurance plans. Despite a legal obligation to do so, many workplaces do not provide basic sanitary services to workers (e.g., potable water, toilets, lunch spaces; see Caro and de la Cruz 2004).

The agricultural sector is also characterized by a low level of unionization. While reforms to the labor law now allow temporary workers to form unions, in contrast to other employment sectors they must have a minimum of twenty-five workers, and there is no automatic right to col-

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7 In 2005, this amount was equal to US$209.
lective bargaining. Collective bargaining is only possible if the workers are grouped in a union before the season begins and make a proposal of collective representation to their employer. The employer then has the right to accept or reject that proposal (López et al. 2004). These limitations make unions less attractive to workers. Furthermore, the temporary nature of employment is an obstacle to workers joining a union, since workers who are constantly exiting and entering the labor market fear being blacklisted.

**Pesticides and worker health**

As Chile emerged from the late 1970s as a world leader in the export of fresh fruit, efforts to meet the stringent phytosanitary standards (designed to minimize the importation of plant pests and diseases) and quality standards of food retailers resulted in the large-scale use of pesticides (Altieri and Rojas 1999). Since the late 1990s, a growing number of government reports, independent research, and newspaper exposés (e.g., Langman 2001; Caro and de la Cruz 2005; Vallebuona Stagno 2005a, 2005b) have intensified concerns about the health consequences for agricultural workers exposed to these highly toxic substances. The Ministry of Health (MOH) reports that exposure of Chilean farmworkers to highly toxic pesticides has led to a range of acute and chronic health problems, including headaches, nausea, abdominal pain, genetic deformations of offspring, miscarriages, infertility, damage to nervous systems, loss of eyesight, skin diseases, and even death (Vallebuona Stagno 2003, 2004, 2005a, 2005b).

The MOH Department of Epidemiology (DOE) points to a number of risk factors, which include the sustained increase and widespread use of pesticides within the sector; the absence of information and training for workers and, consequently, their lack of awareness about health risks; widespread noncompliance with workplace health and safety regulations, including the workers’ right to know about these risks; insufficient levels of workplace regulation and inspection; and the absence of government regulations in relation to land and aerial applications (Vallebuona Stagno 2003, 2005a). The MOH argues that through strategies of education, prevention, and control, pesticide poisonings caused by labor activities can be totally preventable (Vallebuona Stagno 2005a).

To understand the magnitude of the problem, the MOH established the National Epidemiological Surveillance Network in Pesticides (Red Nacional de Vigilancia Epidemiológica en Plaguicidas [REVEP]) in 1993. Health services departments in the country reported monthly all new cases
Table 1. Reported Incidents of Pesticide Poisonings

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<tbody>
<tr>
<td>Total no. of poisonings</td>
<td>316</td>
<td>471</td>
<td>509</td>
<td>247</td>
<td>374</td>
<td>354</td>
<td>301</td>
<td>332</td>
</tr>
<tr>
<td>Total no. of outbreaks</td>
<td>34</td>
<td>59</td>
<td>55</td>
<td>35</td>
<td>38</td>
<td>28</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No. of individuals involved in outbreaks</td>
<td>278</td>
<td>293</td>
<td>407</td>
<td>249</td>
<td>302</td>
<td>271</td>
<td></td>
<td></td>
</tr>
<tr>
<td>% of workers involved in outbreaks</td>
<td>41</td>
<td>62</td>
<td>80</td>
<td>31</td>
<td>65</td>
<td>65</td>
<td></td>
<td></td>
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<tr>
<td>% of women involved in outbreaks</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>63</td>
<td>69</td>
</tr>
<tr>
<td>Rate per 100,000 workers involved in the agriculture, hunting, and fishing sectors</td>
<td>69</td>
<td>96</td>
<td>32</td>
<td>50</td>
<td>50</td>
<td>40</td>
<td>49</td>
<td></td>
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of a specific illness, whether confirmed or suspicious, that appeared related to this type of poisoning. Because of concerns about low rates of reporting, notification became obligatory in 2004. According to DOE data, over the ten years from 1997 to 2006 there were 3,777 reports to REVEP of acute pesticide poisonings of workers, an average of 377 a year (see table 1). The majority of these incidents involve agricultural workers (Vallebuona Stagno 2005b). Officials from DOE warn that when interpreting these results, one must realize that the number of reported poisonings is probably low because of the low levels of diagnosis and notification (Vallebuona Stagno 2004). While this has improved since notification became mandatory, problems still remain. For example, there exists a lack of knowledge about the health risks, not only on the part of workers but on the part of employers and health teams as well. Doctors sometimes misdiagnose the cause or are reluctant to report it, as are employers. As well, victims who are not seen by a health care professional are unlikely to have their cases reported. Finally, these data do not deal with chronic health effects, for which it is much harder to show causality.

The Ministries of Health, Labor, and Women are collaborating with workers, employers, and labor advocacy groups to tackle some of these concerns. However, adherence to a neoliberal export model continues to constrain the ability—and willingness—of the Chilean state to enhance the regulation of labor practices that might benefit workers. Thus, while laws and regulations in relation to pesticide use and worker health and...
safety have improved significantly since the late 1990s, the lack of corresponding government commitment to inspection and enforcement measures means that noncompliance among growers remains widespread.

**Standards for whom? Standards for what?**

Within this context of poor labor conditions, low levels of organization among agricultural workers, and minimal state regulation, some sections of the Chilean government support private-sector regulatory approaches, such as GlobalGAP, for dealing with issues of worker health and safety. However, what my analysis below reveals is that GlobalGAP standards provide significant health and safety benefits to only a small segment of the workforce: those workers hired on a full-time, permanent basis, the majority of whom are men. Conversely, GlobalGAP standards offer few benefits for the most precariously situated workers, those who are hired on a part-time, temporary basis, the majority of whom are women. As a consequence, GlobalGAP standards in fact act to maintain and reinforce the inequitable labor and gender relations that exist within Chile’s flexible and feminized fruit export sector.

**Standards for direct exposure**

GlobalGAP standards for labor are outlined under the “Worker Health, Safety and Welfare” section in the document “Control Points and Compliance Criteria” (EurepGAP 2004; see table 2). The protocol divides its standards, or control points, into “major musts” that require 100 percent compliance, “minor musts” that require 95 percent compliance, and “recommendations,” which are inspected by auditors but are not a prerequisite for gaining certification (GlobalGAP 2007). GlobalGAP standards must then be independently audited by a third-party certifier to ensure compliance.

The preponderance of GlobalGAP standards for worker health and safety are concerned with the direct handling and application of pesticides, or what GlobalGAP calls “crop protection products” (EurepGAP 2004, 3). A “major must” of GlobalGAP standards requires that all workers who handle or apply pesticides be provided with and wear a complete set of protective gear that includes waterproof clothing, protective overalls, rubber gloves and boots, a face mask, and goggles. This gear must be cleaned and stored in a separate storage room to prevent cross-contamination. Growers, too, must be able to demonstrate to an auditor during the certification process that they themselves can follow the label instructions with regard to the appropriate use of protective clothing and equip-
<table>
<thead>
<tr>
<th>No. and Subject</th>
<th>Control Point</th>
<th>Compliance Criteria</th>
<th>Level</th>
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</table>
| 12. Worker health, safety, and welfare:  
  12.1 Risk assessments:  
  12.1.1 | Has a risk assessment for safe and healthy working conditions been carried out? | There is a documented and current risk assessment based on national, regional, and local legislation and sectorial agreements.                                                                                             | Recommended |
| 12.1.2 | Has this risk assessment been used to develop an action plan to promote safe and healthy working conditions? | There is a documented action plan that refers to the noncompliance, the action to be taken with a timetable, and the person responsible.                                                                                  | Recommended |
| 12.3 Facilities, equipment, and accident procedures:  
  12.3.2 | Are hazards clearly identified by warning signs? | Permanent and legible signs must indicate potential hazards (e.g., waste pits, fuel tanks, workshops, as well as the treated crop).                                                                                     | Recommended |
| 12.4 Crop-protection product handling:  
  12.4.1 | Are the workers who handle and apply crop-protection products trained? | All personnel who physically handle or apply crop-protection products can demonstrate their competence and knowledge via official qualifications or specific training-course attendance certificates. | Minor must |
<table>
<thead>
<tr>
<th>No. and Subject</th>
<th>Control Point</th>
<th>Compliance Criteria</th>
<th>Level</th>
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<tbody>
<tr>
<td>12.4.2</td>
<td>Are all staff who have contact with crop-protection products submitted voluntarily to annual health checks in line with guidelines laid down in local codes of practice?</td>
<td>If applicable, health checks, to which all staff who have contact with crop-protection products are voluntarily submitted, comply with national, regional, or local codes of practice.</td>
<td>Recommended</td>
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<tr>
<td>12.5 Protective clothing/equipment:</td>
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<tr>
<td>12.5.1</td>
<td>Are workers (including subcontractors) equipped with suitable protective clothing in accordance with label instructions?</td>
<td>Complete sets of protective clothing (e.g., rubber boots, waterproof clothing, protective overalls, rubber gloves, face masks) that enable compliance with crop-protection product label instructions are available and in a good state of repair.</td>
<td>Major must</td>
</tr>
<tr>
<td>12.5.2</td>
<td>Is protective clothing cleaned after use?</td>
<td>There are procedures in place to clean the protective clothing after use.</td>
<td>Minor must</td>
</tr>
<tr>
<td>12.5.3</td>
<td>Are farmers able to demonstrate that they follow label instructions with regard to use of protective clothing and equipment?</td>
<td>There are appropriate recommendations or procedures for the use of protective clothing and equipment and are available and used by all workers handling or applying crop-protection products, in accordance with the label recommendations.</td>
<td>Minor must</td>
</tr>
<tr>
<td>12.5.5</td>
<td>Are there facilities to deal with operator contamination?</td>
<td>All crop-protection product storage facilities and all filling/mixing areas present on the farm have eyewash capability, a source of clean water no more than 10 meters distant, a complete first aid kit, and a clear accident procedure with emergency contact telephone numbers or basic steps of primary accident care, all permanently and clearly signed.</td>
<td>Minor must</td>
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<tr>
<td>12.6 Welfare:</td>
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<tr>
<td>12.6.1</td>
<td>Is a member of management clearly identifiable as responsible for worker health, safety, and welfare issues?</td>
<td>Documentation is available that demonstrates that a clearly identified, named member of management has responsibility for ensuring compliance with existing, current, and relevant national and local regulations on worker health, safety, and welfare issues.</td>
<td>Minor must</td>
</tr>
</tbody>
</table>

Pesticide applicators and handlers must be provided with shower and emergency first aid facilities as well as first aid procedures in case of accidental contamination. It is also recommended that these workers voluntarily receive an annual medical checkup. A “minor must” is that all workers who directly handle or apply pesticides attend an official training course to gain qualifications that will make them competent and knowledgeable in the safe handling and application of pesticides. These qualifications are then reviewed by auditors to ensure compliance.

Under the separate section “Crop Protection Product Storage and Handling” (EurepGAP 2004, 13–14), standards have been established for the safe storage and handling of pesticides. GlobalGAP requires (minor must) that agrichemicals be stored in separate, robust, well-ventilated storage facilities that are designed to prevent any leakage or contamination of these products to the exterior of the store. These facilities must remain locked, with access granted only to those persons with formal training in the safe handling and use of agrichemicals. All product labels must be easy to read on the shelves, and utensils must be provided that allow for the safe handling of chemicals.

These standards are important since according to the DOE these labor activities are responsible for the overwhelming majority of reported individual incidents of pesticide poisoning. Here, the majority of individual pesticide poisoning incidents involve men hired on a permanent, full-time basis whose responsibilities include applying or handling pesticides.

**Standards for indirect exposure**

In contrast, GlobalGAP has largely failed to set any criteria that would minimize the risk of exposure for workers who are not involved in directly handling or applying pesticides. Yet DOE data on incidents of pesticide poisoning demonstrate that workers who are not directly involved in mixing, handling, or applying agrichemicals are also at significant risk. This is evident when we look at the reported incidents of outbreaks. An outbreak is defined as an event involving two or more cases of poisoning that have a common origin and the same causal agent and that occurred at the same time and place (Vallebuona Stagno 2003). According to the DOE, from 1998 to 2004 there were a total of 240 outbreaks affecting 1,271 workers. During this period, 35 percent of the outbreaks occurred through pesticide drift, 30 percent through breach of reentry periods, 20 percent through the direct handling of pesticide-treated agricultural products, 12.5 percent through pesticide applications, and 2.5 percent through aerial applications (see fig. 1; Vallebuona Stagno 2005b). The majority of
outbreak victims are temporeras (see table 1). This is true for every year for which data have been provided.

To illustrate, in 2005 there were 471 reports of pesticide poisonings among workers; 83 percent of these cases involved agricultural workers, and 68 percent involved temporary workers. Overall, 54 percent of the individual victims were men; however, women were the main victims when poisonings occurred as part of an outbreak. There were 59 outbreaks involving 293 workers, and 197 (67 percent) were women (see table 1; Vallebuona Stagno 2005b). In one outbreak, sixty women and thirteen men working as seasonal farm laborers were poisoned by pesticides as they picked apples. Unaware that the farm had recently been sprayed with insecticide and treated with fertilizer, the workers suffered nausea, early stages of asphyxia, vomiting, and skin rashes (Estrada 2005).

According to DOE data, 35 percent of all acute outbreaks of pesticide poisonings are the result of pesticide drift (see fig. 1), yet GlobalGAP has not established any standards that deal specifically with this problem. No
standard states that no one should be working in the fields during pesticide applications, nor have any guidelines been set to establish appropriate distances between workers and spray applicators that take into account, for example, wind speed and direction. With regard to breach of reentry periods, which produce 30 percent of the acute outbreaks (see fig. 1), GlobalGAP “recommends” that warning signs such as red flags be used to indicate a treated crop. An observation from one of my farm visits illustrates the inconsistent nature of these standards. In this instance a farmworker wearing all the appropriate protective gear was applying pesticides while temporary laborers worked in a nearby row with no protective gear and no warning sign to indicate the presence of any hazard. In an interview, a DOE manager argued that GlobalGAP standards were insufficient to deal with these risks:

The problem is that there aren’t any standards that say you can’t apply pesticides while there is wind, that you can’t apply all day long, that you have to apply early in the morning or late in the evening—this is the issue that confronts us. Forty percent of the acute outbreaks of pesticide poisoning are from [pesticide] drift—which is carried by the wind. The women are poisoned. Why? Because you have twenty meters, sometimes fifty meters in which the cloud [of pesticide spray] can carry and the women are in the fields two rows further over!

Among the large exporting companies, practically all of them have their pesticide applicators already trained. Therefore, the most vulnerable group are the workers who do the field tasks because they enter the workplace not knowing when the pesticide was applied—what time it happened. Nothing. They do not know. Why? Because despite having good agricultural practices, [the growers] don’t mark with large letters “Reentry period, forty-eight hours.” It doesn’t say to do it, so they don’t do it.

The fruit industry is highly manual, and temporary workers, especially women, are hired to complete agricultural tasks such as weeding, pruning, picking, sorting, and packing the fruit. According to the DOE, 20 percent of all acute outbreaks are the result of dermal exposure through the direct handling of the fruit (see fig. 1). However, GlobalGAP does not acknowledge these risks, and no standards have been set to deal with them. For example, growers are not required to provide any protective clothing, such as gloves, for workers in the fields. Furthermore, it appears that it is still common for workers, especially subcontracted workers, to take their
breaks in the fields, perhaps eating with hands that are contaminated with chemical residues. While GlobalGAP standards forbid workers from eating in the fields and require growers to provide dining facilities, a common complaint from workers and labor advocates is that these facilities are often too far from many fields to access during meal breaks. With subcontracted labor, workers are often unaware of the facilities or are forbidden by the subcontractor from using them.

A study conducted to evaluate the health risks of pesticide exposure among temporeras supports DOE data that poisoning occurs even in instances when workers are not directly handling agrichemicals. Carolina Márquez et al. (2005) carried out a biomonitoring study of temporeras who were employed in greenhouses and plant nurseries and who performed various field and packing tasks, such as pruning, harvesting, and packing. The authors decided to conduct the study after noting an increase in children born with low weight, in spontaneous abortions, and in other fertility problems (Bravo 2004). To evaluate associations between pesticide exposure and cytogenetic (chromosomal) damage, the authors of the study compared chromosomal damage in a group of exposed temporeras and a control group of women. Their study found that the exposed worker population “had a significant increase in the cytogenetic damage in their peripheral blood lymphocytes” (Márquez et al. 2005, 5). The authors explain that “cytogenetic damage may be viewed as an early biological effect of a chemical assault; consequently, it could be an indicator for the future development of diseases such as cancer and congenital malformations” (6).

A significant finding of this research is that while temporeras were not directly involved in handling pesticides, they still suffered acute exposure through dermal contact. This was due to early entrance into the field after spraying, fumigation of nearby orchards, and pesticide drift. Chronic exposure resulted from temporeras touching the fumigated fruit with bare hands, working in their everyday clothing, eating in the orchard, and having only sporadic access to fresh running water. For both types of exposure, the workers wore no protective clothing or gear, not even gloves (Márquez et al. 2005). Soledad Duk, one of the authors of the study and a professor in the Department of Molecular Biology at the University of Concepción, explained in a magazine interview:

In general, one thinks that temporeras are not exposed to pesticides

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8 The statistical analysis controlled for potential confounding factors such as smoking and alcohol consumption.
because it is assumed that they enter the fields after they have been
fumigated. But often they are not allowed to use gloves when picking
the fruit since it reduces sensitivity in their fingers. As well, they
enter the harvest with the same clothes that they left their houses
in. Later they wash them along with the rest of the family’s clothes
and this means that the home, the food, the children are contam-
inated. Neither are the labor laws thoroughly complied with in terms
of health, such as having water and dining rooms available for tem-
poreras. For this reason, because they are not provided with adequate
means of protection, I believe that women are at greater risk. (Bravo
2004; my translation)

Since most workers are not aware of the health risks related to agri-
chemicals, workplace safety advocates believe that training is critical to
educate workers about both the long-term and short-term health risks
associated with pesticides and about what procedures are necessary to
minimize workers’ risk of exposure. However, GlobalGAP does not re-
quire or even recommend workplace health and safety training for any
workers except for those directly involved in the handling or application
of pesticides. This is despite evidence that temporary workers and their
offspring suffer acute and chronic health effects due to their exposure to
pesticides. Nor does GlobalGAP discuss aerial pesticide applications. This
method of application has been identified as another means of acute pes-
ticide poisoning not just of workers but also of schoolchildren and people
living in rural communities (see fig. 1).

The failure to provide adequate workplace protection, safety training,
and health care is especially problematic for temporeras, not least in terms
of their individual health status. Acute or chronic pesticide poisoning on
top of poor working conditions, low wages, few social benefits, and limited
employment alternatives compound to make the lives of these women
even more precarious. Moreover, the challenges confronted by temporeras
are amplified by their role as primary caregivers. Women are expected to
bear the major responsibility for raising their children and caring for sick
and elderly relatives. Through the interactions that are part of their re-
productive responsibilities, women may transmit pollutants, such as agri-
chemicals, into their homes and onto their families (Pearson 2007). In
addition, since many temporeras earn the minimum wage and the majority
do not have health insurance, health-care access for these women and their
families is severely constrained. Raising and caring for family members
while sick themselves or while trying to work and care for family members
who are sick from exposure to pesticides puts a significant additional burden onto the shoulders of these women.

GlobalGAP insists that its standards are developed by experts and are based on risk assessments to ensure best practices across the globe. Certainly, its protocol is a major advance for the roughly twelve thousand workers directly involved in the application of pesticides. Standards that require the provision of protective gear together with safety training address some of the grossest violations of worker health and safety, certainly the most visual and apparent. Significantly, however, GlobalGAP’s protocol largely fails to set any criteria that would minimize the risk of exposure for workers hired on a temporary basis who are not involved in directly handling or applying pesticides. Consequently, GlobalGAP standards provide few benefits for temporary workers, the majority of whom are women. Although they are costly, training, protective gear, and healthcare examinations for permanent workers have their advantages. A full-time workforce that is healthy, educated, and technically skilled is considered to bring significant benefits, especially economic benefits, to growers (ODEPA 2005). However, as Guy Standing (1999) has noted, it makes little economic sense for employers to invest in training, equipment, or health care for temporary workers.

(Re)producing the flexible labor market

While GlobalGAP standards have ostensibly been developed to improve labor conditions, other key economic interests limit the willingness of GlobalGAP members to develop standards to ensure the well-being of all workers. The capacity of major food retailers to improve the welfare of temporary workers is constrained by their global business strategies, which benefit from inequities within the labor market. While reassuring the public that higher welfare standards for workers are being implemented, retailers continue to employ buying strategies that encourage growers to operate a dual employment strategy that produces precarious and unsafe labor practices.

Trade liberalization, technological advances, and regulatory changes have allowed British and European retail giants to source their products from a growing number of producers from around the globe, all of which vie for access to the lucrative European marketplace (Busch and Bain 2004; Fox and Vorley 2006). Growers find themselves facing a tightly competitive global marketplace where the expectation from buyers is that they will absorb the costs and risks of doing business. In an oligarchic marketplace, GlobalGAP members are able to demand from growers ever-
greater flexibility in terms of production schedules, such as “just-in-time”
delivery practices, together with rigorous quality and technical standards
and low prices (Barrientos, Dolan, and Tallontire 2003; Raworth 2004).

GlobalGAP certification actually extends and intensifies this process.
Retailers are able to demand certification from growers as a precondition
for doing business without having to offer growers any price premium or
assurances of purchase. Thus, while fruit prices have remained relatively
stable since 2000 (Gámez Bastén 2007), growers are expected to absorb
the added cost of GlobalGAP themselves.9 The use of third-party certifiers
also provides a means for retailers to pass on costs since the work involved
in monitoring compliance shifts from retailers to independent auditors,
and the costs—approximately US$600 a year—for purchasing their ser-
vices is devolved to producers. In sum, GlobalGAP helps mitigate risks
for retailers and improves their reputation as socially responsible while
passing the costs of demonstrating due diligence and compliance with
standards back up the supply chain to producers.

Squeezed within the global supply chain, one of the few spaces left for
Chilean growers to reduce their costs is labor, since labor accounts for up
to 70 percent of production costs. The pressure to meet the rigorous
quality and delivery demands of retailers while reducing costs encourages
producers to use flexible labor arrangements, including temporary, sea-
sonal, and subcontracted labor (Standing 1999; Dolan and Sorby 2003).
When asked about worker health and safety, workers, labor advocates,
government officials, and even some growers list as their principal concern
the insidious growth in labor subcontractors, or contratistas. Participants
in my study argue that this growth has produced working conditions that
are even more precarious and unsafe for temporary workers. From their
perspective, the use of contratistas by growers is a major obstacle to as-
suring the health and well-being of temporary agricultural laborers. While
this is a growing problem internationally, GlobalGAP is completely silent
on the issue of subcontracted labor and its effects on the health, safety,
and welfare of workers.

Within the fresh fruit export sector, growers have long relied on in-
termediaries known as enganchadores to recruit and transport temporary
workers to labor in their fields and packinghouses during the peak season.
Here, the grower remains the employer and is directly responsible for all
employment conditions. More recently, growers have sought to minimize
their costs and responsibilities further by outsourcing their labor require-

9 These costs include, e.g., personnel training, infrastructure improvements, safety gear,
improvements in water quality, and laboratory testing.
ments to contratistas. In contrast to enganchadores, contratistas not only recruit and transport temporary workers to the fields and packinghouses but also remain their immediate employer. A government report on seasonal labor cites a 2005 study of the Copiapó Valley, a leading table-grape growing region, where 67 percent of the businesses surveyed said that they hired all or some of their temporary workers through contratistas (Riquelme 2005).

Growers hope that using contratistas to meet their temporary labor requirements will allow them to lower their labor costs, reduce fixed expenses, minimize their legal responsibility for workers, and minimize their relationship with labor inspectors. One of the key attractions for growers is the assumption that they will no longer be responsible for complying with labor laws. In explaining why he uses contratistas, a grower claimed that “the labor laws are way too restrictive, and the inflexibility of the law means that I prefer to use contratistas. That way I don’t have to worry about these things; I can just call a contratista when I need some work done.” Similarly, a GlobalGAP auditor explained that “producers try to have a tactical advantage. For example, they think that if they hire all these workers, then they need to comply with labor laws, but that if they use a subcontractor, then it’s the subcontractor who must comply with the law, so the problem has shifted to him.” On the other hand, several growers I spoke with refuse to use contratistas for the very same reason. One grower argued that “we need a more professional system. We haven’t got a good system where the contratistas are reliable, where they fulfill their agreements, where they supervise their workers well, and make sure that all their social security, et cetera, is paid.”

Subcontracting increases the distance between employer and employees, which affects attempts to improve work conditions (Caro and de la Cruz 2005). For example, in relation to worker health and safety, workers are often unclear on who the employer is and what his/her obligations and responsibilities are (Riquelme 2005). When problems arise, workers often do not even know who the actual owner is, and because they fear being blacklisted, they are reluctant to lodge a complaint. Unionists argue that subcontracting contributes to the diluting of responsibilities when there are work accidents, illegal actions, and abuse of workers (Estrada 2005).

Working conditions for subcontracted workers are also extremely precarious because of contratistas’ widespread noncompliance with labor laws. While contratistas are legally responsible for complying with labor laws, concerns about their frequent failure to do so led to a reform of the labor code in 2001 that now requires them to register with the Department of
While this has produced some formalization, most contratistas remain unregulated and continue to operate illegally. In fact, the drive by growers to reduce production costs encourages the use of illegal contratistas, since work is awarded to those who can provide services at the lowest cost, who are typically illegal operators (Caro and de la Cruz 2005). While the law states that growers are ultimately responsible to workers if the contratistas do not comply with their legal obligations, this law has proven to be of limited value. As with labor laws in general, the lack of corresponding government commitment to inspection and enforcement measures means that noncompliance among growers remains notoriously widespread.

Pamela M. Caro and Catalina de la Cruz (2005) argue that workers hired by contratistas face employment conditions that are more precarious and less likely to be in compliance with the law when compared with the conditions for workers hired directly by growers. In their study, these researchers compared labor conditions for workers employed directly by growers with those for workers employed by contratistas in the fruit export sector. They found that the use of contratistas effectively created two separate categories of workers who were employed in the same company, in the same activity, but who experienced very different labor conditions. For example, subcontracted workers were three times more likely to come into direct contact with pesticides, and two-thirds (68 percent) of them were expected to bring their own protective gear, even though the law states that it is the responsibility of the employer to provide these items. Furthermore, subcontracted workers were less likely to have written employment contracts and were less likely to receive social benefits than were those directly employed by growers.

The use of subcontractors is not a Chilean problem, and it has been well established that such flexible labor practices are a global phenomenon, especially in developing countries (Barrientos, Dolan, and Tallontire 2003; Raworth 2004). However, there is a glaring absence in GlobalGAP best practices on the issue of subcontractors and other flexible labor practices. The absence of any standard regarding contratistas is just as telling and just as significant as any standard. For example, GlobalGAP standards do

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not require growers to record how many workers or labor subcontractors they employ, including during peak periods. As one auditor explained, from the perspective of GlobalGAP, this is simply “a contractual issue [between the grower and workers/subcontractors].”

However, without accurate information on the number of workers, including subcontracted workers, it is difficult for auditors to verify the adequacy of standards that should be determined by such numbers, such as standards requiring the provision of toilets and adequate living quarters. The adequacy of such standards depends in part on the number and sex of the workers employed. Within this context, many participants expressed the concern that GlobalGAP standards simply may not reach many of the temporary workers hired by subcontractors. For example, a DOE manager explained: “You arrive at a farm and all the installations look beautiful, but during the peak season there are now eight hundred people and you have installations that only support a hundred people. When you go to inspect you see a hundred [workers] and everything is great, but when you go during the peak and there are eight hundred [workers]—everything there is insufficient.”

Not surprisingly, I found considerable ambiguity among auditors and growers in Chile regarding who is responsible for worker welfare when subcontractors are employed. One auditor explained that growers must provide evidence to auditors that subcontractors are meeting all of their obligations and that growers must have a signed contract with their subcontractors that details all of their obligations. Another auditor explained that growers were responsible for their subcontractors but could not explain how this was ensured and verified by auditors, concluding that the grower “must simply trust the contratista.” A major exporter/grower argued that it was the contratista, not the grower, who was responsible for ensuring worker health and safety. Audit reports, then, tell us little about what was verified or how it was verified in relation to subcontracted labor.

Unfortunately, major food retailers have few incentives to establish standards that would undermine informal—and often illegal—flexible labor practices. Such labor market structures are critical not only for the survival of many producers but also for the economic success of major food retailers. Without a highly flexible workforce it would be difficult, if not impossible, for producers to meet the stringent production schedules and quality demands in the low-cost manner that retailers have come to expect.
Conclusion

Within the context of neoliberalism and globalization, it has become less acceptable for governments to “intervene” in the marketplace (Harvey 2005). Instead, we are witnessing a new regulatory paradigm in which private-sector actors—often under pressure to demonstrate that they are socially responsible—are establishing their own standards for public goods. Within this changing environment, the power of retailers in the supply chain, together with the “privatisation of fairness and justice” (Tallontire and Vorley 2005, 17), is hidden behind the language of scientific objectivity. In contrast to the perceived bias of government, GlobalGAP reassures us, its standards are developed by experts, risk assessed, and independently verified.

What this case study has demonstrated, however, is that standards are neither impartial nor value free. Here, retailers use standards strategically to advance certain interests and preferences and not others. Major food retailers are constrained in their ability to improve the health and well-being of all workers because their global business strategies benefit from inequities within the labor market. As the power of supermarkets is concentrated in fewer hands, retailers are able to demand from growers ever-greater flexibility in terms of delivery practices, rigorous quality standards, and low prices. To remain competitive, growers in the Chilean fresh fruit export sector use a dual employment strategy that provides them with the flexible and low-cost labor they need to remain competitive.

Social relations within the labor market do not merely evolve over time, nor do they simply reflect preexisting inequities and injustices. Rather, they must be actively produced and reproduced. The power to make the rules and enforce the rules is central in determining distributional issues. Moreover, the power to decide what standards will not be established is as telling and as consequential as deciding what standards will be established. The intention of GlobalGAP is not to radically transform the agri-food system; rather, its reformist approach is aimed at modifying some conventional agricultural practices in a manner that will assure and protect retailers’ priorities, especially their economic priorities. Subsequently, we find that GlobalGAP standards address some of the most visible health and safety risks affecting workers in relation to pesticide poisoning. However, these standards exclude the most precariously situated workers, those who are subcontracted and temporary, most of whom are women. In sum, GlobalGAP standards for worker health, safety, and welfare reproduce and reinforce the flexible and feminized labor market in which those workers are situated.

Finally, institutional arrangements are inherently political, social, and
moral. For that reason, democratic processes are necessary to address issues of fairness and justice by sorting out questions of how the costs, benefits, and responsibilities of institutional reforms should be distributed. With a reliance on private-sector standards to ensure worker welfare, democratic accountability in the public sphere may be eroded or subverted. In seeking to replace politics with technically rational solutions, voluntarist approaches undermine the conception that democratic participation, debate, and decisions are necessary to determine what is or should be the public good.

Furthermore, efforts to develop labor standards that are less partial and interested must begin with the active involvement of workers—especially the most marginalized workers—as subjects, not objects. Workers’ social location—whether as women, temporary workers, or subcontracted laborers—provides them with their own sense of fairness and justice in the workplace, which includes views about what an appropriate standard for health, safety, and welfare might look like. The lack of representation and participation by workers in determining appropriate labor standards, together with the power to enforce them, allows GlobalGAP to be more selective about which standards it requires growers to adopt and less accountable for how they are monitored and enforced.

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