

# Tobacco Good Agricultural Practices Program

■ SUPPLEMENTAL GUIDELINES TO THE ALTRIA SUPPLIER CODE OF CONDUCT



**Altria**

*A sustainable supply of high-quality tobacco is essential to the future of Altria's tobacco companies. To this end, our tobacco companies expect growers to provide their workers with fair and safe working conditions and these expectations are implemented under our "Good Agricultural Practices" (GAP) program for their domestic contracted tobacco growers and for their international tobacco suppliers.*

## Tobacco Purchases

In the U.S., our tobacco companies contract directly with tobacco growers. Internationally, our tobacco companies purchase tobacco from suppliers who purchase tobacco from growers they contract with. Suppliers are required to comply with all applicable laws, codes, rules, regulations, orders and ordinances. In addition, growers should follow the requirements outlined in their contracts, and in some cases, these may be stricter than law.

## GAP Program Elements

The GAP program addresses the following areas as they relate to tobacco production:

- Labor Management and Safety
- Environmental Management
- Crop Management

## Domestic GAP Program

### Labor Management

- Domestic tobacco growers must ensure that their tobacco labor practices comply with all applicable laws, including the Fair Labor Standards Act (FLSA), the Migrant and Seasonal Worker Protection Act (MSPA), the Immigration and Nationality Act and the Immigration Reform and Control Act of 1986.
- Our tobacco companies communicate our expectations on issues including:

#### CHILD LABOR

- Domestic tobacco growers may not employ or obtain services from any person who is younger than 16 years of age, and written parental consent is required for those 16-17.
- While the U.S. Secretary of Labor has declared that certain agricultural occupations are hazardous and cannot be performed by minors under 16, our domestic tobacco growers may not assign anyone under 18 to work in these occupations.

	HIRED HAZARDOUS	HIRED NON-HAZARDOUS	FAMILY FARM LABOR
GROWER CONTRACT	18	16 <sup>1</sup>	Per U.S. Law
U.S. LAW	16	14 <sup>2</sup>	No Minimum

1 – with limited exceptions granted based on local, state, and federal law  
2 – 12-13 years of age with parental consent

#### FARM LABOR CONTRACTORS

- If grower uses an FLC to recruit, solicit, hire, employ, furnish, transport or house workers, grower must only use an FLC that is registered with the U.S. Department of Labor (DOL) for the services to be provided by the FLC. Grower must retain a copy of the contractor's Certificate of Registration.

#### FORCED LABOR

- Growers must not compel any person to work involuntarily or under any threats of duress. Tobacco growers must not retain, withhold or promise to pay after the date it is due any portion of a worker's salary, benefits, property or documents in order to force the worker to remain employed.

#### FREEDOM OF ASSOCIATION

- We encourage growers to respect the legal rights of employees to join or not to join any lawful association without fear of reprisal or intimidation.

#### HEALTH AND SAFETY

- All domestic tobacco growers must ensure that their tobacco labor practices comply with all applicable laws, including the Occupational Safety and Health Act.
- Domestic tobacco growers are required to provide and educate their workers on the appropriate use of personal protective equipment to prevent exposure to wet tobacco,

## Domestic GAP Program continued

which can contribute to Green Tobacco Sickness, and to protect them against exposure to crop protection agents (OSHA · NIOSH Recommended Practices Green Tobacco Sickness - OSHA 3765 – 2015).

- Growers are required to provide all labor training about how to avoid heat stress.

### HOUSING

- If housing is provided, growers must ensure housing complies with all applicable laws, including those related to licensing and inspections.

### I-9 FORMS

- Domestic tobacco growers must accurately complete and retain I-9 forms for all hired employees.

### NON-RETALIATION

- All domestic tobacco growers should promote a work environment free from unlawful harassment, discrimination, violence, threats of violence or coercion. Workers should be free from retaliation if they:
  - share a workplace concern with you or others, or
  - decide to participate or not to participate in union-related activities, or
  - decide to join or not to join a union.
- It is illegal to discharge or discriminate against any worker if the worker has initiated a proceeding or has filed any complaint with an employer or the Department of Labor related to the FLSA or MSPA, or has testified or is about to testify in any such proceeding.

### REIMBURSEMENT OF H-2A FEES:

- As legally required, and amongst other requirements of the H-2A Visa Program, Suppliers who hire H-2A workers are required to:
  - Pay costs associated with recruiting their workforce, including any costs associated with each worker's visa.
  - Forbid an agent or a foreign labor recruiter to seek or receive money or other payments from the foreign workers.
  - Reimburse an H-2A worker's inbound transportation and visa-related expenses in the first workweek to the extent that these costs otherwise would bring the worker below the FLSA minimum wage. In addition, the grower must reimburse all of the worker's reasonable costs for his or her initial trip to the worksite if he or she completes 50% of the contract period.

- Pay for transportation, daily food expenses and lodging, where necessary, for the worker's return trip at the end of a completed contract period. FLSA-covered employers must reimburse outbound transportation expenses to the extent that the cost would otherwise bring the worker below the FLSA minimum wage for the worker's final workweek, even if the worker does not complete the contract period.
- Employers may not intimidate or discriminate against any worker who files a complaint, testifies, consults with an attorney or legal assistance program employee, or otherwise exercises or asserts his or her H-2A related rights.

### WORKER TERMS AND CONDITIONS:

- Every agricultural employee must receive information about the working terms and conditions of the job. As legally required, growers have different obligations for different types of workers.
  - If the worker lives permanently in the area, the Supplier is only required to tell him or her about the job, unless the worker asks for a written copy of the contract.
  - If the worker does not live in the area permanently, the supplier is required to give him or her a written contract of terms and conditions when recruited. The contract must contain the legally required details of the job, and in a language the employee understands.
- If at any time during employment any employee asks for a written copy of the contract, the grower must provide it.

## Environmental Management

- All domestic tobacco growers must implement resource management processes that protect air, soil and water, such as crop rotation, soil samples, use of resistant tobacco varieties and proper pesticide usage.

## Crop Management

- Domestic tobacco growers are required to grow tobacco in accordance with all applicable federal, state and local laws, rules and regulatory requirements. Crop production requirements are outlined in the grower contract and additional topics are covered during the U.S. Tobacco Good Agricultural Practices training meetings.

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## International GAP Program

International tobacco suppliers must warrant that the tobacco sold to any of our tobacco companies has been processed, packed and shipped in compliance with all applicable laws. International tobacco suppliers must certify that they have implemented GAP programs with their contracted growers.

### Labor Management

- International tobacco supplier programs must address topics including labor management, child labor, worker safety and the use of personal protective equipment to prevent exposure to wet tobacco, which can contribute to Green Tobacco Sickness. Our tobacco companies communicate our expectations on issues including:

#### CHILD LABOR AND LABOR COMPLIANCE

- Suppliers must comply with the weekly and daily working schedule of supplier's employees per all applicable laws and regulations.
- Suppliers must not compel any person to work involuntarily or under any threat or duress.
- Supplier facilities must comply with minimum age employment requirements prescribed by the International Labour Organization (ILO) conventions or applicable laws, whichever is higher.
- Supplier may not employ any forced labor nor impose similar working conditions.

### Environmental Management

- Our tobacco companies encourage our leaf suppliers' efforts to replenish trees used in the tobacco curing process. Although wood is used by only a small portion of the growers of tobacco purchased by our companies, we invest in programs to repopulate the trees used.

### Crop Management

- Suppliers must comply with all applicable U.S. and foreign laws or regulations governing crop protection agent (CPA) residues, including, but not limited to U.S. Customs regulations and CPA requirements. In addition, all tobacco leaf material must be GMO (genetically modified organism) free.