

Action Plan – supplier Eurosol from Spain

INTRODUCTION

In 2022, Albert Heijn received a complaint about Eurosol, a fruits and vegetables supplier who we worked with for over 35 years. Eurosol was accused by a labor union of false disciplinary procedures, which allegedly led to the cancellation of the works council and the dismissal of labor union members. This allegedly resulted in abuses, including non-payment of overtime.

Following the complaints, we commissioned ImpactBuying to conduct a [human rights impact research](#) at Eurosol in 2022, the report was finalized in April 2023. The research did not find any proof that justified the accusations that were made. In line with the law, Eurosol facilitates one farms works council and one packhouse works council. Working conditions are found to be decent and working hours and overtime were within legal boundaries and payments were made on time.

In the meantime the case also has been handled by the Spanish court, who ruled in favor of Eurosol on all complaints filed by the labor union.

The research did reveal that the functioning of the farms works council was weak and counterproductive. Its functioning had not been in favor of the direct interests of farm workers and induced a degree of distrust and disunity amongst workers.

CONSULTATION OF RIGHTSHOLDERS

Eurosol has shared the initial research report, including the recommendations with the (newly elected) works council. To make sure that actions following from this report were meaningful and effective, Eurosol has also continuously engaged with the rightsholders (in this case workers and works council members) during and after implementation of the measures. For example, exchange meetings, a hosted workshop, and better communication channels have served these ends. At this moment the workers have indicated to have regained their trust in the company and functioning of the works council.

ACTION PLAN

In this action plan the following key finding has been translated into measures to mitigate the impact that was identified and to prevent for the future:

- Functioning of the farms works council did not favor farm workers' interests

POINT OF ATTENTION (A): Functioning of the farms works council

The works council is an independent body and needs to be able to function impartially for the worker's interests. Labour unions have indirect influence through advice to affiliated council members, in line with Spanish labour law.

Eurosol facilitates the functioning of the works councils, but does not interfere with the council's activities and operations.

In 2021 farm workers felt that the farms works council, under pressure of one of the labour unions, was not functioning impartially and drifting away from farm workers' interests. This caused internal unrest and an increased feeling of distrust amongst (especially migrant) farm workers, which also fueled racial discrimination amongst workers.

Once every 4 years new works council members are elected. In February 2023 newly elected works councils have started and for the farm works council 2 out of 5 members were re-elected.

OBJECTIVE: Strengthen the new farm workers council & rebuild trust amongst workers together with the farm works council

ROOT CAUSES	RECOMMENDATIONS To Eurosol management	MEASURES	TIMELINE
Complex Spanish worker representation system	Higher frequency of regular meetings with the farms works council.	Start monthly meetings between management and works councils during the season.	October 2023
Lack of experience at council members	Develop works council induction guidance documentation	<p>Create an induction guidance¹ together with the University of Alicante, which provides practical steps for social dialogue between company representatives and works councils as well as communication and conflict management strategies.</p> <p>Consult different stakeholders in developing the guidance document; e.g. committee members, the four trade unions and company representatives during 2 workshops and decide if additional activities are needed after the workshops.</p>	<p>March 2023</p> <p>February – May 2023</p>
	Allow one member of the former council to act as internal advisor to the new elected council for at least 1 year to ensure its institutional memory	Eurosol allows former council members to act as internal advisor to newly elected council, when no former members have been re-elected.	February 2023

¹ [Libro Diálogo Social En Las Empresas inglés.pdf](#)

		Works council members are independent of Eurosol and it is therefore up to them to consult former members if necessary.	
	Collaborate with a professional and experienced organization to address the increased sense of discord and disunity amongst farm workers	<p>Training for members of the works councils (including union members and other worker representatives), by the University of Alicante.</p> <p>2 workshops with works councils and workers, hosted by the University of Alicante, with the aim of addressing the sense of discord and disunity amongst workers².</p> <p>Trade unions are involved through the works councils and form part of the training course.</p>	<p>October 2023</p> <p>October 2023 and May 2024</p>
	RECOMMENDATIONS To the farms Works Council	MEASURES	TIMELINE
	Organize exchange meetings with the Eurosol packhouse works council, and discuss learnings on worker association	Annual meetings to discuss the progress and difficulties of the campaign of both works councils.	September 2023
	<p>Include in the works councils bylaws that:</p> <ul style="list-style-type: none"> they advocate for direct interests of current farm workers at Eurosol Council proposals will be presented to the management if and only if they have 80% of works council behind them or more than 50% of all farm workers have given their positive consent to the proposal 	<p>Recommendations of the initial research report including the recommendations were shared with the (newly elected) works council members. No response on this recommendation so far.</p> <p>Bakker team will meet with the works council and discuss the recommendations of the report during their next visit.</p>	<p>January 2023</p> <p>2024</p>
	Introduce at least yearly meetings between the works council and workers so that future proposals can get general approval.	Annual meetings between the works councils and workers.	September 2023

² [Eurosol - es El lunes 3 tuvimos un inspirador taller Focus de... | Facebook](#)

		Workers expressed that communication is now open and transparent and they are aware of everything that is happening.	
	Introduce proactive identification of the workers' needs and ideas for improvement through both individual talks and group encounters or brief questionnaires	Introduce a WhatsApp group for workers to share ideas or needs daily.	January 2023
	Collaborate with Eurosol management to address the sense of discord and disunity amongst farm workers.	Regularly organize workers events to get to know each other better. (see various initiatives that have been organized: <ul style="list-style-type: none"> • Christmas lunch and gift at farms and warehouse³ • Integration day on the day of the Three Wise King⁴ • Hiking and living day at farms and warehouses⁵ • Living together day at the farms⁶ • Women's Day, at farm and warehouse⁷ • Down Syndrome Day⁸ (8 workers with Down's syndrome are fully integrated in Eurosol) 	Ongoing

MONITORING & EVALUATION

To make sure that measures are sustainable and continue to achieve their desired effects (and to adjust actions in case of changing circumstances or unforeseen outcomes), Eurosol facilitates the continuous dialogue with rightsholders through monthly works council meetings and exchange meetings between works council and workers. Our long-standing business relation with Eurosol enables us to stay in close contact with the supplier and monitor whether the actions are achieving the desired results. Our strategic partner Bakker Barendrecht is formally following up on the results of the research and action plan with Eurosol in half-yearly meetings, where outcomes of works council meetings and any issues or grievances raised, are discussed. In this way, we have full transparency about the progress on implementation.

³ <https://www.facebook.com/photo.php?fbid=614693187322946&set=a.614701613988770&type=3&mibextid=rS40aB7S9Ucbxw6v> |

<https://www.facebook.com/photo.php?fbid=614692750656323&set=a.614701613988770&type=3&mibextid=rS40aB7S9Ucbxw6v>

⁴ <https://www.facebook.com/EurosolAgricultura/videos/745532463598604/?mibextid=rS40aB7S9Ucbxw6v>

⁵ <https://www.facebook.com/photo.php?fbid=635945248531073&set=a.402702188522048&type=3&mibextid=rS40aB7S9Ucbxw6v>

⁶ <https://fb.watch/kxB6iUkcBY/>

⁷ <https://www.facebook.com/EurosolAgricultura/videos/889471678984536/?mibextid=rS40aB7S9Ucbxw6v>

⁸ <https://www.facebook.com/photo.php?fbid=680680554057542&set=a.402702188522048&type=3&mibextid=rS40aB7S9Ucbxw6v>