



For Livelihoods. For Sustainability.

AGRICULTURAL LABOUR PRACTICES IN TOBACCO HANDBOOK

**A PRACTICAL GUIDE
FOR FIELD TECHNICIANS**



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STATEMENT OF COMMITMENT

The Tobacco Industry and Marketing Board (TIMB) is dutifully committed to the elimination of all forms of child and forced labour in the Zimbabwean tobacco sector, ensuring a safe environment where workers are treated and remunerated fairly. Through our Agriculture Labour Practices (ALP) program, we are striving to produce sustainable and traceable tobacco by upholding International Labour Organisation (ILO) standards, Sustainable Development Goals (SDGs), United Nations Guiding Principles on Business and Human Rights (UNGPs), and Zimbabwean laws across the tobacco supply chain.



Mr. Emmanuel Matsvaire
A/CEO of Tobacco
Industry and Marketing
Board (TIMB).

Produced with technical assistance and support from:



ECLT Foundation is committed to strengthening standards, policies, and due diligence systems to eliminate child labour and other labour abuses in agriculture. This Tobacco Industry and Marketing Board (TIMB) Agriculture Labour Practices Code supports this objective by defining the labour principles, practices, and measurable standards that TIMB expects to be met on all tobacco farms in Zimbabwe. Our ambition is that this Code drives further improvement, compliance, and collaboration, and adds fresh impetus to our common goal: the elimination of all forms of child labour and other labour abuses in areas where tobacco is grown.

Founded as an independent Swiss foundation in 2000 to bring together key stakeholders against child labour in the tobacco-growing, the ECLT Foundation is based in Geneva, Switzerland. The Foundation is a member of the UN Global Compact and holds special consultative status with the UN Economic and Social Council www.eclt.org.

Funding for the development of this Agriculture Labour Practices Code and capacity building activities thereof is provided under the Memorandum of Understanding entered between ECLT Foundation and TIMB in 2021.



twentyfifty is an award-winning management consultancy working with global companies to transform their social and environmental performance and deliver on their commitments to respect human rights. We support companies to identify and address social risks by integrating human rights management into their business. We are driven by the belief that businesses flourish when people flourish. When human rights are respected, individuals not only survive, but have the chance to grow. We call this human flourishing, and it's at the heart of everything we do.

Providing technical support to TIMB during the development of this Agricultural Labour Practices Code is one of the many ways that we engage, train and support businesses to adopt and develop responsible practices that enable them to meet their sustainability commitments and business goals. Our approach is rooted in The UN Guiding Principles on Business and Human Rights.

We have been doing this work since 2004 and are recognised by Forbes and the Financial Times as a leading consultancy in sustainability. To find out more: www.twentyfifty.co.uk

1.0 INTRODUCTION

The Agricultural Labour Practices are a set of principles and standards that seek to promote and ensure respect for labour rights and eliminate child labour on tobacco farms.



Child labour



Forced labour



**Income, work hours and
benefits for farm workers**



**Fair
treatment**



**Freedom of
association**



**Safe working
environment**



**Compliance
with the law**

OBJECTIVES OF THE ALP HANDBOOK

The Handbook is intended to assist Field technicians to:

- Build knowledge of ALP and its role in Supply Chain Due Diligence (SCDD)
- Understand the role of the Field Technician in ALP

The information contained herein is practical and provides guidance on recommended ALP principles indicators and measurable standards to be monitored throughout all crop production, from field preparation throughout to grading and presentation.

The ALP Handbook gives guidance on promoting sustainable agricultural practices and shows how ALP is a continuous improvement process embedded in supply chain due diligence. The Handbook will be periodically reviewed to align with international developments and changing local legislation when the need arises.

MANDATORY REQUIREMENT

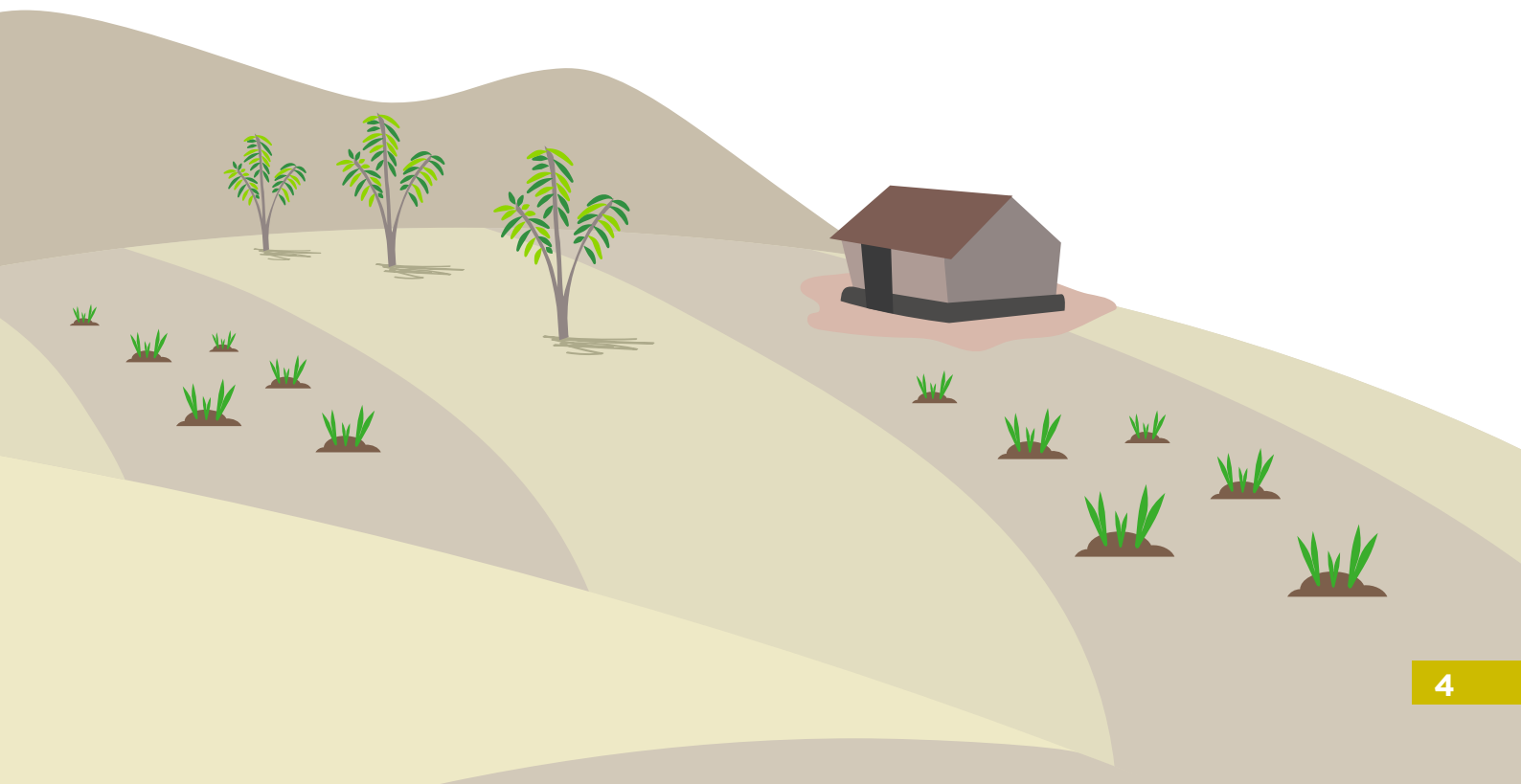
All tobacco farmers, both contracted and un-contracted are required to apply and abide by the ALP Code in all their operations, regardless of crop type.

To meet the above requirement the following operational procedures must be implemented:

Farmers will be supported in complying with the TIMB's Agricultural Labour Practices (ALP) Code through the provision of appropriate and regular training on all relevant aspects of the ALP Program, and the requirements of any existing local legislation (in all cases, always applying the more stringent of the requirements).

To ensure farmers' and workers' continued awareness and understanding of the ALP programme, training will be supported by:

- a. **Ongoing guidance and advice from Field Technicians during farm visits in a way that farmers and workers understand (e.g., in local language and including demonstrations and practical examples).**
- b. **Specific communications materials (such as brochures, posters, or leaflets) that must be easy to understand (i.e., in local language, using graphics or pictures) and available/visible to all those working with the tobacco crop, such as by being distributed to individual workers and/or displayed in a fixed place on the farm premises where workers can easily see it.**



2.0 IMPLEMENTING THE ALP PROGRAMME

2.1 UNDERSTANDING SUPPLY CHAIN DUE DILIGENCE

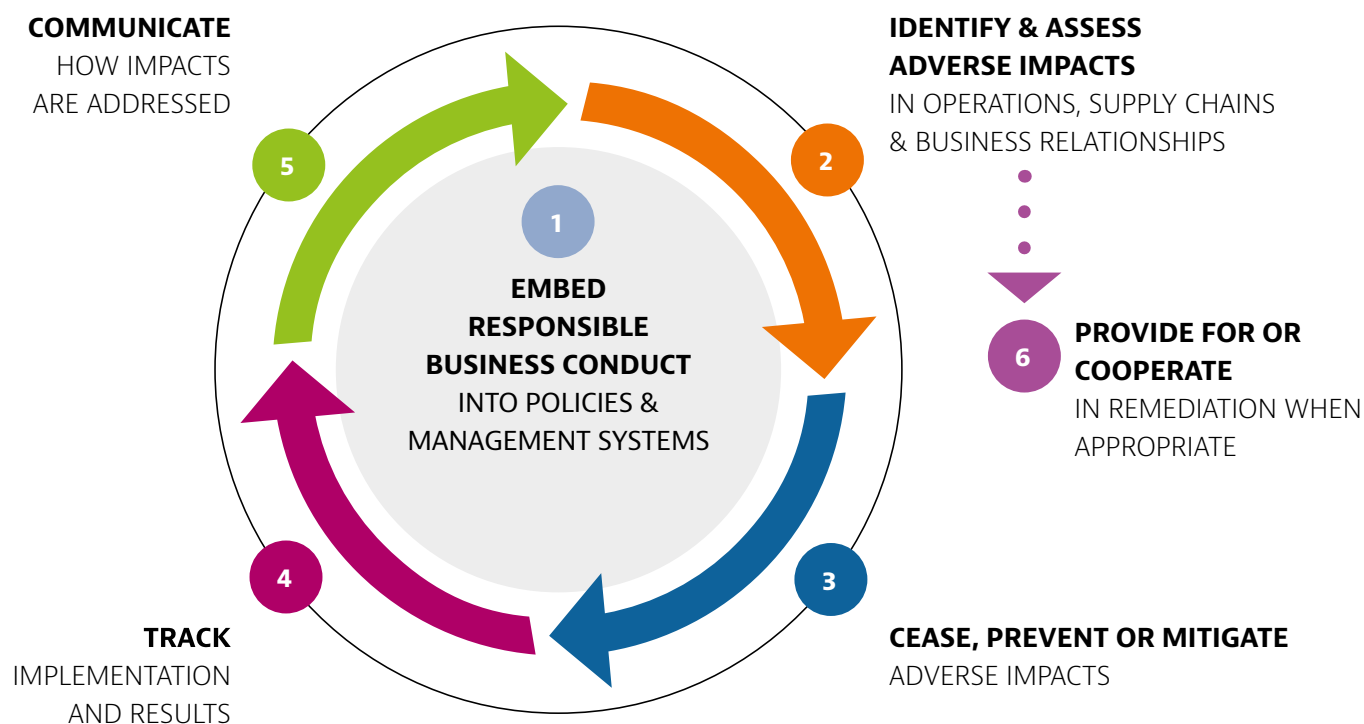


Figure 1: OECD due diligence process.

Credit: [OECD-Due-Diligence-Guidance-for-Responsible-Business-Conduct.pdf](#)

The supply chain due diligence cycle provides a guidance for responsible business conduct to:

- 1. EMBED** responsible business conduct into policies and management system.
- 2. IDENTIFY** and prioritize harmful impacts in the supply chain.
- 3. RESPOND:** entails ceasing, preventing or mitigating the adverse impacts.
- 4. MEASURE:** tracking the results of the responses.
- 5. REPORT** how impacts are addressed.

Following the ALP Code basic principles and measurable standards is a starting point in supply chain due diligence, which should be guided by the principle of continuous improvement.

The Field Technician has important roles within the Supply chain due diligence cycle including in

- training and awareness raising on ALP and STP related issues.
- identification of risks on farms.
- development of improvement plans with farmers where risks are identified.
- monitoring to ensure ALP and STP standards as well as improvement plans are adhered to.

3.0 GUIDING ALP PRINCIPLES AND STANDARDS

This section provides the key ALP principles to be followed for all trainings and monitoring exercises.

3.1 GUIDING PRINCIPLE: ZERO TOLERANCE TO ALL FORMS OF CHILD LABOUR ON FARMS

Definitions:

CHILD LABOUR: is defined as work that deprives children of their childhood, potential, and dignity and which is harmful to their physical and mental development (ILO Conventions 138 and 182). This entails “*interfering with their schooling by depriving them of the opportunity to attend school, obliging them to leave school prematurely or requiring them to attempt to combine school attendance with excessively long and heavy work*”.

NB: Not all work performed by children should be classified as child labour.

LIGHT WORK: is defined as work that is age appropriate (13-15 years) and that does not affect children’s health and/or personal development, interfere with their education and is generally regarded as positive - contributing to children’s life skills development and experience, preparing them to become productive and responsible members of society.

HAZARDOUS CHILD LABOUR OR HAZARDOUS WORK: is the work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety, or morals of children. (ILO Convention 182).



Examples of hazardous tasks vs. light work

HAZARDOUS TASKS (NO UNDER 18)	X	LIGHT WORK (13-15 YEARS)	✓
CPA applications; harvesting tobacco		Cleaning the house	
Grading tobacco; waitressing in tobacco farms		Washing clothes, dishes	
Lifting and handling heavy loads		Cooking	
Working at unprotected heights		Fetching water	
Driving or operating motorised farm machinery		Collecting firewood	
Operating sharp or powered farm tools		Planting trees, vegetables, etc.	

EXERCISE 1: MONITORING CHILD LABOUR

Examples of monitoring questions and observations to make on child labour:

- Have the farmers and workers been trained on child labour?
- Are there any children below the age of 18 on the farm. If yes,
 - » Do children of school-going age on the farm attend school?
 - » Are children of school-going age present on the farm during school hours? If yes, probe why they are not in school.
 - » Are the children below the age of 18 involved in any tasks on the farm? Probe the tasks.
 - » Are children below the age of 18 helping in tobacco related tasks?
 - » When employing workers, does the farmer verify the ages of the workers? Probe.

3.2 GUIDING PRINCIPLE: ZERO TOLERANCE TO ALL FORMS OF FORCED LABOUR AND HUMAN TRAFFICKING

Definitions:

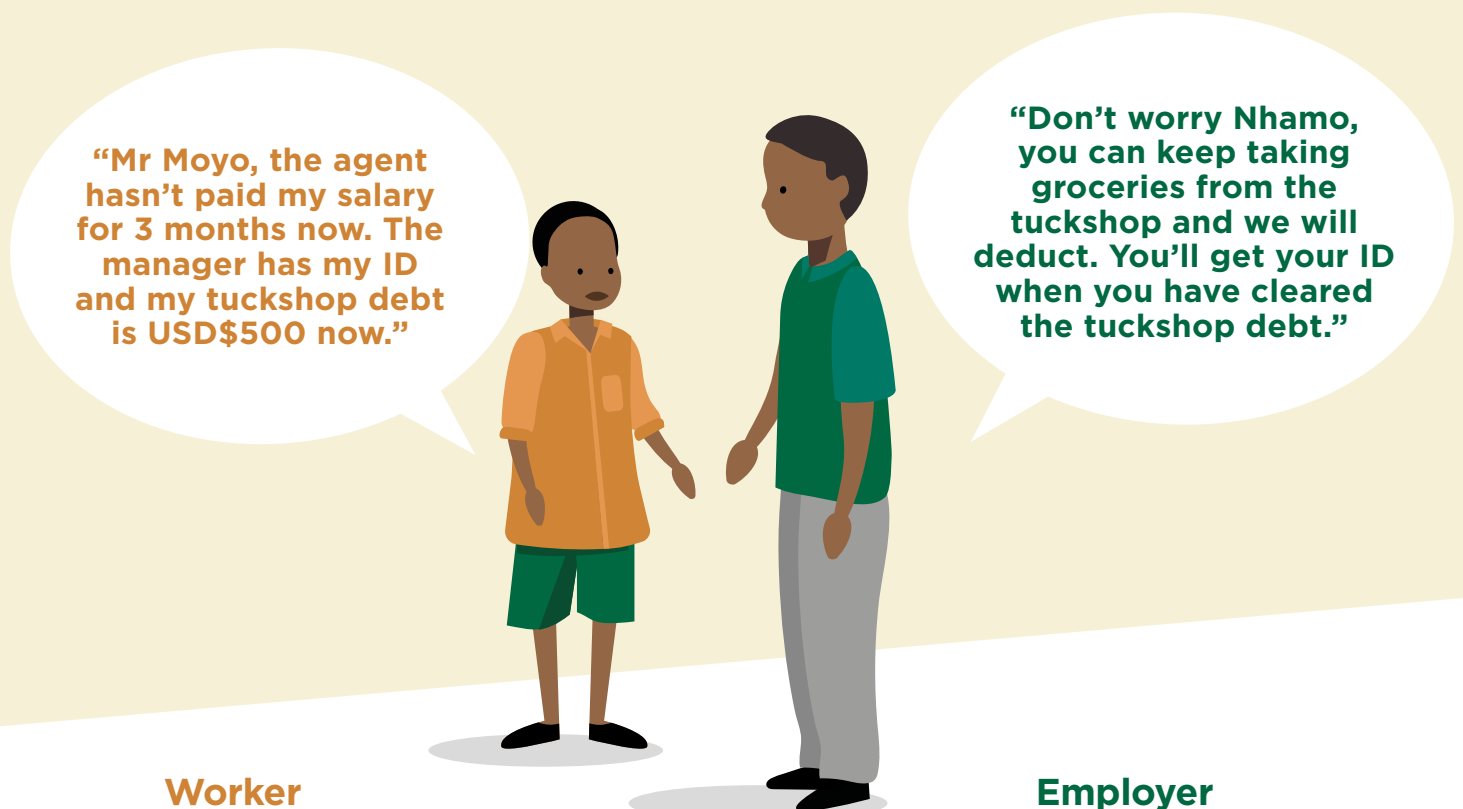
FORCED LABOUR: any work or services which a person is required to perform against his or her will under the threat of some form of punishment.

HUMAN TRAFFICKING: a process of arranging or facilitating the travel of another person into a situation of exploitation and is sometimes associated with migrant work force.

BONDED LABOUR: work provided to repay a debt. Debt can be passed through generations and people end up giving themselves into a form of slavery as security against a debt/ loan.

SLAVERY AND SERVITUDE: this refers to a situation where another person exercises some form of power of ownership over another person. Examples include forcing another person to work against their will through physical abuse or threat of abuse, removal of the person's freedom to leave by placing restrictions on his/ her freedom of movements.

KEY STANDARDS



EXERCISE 2: MONITORING ALL FORMS OF FORCED LABOUR ON FARMS

Examples of monitoring questions and observations to make on:

- How were the workers employed?
- Were there any brokers, agents or middle-men involved?
- According to the workers, is what they agreed with the farmer at point of employment being honoured?
- Are workers paid regularly?
- Do workers receive wages directly from the farmer?
- Does the farmer withhold wages of workers beyond agreed time?
- Are workers free to leave their workplace with reasonable notice?
- Are any workers afraid to leave due to any debt or bond with the farmer?
- Do workers have identity documents?
- Is the farmer keeping any of the worker's IDs or any other document? Probe, if farmer confiscated the documents, took them for photocopying and has not returned or if worker asked for farmer to keep the IDs for them.





3.3 GUIDING PRINCIPLE: INCOME, WORK HOURS & BENEFITS FOR FARM WORKERS

Definition:

INCOME: money earned on a regular basis for work done. Income earned during a pay period should be enough to meet workers' basic needs and be paid within the agreed time. Workers will not work excessive or illegal work hours.

BENEFITS: these refer to basic social security for example, medical care, sickness benefit, maternity/ paternity benefits, housing and transport allowances as well as bonuses.

KEY STANDARDS

WORKING HOURS	Working Hours of worker to be in compliance with SI 41 of 2022. Excluding overtime, work hours for all employees shall not exceed, on a regular basis, 208 hours per month. Every employee is entitled to holidays and leave a stipulated by the laws.
WAGES	Wages for all workers (including temporary, piece-rate and seasonal workers) meet, as a minimum, the agreement under the NEC Agriculture benchmark standards.
REGULARITY OF PAYMENTS	Wages of all workers are paid regularly and, as a minimum, in accordance with the provisions of the Zimbabwean Labour Act [Chapter 28:01].
OVERTIME WORK	Growers shall ensure that overtime work is voluntary and paid at a premium, as required by the Labour Act of Zimbabwe or by agreement under the NEC Agriculture benchmark standards.



EXERCISE 3: MONITORING INCOME, WORKING HOURS AND BENEFITS

Examples of monitoring questions and observations to make on Income, work hours and benefits:

- How were workers employed?
- Do the workers have written contracts?
- Does the farmer and workers know about work hours and incomes, minimum wage? Probe.
- Does the farmer pay in-kind?
- How many hours do workers work per day? Are they paid overtime?
- What agreements have been made regarding payment of overtime?
- How are workers paid? And when?
- Do workers receive any benefits? If yes,
 - » What are the benefits?
 - » Are there any deductions on workers wages? What are the deductions and what percentage of total salary are the deductions?
 - » Is there any payment schedule or sheet for signing in acknowledgement of receipt upon being paid or are there pay slips issued?
 - » Are workers aware of any grievance reporting mechanism on or off farm?





3.4 GUIDING PRINCIPLE: FAIR TREATMENT

Definitions:

FAIR TREATMENT: of workers and their families means ensuring there is no harassment, discrimination, physical or mental punishment or any other form of abuse.

SEXUAL HARASSMENT: is defined in SI 41 of 2022 as “Unwelcome sexual behaviour towards the employee from the employer, another employee, or customer of the employer, whether verbal or otherwise, such as making physical advances or sexually coloured remarks.”

DISCRIMINATION: refers to unjust or prejudicial treatment of different categories of employees or prospective employee on grounds of race, tribe, place of origin, political opinion, colour, creed, gender, pregnancy, HIV/ AIDS status or disability. This is relevant for both the farmer and any farm managers or other staff that the farmers have given authority to manage and deal with workers and their families.

EXERCISE 4: MONITORING FAIR TREATMENT

Examples of monitoring questions and observations to make on fair treatment:

- Does the farmer and worker know about fair treatment?
- How does the farmer implement corrective measures for work that is not properly done?
- Have any workers been physically or verbally harassed by the farmer or management?
- Has any worker felt sexually harassed or been sexually abused?
- Has any worker felt discriminated on the basis of their gender, religion, ethnicity?
- Are female and male workers receiving equal pay for same tasks done?
- Are workers able to communicate their grievances and through what mechanisms?
- Does the grower have both women and men as skilled labourers or in management positions? Probe on the numbers and whether there is awareness on gender equality.



**SEXUAL
HARASSMENT**



3.5 GUIDING PRINCIPLE: SAFE WORK ENVIRONMENT

Definition:

SAFE ENVIRONMENT: this refers to making employee well-being a priority including ensuring prevention of accidents and injury and minimising health risks. Providing a safe working environment should be guided by the provisions of the Occupational Safety, Health and Environment Code for the Agriculture Industry, S.I 197 of 2020.

KEY STANDARDS

SAFE ENVIRONMENT, INJURY AND ILLNESS FREE	<p>The grower shall apply reasonable measures to create and maintain a safe, healthy and injury-free working environment and ensure the well-being of workers.</p> <p>The grower shall provide adequate training to people working at the farm so that they understand potential hazards on the farm and, as far as possible, avoid harm.</p>
GREEN TOBACCO SICKNESS (GTS)	<p>GTS is a potential risk to those working with the green tobacco plant. It is a form of nicotine poisoning that may be contracted by handling wet, green tobacco leaves.</p> <p>People under 18, pregnant or breastfeeding women must not be involved in harvesting tobacco.</p> <p>Correct Personal Protective Equipment (PPE) will help to avoid skin exposure to the green leaf (i.e. rain gear, long sleeved shirts).</p>
SECURE STORAGE OF CROP PROTECTION AGENTS (CPAS)	<p>The grower shall follow the security, storage, handling, preparation, application and safe-disposal instructions provided by the CPA manufacturer.</p> <p>Generally, CPA storage areas must be secure, well ventilated spaces to which only authorised personnel is permitted.</p>
HANDLING AND USE OF CROP PROTECTION AGENTS (CPAS)	<p>The grower shall follow handling and application instructions provided by the CPA manufacturer.</p> <p>Persons under the age of 18, pregnant women, and nursing mothers must not handle or apply CPAs or hazardous substances.</p>
RE-ENTRY TIMES AFTER CPA APPLICATION	<p>No people working at the farm (hired workers and/or family members) enter a field where CPAs have been applied, unless and until it is safe to do so.</p>
BREAKS AND ACCESS TO CLEAN DRINKING AND WASHING WATER	<p>People working at the farm (hired workers and/or family members) are entitled to regular breaks, and have to have access to adequate quantities of safe drinking and washing water close to where they work and live at all times.</p>
ACCOMMODATION PROVIDED TO HIRED WORKERS	<p>Housing and accommodation which may be provided to employees at agricultural establishments shall be habitable, reasonable and decent in accordance with the provisions of, S.I 197 of 2020.</p>



EXERCISE 5: MONITORING SAFE WORK ENVIRONMENT

Examples of monitoring questions and observations to make on safe working environment

CROP PROTECTION AGENTS AND FERTILISERS:

- Have workers received training on handling CPAs and fertiliser application?
- Do workers receive PPE (what kind of PPE is provided) and know about the correct PPE for various tasks?
- Observe during your announced or unannounced visits if workers have the correct PPEs.
- Does the farmer keep records of workers trained on handling CPAs and ensure that only those trained handle / apply CPAs?
- Are workers aware of re-entry period after CPA application?
- Are chemicals stored in a safe place?
- Do farms indicate the re-entry period to workers and visitors?

GREEN TOBACCO SICKNESS:

- Have workers received training on GTS and how to prevent it?
- Are any awareness posters displayed around the farm?
- Do workers receive PPE and know about the correct PPE for various tasks?

ACCOMMODATION AND CLEAN WATER:

- Is the farm clean?
- Is clean water available for the workers when in the fields or barn?
- How far is a safe water point from living or working place?
- Are houses well maintained and weather proof, with roofing, windows and doors?
- Are there sufficient, clean toilets and ablutions for workers?
- Is the staff compound clean and free of rubbish and obvious infestation of rodents?

3.6 GUIDING PRINCIPLE: FREEDOM OF ASSOCIATION

Definition:

FREEDOM OF ASSOCIATION: refers to farmers recognising and respecting their workers' rights to join or leave groups and to bargain collectively without fear of reprisal, intimidation, or harassment.

KEY STANDARDS

COLLECTIVE BARGAINING	Workers' freedom to forming or joining unions or any other representative organisations of their choice, and negotiating their terms and conditions as a group.
FARM WORKERS REPRESENTATIVES	Workers on the farm should be allowed to have worker representatives. Growers must ensure that worker representatives are not discriminated against and are able to carry out their representative functions in the workplace.



EXERCISE 6: MONITORING FREEDOM OF ASSOCIATION

Examples of monitoring questions and observations to make on freedom of association

- Are workers free to join any group of work i.e. Unions or workers committees?
- Are workers represented by anyone or any group?
- Are the representatives being discriminated against based on their status?
- Are the Grievance Mechanisms in place and are they being utilized effectively?



3.7 GUIDING PRINCIPLE: COMPLIANCE WITH THE LAW

Definition:

COMPLIANCE WITH THE LAW: This refers to farmers conforming or adapting to laws regarding workers' rights and terms of employment that meet the requirements of the country's laws.

KEY STANDARDS

FARMERS ARE TO COMPLY WITH ALL ZIMBABWEAN LAWS AS PRESCRIBED IN:	i) the Labour Act, and ii) the Collective Bargaining Agreement for the Agriculture Industry Statutory Instrument (SI) 41 of 2022 and any other relevant legislations.
EMPLOYEE CONTRACT AGREEMENT	According to SI 41 of 2022, an employer shall inform every employee, in writing, upon engagement, of the nature of his or her contract (terms and conditions of employment). Workers must receive a signed copy of their contract.

NB: Adhering to NEC minimum wage does NOT mean a grower may not give additional benefits to his/her workers.



EXERCISE 7: MONITORING COMPLIANCE WITH THE LAWS OF ZIMBABWE

Examples of monitoring questions and observations to make on compliance with the laws of Zimbabwe

- Have both farmer and worker signed a written contract? **NB: SI 41 of 2022 notes that every employee must have a signed contract.**
- Are all agreed terms of employment (the work to be performed, working hours, wages to be paid, the period of employment and all legally mandated benefits) stipulated in the contract?
- Is the contract available for checking?
- Is the agreement in line with national labour laws?
- Does the farmer keep a file with copies of documents that relate to employment such as copy of contract, wage payments and copy of national ID for each employee?
- Do workers have regular pay days?
- Are they paid at least once per month (for monthly paid employees) **NB: SI 41 of 2022 notes that every worker must be paid regularly, i.e. at least monthly. Task- based workers are to be paid after task completion.**



4.0 MONITORING GUIDELINES

In conducting monitoring in ALP, the Field technician seeks to understand the grower base and key risks through:

- Observing ALP measurable indicators.
- Speaking to the farmer and note down observations.
- Working with team to develop short- and long-term responses.
- Escalating breaches.

4.1 PROCEDURE FOR OBSERVATION

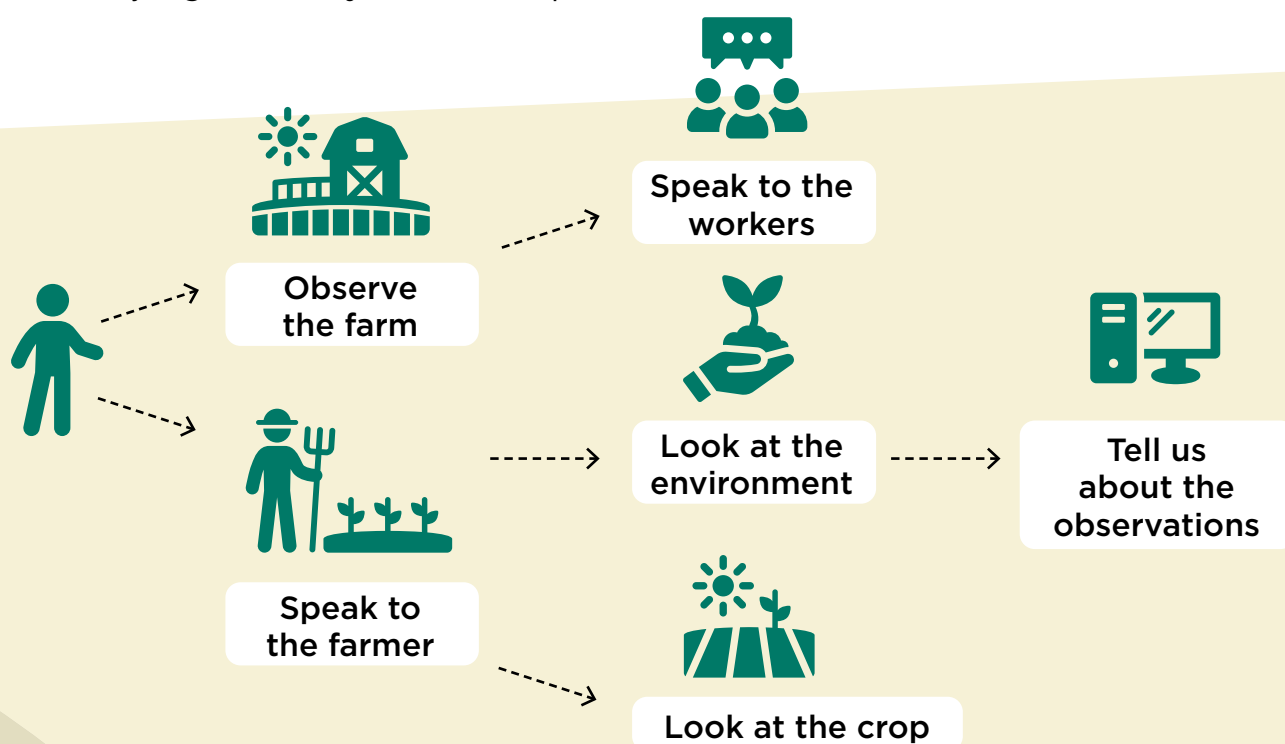
Definition:

An **OBSERVATION** is: using your skills to determine how well a farmer is following protocol and whether they need additional training to effectively manage their crop, labour and growing activities.

NB: Observing does NOT entail only looking. It is particularly helpful to ask open-ended questions:

✓ **WHY?** ✓ **WHEN?** ✓ **HOW?** ✓ **WHO?** ✓ **WHERE?**

These questions will help you to make a judgment on your next steps.



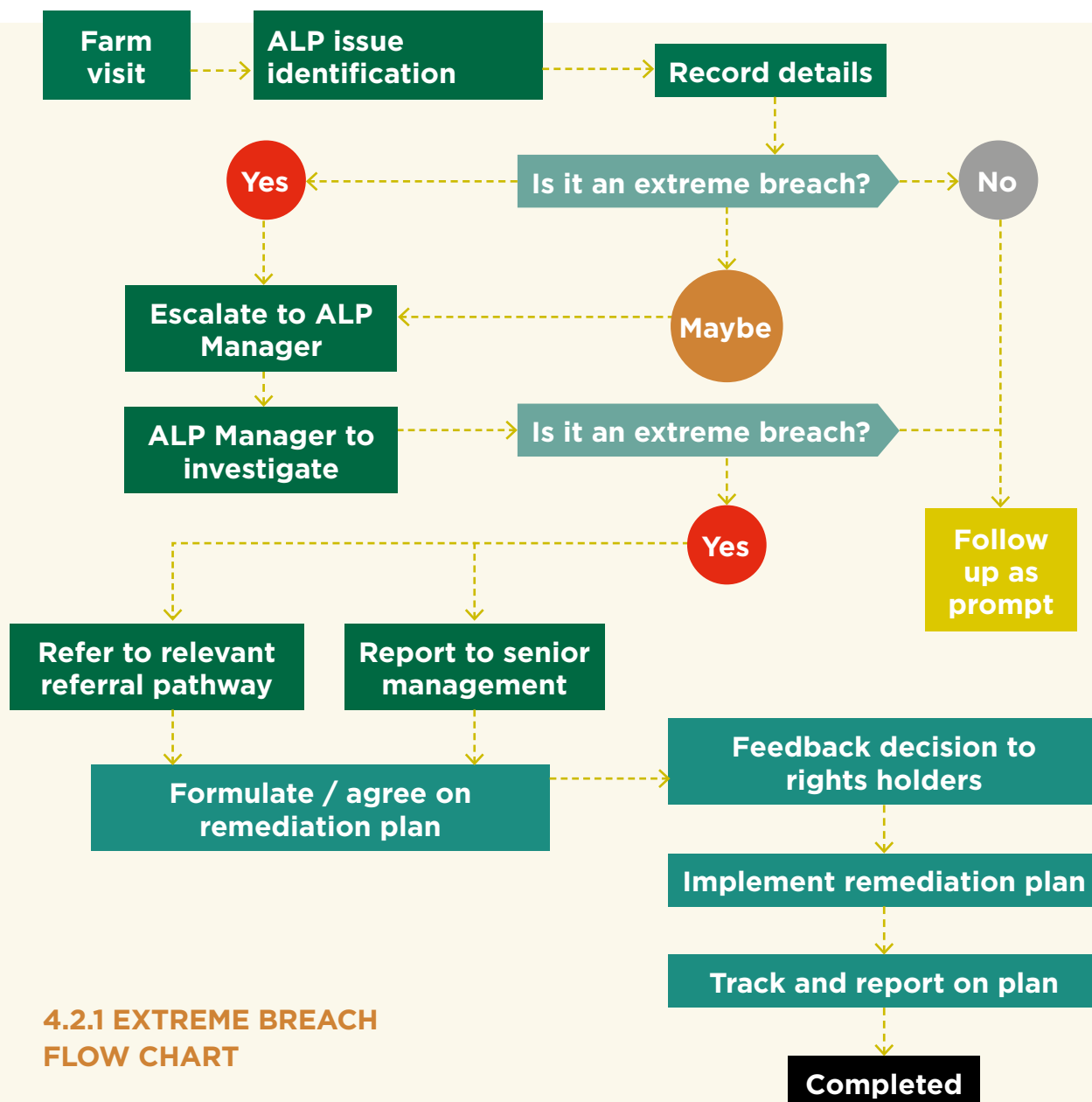
4.2 EXTREME BREACH

These are defined as situations where there is a severe risk to life, limb, or liberty of individual through lack of awareness or intentional actions of others.

Extreme breaches include:

- Slavery/ forced labour
- Human trafficking
- Systematic serious abuse
- Worst forms of child labour
- Child labour (including employment of children under 18)

These necessitate a zero-tolerance approach and the activity should be stopped immediately. An extreme breach is to be escalated to a line supervisor who should determine a specific and durable course of action to prevent a recurrence. Extreme breaches require continuous monitoring to ensure they do not recur.



4.2.1 EXTREME BREACH
FLOW CHART

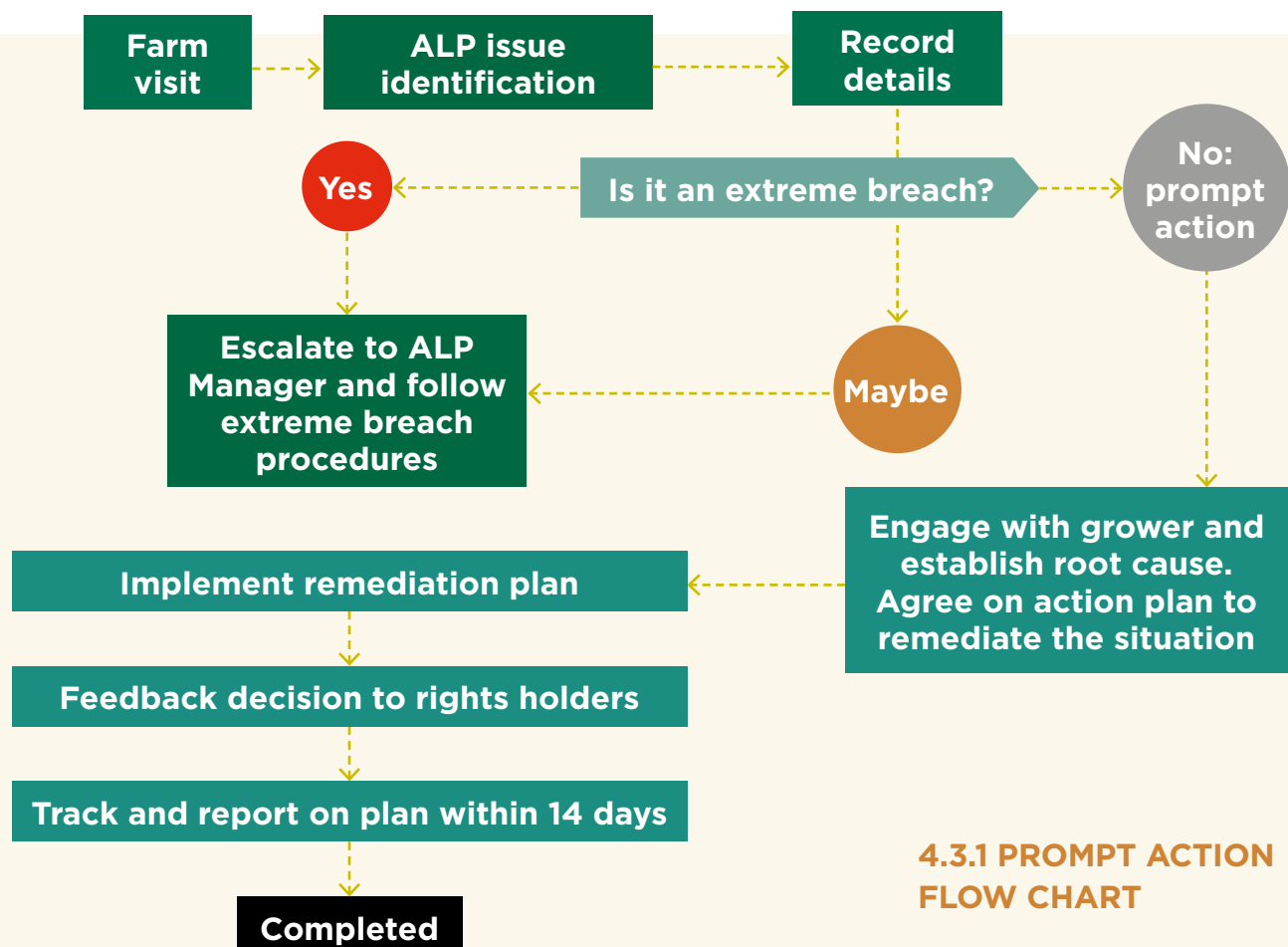
4.3 PROMPT ACTION

This is carried out in situations where, through negligence or ignorance, an individual's actions are deemed an immediate or prolonged risk to themselves or others around them. A prompt action response would entail grower and worker sensitization and training to fully acknowledge the impending risks and provide action plans to mitigate or otherwise eliminate such risks.

Examples of where prompt action issues are:

- Lack of suitable or adequate personal protective equipment (PPE), for example when barn loading, working with green tobacco or with agrochemicals.
- Failure to store and handle agrochemicals or other hazardous substances in a safe manner.
- Failure to secure and guard hazards on farm such as dangerous machinery or tools.
- Hazardous tasks performed by persons that are not trained to perform the task.

These warrant a zero-tolerance approach with immediate escalation to a line supervisor to enact due procedures to determine a specific and durable course of action to prevent a recurrence. Extreme breaches require monitoring to protect those in danger should the behaviour that instigated the breach continue to occur after the case has been opened.





FOLLOW UP VISITS

Upon agreement of a course of action to resolve the issue, follow up visits must be made to monitor the situation and report on progress made. For extreme breaches, the activity should be stopped immediately with agreement on an action plan and follow up must occur within 7 days of the initial report while prompt action cases must be followed up within 14-21 days. Such follow-ups should include impromptu visits to ensure that the growers' actions are not a result of their awareness of being observed at stipulated or regular intervals.

GROWER REPORTING INFORMATION

The collected information must include but may not be limited to the details of the breach, date of inspection, crop stage, and agreed action plan with the farmer and the workers.

Follow-up visit data must include follow up date, crop stage, the status of the agreed action plan with the farmer and support provided to the farmer. Where impacts have been remediated, the rationale for closing the case and the closing date should also be provided. Collected data should be consolidated into monthly and annual reports that are submitted to the TIMB for guiding policy and identifying and formulating future trainings.

CASE CLOSURE

In the event of satisfactory progress made to resolve the breaches, a case may be closed but records must be kept. If non-response or non-cooperation is observed, the relevant field staff employee must escalate the issue to his/her immediate supervisor.

[illegible]



The Tobacco Working Group on Child Labour (TWCL) was formed in 2021 to coordinate, strengthen and leverage action plans on child labour in the Zimbabwe tobacco industry, using the Agricultural Labour Practices (ALP) programme as a de facto standard.

CONTACT

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