



TEA ASSOCIATION OF MALAWI (TAML)

CHILD LABOUR POLICY



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ACKNOWLEDGEMENTS AND FOREWORD

The Tea Association of Malawi Limited (TAML) has developed a Child Labour Policy as a demonstration of its continued commitment to ensuring that the tea value chain remains free of the vice of child labour.

TAML adopted a policy of zero tolerance of child labour which has led to the elimination of child labour within the industry. However there still exists a perception of the existence of child labour among smallholder tea producers. The Policy seeks to address this misconception among other objectives.

TAML with the support from International Labour Organization (ILO) from 2020 to 2024 implemented the Accelerating Action for the Elimination of Child Labour in Supply Chains in Africa (ACCEL) Project. Further I wish to acknowledge the Government of Netherlands for the financial support forwards this undertaking.

The Policy applies to all members of TAML (being estates and smallholder tea producers), contractors and service providers to TAML members. The Policy will provide overall guidance to members and will facilitate consolidation of the gains made this far in the industry on child labour.

The Policy was developed through a consultative process involving several stakeholders and review of relevant laws and national policies.

TAML is grateful to the International Labour Organization for providing the required financial resources for the policy development.

I, therefore, call upon all TAML members and stakeholders to be committed to implementing this policy.

Sangwani Hara

Board Chairperson

Tea Association of Malawi Limited

PREFACE

Tea has been one of the cornerstones of Malawi's agricultural landscape for nearly a century, with the Tea Association of Malawi Limited (TAML) serving as its steadfast guardian since its establishment in 1934. TAML has a membership spanning from nine large commercial estates to over twenty-threethousand smallholder tea growers.

As the third largest export commodity, tea contributes significantly to Malawi's economy, comprising 4% of the national GDP. TAML, in consonance with national legislation and international standards, has adopted a zero-tolerance policy towards child labour, setting stringent guidelines to ensure compliance by all its members, contractors and service providers to the industry.

This Policy therefore outlines TAML's concerted efforts to sustain the tea industry gains and best practices on child labour for a continued child labour-free operating environment for the tea industry.

Tonda Chinangwa
Chief Executive Officer
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ACKNOWLEDGEMENTS AND FOREWORD.....	i
PREFACE.....	ii
LIST OF ABBREVIATIONS AND ACRONYMS.....	iv
GLOSSARY OF TERMS AND DEFINITIONS.....	v
1. INTRODUCTION.....	1
2. BACKGROUND.....	1
3. POLICY STATEMENT ON CHILD LABOUR.....	2
4. PURPOSE OF THE POLICY.....	3
5. POLICY GOAL.....	3
6. POLICY OBJECTIVES.....	3
7. POLICY OUTCOMES.....	4
8. SCOPE OF APPLICATION OF THE POLICY.....	4
9. LEGAL FRAMEWORK AND LINKAGE WITH NATIONAL POLICIES.....	4
10. GUIDING PRINCIPLES OF THIS POLICY.....	5
11. CHILD WORK AND PASSING OF FAMILIAL SKILLS FOR SMALLHOLDER.....	6
12. ROLES AND RESPONSIBILITIES.....	6
13. REPORTING OF SUSPECTED INCIDENTS.....	7
14. COMPLIANCE, MONITORING AND REVIEW.....	7
15. ARRANGEMENTS FOR IMPLEMENTATION.....	8
16. APPROVAL AND COMMENCEMENT OF THE POLICY.....	8

LIST OF ABBREVIATIONS AND ACRONYMS

DTSCLEAC	District Tea Industry Child Labour Elimination Advisory Committee
ECAM	Employers Consultative Association of Malawi
ECDE	Early Childhood Development Education
ILO	International Labour Organization
M&E	Monitoring and Evaluation
MSME	Micro, Small, and Medium Enterprise
PAWU	Plantation Agriculture Workers Union
SDG	Sustainable Development Goal
TAML	Tea Association of Malawi Limited

GLOSSARY OF TERMS AND DEFINITIONS

Child	Any person who is below the age of 18 years of age
Child Labour	Any form of work that deprives children (persons below the age of 18 years, this does not include child work which is legally permissible work which a child can perform) of their childhood, potential, and dignity, while also causing harm to their physical and/or mental development
Child Protection	Measures and frameworks developed to prevent and address incidents of abuse, neglect, exploitation, and violence affecting children
Child Rights	Universal freedoms and entitlements granted to individuals under the age of 18, irrespective of their race, colour, gender, language, religion, opinions, origins, wealth, birth status, or ability
Decent Work	Productive work that provides fair remuneration, workplace safety and social protection for all, improved opportunities for personal growth and social integration, freedom to voice concerns, organize, and participate in decisions that affect their lives and equality of opportunity and treatment for all women and men
Tea industry	This covers the private tea estates, smallholder tea farms, permanent and temporary workers.
Slave labour	Slave labour, also known as slavery, is a form of exploitation where individuals are coerced or forced to work against their will, often under harsh conditions, without proper compensation or autonomy.

1. INTRODUCTION

Tea Association of Malawi Limited (TAML) was established in 1934 and registered in 1936 as (Tea Association (Central Africa) Limited). TAML is a membership organization of tea producers in Malawi from Mulanje, Thyolo and Nkhata-Bay Districts. The membership includes nine commercial tea estates and over 23, 0000 smallholder tea growers who are represented by the National Smallholder Tea Growers Association (NSRTGA). The tea industry employs over 60,000 workers on both permanent and seasonal basis who work in the tea fields, factories and administration offices. Further, the industry also supports the economic activities of surrounding communities indirectly through, the provision of health care, schools, and CSR among others. The Tea Industry remains committed to respecting human rights.

2. BACKGROUND

TAML adopted a policy of zero tolerance of child labour which has led to the elimination of child labour within the industry. However there still exist a perception of the existence of child labour among smallholder tea producers. The Policy seeks to address this misconception among other objectives.

TAML with the support from International Labour Organisation (ILO) from 2020 to 2024 implemented the Accelerating Action for the Elimination of Child Labour in Supply Chains in Africa (ACCEL) Project. The project aimed at promoting enhanced national legislation, policies and monitoring structures. Among others the project established the District Child Labour Compliance Taskforce, District Child Labour Focal Point Persons as part of the child labour monitoring mechanism at District level.

Further TAML with the support from ILO established a child labour monitoring system (CLMS) covering TAML members and smallholder growers. The CLMS will enable industry actors in the tea supply chain in Malawi to prevent, detect, report and remediate suspected child labour incidents. TAML has continued to conduct awareness programs with smallholder tea farmers on child labour. TAML continues to collaborate with Government and tripartite partners in conducting Joint Labour Inspection to monitor compliance with labour legislation within the industry.

3. POLICY STATEMENT ON CHILD LABOUR

TAML is committed to full compliance with national legal requirements, international legal standards and international certification standards on prohibition of child labour. TAML has adopted and implemented a zero tolerance to child labour policy position. In furtherance of this policy TAML:

- 3.1. prohibits all its members (including smallholder tea farmers) from employing, engaging or involving children in the production of tea among its members including the smallholder tea producers;
- 3.2. prescribes eighteen years as the minimum age for employment in the tea industry for fieldwork;
- 3.3. prescribes twenty-one years as the minimum age for employment in the tea industry in the factory including handling machinery,
- 3.4. prescribes the mandatory production of a National Identity Card issued by the Malawi Government (proving that one is above the prescribed age limits) as a precondition to recruitment in the tea industry;

- 3.5. prohibits all its members from contracting with, or using the services of, any supplier, contractor, service provider or representative who employs or engages, or otherwise directly or indirectly utilizes the services of any person under the age of 18 years.

4. PURPOSE OF THE POLICY

The Policy aims to uphold the commitment to a child labour free tea industry. Further the Policy aims to sustain the tea industry gains and best practices on child labour through providing guidance, enhancing institutional capacity, reporting and monitoring mechanisms, continuous awareness programs for employees and members on their responsibilities under this Policy.

5. POLICY GOAL

The primary goal of the Policy is to provide a framework for a continued child labour-free tea industry in Malawi.

6. POLICY OBJECTIVES

The Policy seeks to achieve the following specific objectives :

- 6.1. Enhance effective coordination and collaboration in sustaining the tea industry gains and best practices for preventing child labour.
- 6.2. To enhance the monitoring, tracking, and reporting of suspected child labour within the tea industry
- 6.3. To capacitate all TAML members (including smallholder tea farmers) and ensure effective implementation and adherence to child labour prevention policies, guidelines, laws and procedures.

7. POLICY OUTCOMES

The following are the Policy outcomes to be achieved as a result of achieving the Policy objectives:

- 7.1. Strengthened monitoring, tracking and reporting of child labour systems and mechanisms among TAML members and smallholder farmers.
- 7.2. Perception of the existence of child labour among smallholder tea farmers addressed.
- 7.3. Empowered and well-knowledgeable smallholder farmer associations and members on issues of child labour and passing of familial skills to future generations
- 7.4. Enhanced internal and external coordination and collaboration among tea industrystakeholders on the delivery of child labour prevention services.

8. SCOPE OF APPLICATION OF THE POLICY

This Policy applies to:

- 8.1. All TAML members (commercial estates and smallholder tea farmers),
- 8.2. All contractors or service providers of the tea industry who must read and commit to complying with this policy before signing any contract for services or accessing funding for any projects funded by the tea industry or TAML,
- 8.3. All clients accessing goods and services in the tea industry.

9. LEGAL FRAMEWORK AND LINKAGE WITH NATIONAL POLICIES

This Policy is guided and aligned to the following related legislation, policies in Malawi and international legal standards including:

- 9.1. National Children's Policy,
- 9.2. Employment Act ,
- 9.3. Child Care, Protection and Justice Act ,
- 9.4. Gender Equality Act ,
- 9.5. Prevention of Domestic Violence Act ,
- 9.6. International Labour Organization (ILO) conventions 181 and 182 138,
- 9.7. the United Nations' Rights of the Child Convention.

No provision in this Policy supersedes modifies, or replaces any of the above legal frameworks.

10. GUIDING PRINCIPLES OF THIS POLICY

This Policy is based on and shall be guided by the following principles:

- 10.1. **Effective and responsible business conduct:** The corporate responsibility of TAML members to respect human rights in their operations including to avoid causing or contributing to adverse impacts and address such impacts when they occur;
- 10.2. **Due diligence:** TAML and its members to carry out due diligence to identify, prevent, mitigate and account for how they address potential adverse impacts in their operations,
- 10.3. **Effective abolition of child labour:** TAML and its members respect and fully comply with the national laws on employment including on the minimum age for admission to employment or work in order sustain to the tea industry as a child labour free operating environment.
- 10.4. **Compliance with national laws:** TAML Members operations and activities will continue to be consistent with national laws

and in harmony with the development priorities and social aims and structure of the country.

11. CHILD WORK AND PASSING OF FAMILIAL SKILLS FOR SMALLHOLDER

TAML recognizes the distinction drawn by the law between “child labour” and “child work” or “light work”. The law permits that children may carry out work that does not affect their health and personal development or interfere with their schooling, and which may have a positive impact on their development. TAML recognizes that smallholder farmers (outside school hours or on holidays) may desire to pass on their skills and experience on tea production to their children to prepare them to take over the family tea business in their adult life. TAML will develop appropriate guidance in compliance with the law to facilitate compliant passing of familial skills for smallholder farmers .

12. ROLES AND RESPONSIBILITIES

The ultimate responsibility for the implementation of this Policy rest with TAML and its members. The following shall be responsible for:

- 12.1.1. The Board shall provide vital oversight and direction on child labour prevention efforts in the tea industry,.
- 12.1.2. Industrial Relations Committee on behalf of the Boardshall receive andconsider reports from members, audits, and investigations on child labour and willsubmit periodic reports to the Board.
- 12.1.3. TAML Secretariatwill be responsible for implementing the Policy including awareness campaigns and enforcement,

conducting audits, engagement with stakeholders, and produce relevant reports.

12.1.4. TAML members shall adhere to this Policy in all their operations to ensure the non-existence of child labour in the tea industry in Malawi. The member estates will appoint an officer to be the Focal Person for Child Labour and responsible for coordinating with the TAML Secretariate and other stakeholders in the implementation of the Policy.

12.1.5. NSTGA shall play a role in facilitating implementation of this Policy among smallholder members through the affiliated associations. NSTGA shall submit periodic reports to TAML on Policy implementation.

12.1.6. Plantation Agricultural Workers Union (PAWU) shall coordinate with TAML in cascading the awareness of the Policy to all workers in the tea industry.

13. REPORTING OF SUSPECTED INCIDENTS

TAML shall establish formal procedures of reporting, investigating, and resolving or referral to appropriate authorities for suspected incidents of Child Labour or of children at risk of child labour within the tea industry.

14. COMPLIANCE, MONITORING AND REVIEW

14.1. TAML shall monitor the compliance of all members to this Policy. TAML will monitor Policy implementation guided by an appropriate monitoring and evaluation framework which shall include periodic reporting and monitoring inspections. Noncompliance by any TAML member of the Policy will lead to disciplinary action including exclusion from membership after

due process by the TAML Board. TAML will prescribe enforcement mechanisms for promoting accountability among its members.

14.2. TAML will continue to collaborate with Government and tripartite partners in conducting Joint Labour Inspection to monitor compliance with labour legislation within the tea industry.

14.3. The TAML Secretariat will implement a complaint-reporting mechanism to address suspected incidents of child labour. TAML will collaborate with Government address structures and committees in the tea industry.

14.4. This Policy shall be reviewed at least every 5 years and adapted appropriately to ensure that it continues to meet the business and service delivery requirements of TAML ; addresses emerging issues and is in line with prevailing legal and policy requirements in Malawi.

15. ARRANGEMENTS FOR IMPLEMENTATION

Upon approval of this Policy, TAML shall disseminate the Policy to all members, contractors and service provider to the industry. TAML shall also provide members and stakeholders with the necessary training and awareness about the provisions in this Policy. TAML shall develop implementation plans with priorities for the effective implementation of this Policy.

16. APPROVAL AND COMMENCEMENT OF THE POLICY

This Child Labour Policy for Tea Association of Malawi was duly approved by the TAML Board and is effective from 7th Day of April 2025.



Ministry of Foreign Affairs of the
Netherlands



International
Labour
Organization