

Complaint against Ahold Delhaize on Violations of the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct

Complaint filed to:

National Contact Point for the OECD-guidelines for multinational enterprises
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Subject of complaint:

This complaint concerns Human Rights (Chapter IV) and Disclosure (Chapter III) violations in the supply chain of Ahold Delhaize's subsidiary Hannaford, in the Northeast region of the U.S.

Date complaint filed:

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Executive Summary

The following complaint highlights the grave human rights violations in the supply chain of Ahold Delhaize and calls on the National Contact Point (NCP) to address the company's failure to align with the OECD Guidelines for Multinational Enterprises. It does so by the way of the following chapters.

Chapter 6 of the complaint **outlines the relationships** within the supply chain, identifying Ahold Delhaize as the parent company of Hannaford, which obtains dairy products from farms associated with human rights violations. It highlights that Ahold Delhaize is **directly linked** to and **contributes** to these adverse impacts. This chapter demonstrates that Ahold Delhaize holds considerable leverage over Hannaford and, by extension, has responsibility over the entire supply chains' practices.

Chapter 7 details violations of internationally recognized **human rights instruments** occurring on dairy farms within Ahold Delhaize's supply chain. The violations pertain to inadequate living conditions, right to privacy, right to security, right to security of tenure and freedom from retaliation, right to limitation of working hours, freedom from forced labor, right to safe working environment, right to non-discrimination and equal treatment.

Chapter 8 offers a detailed account of how Ahold Delhaize has failed to meet its **due diligence obligations** under the OECD Guidelines, including its failure to disclose relevant documents to both the public and the employees. This lack of due diligence stems from shortcomings in auditing procedures and an ineffective complaint mechanism that does not meet the standards set by the OECD Guidelines. By failing to conduct due diligence and adequate disclosure, the chapter establishes Ahold Delhaize's **direct responsibility** for the human rights violations occurring within its supply chain.

Chapter 9 discusses Ahold Delhaize's refusal to join the Milk with Dignity Program, a proven initiative that enhances labor rights and transparency in the dairy supply chain. Despite its success, including significant improvements in Ben & Jerry's supply chain since 2017, Ahold Delhaize, through Hannaford, cites concerns over scalability and focus. The program aligns with OECD Guidelines on due diligence and human rights protections, offering a framework currently absent from Ahold Delhaize's practices. Adopting it would address human rights risks and improve adherence to international standards.

Lastly, **Chapter 10** establishes the Complainant's expectations and urges the National Contact Point to engage directly with Ahold Delhaize to address its lack of alignment with the OECD Guidelines for Multinational Enterprises.

This complaint is compiled on the basis of individual worker testimonies as well as detailed research carried out by Migrant Justice.

1. Introduction

Over the last fifty years, there has been pressure on U.S. agriculture, due to globalization and increased power of multinational corporations.¹ The pressure to increase production while minimizing costs has driven many farmers to leave the industry, while others have scaled up and industrialized their operations.² “The restructuring of the agri-food economy has intensified demands for low-wage, non-union, exploitable labor in rural places”.³ These adverse conditions within the industry and the lack of responsibility taken from the multinational corporations has exacerbated the negative human rights impacts linked to the agriculture industry. Migrant Justice, fueled by the accumulation of violations, aims to foster dialogue through the complaint and highlight the societal significance of the issue at hand.

Migrant Justice (complainant) is filing this OECD Complaint against Ahold Delhaize (respondent) to urge the company to join the Milk with Dignity Program, which is a worker-driven social responsibility program with the goal of improving conditions and protecting rights of workers in the dairy industry. Given that Ahold Delhaize owns the Hannaford brand, the Milk with Dignity Program is especially relevant, as it addresses human rights violations in the company's supply chain. [Investors](#) within the Hannaford brand have also urged the company to join the Milk with Dignity Program in response to allegations of human rights violations.⁴ Migrant Justice has been actively tracking human rights violations in Ahold Delhaize and thereby Hannaford's supply chain since 2019. However, since the organisation was founded because of violations of workers' rights already in 2009 and has

¹ J.C. Keller, M. Gray, & J.L. Harrison, *Milking Workers, Breaking Bodies: Health Inequality in the Dairy Industry* (New Labor Forum 2017) 26(1), New Labor Forum 36-44, <https://doi.org/10.1177/1095796016681763>.

² *ibid*; The Guardian, *US Dairy Policies Hurt Small Farms, Monopolies get Rich* (January 2023), accessed 28 November 2024,

<https://www.theguardian.com/environment/2023/jan/31/us-dairy-policies-hurt-small-farms-monopolies-get-rich>.

³ J.C. Keller, M. Gray, & J.L. Harrison, *Milking Workers, Breaking Bodies: Health Inequality in the Dairy Industry* (New Labor Forum 2017) 26(1), New Labor Forum 36-44, <https://doi.org/10.1177/1095796016681763>.

⁴ VTDigger, *Investors urge Hannaford Supermarkets to join Migrant Justice's Milk with Dignity campaign*, (25 June, 2021) accessed 4 December 2024,

<https://vtdigger.org/2021/06/25/investors-urge-hannaford-supermarkets-to-join-migrant-justices-milk-with-dignity-campaign/>

been receiving complaints from dairy workers ever since, it can be safely stated that violations have been occurring since before Hannaford became part of Ahold Delhaize in 2016.

Ahold's failure to properly conduct due diligence and provide sufficient disclosures has allowed severe human rights violations in the supply chain to persist, breaching the OECD Guidelines for Multinational Enterprises on several counts, also showcased later in the complaint (Chapter 7). The numerous worker testimonies collected by Migrant Justice highlight the clear violations of the standards.⁵ Workers reported that managers *"would force us to work extra hours, didn't allow us to take food breaks, and constantly insulted us"*⁶, describing poor conditions like *"bare plywood walls and ceilings with water dripping into bedrooms when it rains"*⁷, while some shared that *"we feel discriminated against because our employer thinks that as immigrants we don't deserve to ask for good working and housing conditions"*.⁸

The lack of accountability compromises the company's commitment to responsible business practices and jeopardises the rights and well-being of the (immigrant) workers on the dairy farms. Ahold Delhaize, as one of the biggest multinational companies, must adhere to responsible supply chain management.

Migrant Justice with the workers united in this collective is filing this complaint to ask the Dutch NCP to ascertain the respondent's breach of the following Chapters of the OECD Guidelines:

- Chapter II: General Policies 6
- Chapter III: Disclosure
- Chapter IV: Human Rights
- Chapter V: Employment and Industrial Relations

After multiple failed attempts to establish contact and engage in meaningful dialogue with Ahold Delhaize and Hannaford, Migrant Justice is now compelled to seek the intervention of the NCP. Our goal is to establish a framework for productive negotiations to ensure cooperation in preventing and remedying human rights abuses, and to hold the companies

⁵ Please find the collection of the testimonies attached in Annex B.

⁶ Annex B, EthicsPoint 13

⁷ Migrant Justice, *Hannaford's hotline fails farmworkers*,

<https://migrantjustice.net/hannaford%E2%80%99s-hotline-fails-farmworkers#:~:text=What%20has%20their%20experience%20shown,program%20to%20protect%20workers'%20rights.>, accessed 6 December, 2024

⁸ Annex B, EthicsPoint 5

(both Ahold Delhaize and Hannaford) accountable for their failure to comply with the OECD Guidelines.

2. The Complainant

[Migrant Justice](#) is a farmworker-led human rights organisation based in Vermont, United States (U.S.), also active in New York, New Hampshire, and Maine.⁹ Migrant Justice was founded in 2009 after young dairy worker José Obeth Santiz Cruz was pulled into a mechanized gutter scraper and strangled to death by his own clothing.¹⁰ As of November 2024, 2562 dairy workers have become members of the network since its foundation in 2009. The organisation provides migrant workers with the knowledge and skills to create systemic change in their industry. Migrant Justice has so far effectively campaigned for policy change regarding racial profiling, unlawful detention of migrants, accessibility of education for immigrants and many [more](#).¹¹

The worker-driven social responsibility program Milk with Dignity run by Migrant Justice aims at improving labour and housing conditions for workers in the dairy industry as well as enhancing relations between farmers and their employees.¹² The program will be assessed in detail in Chapter 9. As of 2024, the Milk with Dignity protects more than 250 dairy workers¹³, who receive education on their fundamental rights and responsibilities and can rely on an effective complaint and remedy mechanism overseen by Migrant Justice. The 54 participating farms commit to dignified working hours and compensation and an audit process by the independent Milk with Dignity Standards Council.¹⁴ Migrant Justice has been actively campaigning to encourage Ahold Delhaize and its U.S.-based subsidiary to join the program since 2019.

⁹ Migrant Justice, *About Migrant Justice*, accessed 4 December 2024, <https://migrantjustice.net/about> (n.d.).
¹⁰ J. Brannan, *Beacon*, accessed 4 December 2024, working conditions on Maine farm <https://mainebeacon.com/dairy-workers-demand-hannaford-improve-working-conditions-on-maine-farms/>.

¹¹ *ibid.*

¹² Migrant Justice, *The Milk with Dignity Program* (2017) accessed 4 December 2024, <https://migrantjustice.net/sites/default/files/2017-10-02-MD-Program-Description-for-Signing.pdf>

¹³ Migrant Justice, *About the Milk with Dignity Program* (2018) accessed 4 December 2024, <https://migrantjustice.net/about-the-milk-with-dignity-program>

¹⁴ Migrant Justice, *Milk with Dignity Program Report 2018-2024* (2024) accessed 9 January 2025, <https://migrantjustice.net/sites/default/files/2024MDReport.pdf>

3. The Respondent

Ahold Delhaize is a multinational company headquartered in the Netherlands. With its 402,000 associates and 7,716 stores globally, the company reported net sales of € 88.6 billion in 2023.¹⁵ The corporation operates a large network of supermarkets and grocery stores, primarily across the U.S. and Europe. The company's subsidiaries include a number of brands, amongst them the American supermarket chain Hannaford.

4. Jurisdiction of the Dutch National Contact Point

The OECD Guidelines are applicable to multinational companies, which are 'established in more than one country' and deeply interconnected in their operations.¹⁶ Ahold Delhaize falls into this category, operating entities across 11 countries. The issues arising within the dairy farms in the U.S. can be directly linked to Ahold Delhaize's due diligence efforts, which cover issues arising in the supply chain of its subsidiary Hannaford. This complaint addresses failures to conduct adequate due diligence by a multinational company headquartered in the Netherlands and therefore lies within the jurisdiction of the Dutch NCP.

By admitting this complaint, the NCP has the opportunity to provide good offices to the negotiating parties. Thereby, the NCP would contribute to finding a sustainable solution to the problems arising in the supply chain of a multinational company with a considerable market share, which could further influence other companies active in the agricultural industry. Finding a long-term solution to prevent future abuses would therefore contribute to the purposes and effectiveness of the Guidelines in a wider context by minimizing the adverse impacts not only of Ahold Delhaize but also of other companies active in the sector.

5. Complainant's Previous Attempts to Make Contact

In 2019, Migrant Justice initially approached Hannaford with the possibility to join the Milk with Dignity Program and requested an in-person [meeting](#).¹⁷ Hannaford did not reply to the letter, even after follow-up communication from the organisation one month later, as well as multiple phone calls. In October 2019, Migrant Justice publicly called on Hannaford to join

¹⁵ Ahold Delhaize, *Annual Report 2023* (2023), pg. 10 and 16.

¹⁶ OECD, *Concepts and Principles* (2011) accessed 4 December 2024, <https://mneguidelines.oecd.org/2011Concepts&Principles.pdf>, p. 17

¹⁷ Migrant Justice, *Letter to Hannaford CEO* (16 August 2019) accessed 4 December 2024, <https://migrantjustice.net/sites/default/files/2019-08-14%20letter%20to%20Hannaford.pdf>

the [program](#)¹⁸ and organised a number of [protests](#)¹⁹ [against](#)²⁰ [human](#)²¹ rights violations on farms throughout the following years.²² In a [letter](#) in January 2020,²³ Migrant Justice attached a petition from 3500 signers supporting the [request](#).²⁴ In August 2022, Migrant Justice representatives requested to meet with Hannaford managers again, but were however turned [away](#).²⁵ Between 2020 and 2023, multiple [organisations](#)²⁶, among them [agricultural](#)²⁷ [worker](#)²⁸ [unions](#)²⁹ and [religious](#)³⁰ [organisations](#)³¹, reached out to Hannaford in support of Migrant Justice. In addition, supporters sent thousands of emails to Hannaford's executives through [Action Network](#). Hannaford still remained unresponsive. Comments on Hannaford's social media pages by Migrant Justice with invitations to join the program were removed by Hannaford and users were threatened that their accounts might be blocked from commenting on Hannaford's page (see Annex A).

¹⁸ J. Dawson, *Migrant Justice urges Hannaford to join 'Milk with Dignity' program* (3 October 2019) accessed 4 December 2024,

<https://vtdigger.org/2019/10/03/migrant-justice-urges-hannaford-to-join-milk-with-dignity-program/>

²² *Migrant Justice, Hundreds across New England (1 to April 2019)*, accessed 3 December 2024,

<https://migrantjustice.net/Day-of-action-recap>

²⁰ Migrant Justice, *Call Hannaford to Demand Milk with Dignity!* (3 March 2021), accessed 4 December 2024,

<https://migrantjustice.net/news/call-hannaford-to-demand-milk-with-dignity>

²³ Migrant Justice, *Hundreds hit the Streets on International Workers' Day: 30 Milk with Dignity Actions at Hannafords across the Northeast*, accessed 4 December 2024,

<https://migrantjustice.net/2022MaydayRecapVideo>

²⁴ More examples of public action organised by Migrant Justice against Ahold Delhaize and Hannaford can be found on the website of Migrant Justice <<https://migrantjustice.net/in-the-news>>

²³ Migrant Justice, *Second Letter to Hannaford CEO* (6 January 2020), accessed 4 December 2024,

<https://migrantjustice.net/sites/default/files/2020-01-06%20Letter%20to%20Hannaford.pdf>

²⁴ Migrant Justice, *On MLK Day, Announcing the 'Dignity Tour'* (20 January 2020), accessed 4 December 2024,

<https://migrantjustice.net/news/on-mlk-day-announcing-the-dignity-tour>

²⁵ Migrant Justice, *'We will Work with the Same Tenacity to Create a Better Future': Milk With Dignity Campaign comes to Hannaford's Headquarters!* (18 February 2022), accessed 4 December 2024,

<https://migrantjustice.net/Hannaford-HQ>

²⁶ Vermont Renews, *Letter to Hannaford CEO* (24 April 2023), accessed 4 December 2024,

<https://migrantjustice.net/sites/default/files/2023.04.24.Renews.Letter.Hannaford.pdf>

²⁷ Migrant Justice, *13 Food and Agriculture Organizations Call on Hannaford to Join Milk with Dignity* (27 November 2020), accessed 4 December 2024, <https://migrantjustice.net/food-org-letter-to-hannaford>

²⁸ Maine AFL-CIO, *Letter to Hannaford CEO* (8 June 2023), accessed 4 December 2024,

<https://migrantjustice.net/sites/default/files/Ltr%20ME%20AFL%20to%20Hannaford%20-%20support%20MW D%202023-06-08.pdf>

²⁹ National Farm Worker Ministry, *Letter to Hannaford CEO* (16 November 2020), accessed 4 December 2024, [https://migrantjustice.net/sites/default/files/2020%20NFWM%20letter%20to%20Hannaford%20Supermarkets.p](https://migrantjustice.net/sites/default/files/2020%20NFWM%20letter%20to%20Hannaford%20Supermarkets.pdf)

[df](#)

³⁰ T'ruah, *Letter to Hannaford CEO* (2 October 2019), accessed 4 December 2024,

<https://migrantjustice.net/sites/default/files/T%27ruah%20letter%20of%20support%20for%20Migrant%20Justice.pdf>

³¹ National Council of Churches, *Letter to Hannaford CEO* (3 October 2019), accessed 4 December 2024,

<https://migrantjustice.net/sites/default/files/NCC%20Ltr%20to%20Hannaford%2010.03.19.pdf>

The [Business and Human Rights Resource Center](#)³² contacted Ahold Delhaize and Hannaford in June 2023 regarding Migrant Justice's campaign with evidence of human rights violations in their dairy supply chain in the U.S. Both the parent company and the subsidiary replied to this letter, recognizing migrant workers as a vulnerable group. The replies cited Ahold's Standards of Engagement and Human Rights Report, arguing that Ahold Delhaize had sufficient procedures in place to prevent human rights violations in its supply [chain](#).³³ Moreover, the Speak-Up Line, Ahold Delhaize's internal platform for filing complaints, was mentioned as an effective complaint and remedy mechanism. [Hannaford](#)³⁴ further mentioned that the internal assessment procedure 'Farmers Assuring Responsible Management' (FARM) did not find any evidence of inadequate working and living conditions. This complaint will evaluate both mechanisms in Chapter 8. Both companies rejected the call to join the Milk with Dignity program.

In March 2024, Migrant Justice [responded](#)³⁵ to each of the companies' claims with documented evidence that will be referred to later on in this complaint (see Chapters 7 and 8). Migrant Justice claimed that the due diligence processes and complaint mechanisms as well as protections of the workers from retaliation are far from adequate. Again, the organisation explained the Milk with Dignity program and its advantages for Hannaford and urged the companies to join the initiative.

In April 2024, Migrant Justice representatives [travelled to The Netherlands](#)³⁶ to meet with Ahold Delhaize representatives in person but were [refused](#)³⁷ an appointment. In another effort to establish contact, Migrant Justice sent an email to the Investor Relations Department at

³² Business and Human Rights Resource Center, *USA: Workers Allege Abuse on Farms Supplying Hannaford Supermarkets, with Complaints Raised through Hotline Ignored* (21 June 2023), accessed 4 December 2024, <https://www.bhrrc.org/en/latest-news/usa-workers-allege-abuse-on-farms-supplying-hannaford-supermarkets-with-complaints-raised-through-hotline-ignored-incl-co-response/#timeline>.

³³ Ahold Delhaize, *Ahold Delhaize's response to the Business and Human Rights Resource Centre* (23 June 2023), accessed 4 December 2023, <https://media.business-humanrights.org/media/documents/AD - Business and HR Resource Centre Response 06232023.pdf>

³⁴ Hannaford Supermarkets, *Hannaford Response to Business and Human Rights Resource Centre*, accessed 4 December 2024, <https://media.business-humanrights.org/media/documents/Hannaford - Business and HR Resource Centre Response 06232023.pdf>

³⁵ Migrant Justice, *Rejoinder* (4 March 2024), accessed 4 December 2024, <https://media.business-humanrights.org/media/documents/2024 MJ rejoinder to Hannaford BHRRC Response.pdf>

³⁶ Migrant Justice, *Migrant Justice is Headed to The Netherlands!* (28 March 2024), accessed 4 December 2024, <https://migrantjustice.net/news/migrant-justice-is-headed-to-holland>

³⁷ Migrant Justice, *From Addison to Amsterdam, Fighting for Farmworker Rights* (11 April 2024), accessed 4 December 2024, <https://migrantjustice.net/news/from-addison-to-amsterdam-fighting-for-farmworker-rights>

Ahold Delhaize, which included worker testimonials demonstrating that the complaint mechanism was not operating properly as it did not provide workers with adequate remedies. It also called for Ahold Delhaize to join the Milk with Dignity program. Ahold Delhaize denied the allegations citing investigations carried out by Hannaford and supported Hannaford's decision not to join the [program](#).³⁸ The continuous effort of Migrant Justice, met with the refusal of Ahold Delhaize to engage and make meaningful changes, illustrates the company's unwillingness to address systemic human rights abuses within its supply chain.

6. Relationship between Ahold Delhaize, Hannaford and the Dairy Farms

This chapter assesses the relationship between Ahold Delhaize, its subsidiary Hannaford, and the dairy farms in the Northeast region of the U.S., where human rights violations occur. First, it will be established that Ahold Delhaize is the parent company of Hannaford, which sources dairy products directly from these farms. This chapter will then explore the issues surrounding the establishment of the relationship between Hannaford and its supply chain. Building on this, it will be argued that there is a direct link between Ahold Delhaize and the adverse impacts, and, additionally, that the three factors for contribution are met. Finally, the chapter will demonstrate that Ahold Delhaize holds considerable leverage over Hannaford and, by extension, has the power to influence its supply chain practices. The specific adverse impacts associated with this supply chain will be discussed in detail in Chapter 7.

6.1. Relationship between Ahold Delhaize, Hannaford and the Dairy Farms

The U.S. is Ahold Delhaize's biggest market, accounting for two-thirds of the company's total net sales³⁹. Ahold Delhaize operates nine subsidiaries in the U.S., including Hannaford. Ahold Delhaize has 100% ownership of Hannaford.⁴⁰ Hannaford became part of Ahold Delhaize in 2016.⁴¹ In 2023, Hannaford was one of the top-performing brands within Ahold Delhaize's U.S. segment.⁴² Among the five U.S. subsidiaries with retail operations, Hannaford offers both stores and pick-up points. Additionally, Ahold Delhaize's supply chain operations are

³⁸ Ahold Delhaize and Hannaford, *Response from Ahold Delhaize and Hannaford to Migrant Justice's Rejoinder* (15 March 2024), accessed 4 December 2024, https://media.business-humanrights.org/media/documents/Response_from_Ahold_Delhaize_and_Hannaford_to_Migrant_Justice.pdf

³⁹ Ahold Delhaize, *Annual Report 2023* (2023), p. 17.

⁴⁰ Ahold Delhaize, *Annual Report 2023* (2023), p. 267.

⁴¹ Hannaford, *Our Story*, accessed 28 November 2024, <https://www.hannaford.com/about-us/our-story>.

⁴² Ahold Delhaize, *Annual Report 2023* (2023), p. 76.

managed through its subsidiaries, ADUSA Distribution and ADUSA Transportation, which specifically serve Hannaford.⁴³

The OECD Guidelines for Multinational Enterprises emphasize the responsibility of companies to exercise due diligence throughout their supply chains, as articulated in Chapter II, paragraphs 11–14, and Chapter IV, paragraphs 2 and 3. These provisions require companies to **identify, prevent, and mitigate adverse human rights impacts directly linked** to their operations, products, or services through business relationships, even if they do not directly cause or contribute to those impacts. The Guidelines further define a “business relationship” broadly, encompassing suppliers, subcontractors, and other entities within a supply chain.⁴⁴ Under Chapter III, paragraph 3 of the OECD Guidelines, companies are required to disclose accurate information on their operations, supply chains, and risks to stakeholders, including workers and affected communities. This obligation includes mapping supply chains to provide clear and comprehensive insights into all stages of production and distribution. The expectations for the agricultural sector set by the OECD Guidelines are exemplified by the OECD/FAO Guidance for Responsible Agricultural Supply Chains.⁴⁵ This document clarifies that a company must identify the immediate suppliers and business partners and the sites of operations to enhance transparency, understand risks, and address adverse impacts effectively.⁴⁶

In Ahold Delhaize’s dairy supply chain, local dairy farms produce raw milk, which is sourced by cooperatives such as Dairy Farmers of America (DFA) and Agri-Mark. The milk is processed by H.P. Hood and sold under Hannaford’s private label. As the parent company, Ahold Delhaize oversees Hannaford’s operations and is therefore directly connected to the farms where labor violations occur. The OECD-FAO Guidance underscores the necessity of mapping the supply chain, which allows companies to pinpoint areas of heightened risk, such as labor violations, and implement targeted corrective measures.⁴⁷ For Ahold Delhaize, mapping its supply chain would provide the transparency needed to address abuses, ensure compliance with international labor standards, and fulfill its due diligence obligations under

⁴³ Ahold Delhaize, *Annual Report 2023* (2023), p.19.

⁴⁴ OECD, *Guidelines for Multinational Enterprises on Responsible Business Conduct* (2023), Chapter II, paras 11–14; Chapter IV, paras 2-3, accessed November 30th, 2024. <https://doi.org/10.1787/81f92357-en>.

⁴⁵ OECD-FAO Guidance for Responsible Agricultural Supply Chains, Section 2.1, accessed November 30th, 2024 <https://mneguidelines.oecd.org/oecd-fao-guidance.pdf>.

⁴⁶ OECD-FAO Guidance for Responsible Agricultural Supply Chains, Section 2.1, accessed November 30th, 2024 <https://mneguidelines.oecd.org/oecd-fao-guidance.pdf>.

⁴⁷ OECD-FAO Guidance for Responsible Agricultural Supply Chains, p. 33, accessed November 30th, 2024 <https://mneguidelines.oecd.org/oecd-fao-guidance.pdf>.

the OECD Guidelines. Moreover, this approach would enable the company to leverage its influence over cooperatives and processors like DFA, Agri-Mark, and H.P. Hood to mitigate risks and promote responsible business practices throughout the supply chain.

Migrant Justice has traced this supply chain from farms to processing plants and, ultimately, to Hannaford stores by analysing milk bottle codes—unique identifiers on packaging that trace a product’s origin—found at Hannaford locations. These codes directly link the products to H.P. Hood’s processing facilities across the Northeast. By recording and analysing these codes, Migrant Justice identified specific plants operated by H.P. Hood that supplies Hannaford stores. Their findings were supported by detailed observations and data recorded on a custom map created using Google MyMaps.⁴⁸ This map revealed that H.P. Hood operates five key processing facilities, located in Winchester, VA; Philadelphia, PA; Portland, ME; and Barre, VT, which supply milk to Hannaford stores. The “home” icons on the map represent Hannaford stores, with each store connected by colored pins to the corresponding H.P. Hood facility from which the milk was processed. The cooperatives DFA and Agri-Mark serve as intermediaries, collecting raw milk from farms and delivering it to H.P. Hood processing plants. The map indirectly illustrates this integration by showing the end processing locations linked to the regional farms through cooperative aggregation. While the dairy farms themselves are not directly marked on the map, the connection is inferred through the processing and retail stages, highlighting the integration of regional farm milk into the supply chain.

However, the use of intermediaries and milk blending practices obscures accountability. While Hannaford has acknowledged sourcing its private-label milk from H.P. Hood—which, in turn, obtains milk from cooperatives like DFA, and Agri-Mark—has not fully disclosed the extent of its relationship with H.P. Hood or its upstream suppliers. This lack of transparency has been highlighted by Migrant Justice, who notes that while Hannaford admits to sourcing from certain cooperatives, it has not provided detailed information about its entire supply chain. As a result, workers are often unaware of how their labor connects to companies further along the supply chain, complicating efforts to address labor violations and ensure the proper entities are held accountable.⁴⁹

⁴⁸ Google Maps, *Northeast Hannaford Supply Chain*, accessed Oct. 27, 2024, <https://www.google.com/maps/d/u/0/viewer?mid=1FrXSORWMeND8QVOYQU16LiCaJsXO52vC&ll=42.016114418286996%2C-74.07232309459467&z=7>.

⁴⁹ Migrant Justice, *2024 MJ Rejoinder to Hannaford BHRRC Response* (4 March 2024) accessed 30 November 2024, <https://migrantjustice.net/sites/default/files/2024-MJ-BHRRC-Response.pdf>.

6.2. Ahold Delhaize's Link and Contribution to the Adverse Impact

Chapter IV of the OECD Guidelines state that Enterprises should, (para. 2) “within the context of their own activities, avoid **causing or contributing** to adverse human rights impacts and address such impacts when they occur”; and (para. 3) “seek ways to prevent or mitigate adverse human rights impacts that are **directly linked** to their business operations, products or services by a business relationship, even if they do not contribute to those impacts”.⁵⁰ The OECD Guidelines outline three ways an enterprise may be connected to adverse impacts: by causing, contributing to or being directly linked to them.⁵¹ These categories reflect distinct types of relationships to adverse impacts and in turn determine the obligations the multinational enterprise has vis-a-vis the adverse impacts. The categories are not static and may shift over time as situations evolve.⁵² This section will examine which of these categories best characterises Ahold Delhaize's relationship to the adverse impact in its supply chain. It will become evident that Ahold Delhaize is, at minimum, **directly linked** to the adverse impact. It will also be argued that Ahold Delhaize is **contributing** to them, as it has long been aware of the violations and has failed to take adequate action despite repeated reports.

Directly linked

Ahold Delhaize is **directly linked** to the adverse impacts in its supply chain. Linkage refers to the relationship between the adverse impact and the enterprise's products, services or operations through another entity.⁵³ Hannaford, owned by Ahold Delhaize, operates under the broader umbrella of its parent company's actions. Hannaford sources its dairy from farms in the Northeast region of the U.S., where the workers are employed. Ahold Delhaize thus maintains a “business relationship” with these suppliers, as stipulated in the OECD Guidelines. These suppliers are in violation of the human rights of their employees, as will be demonstrated in Chapter 7 of this Complaint.

Contributing

Ahold Delhaize is **contributing** to the adverse impact in its supply chain. “Enterprises should, within the context of their own activities, avoid causing or contributing to adverse human

⁵⁰ OECD, *Guidelines for Multinational Enterprises on Responsible Business Conduct* (2023), Chapter IV, paras. 2-3

⁵¹ OECD, *Guidelines for Multinational Enterprises on Responsible Business Conduct* (2023), Commentary on Chapter II, para. 16.

⁵² *ibid.*

⁵³ OECD, *Due Diligence Guidance for Responsible Business Conduct* (2018), p. 71.

rights impacts and address such impacts when they occur”.⁵⁴ Activities include “both actions and omissions”.⁵⁵ According to the OECD Guidelines, contributing to an adverse impact means “substantial contribution, meaning an activity that causes, facilitates or incentivises another entity to cause adverse impact”.⁵⁶ Further, three factors serve to assess “[t]he substantial nature of the contribution and understanding when the actions of the enterprise may have caused, facilitated or incentivized another entity to cause an adverse impact”.⁵⁷ The first factor is the extent to which an enterprise may encourage or motivate an adverse impact by another entity.⁵⁸ The second factor is the extent to which an enterprise could or should have known about the adverse impact or potential for adverse impact.⁵⁹ The third factor entails the degree to which any of the enterprise’s activities actually mitigated the adverse impact or decreased the risk of the impact occurring needs.⁶⁰

Ahold Delhaize **contributes** to the harm by creating an environment where it **allows for violations to happen**. Ahold Delhaize encourages the human rights violations by Hannaford as it has been ignoring the numerous reports of harm for a significant period of time, at least for 8 years, since Hannaford became a 100% subsidiary of Ahold Delhaize. Human rights violations at the dairy farms supplying Hannaford have been continuously occurring for years, documented by Migrant Justice since [2010](#).⁶¹ As mentioned above, Hannaford has been a subsidiary of Ahold Delhaize since 2016. Ahold has been aware of these violations within the supply chain through the reports but has not adequately acted upon it. Ahold Delhaize could have acted upon these violations occurring in its supply chain and this would have changed the situation for workers. However, Ahold Delhaize has created an environment in which it allows for these violations to happen. Additionally, Ahold Delhaize’s complaint mechanism is ineffective to address the human rights violations and to provide remedy to the farm workers. Chapter 8 will further elaborate on the inadequacy of Ahold Delhaize’s complaint mechanism.

⁵⁴ OECD, *Guidelines for Multinational Enterprises on Responsible Business Conduct* (2023), Chapter IV, para. 2.

⁵⁵ OECD, *Guidelines for Multinational Enterprises on Responsible Business Conduct* (2023), Commentary on Chapter IV, para. 47.

⁵⁶ OECD, *Guidelines for Multinational Enterprises on Responsible Business Conduct* (2023), Commentary on Chapter II, para. 16; OECD, *Due Diligence Guidance for Responsible Business Conduct*, p. 70.

⁵⁷ OECD, *Due Diligence Guidance for responsible Business Conduct*, pg. 70.

⁵⁸ *ibid.*

⁵⁹ *ibid.*

⁶⁰ *ibid.*

⁶¹ Migrant Justice, *Farmworkers Document Abuse and Propose Solution: Milk with Dignity!* (May 2015), accessed 28 November 2024.

Although Ahold Delhaize has been aware of these violations, it has not adequately addressed these violations or provided any adequate remedies. According to the farmworkers' numerous testimonies, workers have not benefited from any of Ahold Delhaize's [measures](#).⁶² In fact, the measures have even made situations worse due to retaliation after reporting violations to the Speak Up Line. By failing to take action to address these adverse impacts, i.e. an omission, and maintaining a flawed Speak up Line, i.e. an action, Ahold Delhaize has actively contributed to the situation. Therefore, it can be established that Ahold Delhaize is **contributing to the human rights violations** occurring within its supply chain.

In this section the relationship between Ahold Delhaize and the adverse impacts that have arisen in its supply chain has been demonstrated. Ahold Delhaize is both directly linked, as well as contributing to the adverse human rights impacts in their supply chain. If an enterprise is directly linked to an adverse impact, it may use its leverage to influence the entity causing the adverse impact to "prevent, mitigate or remediate that impact".⁶³ If an enterprise is contributing to an adverse impact, it is responsible for providing remediation. The possible remediation will be further elaborated on in Chapter 9 on the Milk with Dignity Program. In the following section, Ahold Delhaize's leverage will be examined.

6.3. Leverage of Ahold Delhaize

As discussed above, Chapter IV, paragraph 3 entails the obligation of enterprises to seek ways to prevent or mitigate adverse human rights impacts that are directly linked to their business operations, products or services by a business relationship.⁶⁴ Chapter IV, paragraph 3, expects an enterprise to use, and where needed enhance its leverage to influence the entity causing the adverse human rights impact to prevent or mitigate that impact.⁶⁵ The dairy farms constitute the supply chain of Ahold Delhaize and are therefore considered as a business relationship. Where an enterprise contributes or may contribute to an adverse impact, as stipulated in paragraph 2 of Chapter IV, it should take the necessary steps to cease or prevent its contribution and use its leverage to mitigate any remaining impact to the greatest extent

⁶² Migrant Justice, *Migrant Justice is headed to The Netherlands* (March 2024), accessed 28 November 2024.

⁶³ OECD, *Guidelines for Multinational Enterprises on Responsible Business Conduct* (2023), Commentary on Chapter II, para. 23.

⁶⁴ OECD, *Guidelines for Multinational Enterprises on Responsible Business Conduct* (2023), Chapter IV, para. 3.

⁶⁵ OECD, *Guidelines for Multinational Enterprises on Responsible Business Conduct* (2023), Commentary on Chapter IV, para. 48.

possible.⁶⁶ Leverage is considered to exist where the enterprise has the ability to effect change in the practice of an entity that causes adverse human rights impacts.⁶⁷

Ahold Delhaize has considerable leverage over Hannaford, as it has 100% ownership of Hannaford. With nearly 200 stores in the U.S., Hannaford is considered a leading supermarket chain in the Northeast region of the U.S. and a major regional purchaser of dairy.⁶⁸ Therefore, dairy farms depend on Hannaford for a significant portion of their sales. Consequently, Hannaford, and by extension, Ahold Delhaize, has substantial leverage over these dairy farms, allowing them to pressure the farms into complying with human rights. Ahold Delhaize already has implemented some (inadequate) mechanisms, such as the Speak Up Line, which implies that they assume this leverage themselves. The following chapter will delve into the human rights violations that were committed on the farms to showcase the gravity of the situation at hand.

⁶⁶ OECD, *Guidelines for Multinational Enterprises on Responsible Business Conduct* (2023), Commentary on Chapter IV, para. 47.

⁶⁷ *ibid.*

⁶⁸ Interfaith Center on Corporate Responsibility, *Investors Urge Hannaford Supermarkets to Protect Dairy Workers in its Supply Chain* (June 2021), accessed 28 November 2024, <https://www.iccr.org/investors-urge-hannaford-supermarkets-protect-dairy-workers-its-supply-chain/>.

7. Human Rights Violations at the Dairy Farms

This chapter examines the human rights violations faced by farm workers on dairy farms supplying Hannaford, and by extension, Ahold Delhaize. Building on the relationship established between Ahold Delhaize, Hannaford, and their dairy supply chain, we aim to illustrate how the living and working conditions of these workers consistently fall below internationally recognized standards. Drawing upon the OECD Guidelines as well as international human rights frameworks such as the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Covenant on Civil and Political Rights (ICCPR), and guidelines from the International Labour Organization (ILO), this analysis exposes stark contrasts between Ahold Delhaize's commitments and the realities experienced by workers. Each section in this chapter will focus on specific aspects of these conditions: (1) **Inadequate Living Conditions and the Right to Privacy**, (2) **Working Conditions and Forced Labour**, (3) **Safe Working Environment**, and (4) **Non-Discrimination and Equal Treatment**. Together, these sections demonstrate how the lack of effective oversight and transparency within the supply chain perpetuates a culture of exploitation and neglect, raising serious ethical and legal issues. By establishing these human rights violations in the supply chain, this chapter lays the foundation for Chapter 8, which explores Ahold Delhaize's due diligence obligations in regards to these adverse impacts.

7.1. Inadequate Living Conditions & Right to Privacy

The housing conditions provided to workers in Ahold Delhaize's dairy supply chain demonstrate systematic violations of international labor and human rights standards. Migrant Justice has meticulously documented these abuses through worker statements, field observations, and grievance mechanisms, revealing patterns of neglect, unsanitary environments, and employer retaliation. Detailed evidence and testimonies from workers highlight pervasive violations across multiple farms.⁶⁹ These issues are exacerbated by employers' failure to address complaints and retaliatory actions that silence workers and strip them of basic rights.

At one farm, six workers were forced to share a house with only three beds, creating a dehumanizing "hot-bedding" system in which workers alternate sleeping schedules based on

⁶⁹ Migrant Justice, 'Hannaford's Hotline Fails Farmworkers' (Migrant Justice, no date) <https://migrantjustice.net/hannaford%E2%80%99s-hotline-fails-farmworkers> accessed 25 January 2025.

their shifts. One worker explained, *“When I finished my shift, I had to wait for another worker to get up so I could use the bed.”* Long 12–13-hour workdays starting as early as 5:00 a.m. compounded the workers’ physical exhaustion (Annex B-3). Despite repeatedly raising these concerns, employers ignored their complaints, perpetuating exploitative conditions. This complaint was documented on September 19, 2022, through Migrant Justice’s *TeleAyuda* hotline and corroborated by a Migrant Justice staff member during a routine farm visit.⁷⁰

At another farm, ten workers were crammed into a four-room house, with some forced to sleep in communal areas like the living room. A worker shared, *“The bedrooms were crowded, so some of us slept in the living room.”* The single functional heater in the kitchen frequently broke, leaving workers to endure freezing temperatures during Vermont winters. Structural issues such as unsealed windows and holes in the walls worsened the cold, forcing workers to huddle in the kitchen for warmth. One worker recounted, *“We spent winter nights shivering in the kitchen because that was the only warm place.”* Despite numerous complaints, repairs were delayed or ignored, and the single bathroom shared by all 10 residents remained poorly maintained (Annex B-13). This anonymous complaint, submitted on November 14, 2022, through *TeleAyuda*, was later confirmed by Migrant Justice staff during an on-site visit.⁷¹

At a third farm, eight workers lived in a house designed for five people, resulting in severe overcrowding and compromising their safety and dignity. One worker described, *“There wasn’t enough space for all of us, and the house was falling apart.”* The residence was infested with cockroaches, had broken windows that allowed snow to enter, and non-functional stoves. Bedroom doors lacked locks, leaving women particularly vulnerable. *“We didn’t feel secure because anyone could walk into our rooms,”* another worker recounted. Workers were paid \$10 per hour, below minimum wage, and were reprimanded for using electric heaters to combat the cold.⁷² One worker explained, *“Our employer yelled at us for using heaters, even though the house was freezing,”* (Annex B-10). This complaint, submitted by three workers on November 28, 2022, was formally documented by Migrant Justice and shared through Hannaford’s grievance mechanism, the Speak-Up Line.⁷³

Another example of this neglect is illustrated by Facundo’s story. As a worker in Hannaford’s supply chain, Facundo described living in a garage converted into makeshift housing, which

⁷⁰ On file with Migrant Justice

⁷¹ On file with Migrant Justice

⁷² Migrant Justice, ‘Primitivo’ (Migrant Justice), accessed 25 January 2025, <https://migrantjustice.net/primitivo>.

⁷³ On file with Migrant Justice

was shared with farm equipment. Without proper furniture, he fashioned a bed out of plywood and a mattress, while other workers slept on concrete slabs. Despite repeated requests for improved housing, his employer failed to take meaningful action.⁷⁴ Here are some images to illustrate the living conditions.⁷⁵



⁷⁴ Migrant Justice, 'Hannaford Housing' (Migrant Justice), accessed 28 January 2025, <https://migrantjustice.net/hannaford-housing>.

⁷⁵ On file with Migrant Justice



Furthermore, when workers raised grievances, they were often met with retaliation, discouraging others from speaking out. Workers who reported poor housing conditions or abusive supervisors faced severe consequences, including eviction, often losing both their homes and livelihoods. In one farm, after complaints were submitted through Ahold Delhaize's grievance mechanism, the Speak-Up Line, employers posted "[*Restricted Access*](#)" signs on housing doors to bar advocacy organizations.⁷⁶ One worker explained, "*After we complained, they put up signs to keep people from visiting us. It felt like they wanted to isolate us even more.*"⁷⁷ These actions silenced workers and underlined a pattern of systemic neglect.

These violations reported across Ahold Delhaize's supply chain directly contravene workers' rights to adequate living conditions, privacy, and security of tenure. The following sections detail the specific rights infringements and the obligations these failures violate.

⁷⁶ Migrant Justice, Ahold Delhaize's Human Rights Commitment in Hannaford's Dairy Supply Chain: Failure to Respect, Failure to Remedy, accessed 5 December 2024, <https://migrantjustice.net/sites/default/files/2023-4-5%20UNGP%20Analysis%20of%20Ahold%20Speak-Up%20Line.pdf>.

⁷⁷ Migrant Justice, *Rejoinder to Hannaford BHRRC Response*, (4 March 2024, Business Human Rights Resource Centre), accessed on 6 December 2024, https://media.business-humanrights.org/media/documents/2024_MJ_rejoinder_to_Hannaford_BHRRC_Response.pdf.



Right to Adequate Living Conditions

The right to adequate living conditions, enshrined in Article 25 of the Universal Declaration of Human Rights (UDHR) and Article 11 of the ICESCR, guarantees access to safe, clean, and habitable housing. Statements and reports from MJ document clear violations of these rights, including:

Workers face severe housing issues, including overcrowding that forces them to sleep in shifts, inadequate heating that exposes them to dangerously cold temperatures, and unsanitary conditions such as pest infestations, black mould, and poorly maintained facilities, all of which jeopardize their health and well-being.⁷⁸

These substandard conditions not only undermine workers' physical and mental well-being but also violate international standards that recognize housing as essential to human dignity and security.⁷⁹

Protection of the Right to Adequate Living Conditions is guaranteed by the following internationally recognized human rights instruments:


⁷⁸ On file with Migrant Justice

⁷⁹ United Nations Office of the High Commissioner for Human Rights, *The Right to Adequate Housing: Fact Sheet No. 21/Rev.1*.

- ICESCR, Article 11
- UDHR, Article 25

Right to Privacy

The right to privacy, enshrined in Article 17 of the ICCPR and Article 12 of the UDHR, guarantees individuals protection from arbitrary interference in their home and private life. Statements and reports from Migrant Justice document clear violations of these rights within Ahold Delhaize’s supply chain, including:

- **Lack of Security:** At  Farm, bedroom doors lacked locks, leaving workers—particularly women—vulnerable to intrusion and compromising their safety and sense of privacy.

These actions deprive workers of the secure and dignified living environments guaranteed under international human rights standards, undermining their autonomy and creating a climate of fear and vulnerability.

Protection of the Right to Privacy is guaranteed by the following internationally recognized human rights instruments:

- ICCPR, Article 17
- UDHR, Article 12

Right to Security of Tenure and Freedom from Retaliation

The right to secure tenure, as guaranteed by Article 15 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW), protects individuals from arbitrary eviction. Persistent reports from workers indicate a troubling pattern of retaliatory evictions, including:

- **Intimidation and Isolation:** Employers used retaliatory tactics to suppress grievances, such as posting “*Restricted Access*” signs on housing doors after complaints were filed through the Speak-Up Line, isolating workers from external support.⁸⁰

⁸⁰ Migrant Justice, *Rejoinder to Hannaford BHRRC Response*, (4 March 2024, Business Human Rights Resource Centre), accessed on 6 December 2024,

- **Retaliatory Evictions:** Workers who raised concerns were evicted from their homes. For instance, a worker evicted after reporting a machete-wielding supervisor was left homeless alongside their family, violating the sanctity of their living space.

These actions violate protections against retaliation and undermine workers' ability to advocate for better living conditions without fear of retribution.

Protection of the Right to Security of Tenure and Freedom from Retaliation is guaranteed by the following internationally recognized human rights instruments:

- ICMW, Article 15

7.2. Working conditions & Forced Labour

This section will first demonstrate the violation of the right of limitation to working hours. After it will assess the different indicators of forced labour and conclude that the conditions at the dairy farms constitute forced labour.

Limitation of working hours

Everyone has the right to a reasonable limitation of working hours, paid vacation and paid public holidays. According to the [survey](#) conducted by Migrant Justice and the University of Massachusetts Labor Center, in which 212 immigrant dairy workers in Vermont (including workers in the supply chain of Hannaford) participated, 95% of workers work 6-7 days per week and 51% work at least 12 hours a day.⁸¹ Workers on a 6-day schedule work an average of 72 hours. The workers at the dairy farm are forced to work extra hours, have no breaks, no paid vacations, no paid sick days, no weekly day off and no consecutive 8 hours of sleep.⁸²

Delia, a worker in the supply chain of Hannaford, describes her schedule as [follows](#): *"I start work at four in the morning. I have to bring my son with me to sleep in the barn before he goes to school. I work for more than ten hours straight and my only break is less than five minutes to drink a few sips of coffee. I don't have time to sit and eat a proper meal until I finish work in the afternoon. By*

https://media.business-humanrights.org/media/documents/2024_MJ_rejoinder_to_Hannaford_BHRC_Response.pdf.

⁸¹ Migrant Justice, *Labor and Housing Conditions on Vermont Dairy Farms 2024 Survey Results*, https://migrantjustice.net/sites/default/files/2024-Farmworker-Survey-Results_1.pdf.

⁸² Migrant Justice, *Labor and Housing Conditions on Vermont Dairy Farms 2024 Survey Results*, https://migrantjustice.net/sites/default/files/2024-Farmworker-Survey-Results_1.pdf.

*eight at night, my body can't take anymore and I have to go to sleep to be able to get up the next day and do it all again. I end every day exhausted and barely have time to spend with my family".*⁸³

Forced labour

Forced labour or compulsory labour is defined as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily”.⁸⁴ Thus, forced labour is characterised by two elements: the lack of consent to work, and the risk of a penalty. The ILO has provided 11 indicators as a basis to assess whether or not an individual worker is a victim of forced labor: **abuse of vulnerability, deception, restriction of movement, isolation, physical and sexual violence, intimidation and threats, retention of identity documents, withholding of wages, debt bondage, abusive working and living conditions and excessive overtime.**⁸⁵ The presence of a **single** indicator may imply the existence of forced labor. However, in other cases multiple indicators have to be seen together to constitute forced labor. The situations at the farms will be assessed based on the relevant indicators, which will demonstrate the presence of forced labor.

The first indicator is **abuse of vulnerability**. People who lack knowledge of the local language or laws, have few livelihood options and belong to a minority ethnic group are especially vulnerable to abuse and more often found in forced labour.⁸⁶ Forced labor is more likely in cases of multiple dependency on the employer.⁸⁷ This can be the case if the worker also depends on the employer for housing, food and work for relatives. Forced labor may arise when an employer takes advantage of a worker's vulnerable position by imposing excessive working hours or withholding wages.⁸⁸ In cases in which work or service is imposed by exploiting the worker's vulnerability, under the threat of a penalty, dismissal or payment of wages below the minimum level, such exploitation becomes forced or compulsory labour.⁸⁹

⁸³ Migrant Justice, *Delia and her family are rallying at Hannaford. Will you join them?* (July 2022), accessed 29 November 2024, <https://migrantjustice.net/delia>.

⁸⁴ Convention (No 29) concerning Forced or Compulsory Labour (adopted 28 June 1930, entered into force 1 May 1932) art. 2(1).

⁸⁵ International Labour Office, *Indicators of Forced Labour* (October 2012).

⁸⁶ International Labour Office, *Indicators of Forced Labour* (October 2012), p. 5.

⁸⁷ *ibid.*

⁸⁸ *ibid.*

⁸⁹ ILO Committee of Experts, *Application of Conventions and Recommendations of the national legislation and practice on forced labour* (15 February 2007) para. 132-134, https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40ed_norm/%40relconf/documents/meetingdocument/wcms_089199.pdf.

It should be emphasised that this case concerns a **vulnerable group**, migrant workers, who are three times more at risk of forced labour.⁹⁰ They often do not speak English, as their mother tongue is Spanish. Moreover, the U.S. dairy production has been ranked as the highest weighted risk for forced labour.⁹¹ Vulnerability is strongly linked with three other indicators of forced labour to show the abuse of the vulnerability: **excessive overtime, withholding of wages and intimidation and threats**.

Compulsory overtime in itself can constitute forced labour, if it is not within the limits permitted by national legislation or collective agreements.⁹² According to the ILO, “as a rule of thumb, if employees have to work more overtime than is allowed under national law, under some form of threat or in order to earn at least the minimum wage, this amounts to forced labour”.⁹³

The **withholding of wages** is another indicator of forced labour. When wages are systematically and deliberately withheld as a means to compel the worker to remain, this points to forced labor.⁹⁴

Intimidation and threats is also an indicator of forced labour that is relevant to the situations of the farm workers. Common threats include loss of wages or access to housing or land.

These three indicators (**excessive overtime, withholding of wages and intimidation and threats**) are also intertwined in the situations of the farm workers and will therefore be discussed together. The employers abuse the workers’ vulnerability by imposing compulsory overtime, withholding wages and by intimidating and threatening workers. Ahold Delhaize’s Standards of Engagement state that “regular working hours will not exceed 48 hours per week”.⁹⁵ The workers’ vulnerability creates the situation where they are obliged to work in order to earn the minimum wage and keep their job. The workers of the dairy farms are forced

⁹⁰ ILO, *Eradicating Forced Labour: Partnering strategically with ILO* (2024), https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40dgreports/%40dcomm/%40webdev/documents/publication/wcms_909330.pdf.

⁹¹ N. Blackstone, E. Rodríguez-Huerta, K. Battaglia, B. Jackson, E. Jackson, C. Norris, J.L. Decker Sparks, *Forced labour risk is pervasive in the US* (2023) Nature Food, <https://www.nature.com/articles/s43016-023-00794-x/figures/4>.

⁹² ILO Committee of Experts, *Application of Conventions and Recommendations of the national legislation and practice on forced labour* (15 February 2007) para. 132-134, https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40ed_norm/%40relconf/documents/meetingdocument/wcms_089199.pdf.

⁹³ International Labour Office, *Indicators of Forced Labour* (October 2012), p. 25.

⁹⁴ International Labour Office, *Indicators of Forced Labour* (October 2012), p. 19.

⁹⁵ Ahold Delhaize, *Standards of Engagement* (January 2024), art. 5.3.

to work extra hours on a daily basis and are forced to work extra [days](#) (Annex B- 1-3, 7-8, 10, 12-13). Moreover, they are forced to work when they are sick or are [not paid](#) if they cannot work due to sickness or injuries (Annex B- 1, 4, 7, 8). They do not receive any paid vacations or paid [holidays](#) (Annex B- 1, 3, 7, 8).⁹⁶ Workers face retaliation if they contest to work which then has a chilling effect on other workers. Workers are confronted with physical violence if they take a break and have been [fired](#) for taking a break (Annex B-10).⁹⁷ Employers have also withheld payment in multiple [cases](#) (Annex B- 1, 4, 7, 8).⁹⁸ Workers themselves describe their work as being forced: “*We felt forced to work because we knew if we didn't comply we will be fired resulting in not only loosing [sic] our font [sic] of income but our housing situation as well*” (Annex B-13).

Isolation is another indicator of forced labor. Workers are deliberately kept away from organizations wanting to conduct investigations into human rights violations. An organizer from Migrant Justice was assaulted by the supervisor of the notorious Goodrich Farm, when assisting a worker in collecting his [paycheck](#).⁹⁹ Migrant Justice faces intimidation and threats from farm owners, who have even resorted to slashing their tires after a visit to a [farm](#).¹⁰⁰ Employers put “[Restricted Access](#)” signs on housing doors of the workers after they had filed complaints.¹⁰¹ Workers are also refused access to medical care due to employers not allowing them to see a [doctor](#).¹⁰² Physical and sexual violence is a very strong indicator of forced labor.¹⁰³ Workers describe their supervisors as [violent](#).¹⁰⁴ and there have been incidents where

⁹⁶ Migrant Justice, *Hannaford's hotline fails farmworkers*, accessed 4 December 2024, <https://migrantjustice.net/hannaford%E2%80%99s-hotline-fails-farmworkers>.

⁹⁷ *ibid.*

⁹⁸ *ibid.*

⁹⁹ Migrant Justice, “*I knew I wasn't alone*”: *Workers picket wage theft and violence at Goodrich Farm*, accessed 30 January 2025, <https://migrantjustice.net/Goodrich-Farm>.

¹⁰⁰ Facebook post by Migrant Justice, 26 August 2019, accessed 30 January 2025, <https://www.facebook.com/migrantjustice/posts/pfbid0gTSeFb7upSrnPTstAKevTH6z9nfgiVav7KLqfPPJhoaPvenjudTDEijcomjtRTzFI?rdid=SmEIZNDYu2XiT1td>.

¹⁰¹ Migrant Justice, *Rejoinder to Hannaford BHRRC Response*, (4 March 2024, Business Human Rights Resource Centre), accessed on 6 December 2024, https://media.business-humanrights.org/media/documents/2024_MJ_rejoinder_to_Hannaford_BHRRC_Response.pdf.

¹⁰² *ibid.*

¹⁰³ International Labour Office, *Indicators of Forced Labour* (October 2012), p. 13.

¹⁰⁴ Migrant Justice, *It was a matter of life and death: Join farmworkers at Hannaford HQ to demand Milk with Dignity* (July 2022), accessed 4 December 2024, <https://migrantjustice.net/7-29-Hannaford-HQ>.

workers were attacked by [their](#)¹⁰⁵ [supervisor](#)¹⁰⁶ (Annex B-10 & 13). Miguel was assaulted by his employer during a 12-hour shift and [fired](#) (Annex B-10).¹⁰⁷

The last indicator that will be addressed is **abuse of working and living conditions**. This includes conditions that are degrading or hazardous. Workers may have to live in overcrowded and unhealthy conditions without any privacy. The workers live in inhumane and dangerous conditions as discussed in the previous section (Chapter 7.1).

A few testimonials of workers will be cited to demonstrate the gravity of the violations. Some of the statements are shortened and only cite the parts relevant to this section. However, the full text of the testimonials can be found through the hyperlinks.

Primitivo worked at a farm that supplies to Hannaford and [states](#): *“The hours were awful – three shifts a day. And you didn’t have enough time to rest between shifts. Just all work and no rest. By the end, it was the heavy workload that made me decide to speak up. I talked to the boss and asked for a change in the schedule. She got upset and told me if I didn’t like it, I could leave. And she threw me out then and there. She sent another worker to tell me to pack my bags. I didn’t know what to do because I didn’t have anywhere to go. She didn’t even want to pay me, I had to insist. And nobody else spoke up because they were afraid the same would happen to them”*.¹⁰⁸

Another worker confirms the inhumane working [hours](#): *“Some of us work 12-14 hours a day without a meal break. We only have half a day to rest per week. ... We are afraid of retaliation for speaking up and filing this claim”* (Annex B-3).¹⁰⁹

Diego, a farmworker, describes a violent incident as [follows](#): *“The supervisor on the farm where my family and I worked was a very violent man. He would force us to work extra hours, didn’t allow us to take food breaks, and constantly insulted us. My wife, my mother, and I all had to work eleven hours*

¹⁰⁵ Migrant Justice, *Testimony from farmworkers beaten by their boss*, accessed 4 December 2024, <https://migrantjustice.net/node/528>.

¹⁰⁶ Migrant Justice, *Today we march for Diego, Alexia and all farmworkers suffering abuse*, accessed 4 December 2024, <https://migrantjustice.net/today-we-march-for-diego-alexia-and-all-farmworkers-suffering-abuse>.

¹⁰⁷ Migrant Justice, *“You get in the f–ing barn”: Announcing the Milk with Dignity Month of Action* (August 2023), accessed 4 December 2024, <https://migrantjustice.net/node/490>.

¹⁰⁸ Migrant Justice, *“nobody else spoke up because they were afraid...” This Mayday, show solidarity with farmworkers!* (April 2021) accessed 4 December 2024, <https://migrantjustice.net/primitivo>.

¹⁰⁹ Migrant Justice, *Hannaford’s hotline fails farmworkers*, accessed 4 December 2024, <https://migrantjustice.net/hannaford%E2%80%99s-hotline-fails-farmworkers>

a day. ... One evening the supervisor was drinking and he started to come into our room. He was mad at my mother. He was carrying a machete and started to threaten us. He wanted to hurt my mother. I decided to call the police. ... [The Boss] fired us and asked us to leave the house first thing in the morning. ... It was a matter of life and death” (Annex B-13). ¹¹⁰ Diego shares this traumatic experience in an interview with Migrant Justice, which can be watched through this [link](#). ¹¹¹

A worker has to work while [sick](#): “Working schedules don’t allow us to have a day off, not even while sick. One day I got sick and couldn’t go to work. That day I wasn’t paid” (Annex B-1).¹¹²

The right to a reasonable limitation of working hours and paid holidays is stated in the following provisions:

- ICESCR art. 7: reasonable limitation of working hours, paid holidays, paid public holidays, equal opportunity;
- UDHR art. 24 and ICESCR art. 7 (d): everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

The following international human rights instruments specifically address the prohibition of forced labour and are violated through practices on the farms:

- ILO Convention No. 29 on Forced or Compulsory Labour;
- ILO Convention No. 105 on the Abolition of Forced Labour;
- Article 6 and 7 of the International Covenant on Economic, Social and Cultural Rights;
- Article 11 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

¹¹⁰ Migrant Justice, *It was a matter of life and death:” Join farmworkers at Hannaford HQ to demand Milk with Dignity* (July 2022), accessed 4 December 2024, <https://migrantjustice.net/7-29-Hannaford-HQ>.

¹¹¹ Migrant Justice, *Today we march for Diego, Alexia, and all farmworkers suffering abuse*, accessed 30 January 2025, <https://migrantjustice.net/today-we-march-for-diego-alexia-and-all-farmworkers-suffering-abuse>.

¹¹² Migrant Justice, *Hannaford’s hotline fails farmworkers*, accessed 4 December 2024, <https://migrantjustice.net/hannaford%E2%80%99s-hotline-fails-farmworkers>.

7.3. Safe working environment

This section will focus on the lack of a safe working environment on the dairy farms. Safe working conditions are one of the core principles of many international legal documents aiming to promote and protect workers' rights globally. The standards put forward by the ILO are most adequate to assess this section, as they specifically relate to workplace rights and protections. Due to recent developments in the ILO, the protection of the right is not optional. All 186 ILO member states (including the United States and The Netherlands) must respect, promote, and ensure safe and healthy workplaces as a fundamental right, regardless of whether they have formally adopted the ILO's specific conventions on occupational safety and health.¹¹³ There are many specific conventions under this framework, connected to health and security in the workplace.¹¹⁴ These mandate that workplaces must be free from hazards and protective of workers' physical and mental well-being. Physical harm and intimidation creates an unsafe environment as well as signifies a failure in upholding a minimum standard of occupational health. This section underscores significant societal relevance, as the dairy industry has one of the highest injuries and fatalities within the agricultural industry.¹¹⁵ Failure to uphold the standards of international human rights instruments, leads to continued workplace accidents, jeopardizing the safety, dignity, and the life of millions of workers worldwide.

Dairy farming plays a central role in the social identity of Vermont. An [extensive study](#) by University of Vermont researchers in 2021, based on surveys and interviews with the workers, confirms and substantiates the claims made in this section. Their study reveals that migrant dairy farm workers in Vermont receive inadequate health and safety training and lack proper protective equipment, highlighting the systemic issues raised.¹¹⁶ Additionally, based on the [survey](#) conducted by Migrant Justice in 2024 on the Labor and Housing Conditions on Vermont Dairy Farms, it can be concluded that nearly all immigrant dairy workers surveyed (212 Spanish-speaking immigrants) live in employer-provided housing.¹¹⁷ Conditions in the

¹¹³ ILO website: *A safe and healthy working environment is a fundamental right for every worker*

<https://www.ilo.org/resource/article/safe-and-healthy-working-environment-fundamental-right-every-worker>

¹¹⁴ The most important are Occupational Safety and Health Convention, 1981 (No. 155) and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)

¹¹⁵ US Bureau of Labor Statistics. *Census of Fatal Occupational Injuries: Industry by Event or Exposure* (2023), accessed on 21 January 2025, <https://www.bls.gov/iif/home.htm#2018>

¹¹⁶ Panikkar, Bindu, and Mary-Kate Barrett, 2021. "Precarious Essential Work, Immigrant Dairy Farmworkers, and Occupational Health Experiences in Vermont" *International Journal of Environmental Research and Public Health* 18, no. 7: 3675. <https://doi.org/10.3390/ijerph18073675>

¹¹⁷ Migrant Justice, *Labor and Housing Conditions on Vermont Dairy Farms 2024 Survey Results* (September 2024), accessed on 4 December 2024, https://migrantjustice.net/sites/default/files/2024-Farmworker-Survey-Results_1.pdf

housing are inadequate and unsafe for the vast majority of workers. It was reported that 82% of the workers experience issues with housing, 49% complained about safety concerns, 37% mentioned hygiene and cleanliness issues, 20% complained about insufficient heating or insulation and 13% on overcrowding and water quality issues. In addition, **most workers** face accidents, injuries, and health issues related to work conditions. The [survey](#) indicated that 77% of the workers suffered an accident or injury while being employed. This number also correlates to the fact that 67% percent of the workers reported that they were given no sufficient training necessary to handle the risks associated with the work environment.¹¹⁸ Next to the bodily threats and unsafe working conditions, allegations were raised regarding pest infestation at the house, long working hours, and lack of rest breaks (see Sections 7.1 and 7.2). This is equally important when discussing the lack of a safe working environment, as they further exacerbate the mental toll placed on workers.

As most immigrant workers do not speak English, it is even harder for them to receive adequate safety training, which exacerbates the probability of serious injuries. Having no access to a first-aid kit and feeling discriminated against for their language (22%) and country of origin (31%) makes this situation even more precarious. These factors not only hinder their ability to respond effectively in emergencies but also contribute to an unsafe and hostile work environment, further compromising their safety.¹¹⁹


While the percentages indicate the number of workers affected, it does not showcase the voice of the workers and the actual impact of the lack of safe working conditions on their lives. The following analysis on testimonials provides a real insight to the conditions workers must endure on farms that supply milk to Hannaford. The evidence gathered expose severe violations of workers' rights on Hannaford farms, directly stemming from unsafe and inadequate working conditions that result in frequent accidents and neglected injuries, leaving workers vulnerable and unprotected.

Individuals on the farms suffer serious injuries while working [12-14 hour-long shifts](#), in a state of exhaustion.¹²⁰ (also Annex B, EthicsPoint 2, 3, 10, 12). This situation is aggravated by

¹¹⁸ Migrant Justice, *Labor and Housing Conditions on Vermont Dairy Farms 2024 Survey Results* (September 2024), accessed on 4 December 2024, https://migrantjustice.net/sites/default/files/2024-Farmworker-Survey-Results_1.pdf

¹¹⁹ Migrant Justice, *Labor and Housing Conditions on Vermont Dairy Farms 2024 Survey Results* (September 2024), accessed on 4 December 2024, https://migrantjustice.net/sites/default/files/2024-Farmworker-Survey-Results_1.pdf

¹²⁰ Migrant Justice, "You get in the f—ing barn": Announcing the Milk with Dignity Month of Action (30 August, 2023), accessed 4 December 2024, <https://migrantjustice.net/node/490>

a lack of adequate workforce and training, which forces vulnerable individuals, especially the elderly and young adults to take on heavy physical tasks or work with [hazardous chemicals](#).¹²¹ Without protective gear while handling chemicals, a 17-year-old child sustained injuries, resulting in a visit to the emergency room. (Annex B, EthicsPoint 7, 8). When these injuries happen at work, they often go untreated, as workers have no option to take unpaid days off to recover without the risk of losing their jobs (Annex B, EthicsPoint 1, 4, 5). Consequently, they are left with no choice but to continue working despite the pain caused by the inadequate working conditions, including long hours without breaks and insufficient protective gear.¹²² With 28% of workers exposed to chemicals, the likelihood and impact of health issues, such as respiratory problems, are significantly increased, leading to long-term consequences that are difficult to measure at this point but undoubtedly detrimental to the life of any individual. A significant example involving [Jesús](#), an immigrant worker, can highlight the working conditions and the inadequate management on the farms. Jesús was working on a farm that produces Hannaford-brand milk, when he reported a malfunctioning tractor multiple times to his employer. The employer instructed him to continue operating it. When the tractor's hydraulics failed, Jesús became trapped under the machinery, resulting in the amputation of part of his foot.¹²³ Prior to this avoidable accident, Jesús' co-workers had filed a complaint via Hannaford Supermarket's "Speak-Up Line" regarding discrimination and mistreatment on the  farm, where they were working. The complaint was left unresolved for four months before being dismissed (Annex B, EthicsPoint 2). Hannaford seemingly relied solely on the employers' statements, using "employer self-assessments" and failing to directly interview the workers involved. This example signifies how Speak-Up Line - like so much of Hannaford's response to the Milk with Dignity campaign - serves primarily to cover up abuses rather than address worker safety or bring about meaningful improvements.

Additionally, [police reports](#)¹²⁴ have been documented, and in certain cases, [criminal charges](#) have been filed, alleging injuries resulting from the actions of the employer.¹²⁵ On one

¹²¹ Migrant Justice, *Health and Safety Conditions on Vermont Dairy Farms*, accessed 4 December 2024, https://migrantjustice.net/sites/default/files/2020%20Flyer%20Health%20and%20Safety%20Surveys%20-%20pg_0.pdf

¹²² Ibid.

¹²³ Migrant Justice, *March for Jesús and all farmworkers demanding Milk with Dignity!*, accessed on 21 January 2025, <https://migrantjustice.net/march-for-jes%C3%BAs-and-all-farmworkers-demanding-milk-with-dignity>

¹²⁴ Vermont Public, *Vermont immigrant dairy farm workers face unique safety risks. Research shows this hotline helps* (17 August, 2023), accessed 4 December 2024, <https://www.vermontpublic.org/local-news/2023-08-17/vermont-immigrant-dairy-farmworkers-safety-hotline>

¹²⁵ Migrant Justice, *"Don't wait until one of us dies..."* (24 July, 2024), accessed 4 December 2024, <https://migrantjustice.net/node/525>

occasion, in the instance of Diogo and his family, the employer has been seen to threaten, harass, and assault the workers while wielding a [large knife](#).¹²⁶ These assaults can also be exacerbated by the employer's intoxication at times (Annex B, EthicsPoint 13). Police investigations revealed that several workers sustained injuries, including visible bruises and facial marks. These injuries are often untreated, as the individuals fear that seeking medical attention will anger the manager and lead to loss of their jobs. In addition, the assaults have extended to property, with evidence of damage in common areas of the residence, including cuts and slashes on a kitchen chair, microwave, and wall outlet.¹²⁷ These damages worsen the working conditions of the individuals and increase their fear of potential violence. Several reports are not filed due to fear from [retaliation](#),¹²⁸ the situations later being described as [matters of life and death](#).¹²⁹ (Annex B, EthicsPoint 1, 3, 13).

Reports of violence, intimidation, exhaustion, injuries and harassment demonstrate a clear neglect of workers safety. Thus, the situation presents an **imminent and serious danger** to the life and health of workers, clearly violating international law on safe and healthy working conditions. The right to safe working conditions is protected under the following international legal provisions:

- International Covenant on Economic, Social and Cultural Rights (ICESCR), Article 7(b) guarantees safe and healthy working conditions for all workers.
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW), Article 25 addresses fair working conditions and terms of employment. 33
- International Labour Organization (ILO): Ensures the right to a safe and healthy working environment, as well as protection against discrimination in employment and occupation.

¹²⁶Migrant Justice, *Today we march for Diego, Alexia, and all farmworkers suffering*, accessed 4 December 2024, abuse, <https://migrantjustice.net/today-we-march-for-diego-alexia-and-all-farmworkers-suffering-abuse>

¹²⁷Police report on file with Migrant Justice.

¹²⁸Migrant Justice, *"nobody else spoke up because they were afraid..." This Mayday, show solidarity with farmworkers!* (16 July 2023), accessed 4 December 2024, <https://migrantjustice.net/primitivo>

¹²⁹Migrant Justice, *"Don't wait until one of us dies..."* (24 July, 2024), accessed 4 December 2024, <https://migrantjustice.net/node/525>

7.4. Non-Discrimination and Equal Treatment

As a vulnerable community, the migrant workers on American dairy farms are entitled to specific protections under a framework of the rules of non-discrimination and equal treatment, ensuring that they are not exploited in their host countries. Overall, migrant workers and their families have the right to **equal treatment** and **awardance of social, political, economic and cultural rights** in relation to nationals, based on the principle of non-discrimination enshrined in the ICCPR and ICESCR. This includes **fair remuneration, access to health care, education and justice, right to privacy and property**. Special protections include the **protection from torture and forced labour, and equal treatment by the law**, as stated by the International Convention for the Rights of Migrant Workers (ICRMW).

These rights are however not awarded to the migrant workers in Ahold Delhaize's supply chain, according to reports from the workers themselves. The survey conducted by Migrant Justice finds that many violations against human rights standards as identified in the above sections result from discriminatory [practices](#).¹³⁰ Immigrant workers are systematically excluded from legal protection and are not educated on their own rights. 53% of workers report some form of discrimination while working on the farms. In 22% of the cases, discrimination was based on language and in 31% based on nationality. Testimonials include incidents of unequal treatment between immigrant and non-immigrant workers concerning [living](#)¹³¹ conditions (Annex B, EthicsPoint 3, 5 and 6) and direct treatment by the [farmers](#).¹³² Even though Hannaford and Ahold Delhaize replied that there had been an investigation and closed the cases, they had not seen any external inspectors to assess the situation (Annex B, EthicsPoint 13). Moreover, since these dairy workers are being paid significantly below the minimum wage of the State of [Vermont](#),¹³³ they are subject to unequal remuneration.

Protection from discrimination and unequal treatment is guaranteed by the following internationally recognized human rights instruments:

¹³⁰ Migrant Justice, *Labor and Housing Conditions on Vermont Dairy Farms 2024 Survey Results* (September 2024), accessed 5 December 2024,

https://migrantjustice.net/sites/default/files/2024-Farmworker-Survey-Results_1.pdf

¹³¹ Migrant Justice, *Hannaford's Hotline Fails Farmworkers*, accessed 5 December 2024,

<https://migrantjustice.net/hannaford%E2%80%99s-hotline-fails-farmworkers>

¹³² *ibid*

¹³³ Migrant Justice, *Labor and Housing Conditions on Vermont Dairy Farms 2024 Survey Results* (September 2024), accessed 5 December 2024,

https://migrantjustice.net/sites/default/files/2024-Farmworker-Survey-Results_1.pdf

- Universal Declaration of Human Rights, Art. 2, Art. 7, Art. 23
- International Covenant on Social, Cultural and Economic Rights, Art. 7
- International Covenant on Civil and Political Rights, Art. 2
- International Convention on the Elimination of All Forms of Racial Discrimination, Art. 1, Art. 5(b), 5(d) 35
- International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, Art. 1, Art. 7, Art. 18, Art. 28 (access to medical treatment), Art. 30, Art. 43, Art. 45, Art. 54, Art. 55
- ILO, Migration for Employment Convention, Art. 6,
- ILO, Migrant Workers (Supplementary Provisions) Convention, Art. 8(2), Art. 9, Art. 10, Art. 12

In this section it has been established that human rights violations occur at the dairy farms. The working conditions on the farms constitute forced labor. These violations often result from discriminatory practices and unequal treatment between migrant workers and U.S.-American workers on the dairy farms. The lack of effective oversight and transparency within the supply chain perpetuates a culture of exploitation and neglect, raising serious ethical and legal issues. The following Chapter 8 will explore the obligations of multinational companies in regards to their supply chain and establish how Ahold Delhaize has failed to provide adequate due diligence and disclosure in regards to the violations occurring in its supply chain.

To conclude, in this **Chapter**, it was established that several human rights violations have occurred on the farms of Hannaford, including inadequate living conditions, right to privacy, right to security, right to security of tenure and freedom from retaliation, right to limitation of working hours, freedom from forced labor, right to safe working environment, right to non-discrimination and equal treatment. These rights are safeguarded by various human rights instruments. The following chapter will examine the OECD's emphasis on the importance of conducting due diligence assessments and Ahold Delhaize's failure to fulfill these obligations.

8. Violations of the OECD Guidelines by Ahold Delhaize

The previous section described violations of human rights standards in the supply chain of Ahold Delhaize, specifically on the dairy farms supplying Hannaford. The frequent occurrence and severity of adverse human rights impacts as documented by Migrant Justice

since 2019 lead to questions regarding the due diligence procedure and disclosure of Ahold Delhaize, which should actively work to prevent and mitigate these violations. In what follows, it will be demonstrated how Ahold Delhaize's due diligence and disclosure process is failing to fulfil the company's obligation to identify, prevent and mitigate any adverse effects, as prescribed by the OECD Guidelines.

8.1. Failure to Conduct Due Diligence

This section will briefly state the responsibility for due diligence as described by the OECD Guidelines, before assessing the effectiveness of Ahold Delhaize's due diligence measures. Chapter IV of the Guidelines 'recommends that enterprises carry out human rights due diligence'¹³⁴ as included in their 'risk-based due diligence', prescribed in Chapter II¹³⁵. The process includes a thorough assessment of 'actual and potential' adverse impacts, adequate reactions to these findings and transparent communication regarding the identification of solutions. Special attention must be paid to vulnerable and marginalised individuals and stakeholders must be actively engaged to minimise potential adverse effects¹³⁶. Where human rights impacts have been identified, companies should provide for effective remedy.¹³⁷ Together, these processes form an overarching obligation to conduct risk-based due diligence to identify, prevent, and address both actual and potential negative impacts of a company's operations.¹³⁸ First, the extent of the due diligence required from Ahold Delhaize will be assessed. Furthermore, it will be shown how Ahold Delhaize fails to properly assess the risks and impacts within its supply chain.

Scope of Due Diligence Requirements

The scope of due diligence requirements vary based on several factors, including the **enterprise's size**, its **operational context**, specific **OECD recommendations**, and the **potential severity of adverse effects**¹³⁹. Among these, the gravity of human rights impacts is paramount in defining the extent and complexity of the due diligence processes an enterprise should implement to ensure and demonstrate respect for human rights.¹⁴⁰ This severity is

¹³⁴ OECD, *Guidelines for Multinational Enterprises on Responsible Business Conduct* (2023), Chapter IV, para 50

¹³⁵ *ibid*, para A11

¹³⁶ *ibid*, para 50

¹³⁷ *ibid* para 51

¹³⁸ *ibid*, Chapter II, para A11, A12, A13

¹³⁹ OECD, *Guidelines for Multinational Enterprises on Responsible Business Conduct* (2023), Commentary on Chapter II, paragraph 15 and Chapter IV, para 5

¹⁴⁰ Office of UN High Commissioner for Human Rights, *The Corporate Responsibility to Respect Human Rights*,

assessed by the **scale** (impact's gravity), **scope** (number of affected individuals), and whether the impact can be **remedied**.¹⁴¹

Ahold Delhaize is a multinational company with a revenue of **87 billion Euros and 402 thousand employees** in the parent company and [subsidiaries](#).¹⁴² This number does not include the workers in the supply chain, which likely surpasses millions of people affected by Ahold Delhaize's actions. Hannaford, as Ahold Delhaize's subsidiary, is operating in the context of the **agricultural industry** in the U.S. This sector is globally considered a '[high-risk sector](#)'¹⁴³ for human and labour rights abuses. The overall mortality rate in the sector is significantly higher than in other sectors, mainly due to severe injuries, tuberculosis, respiratory diseases and mental impacts.¹⁴⁴ Specific cases of death due to work accidents are documented by the [media](#).¹⁴⁵ In addition, **migrant workers** are a specifically vulnerable group in this [industry](#).¹⁴⁶

The **severity** of the adverse impacts is significant, particularly because these violations include **vulnerable groups** such as migrants and their families, often including elderly and children. These violations consist of the breach of the right to privacy, inadequate living conditions, forced labor, and discrimination (see Chapter 7 Human Rights Violations). While **hundreds of people** have complained in the company-owned mechanism and to Migrant Justice and are involved in protests against Hannaford and Delhaize, the real number of violations is not determinable, mainly due to the shortcomings of the complaint mechanism. In addition, as discussed in the previous chapter, many workers fear to speak up because of [fear of retaliation](#)¹⁴⁷ by the employers and losing their jobs, their housing and access to their

An Interpretive Guide (2012), accessed 20 November 2024,
http://www.ohchr.org/Documents/Publications/HR.PUB.12.2_En.pdf

¹⁴¹ *ibid*

¹⁴² Ahold Delhaize, *Annual Report 2023 Q4* (2023), accessed 5 December 2024,
https://media.aholddelhaize.com/media/clkbibno/ad_ar23_interactive.pdf?t=638459189069470000, p 58

¹⁴³ World Benchmarking Alliance, *The Food Business is Failing People*, accessed 5 December 2024,
<https://www.worldbenchmarkingalliance.org/publication/food-agriculture/findings/the-food-business-is-failing-people/>

¹⁴⁴ Colt JS, et al., 'Proportionate Mortality Among US Migrant and Seasonal Farmworkers in Twenty-Four States' (2001) 40 *American Journal of Industrial Medicine* 601

¹⁴⁵ A. Galloway, *Young man's accidental death on a Vermont dairy farm points up migrant-worker conundrum*. (30 January 2015), accessed 5 December 2024,
<https://vtdigger.org/2009/12/27/young-mans-accidental-death-on-a-vermont-dairy-farm-points-up-immigration-conundrum/>

¹⁴⁶ Ethical Trading Initiative, *Addressing Worker Vulnerability in Agricultural and Food Supply Chains: Pilot Toolkit* (September 2016), accessed 5 December 2024,
https://www.ethicaltrade.org/sites/default/files/shared_resources/vulnerable_workers_toolkit.pdf

¹⁴⁷ Migrant Justice, *Ahold Delhaize's Human Rights Commitment in Hannaford's Dairy Supply Chain*, accessed 6 December 2024,
<https://migrantjustice.net/sites/default/files/2023-4-5%20UNGP%20Analysis%20of%20Ahold%20Speak-Up%20Line.pdf>

family who continue to work on the farms. Ahold Delhaize's inaction is not only causing **trauma to the victims** (see Annex B, EthicsPoint 13) but also **long-term physical health effects** arise due to the unsafe and unhealthy working conditions that are not able to be remedied (Annex B, EthicsPoint 7 and 8). Even in cases where redress is possible, Ahold Delhaize has not been providing victims with appropriate mechanisms, as will be explored below.

Due to the scope of the company's operations as well as the severity of potential violations and the vulnerability of involved stakeholders, Ahold Delhaize should have carried out **extensive and comprehensive due diligence**.¹⁴⁸ The expectations for the agricultural sector set by the OECD Guidelines are exemplified by the OECD/FAO Guidance for Responsible Agricultural Supply Chains.¹⁴⁹ Moreover, the OECD Due Diligence Guidance for Responsible Supply Chains in the Garment and Footwear Sector¹⁵⁰ can also serve as a basis for the dairy sector by analogy. The process of conducting due diligence is **three-fold** and involves steps to **identify** (1), **prevent** (2) and **mitigate** (3) potential risks within the company's operations and the supply chain.¹⁵¹

The first step, according to the Guidance for Responsible Agricultural Supply Chains, is the **identification of risks** (1). A company should establish an 'enterprise management system'¹⁵² and map all relevant actors in the supply chain.¹⁵³ Based on this, the company should carry out a 'periodic, informed and documented'¹⁵⁴ risk-assessment within its own operations and the supply chain. Information on risks should be continuously updated so as to take into account any change of circumstances in the supply chain.¹⁵⁵ The identification of risks should be based on a thorough understanding of local conditions.¹⁵⁶ Moreover, the relationship of the parent

¹⁴⁸ OECD, *The Essential Characteristics of Due Diligence*, accessed 5 December 2024, <https://mneguidelines.oecd.org/Essentials%20of%20due%20diligence.pdf>, p. 1

¹⁴⁹ OECD & FAO, *Guidance for Responsible Agricultural Supply Chains* (2016), accessed 5 December 2024, <https://mneguidelines.oecd.org/oecd-fao-guidance.pdf>

¹⁵⁰ OECD, *Due Diligence Guidance for Responsible Supply Chains in the Garment and Footwear Sector* (7 March 2018), accessed 5 December 2024, https://www.oecd-ilibrary.org/governance/oecd-due-diligence-guidance-for-responsible-supply-chains-in-the-garment-and-footwear-sector_9789264290587-en

¹⁵¹ *ibid*, p 24

¹⁵² OECD & FAO, *Guidance for Responsible Agricultural Supply Chains* (2016), accessed 5 December 2024, <https://mneguidelines.oecd.org/oecd-fao-guidance.pdf> p 31

¹⁵³ *ibid*, p 33

¹⁵⁴ OECD, *Due Diligence Guidance for Responsible Supply Chains in the Garment and Footwear Sector* (7 March 2018), accessed 5 December 2024, https://www.oecd-ilibrary.org/governance/oecd-due-diligence-guidance-for-responsible-supply-chains-in-the-garment-and-footwear-sector_9789264290587-en, p 47

¹⁵⁵ *ibid*, p 47

¹⁵⁶ *ibid*, p 56

company with the resulting harm must be defined. The Guidance on Due Diligence for Responsible Supply Chains in the Garment and Footwear Sector specifies that, where human and labour rights violations are involved, companies should engage workers in the design of the assessments and perform interviews with workers directly.¹⁵⁷ In addition, companies are obliged to take into account information raised through early warning systems such as hotlines and grievance mechanisms to inform the identification process. In assessing impacts related to human rights, the company must pay special attention to potential adverse impacts on groups that may have a heightened risk of vulnerability or marginalisation.¹⁵⁸ Where the actual risks identified do not correspond to the expected findings, companies must re-assess the methodology of the identification process. This is even more important where suppliers operate in a high-risk environment.¹⁵⁹

Secondly, the company must ‘**prevent or mitigate**’¹⁶⁰ (2 and 3) the actual and potential harms identified both within the company and in the supply chain. Prevent here means taking action to ‘stop a harm from occurring’,¹⁶¹ while mitigation refers to steps taken in order to ‘diminish or eliminate the harm’.¹⁶² Companies should develop a plan to detail actions to be taken in case of a negative impact due to its operations, based on the ‘severity of the harm’.¹⁶³ Any progress to prevent or mitigate must be tracked and, where workers are not directly reachable by the parent company, followed-up on in collaboration with suppliers.¹⁶⁴ The steps taken should furthermore be communicated publicly and to all involved stakeholders. Where harmful impacts are occurring in the supply chain, companies should identify to what extent they are causing or contributing to the risks and take appropriate steps to prevent the harm. In case they are only linked to the harm occurring through the supplier’s actions, the parent company must use its leverage to persuade the supplier to take action and support the supplier where necessary. In case no change is done, the parent company should ‘disengage from the supplier’.¹⁶⁵ Disengagement is a more serious consideration and can be taken already without attempts to mitigate where severe harm has been identified. Examples include occupational health and safety risks.¹⁶⁶ Where mitigation is no longer possible, the company is obliged to

¹⁵⁷ *ibid*, p 56

¹⁵⁸ OECD, *Guidelines for Multinational Enterprises on Responsible Business Conduct* (2023), Chapter IV, para 50

¹⁵⁹ *ibid*, p 56

¹⁶⁰ *ibid*

¹⁶¹ *ibid*, p 69

¹⁶² *ibid*

¹⁶³ *ibid*, p 72

¹⁶⁴ *ibid*, p 24

¹⁶⁵ *ibid*, p 72

¹⁶⁶ *ibid*, p 79

remedy any harm caused. This should be made possible through an effective grievance mechanism. The effectiveness of the due diligence process is assessed by ‘the extent to which actual and potential harm is prevented and mitigated’¹⁶⁷ both within the company and in the supply chain. Throughout the entire process, stakeholders should be consulted and informed about any steps taken.¹⁶⁸

Ahold Delhaize has failed to **identify, prevent, and mitigate** adverse impacts in its supply chain. This will be demonstrated by addressing the shortcomings in the audit processes and the failure of the Speak-Up Line established by Ahold Delhaize.

Failure to Identify Actual and Potential Risks

Ahold Delhaize uses Standards of Engagement in their cooperation with subsidiaries, suppliers and contractors to ensure human rights and environmental [standards](#).¹⁶⁹ These [Standards](#) include a set of values and ethical principles that apply to their supply chain. The recommendation to establish policy commitments regarding responsible business conduct is thereby met.¹⁷⁰ The company has repeatedly recognized the vulnerable status of migrant workers, classifying this industry as [high-risk](#).¹⁷¹ According to Ahold Delhaize’s annual [Human Rights Report](#), Hannaford has been engaged in a due diligence review process across its dairy supply chain.¹⁷² Ahold Delhaize has been made aware of multiple violations of the Standards of Engagement, reported directly by workers and by Migrant Justice.¹⁷³ However, to date, there is no evidence that Hannaford has suspended commercial relationships with any suppliers.¹⁷⁴ This demonstrates that the due diligence process performed by Hannaford and Ahold Delhaize does not fulfil its purpose of correctly **identifying** human rights abuses, as provided for by the OECD Guidelines.

¹⁶⁷ *ibid*

¹⁶⁸ *ibid*, p 27

¹⁶⁹ The complainant was unable to locate any publicly available map of the supply chain that would enable transparency or allow the public to understand its structure. While this does not necessarily indicate the absence of such a map, it clearly demonstrates that no such resource has been made accessible to the public.

¹⁷⁰ OECD Guidelines IV, 4; OECD Guidelines, IV, Commentary 44

¹⁷¹ Ahold Delhaize, *Ahold Delhaize’s response to the Business and Human Rights Resource Centre* (23 June 2023), accessed 4 December 2024,

https://media.business-humanrights.org/media/documents/AD - Business and HR Resource Centre Response_06232023.pdf

¹⁷² Ahold Delhaize, *Human Rights Report 2022*,

<https://media.aholddelhaize.com/media/zprnx2ho/ahold-delhaize-human-rights-report-2022.pdf>, accessed 5 December, 2024

¹⁷³ Annex of violations in EthicsPoint (March 4, 2024),

<https://migrantjustice.net/sites/default/files/2024-MJ-BHRR-Response.pdf>, accessed 5 December, 2024

¹⁷⁴ Migrant Justice, *Business Human Rights Resource Centre*, (March 4, 2024),

<https://migrantjustice.net/sites/default/files/2024-MJ-BHRR-Response.pdf>, accessed 5 December, 2024

This section will now turn to an evaluation of the **internal audit** processes by Ahold Delhaize and Hannaford. Ahold Delhaize developed their own audit procedure to attempt to **identify** and **prevent** the risks in their supply chain. Hannaford has partnered with multiple milk suppliers, including the National Milk Producers Federation and the Innovation Center for U.S. Dairy, which is the largest U.S. dairy farmer organization.¹⁷⁵ These organisations have developed a program known as **Farmers Assuring Responsible Management (FARM)** calling it ‘a comprehensive program to support farmers in building excellent and safe work environments’.¹⁷⁶ The National Milk Producers Federation (NMPF) developed this framework in order to ‘show customers and consumers that the dairy industry is taking the very best care of cows and the environment, producing safe, wholesome milk and adhering to the best management practices in workforce development.’¹⁷⁷ The FARM program focuses on 5 distinct program areas, one being **FARM Workforce Development (WFD)**, which includes modules on environmental practices, animal welfare, and workforce conditions and is aimed at equipping dairy owners and managers with tools to enhance their safe and thriving work environments.¹⁷⁸ Hannaford mandates that its private label suppliers implement the FARM assessment and operationalize the WFD through the **FARM Workforce Development Evaluation Tool**.¹⁷⁹ The evaluation tool aims to encourage best practices, with a focus on developing sustainable management processes and procedures to promote positive human resources and safety outcomes on dairy farms. It also encourages policies and processes to be recorded in writing. While workers are key rights-holders and the subject of potential violations, they are not involved in the creation of the assessment process, and have no input in determining the criteria used for evaluations. This is a clear indication of the lack of consideration that goes into shaping their policies. According to **Hannaford**, the FARM Assessment Tool was used to evaluate the working conditions at 70 of Hannaford’s private label milk suppliers, and the assessment covered 500 farm workers. While the FARM standards provide a set of recommendations for best practices, they should not be mistaken for fulfilling human rights obligations or due diligence standards. The FARM’s Workforce

¹⁷⁵ Hannaford, *Statement from Hannaford Supermarkets regarding Migrant Justice’s Milk with Dignity Campaign*, (23 June 2023), accessed 5 December 2024, <https://www.hannaford.com/press-releases/statement-from-hannaford-supermarkets-regarding-migrant-justices-milk-with-dignity-campaign>

¹⁷⁶ *ibid.*

¹⁷⁷ National Dairy Farm, *Dairy Farmers*, <https://nationaldairyfarm.com/dairy-farmers/>, accessed 5 December 2024

¹⁷⁸ National Dairy Farm, *FARM Workforce Development*, <https://nationaldairyfarm.com/dairy-farm-standards/workforce-development/>, accessed 5 December 2024

¹⁷⁹ *ibid.*

Development Evaluation Tool is mainly a human resources tool, not a program to protect human rights. This is clearly stated in their own [materials](#), which tell farmers that the evaluations do not check for legal compliance and do not require changes to employment practices.¹⁸⁰ It clearly shows that the adherence to any of the standards are completely voluntary. Despite reiterating in a [press release](#) that in cases of serious violations on dairy farms, that contravene the FARM assessment criteria for adequate working conditions, the commercial relationship with the supplier would be suspended,¹⁸¹ their own [manual](#) clearly states that there is absolutely no penalty for failing to adopt any of the best practices outlined in the FARM assessments. This demonstrates a clear contradiction between Hannaford's public statements and the actual enforcement of their policies, raising serious doubts about their "commitment" to addressing labor violations. Without any legal compliance, the farms do not need to fear consequences if they do not adhere to any of the FARM standards, which eventually, as shown in Chapter 7, leads to continuous human rights violations that are not taken into consideration or being remedied. As the assessment process completely lacks due diligence compliance and any enforcement mechanism, the Hannaford dairy farms under the supervision of companies partnered with Hannaford can choose which criteria to comply with, without being obligated to meet any human rights protective conditions. Consequently, this lack of enforcement of the FARM standards can affect all farm workers under the NMPF. Despite the tremendous evidence stating the grave opposite, the Federation does not even list human rights as a [key issue](#) in their organizational structure.¹⁸²

According to the Chapter III of the OECD Guidelines, in order for any organization to uphold their commitment to the human rights standards, the companies should undergo **external, independent, third-party social compliance audits**.¹⁸³ While Hannaford stated that they are committed to working with an [independent third-party auditor](#) responsible for addressing serious findings, as of October 2024, no results of external audits are available for public insight, even though the commitment was included in Ahold's [2022 Human Rights Report](#).¹⁸⁴

¹⁸⁰ National Dairy Farm, *FARM Workforce Development Evaluation Preparation Guide* (2020-2023), https://nationaldairyfarm.com/wp-content/uploads/2023/02/FARM_PrepGuide_WorkforceDevelopment_FINAL-1.pdf p. 5: "Does the Evaluation Result in Any Corrective Action Plans?", accessed 6 December 2024

¹⁸¹ Hannaford, *Statement from Hannaford Supermarkets regarding Migrant Justice's Milk with Dignity Campaign*, (23 June 2023), accessed 5 December 2024, <https://www.hannaford.com/press-releases/statement-from-hannaford-supermarkets-regarding-migrant-justices-milk-with-dignity-campaign>

¹⁸² National Milk Producers Federation, *The voice of dairy farmers in our capital*, <https://www.nmpf.org/#>, accessed 6 December 2024

¹⁸³ OECD, *Guidelines for Multinational Enterprises on Responsible Business Conduct* (2023), Chapter III.

¹⁸⁴ Ahold Delhaize, *Human Rights Report 2022*, <https://media.aholddelhaize.com/media/zprnx2ho/ahold-delhaize-human-rights-report-2022.pdf>, accessed 5 December, 2024

In an interview, the director of external communications for Hannaford mentioned the importance the company puts on third-party assessment, and mentioned that they have engaged with Food Safety Net Services (FSNS) to do a third-party assessment.¹⁸⁵ However, FSNS is concerned with food safety and animal welfare, not human right abuses, or labour conditions. As such, assessment by FSNS cannot be considered reliable or legitimate in terms of assessing human rights abuses within the supply chain and at the farms, instead it underscores the company's oversight in taking the abuse seriously.

In fact, in the 2024 Human Rights Report Ahold Delhaize states that there are no human rights violations occurring in their supply chain.¹⁸⁶ Additionally, neither the farm workers nor the public have access to information about the procedures for these external audits or the companies conducting them. This lack of transparency directly contradicts paragraph 39 of Chapter III of the OECD Guidelines and Principle 21 of the UNGP Guidelines, both of which require enterprises to issue communications that are accessible to their intended audience to account for how they address human rights impacts.¹⁸⁷

In response to Hannaford, FARM issued its own [statement](#), but the modest claims in this document reveal the significant disconnect between Hannaford's public relations narrative and the actual scope of FARM's offerings.¹⁸⁸ By relying on an industry-created human resources tool, Hannaford is using a common tactic to deflect attention after being called out for human rights abuses.¹⁸⁹ The combination of the outlined evidence on the lack of adequate auditing mechanism in place to safeguard the rights of the workers, violates the OECD Guidelines.

Failure to Prevent and Mitigate Adverse Impacts

¹⁸⁵ Burlington Free Press, *Milk with Dignity fails to enlist Hannaford in its program to protect farmworkers. Why?*, accessed 26 January 2025, <https://eu.burlingtonfreepress.com/story/money/2024/07/18/milk-with-dignity-is-trying-to-convince-hannaford-to-join-its-campaign/74329599007/>

¹⁸⁶ Ahold Delhaize, *Human Rights Report 2024*, p. 36, <https://media.aholddelhaize.com/media/fdrn2qie/ahold-delhaize-human-rights-report-2024.pdf?t=638562812275900000>, accessed 5 December, 2024

¹⁸⁷ United Nations Office of the High Commissioner for Human Rights (2011) *Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework*.

¹⁸⁸ National Dairy Farm, *Statement on Hannaford Supermarkets* (28 June 2023), https://nationaldairyfarm.com/news_post/national-dairy-farm-program-statement-on-hannaford-supermarkets/, accessed 6 December 2024

¹⁸⁹ Migrant Justice, *Maine march photo-report – and Hannaford's response* (16 July, 2023), <https://migrantjustice.net/news/maine-march-photo-report-%E2%80%93-and-hannaford%E2%80%99s-respons> accessed 6 December 2024

This section will assess the complaint and remedy mechanisms carried out by Ahold Delhaize against the obligations under the OECD Guidelines. An effective complaint mechanism not only ensures stakeholder engagement and thereby the process of mitigation and prevention, it also is an essential part of the assessment of actual and potential risks. Paragraph 51 of the OECD Guidelines¹⁹⁰ outlines the actions a company must take upon identifying adverse impacts that are caused by or connected to its business practices. Companies should establish remediation processes, which can be either judicial or non-judicial based on the nature of the effect. In case a company opts for internal complaint mechanisms, these must fulfil a number of requirements, namely: ‘**legitimacy, accessibility, predictability, equitability, compatibility** with the Guidelines, **transparency**, [and] **rights-compatibility**’.¹⁹¹ Additionally, they should enable ‘continuous learning’¹⁹² and be based on an **equal dialogue between stakeholders**. This is in line with guidelines by non-governmental organisations such as [Transparency International](#),¹⁹³ as well as [UN organs](#).¹⁹⁴ They further stipulate that complaint mechanisms should include a system of protection, such as data protection, witness protection and confidentiality of the complaint. In the following, the complaint will assess the mechanisms put in place by Ahold Delhaize along these criteria, which was implemented in order to assess risks and provide remedy for adversely impacted individuals.

To put this into practice, civil society organisations have published various good practice guidelines to help companies in establishing an adequate and efficient complaint mechanism. A key point concerns **accessibility**: companies should provide complaint mechanisms free of charge, and multiple different contact points, which allow for anonymous [submission](#).¹⁹⁵ Under the criteria outlined in UNGP Principle 31,¹⁹⁶ a grievance mechanism must be accessible and well-known to all stakeholder groups for whom it is intended, while also

¹⁹⁰ OECD, *Guidelines for Multinational Enterprises on Responsible Business Conduct* (2023), Chapter IV, para 51

¹⁹¹ *ibid*, para 51

¹⁹² *ibid*.

¹⁹³ Transparency International, *Complaint Mechanisms: Reference Guide for Good Practice* (2016), accessed 5 December 2024,

https://knowledgehub.transparency.org/assets/uploads/kproducts/ti_document_-_guide_complaint_mechanisms_final.pdf

¹⁹⁴ UNDP, *Complaints Mechanism in the Company: How to Make it Effective?* (4 January 2024), accessed 5 December 2024,

<https://www.undp.org/kyrgyzstan/stories/complaints-mechanism-company-how-make-it-effective>

¹⁹⁵ Transparency International, *Complaint Mechanisms: Reference Guide for Good Practice* (2016), accessed 5 December 2024,

https://knowledgehub.transparency.org/assets/uploads/kproducts/ti_document_-_guide_complaint_mechanisms_final.pdf

¹⁹⁶ UN Office of the High Commissioner for Human Rights, *Guiding Principles on Business and Human Rights* (2011), accessed 5 December 2024,

https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr_en.pdf

offering adequate support to those who may encounter specific barriers to access. This barrier can also be a lack of awareness of the language, which is a common issue on the farms, where immigrant workers are employed. Moreover, information must be made **transparently available** as to the complaint procedure, potential follow-up questions, who is handling the complaints and what complainants can expect after submitting. Where a complaint falls outside of the scope of the company's mechanism, complainants should be informed as to what **other remedies** are available to them. After receiving a complaint, an **independent and objective fact-finding** should be performed, if necessary in collaboration with local authorities and relevant stakeholders. Where possible, the organisation itself should develop a **tailored solution** for the issue, keeping in mind the social, political and economic circumstances and in cooperation with the complainant. If the issue cannot be resolved by the receiving institution, it should be referred to other appropriate entities or persons, all the while informing the complainant about any decisions taken. When closing a complaint, a company should provide the complainant with any information and evidence as to what 'corrective actions have been [taken](#)'¹⁹⁷ and inform about the possibility to appeal at an independent mechanism.

This section will now turn to an assessment of the complaint mechanism of Ahold Delhaize in light of the above described requirements. Workers in Hannaford's supply chain can submit complaints through two [mechanisms](#):¹⁹⁸ by calling or emailing the ethics representatives of Hannaford directly, or by submitting an anonymous complaint via the so-called [Speak-Up Line](#).¹⁹⁹ Complaints to the Speak-Up Line can either be made by phone or via the online platform [EthicsPoint](#),²⁰⁰ which is managed by an independent third party, a company named NAVEX, so as to ensure their impartial [handling](#).²⁰¹ However, it remains unclear how complaints are handled after submission via EthicsPoint. According to Ahold Delhaize, the decision about whether an investigation is appropriate following a complaint is made by an

¹⁹⁷ Transparency International, *Complaint Mechanisms: Reference Guide for Good Practice* (2016), accessed 5 December 2024, https://knowledgehub.transparency.org/assets/uploads/kproducts/ti_document_-_guide_complaint_mechanisms_final.pdf, p 8

¹⁹⁸ Ahold Delhaize, *Global Speak Up Policy* (1 January 2024), accessed 5 December 2024, <https://www.aholddelhaize.com/media/ga0bwwnv/global-speak-up-policy.pdf>

¹⁹⁹ Ahold Delhaize, *Speak Up Reporting Resources* (1 January 2024), accessed 5 December 2024, <https://www.aholddelhaize.com/media/m3ymodub/speak-up-reporting-resources-january-1-2024.pdf>

²⁰⁰ NAVEX, EthicsPoint Platform

²⁰¹ Ahold Delhaize, *Response from Ahold Delhaize and Hannaford to Migrant Justice's Rejoinder* (15 March 2024), accessed 5 December 2024, https://media.business-humanrights.org/media/documents/Response_from_Ahold_Delhaize_and_Hannaford_to_Migrant_Justice.pdf

[‘Ethics representative’](#)²⁰² of Ahold Delhaize themselves. This limits the impartiality of the process considerably.

To make an anonymous and detailed complaint, workers' best option is the EthicsPoint website. However, the fact that many workers do not have access to the internet and may not have the digital literacy needed to navigate the [mechanism](#)²⁰³, limits its accessibility. Furthermore, complainants do not receive any necessary additional support in filing a complaint. Ahold Delhaize acknowledges that workers might not be aware of the Speak Up Line since they are not employed by the company [directly](#),²⁰⁴ but rather by individual farmers. Therefore, it delegates the responsibility to the supplying farmers to establish additional complaint mechanisms on the farms themselves. However, workers are generally unaware of the Standards, the complaint mechanism or even the role Ahold Delhaize plays in the supply [chain](#).²⁰⁵ This lack of knowledge highlights the general oversight by Ahold Delhaize of monitoring its suppliers' compliance of informing workers of the available complaint mechanisms and their rights under the Standards of Engagement, thereby falling short in its due diligence obligations.

To evaluate the functioning of the grievance mechanism, Migrant Justice has helped workers from ten different farms in Ahold Delhaize's supply chain to submit complaints through the EthicsPoint in 2022 and 2023. However, as documented by Migrant Justice, many of these cases were closed with no concrete reply to the workers and no investigation performed (Annex B, EthicsPoint 1). Oftentimes, workers received the response that they are not part of the supply chain of Hannaford and therefore of Ahold Delhaize (Annex B, EthicsPoint 3, 4, 5, 7) even though the company had acknowledged its responsibility in other complaints from the same cooperative of farms (Annex B, EthicsPoint 8). No relevant and helpful information with alternative remedy possibilities is provided to the complainants. The response times for

²⁰² Ahold Delhaize, *Global Speak Up Policy* (1 January 2024), accessed 5 December 2024, <https://www.aholddelhaize.com/media/ga0bwwnv/global-speak-up-policy.pdf>, p 4

²⁰³ Migrant Justice, *Ahold Delhaize's Human Rights Commitment in Hannaford's Dairy Supply Chain: Failure to Respect, Failure to Remedy*, accessed 5 December 2024, <https://migrantjustice.net/sites/default/files/2023-4-5%20UNGP%20Analysis%20of%20Ahold%20Speak-Up%20Line.pdf>

²⁰⁴ Ahold Delhaize, *Response to the Business and Human Rights Resource Centre* (23 June 2023), accessed 5 December 2024, <https://media.business-humanrights.org/media/documents/AD - Business and HR Resource Centre Response 06232023.pdf>

²⁰⁵ Migrant Justice, *MJ Rejoinder* (4 March 2024), accessed 5 December 2024, https://media.business-humanrights.org/media/documents/2024_MJ_rejoinder_to_Hannaford_BHRRR_Response.pdf

the complaints varied from 9 to 121 [days](#),²⁰⁶ with an average time of 81 days before resolution, during which the workers were not provided with any information regarding the process or any protections from retaliation. This does not fulfil the requirements laid down through the principles of legitimacy and transparency.

In cases where Ahold Delhaize established its responsibility, workers received the reply that the ‘allegations have been investigated and determined to be inconsistent with what was observed at the time of the assessment’ (Annex 2, EthicsPoint 14 & 15). The requests are then closed unilaterally with a promise that the supplier was reminded of their commitments under the Standards of Engagement. None of the workers were contacted with requests to provide more information on the [incidents](#).²⁰⁷ This leaves little room for participation and follow-up from the complainants and undermines the efficacy of the mechanism. Where investigations were carried out, workers received no information as to the methods and findings of the investigation and reported that they themselves were not aware of any investigations conducted at their workplace or in their accommodation (Annex 2, EthicsPoint 15). Complainants were forced to wait for long periods before their complaint was processed, continuously exposed to violations. Workers have also reported [instances of retaliation](#)²⁰⁸ from the farmers to complainants to Migrant Justice, which further diminishes workers’ trust in the complaint mechanism.

In addition, the fact that the situation on the ground in the farms has not changed since 2016, when Hannaford became part of [Ahold Delhaize](#),²⁰⁹ may indicate the consistent failure to mitigate violations and prevent future abuses. As laid out in detail in Chapter 5, Migrant Justice and the workers in Hannaford’s supply chain have repeatedly tried to communicate their grievances. Since the complaint mechanism does not fulfil its function, workers resorted to demonstrations, writing letters and calling out Hannaford publicly for the abuses that they are subjected to. Efforts to communicate the grievances through alternative means such as social media campaigns and writing letters started as early as in 2019, when Migrant Justice

²⁰⁶ Migrant Justice, *Ahold Delhaize’s Human Rights Commitment in Hannaford’s Dairy Supply Chain: Failure to Respect, Failure to Remedy*, accessed 5 December 2024, <https://migrantjustice.net/sites/default/files/2023-4-5%20UNGP%20Analysis%20of%20Ahold%20Speak-Up%20Line.pdf>

²⁰⁷ Migrant Justice, *Ahold Delhaize’s Human Rights Commitment in Hannaford’s Dairy Supply Chain: Failure to Respect, Failure to Remedy*, accessed 5 December 2024, <https://migrantjustice.net/sites/default/files/2023-4-5%20UNGP%20Analysis%20of%20Ahold%20Speak-Up%20Line.pdf>

²⁰⁸ Migrant Justice, *Migrant Justice is Headed to The Netherlands* (28 March 2024), accessed 5 December 2024, <https://migrantjustice.net/news/migrant-justice-is-headed-to-holland>

²⁰⁹ Hannaford, *Our Story*, accessed 5 December 2024, <https://www.hannaford.com/about-us/our-story>

first invited Hannaford and Ahold Delhaize to join the Milk with Dignity Programme.²¹⁰ Since then, no changes were registered by workers in the farms, which substantiates the conclusion that Hannaford and Ahold Delhaize have not fulfilled their duty to **remedy and mitigate** human rights abuses in their supply chains.

The above described failures lead to the conclusion that the mechanism established by Ahold Delhaize is not effectively providing remedy to farm workers. It is not fulfilling the requirements laid down by paragraph 51 of the OECD Guidelines, particularly **accessibility, predictability, and transparency**. Since no action follows on the complaints made by farm workers, the mechanism cannot be said to have **legitimacy** or to provide a **basis for learning**²¹¹. Moreover, as complaints are mostly closed without information on investigations or offers of solution, it cannot be said that the mechanism is ‘based on dialogue and engagement’ with the stakeholders. The criteria of **equitability** and **rights-compatibility** are also not met through this process. Therefore, the Speak-Up Line does not fulfil any of the requirements of a complaint and **remedy** mechanism as prescribed by the OECD Guidelines. The process of complaining and remedying is intrinsic not only for the prevention and mitigation of violations in the supply chain, it should also inform the risk identification stage. The failure to provide adequate complaint mechanisms and react to the complaints made thereby leads to an overall failure to conduct due diligence. Without complaint and remedy, due diligence is not possible.

In conclusion, while Ahold Delhaize has Standards of Engagement and regularly publishes Human Rights Reports, these are insufficient in fulfilling the due diligence requirements to identify, prevent and mitigate risks in the supply chain. Ahold Delhaize falls short in conducting adequate assessment in all these three stages, as examined above. While Hannaford’s partnerships and the implementation of FARM standards aim to improve farm practices, they fall short of adequately identifying the human rights violations and potential risks on the farms. Without proper enforcement mechanisms and legal compliance, these standards do not provide sufficient protection for the rights and safety for the workers employed in the agricultural sector. Furthermore, by failing to act upon the complaints from farm workers, Ahold Delhaize does not succeed in adequately assessing and mitigating the

²¹⁰ J. Dawson, *Migrant Justice urges Hannaford to join ‘Milk with Dignity’ program* (3 October 2019) accessed 4 December 2024,

<https://vtdigger.org/2019/10/03/migrant-justice-urges-hannaford-to-join-milk-with-dignity-program/>

²¹¹ OECD, *Guidelines for Multinational Enterprises on Responsible Business Conduct* (2023), Chapter IV, para 51

risks in its supply chain. The Speak Up Line is further not providing workers with remedies or protections from retaliation from their employers. Moreover, even though complaints have been made and workers have voiced their grievances publicly together with Migrant Justice, no effective change has reached the farms on the ground. Ahold Delhaize is deliberately putting migrant workers at risk by not following up on the complaints submitted through the mechanism.

As demonstrated in Chapter 6, enterprises can be linked to adverse impacts by causing, contributing to, or being directly connected to them.²¹² Ahold Delhaize is deemed directly linked because of its business relationships with suppliers who violate workers' rights. It also contributes to these violations by failing to address long-documented abuses, ignoring reports, and maintaining ineffective complaint mechanisms.

The above section has proven that Ahold Delhaize has failed to conduct proper due diligence assessments in line with the OECD Guidelines and failed to implement an effective mechanism for remedy and complaints for the workers on the dairy farms. This complaint will now turn to the requirement of providing adequate transparency on risk assessments as well as mitigation and prevention of future adverse effects.

8.2. Failure of Adequate Disclosure

Ahold Delhaize, through its subsidiary Hannaford, has violated Chapter III, Paragraph 3 of the OECD Guidelines due to insufficient transparency regarding its dairy supply chain practices. Specifically, Ahold Delhaize failed to disclose critical information about the specific farms and labour conditions involved in producing its store-brand dairy products.

According to the OECD Guidelines, companies are required to disclose “regular, timely, clear, complete, accurate, and comparable information” on material aspects of their supply chain, particularly regarding adverse human rights impacts and risk mitigation.²¹³ The Guidelines emphasise that transparency in due diligence processes is crucial to allow stakeholders, including workers, consumers, and advocacy groups, to assess a company's commitment to responsible business conduct.

²¹² OECD, *Guidelines for Multinational Enterprises on Responsible Business Conduct* (2023)

²¹³ OECD Guidelines, Chapter III. §1, p. 21

The complainants believe that Ahold Delhaize's lack of specific disclosures—such as details about the dairy farms within Hannaford's supply chain—prevents workers from verifying their inclusion under Ahold Delhaize's Standards of Engagement and makes it difficult for workers to know whether they belong to a dairy farm within Ahold Delhaize's supply chain. The OECD Guidelines require transparency on key due diligence outcomes, including identified risks and mitigation efforts, which Ahold Delhaize's current disclosures do not meet.

Ahold Delhaize's lack of adequate disclosure manifests in several ways:

Non-disclosure of Supply Chain Partners

Ahold Delhaize does not provide dairy farm suppliers' details to workers within its supply chain, limiting their ability to understand and address the labour conditions they are subjected to. This omission contravenes Chapter III, Paragraph 3 of the OECD Guidelines, which emphasizes the need for transparency in supply chain relationships to support effective due diligence and improve labour rights. Ensuring that workers and their representatives can access this information is a critical step toward enhancing accountability and addressing adverse conditions.²¹⁴

Insufficient Communication of Risks and Mitigation Actions

The OECD Guidelines mandate that companies communicate identified risks, impacts, and mitigation actions transparently.²¹⁵ Ahold Delhaize's Standards of Engagement make general references to ethical business conduct but fail to specify concrete mitigation actions, timelines, or follow-up procedures. This lack of detailed communication limits stakeholders' ability to evaluate Ahold Delhaize's adherence to responsible business practices.

Inadequate Reporting on Audit and Due Diligence Outcomes

Chapter III, Paragraph 3.h of the OECD Guidelines states that due diligence communication should include outcomes, adjustments, and progress on addressing identified risks.²¹⁶ In its 2024 Human Rights Report, Ahold Delhaize references audits conducted under the FARM program, reportedly facilitated by FSNS (Food Safety and Net Sustainability). However, neither Ahold Delhaize nor FSNS discloses specific findings or follow-up actions, impeding

²¹⁴ OECD Guidelines, III. §3.c p. 21

²¹⁵ *ibid*

²¹⁶ OECD Guidelines, Chapter III, §3.h p. 21

stakeholders' ability to evaluate the program's effectiveness in addressing labor risks. FSNS's role in the auditing process raises questions about whether their expertise in labor standards is sufficient to meet the rigorous due diligence requirements outlined in Chapter III, Paragraph 3.h of the OECD Guidelines. This lack of transparent reporting not only undermines accountability but also reflects broader concerns about the reliability of third-party audit mechanisms in safeguarding labor standards within global supply chains.²¹⁷

Accordingly, Ahold Delhaize's provision of information is neither comprehensive nor accurate, thereby violating specific provisions of the OECD Guidelines as follows:

- **Chapter III, Paragraph 3.c:** Failure to disclose essential supply chain details obstructs stakeholders' capacity for informed oversight. 51
- **Chapter III, Paragraph 3.h:** Lack of follow-up on audit outcomes and risk mitigation results limits accountability for adverse labour conditions in the supply chain.

Thus, Ahold Delhaize's failure to meet OECD disclosure standards for supply chain transparency and due diligence communication highlights significant gaps in its adherence to responsible business conduct, restricting stakeholders' ability to assess its accountability.

9. The Milk With Dignity Program

Ahold Delhaize, and its subsidiary Hannaford, has consistently declined to join the Milk with Dignity Program, which has demonstrated effectiveness in addressing labor rights issues within the dairy supply chain. Specifically, the OECD Guidelines emphasize the importance of implementing transparent grievance mechanisms, engaging effectively with stakeholders, and ensuring adherence to international labor standards—areas where the Milk with Dignity Program could provide robust support, as will be explained in this section.

The Milk with Dignity Program stands out as a model of worker-driven social responsibility, offering a comprehensive framework that ensures transparency, accountability, and direct remediation within the dairy supply chain.²¹⁸ It provides robust protections for workers

²¹⁷ Human Rights Report 2024 Ahold Delhaize

²¹⁸ Migrant Justice, Milk with Dignity Program Report 2018–2024 (Migrant Justice, 2024), accessed 30 November 2024, <https://migrantjustice.net/news/milk-with-dignity-program-report-2018-2024>.

through an independently monitored grievance mechanism, proactive education on workers' rights, and enforced standards for labor and housing conditions.

Research underscores the efficacy of the worker-driven social responsibility model. A ten-year longitudinal study identified it as “the most effective framework for protecting human rights in corporate supply chains.”²¹⁹ Additionally, a 2024 report from the Oxford Research Encyclopedia of Food Studies highlights the WSR model’s success in centering the needs and priorities of food and farmworkers, leading to transformational change.²²⁰ Since 2017, [Ben & Jerry’s](#) partnership with Milk with Dignity has led to significant labor standard improvements across its dairy supply chain. The [program](#) has enhanced working conditions, ensured fair wages, and safeguarded workers’ rights through its comprehensive framework. By adopting the Milk with Dignity Program, Ahold Delhaize would align its due diligence practices with OECD Guidelines, effectively addressing human rights risks within its supply chain.

Ahold Delhaize, through its subsidiary Hannaford, has declined to join the Milk with Dignity Program, citing concerns about scalability, limited geographic focus, and a purported decline in participation over time. However, the Program has demonstrated significant success in improving labor conditions within the dairy supply chain. Since its inception, Milk with Dignity has benefited hundreds of workers across more than 50 participating farms, with over \$5.35 million invested directly in worker wages, bonuses, and improvements to housing and labor conditions. These achievements indicate that the program is both scalable and effective. By joining Milk with Dignity, Ahold Delhaize could implement a proven, worker-driven model that addresses systemic labor issues, countering its concerns about the program's scope and effectiveness.²²¹ The Milk with Dignity Program meets these standards, providing worker-driven social responsibility, enforceable protections, and independent oversight—elements missing from Ahold Delhaize’s current approach.

The Milk with Dignity Program offers a worker-centered grievance mechanism that is notably more effective than Ahold Delhaize's corporate complaint line. Its 24/7 hotline, staffed by bilingual personnel, allows workers to report issues via call or text, including through

²¹⁹ Mickal Aranha, 'This Farmworker Collective is Organizing for "Milk With Dignity" and More' *Modern Farmer* (11 September 2023), accessed 28 January 2025, <https://modernfarmer.com/2023/09/milk-with-dignity/>.

²²⁰ Teresa Mares and Laura-Anne Minkoff-Zern, 'Food Justice and Immigrant Labor in the United States' (Oxford Research Encyclopedia of Food Studies, December 2023), accessed 28 January 2025, <https://oxfordre.com/foodstudies/display/10.1093/acrefore/9780197762530.001.0001/acrefore-9780197762530-e-62>.

²²¹ Migrant Justice, 'Milk with Dignity Report' (23 June 2023), accessed 28 January 2025, <https://drive.google.com/file/d/1oHmIGDaGnxmqdN-w79u6d6vVKSRg1v7B/view>.

platforms like WhatsApp, which is popular among workers with limited cell service but available internet. This accessibility has led to substantial engagement, with over 460 calls from approximately 260 workers in a 30-month period. In contrast, Ahold Delhaize's "Speak Up" line, while available across various regions, has been criticized for being underutilized, partly due to workers' distrust and fear of retaliation. The Milk with Dignity program addresses these concerns by providing robust protections against retaliation and ensuring prompt resolution of complaints, fostering a culture of trust and proactive problem-solving. By adopting the Milk with Dignity Program, Ahold Delhaize could implement a proven, worker-driven model that addresses systemic labor issues, countering its concerns about the program's scope and effectiveness. The program meets OECD Guidelines by providing enforceable protections and independent oversight—elements missing from Ahold Delhaize's current approach.²²²

10. The Complainant's Expectations

The complainants respectfully request that the Dutch National Contact Point (NCP) engage directly with Ahold Delhaize to address its lack of alignment with the OECD Guidelines for Multinational Enterprises, especially regarding its duty to prevent and mitigate human rights abuses in Hannaford's dairy supply chain. By resisting the adoption of the Milk with Dignity Program, refusing to disclose internal audits and relying on ineffective grievance mechanisms, Ahold Delhaize fails in its due diligence obligations, contributing to serious rights violations in its supply chain.

The complainant's specific expectations for both Ahold Delhaize and the NCP are detailed below.

10.1. Expectations Toward Ahold Delhaize

Adoption of the Milk with Dignity Program

Ahold Delhaize should immediately join the Milk with Dignity Program, a proven framework that meets OECD due diligence standards and effectively safeguards labour rights through a worker-driven approach. This program, as demonstrated by [Ben & Jerry's](#) successful partnership, has led to significant improvements in working conditions, independent

²²² Kathryn Babineau and Maya Stephens, 'How to Create a Worker Safety Hotline That Really Works' (2022) Harvard Business Review, accessed 6 December 2024, <https://hbr.org/2022/12/how-to-create-a-worker-safety-hotline-that-really-works>.

monitoring, and an accessible, transparent grievance mechanism that meets OECD criteria for legitimacy, rights compatibility, and accessibility. Adopting this program would allow Ahold Delhaize to replace its inadequate “[Speak-Up Line](#)” with an independent grievance mechanism that ensures worker complaints are addressed effectively and without fear of retaliation, thereby aligning Ahold Delhaize’s operations with OECD principles for transparent and enforceable labour standards.

Establish Comprehensive Due Diligence and Supply Chain Transparency

In line with OECD Guidelines Chapter II, Paragraph A.10, and Chapter IV, Paragraph 3, Ahold Delhaize should implement a robust due diligence process, including full transparency in supply chain disclosures and consistent reporting on labour practices. This should encompass detailed reporting on risks, mitigation efforts, and labour standards to empower stakeholders, safeguard worker rights, and align with OECD expectations for accountable business conduct.

Migrant Justice seeks remedies to address systemic human rights violations within Ahold Delhaize’s dairy supply chain. These include financial compensation for unpaid wages, overtime, and harm caused by exploitative practices; improvements to living and working conditions, such as dignified housing, adequate heating, sanitation facilities, fair wages, and reasonable working hours; and enforceable protections against retaliation to ensure workers can report grievances without fear. These measures align with the OECD Guidelines, providing comprehensive redress for workers while urging Ahold Delhaize to implement robust due diligence and accountability mechanisms throughout its supply chain.

10.2. Requests For the Dutch NCP

The Complainant respectfully requests the Dutch NCP to accept this complaint and undertake a thorough review in line with OECD procedural guidelines. Specifically, the Complainant asks the NCP to provide its good offices to facilitate dialogue and resolve the issues raised. The Complainant commits to engaging in good faith throughout this process. Should Ahold Delhaize decline to participate or fail to reach an agreement, the Complainant requests the NCP to issue a determination on Ahold Delhaize’s compliance with the OECD Guidelines and provide recommendations for improvement.

The Complainant outlines the following specific requests of the NCP:

Encourage Effective Due Diligence and Transparency

The NCP is urged to compel Ahold Delhaize to implement due diligence practices aligned with OECD Guidelines, including transparent supply chain disclosures, risk mitigation strategies, and detailed reporting on labor standards and corrective actions. It is essential to distinguish whether Ahold's obligations arise from contributing to adverse impacts, requiring remediation, or being directly linked, which entails leveraging influence to prevent further harm. Clarifying these distinctions ensures accountability and strengthens Migrant Justice's advocacy by aligning demands with Ahold's responsibilities under the Guidelines. These measures will address systemic human rights risks and ensure compliance with OECD standards.

Facilitate Discussion on Joining the Milk with Dignity Program

The Complainant respectfully requests that the NCP facilitate dialogue under its guidance to explore whether participation in the Milk with Dignity Program could enhance Ahold Delhaize's compliance with OECD Guidelines. Given the program's worker-driven approach, enforceable standards, independent oversight, and accessible grievance mechanisms, this discussion could help assess whether the program provides a framework that aligns with the OECD's criteria for responsible due diligence and addresses the identified gaps in Ahold Delhaize's supply chain.

Underscore Ahold Delhaize's Responsibility to Remedy Harm

The Complainant respectfully requests that the NCP underscore Ahold Delhaize's responsibility under the OECD Guidelines to provide for or cooperate in remedying adverse human rights impacts caused or contributed to by its supply chain operations. The Complainant further asks the NCP to support dialogue aimed at determining how effective remediation can be provided to affected workers, including measures such as:

- Financial compensation,
- Housing and workplace improvements, and
- Protections against retaliation for those raising grievances.

Strengthen Supplier Accountability to International Labor Standards

The Complainant respectfully requests that the NCP clarify Ahold Delhaize's responsibility to ensure its suppliers comply with international labor standards as part of its due diligence obligations. The Complainant further asks the NCP to support measures that strengthen accountability, reinforcing protections for workers and aligning the company's supplier relationships with the OECD Guidelines.

Ensure Future Compliance Through Proactive Measures

The Complainant respectfully requests that the NCP recommend Ahold Delhaize institutionalize sustainable labor and housing standards across its supply chain to prevent recurring violations. Specifically, the Complainant asks the NCP to encourage Ahold Delhaize to implement:

- Regular assessments of labor conditions,
- Continued stakeholder engagement to identify and address risks, and
- Mechanisms for timely and effective corrective actions.

By adopting these measures, Ahold Delhaize would meet OECD requirements and create a robust system to proactively safeguard human rights in its supply chain.

Attachments

List of Annexes

Annex A

Social media communication

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Annex B

Anonymous EthicsPoint complaints of farm workers


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ANNEX A:
SOCIAL MEDIA COMMUNICATION



Hannaford Supermarkets 
Active now



Hannaford Supermarkets 
hannafordmkts · Instagram

View profile



Hi Rachel, We're writing to provide an additional reminder that our community managers retain the right to remove this kind of content and may block those who fail to follow our social community guidelines. The next time our community guidelines are violated, your account will be blocked from our page.



Message...





Hannaford Supermarkets...



Hannaford Supermarkets

119K people like this including Rossy Alfaro and 5 friends

Supermarket

Hannaford Supermarkets is responding to a comment you made on their Page. [View comment.](#)

Hi Rachel, Our community guidelines ask users to please refrain from spamming with repeated off-topic posts.





hannafordmks

Activo(a) ahora



hannafordmks

Instagram

14 mil seguidores · 1,3 mil publicaciones

Sigues esta cuenta de Instagram desde 2023

Ver perfil

Iniciaste un chat con hannafordmks. Usamos información de este chat para mejorar tu experiencia. Obtén información sobre los chats con negocios y tu privacidad.

18 ENE, 12:24

hannafordmks te envió un mensaje sobre un comentario que hiciste en su publicación. [Ver publicación](#)

Hi Rachel, We're writing to provide an additional reminder that our community managers retain the right to remove this kind of content and may block those who fail to follow our social community guidelines. The next time our community guidelines are violated, your account will be blocked from our page.



Mensaje...





Migrant Justice / Justicia Migrante

Another great recipe... **#milkwithdignity**! Hannaford can join with farmworkers to stamp out abuses on the farms that produce your milk. Join now!

3d Like Reply Commented on by **Will Lambek** Edited



Author

Hannaford Supermarkets ✓

We'd like to remind you of our social community guidelines that can be found in the "About" section of our Facebook page. Our community managers retain the right to remove this kind of content and may block those who fail to follow our community guidelines.

2d Like Reply



Will Lambek

Hannaford, dairy workers on the farms producing your milk deserve rights and dignity. It's time to get labor abuse out of your supply chain and join the **#MilkWithDignity** program!

1w Like Reply



Author

Hannaford Supermarkets ✓

Hi Will, We'd like to remind you of our social community guidelines that can be found in the "About" section of our Facebook page. Our community managers retain the right to remove this kind of content and may block those who fail to follow our community guidelines.

ANNEX B:
ETHICSPOINT COMPLAINTS

REPORT DETAILS

Report Submission Date

29-9-2022

Reported Company/Branch Information

[REDACTED]

[REDACTED]

What is your relationship to The Company?

Associate/Employee

Please identify the persons involved:

[REDACTED]

Have you previously reported this to management, and if yes, to whom?

Yes, farm owner

Please provide the approximate date and time this occurred or began?

January 2020 to Present

How did you become aware of this?

It happened to me

Details

Since I started to work on this farm, the housing conditions haven't improve but declined. I live with another worker on top of the barn. This place used to be storage for the cows feed. It's not build for housing people. During wet season, there is water leaks, the place is very humid, insulation is poor. I work milking cows, feeding calves, cleaning the barn. My clothes get filled with manure and cow's poop, I don't have a proper place to wash my clothes and I have to do it with the towels that we use for cleaning the cows tits. I do my laundry together with the laundry of the farm gear. I think we deserve a dignify housing condition, because this place in inhumane for living.

Also working schedules don't allows us to have a day off, not even while sick. One day I got sick and couldn't go to work, that day I wasn't paid. I believe these problems can be fix if the farm owner will have a budget, and I believe that you as the head of the supply chain can help on that.

Uploaded Files

1. 20220511_172349.jpg
2. 20220511_174921.jpg

Follow-Up Notes

There are no additional notes for this report.

Follow-Up Questions/Comments

2--1100--22002222 2--3311 AMM poossteedd by Orrggaanniizzaattiioonn

Thank you for giving us the opportunity to investigate your concern.

2--11--22002233 122--5566 AMM poossteedd by Orrggaanniizzaattiioonn

Ahold Delhaize takes any allegations of abuses in our supply very seriously. Our suppliers are contractually obligated to conduct their business with us in accordance with our Standards of Engagement which is a document outlining our expectations related to worker's rights. Thank you for raising your concerns to us.

An investigation was initiated and completed into this incident by our supplier and a full assessment of the farm and its practices related to worker's rights has been completed recently. The allegations have been investigated and determined to be inconsistent with what was observed at the time of the assessment. As part of our investigation, we reiterated to our supplier our expectations related to worker's rights, including meeting the Vermont Rental Housing Health Code (<https://www.healthvermont.gov/>).

Thank you again for bringing this to our attention.

244--11--22002233 9--3311 PMM poossteedd by Reepoorrtteerr

Thank you for your response, however, I don't understand what kind of investigation you conducted because nobody came into the house we live, to check and see that we still use a bucket for taking showers. we still have holes in the walls where the cold enters, we still don't have a washer machine separated from the one for the cows' rags. And most important, we aren't protected from retaliation. Since we filed this complaint our employer has gotten upset, the farm has put signs of not trespassing and minor things have changed, we have a dryer and we heard they want to paint the house after the cold pass. All that doesn't solve the main issues. Please share who is conducting the investigations. what is the process of resolution without coming to inspect the housing conditions?

Chat Transcripts

There are no chat transcripts for this incident.

REPORT DETAILS

Report Submission Date

13-10-2022

Reported Company/Branch Information

[REDACTED]

[REDACTED]

What is your relationship to The Company?

Associate/Employee

Please identify the persons involved:

[REDACTED]

Have you previously reported this to management, and if yes, to whom?

It was mention to the employer

Please provide the approximate date and time this occurred or began?

2019-2021

How did you become aware of this?

It happened to me

Details

The house that was provided to workers only had 3 rooms with 3 beds for 6 of us. So, when I will go to work, another worker will use the bed i just used. This situation wasn't healthy. We didn't have any privacy. We didn't want to put a complain for fear of retaliation. Our employer was aware of this situation and he decided not to do anything. We feel discriminated because of our origin because domestic workers didn't face the same crowded conditions. I'm not longer working and living there because I couldn't keep on these living conditions, but I hope you are able to do something about it, because the conditions there are the same or worst. On top of that, our work schedules didn't allow us to take food breaks. We worked 13-14 hours a day, and this situation of not having enough time to eat, wasn't healthy.

Follow-Up Notes

There are no additional notes for this report.

Follow-Up Questions/Comments

177--1100--22002222 3:0077 PMM poosstteedd byy Orrrggaanniizzaattioonn

Thank you for giving us the opportunity to investigate your concern.

100--22--22002233 9:0011 PMM poosstteedd byy Orrrggaanniizzaattioonn

Ahold Delhaize takes any allegations of abuses in our supply very seriously. Our suppliers are contractually obligated to conduct their business with us in accordance with our Standards of Engagement which is a document outlining our expectations related to worker's rights. Thank you for raising your concerns to us.

An investigation was initiated and completed into this incident by our supplier and a full assessment of the farm and its practices related to worker's rights has been completed recently. The allegations have been investigated and determined to be inconsistent with what was observed at the time of the assessment. As part of our investigation, we reiterated to our supplier our expectations related to worker's rights, including meeting the Vermont Rental Housing Health Code (<https://www.healthvermont.gov/>).

Thank you again for bringing this to our attention.

Chat Transcripts

There are no chat transcripts for this incident.

REPORT DETAILS

Report Submission Date
2022, 11. 07.

Reported Company/Branch Information

[REDACTED]
[REDACTED]

What is your relationship to The Company?
Associate/Employee

Please identify the persons involved:

[REDACTED]
[REDACTED]

Have you previously reported this to management, and if yes, to whom?
yes, to both farm owners [REDACTED] depending who is in

Please provide the approximate date and time this occurred or began?
This is a recurring issue

How did you become aware of this?
It happened to me

Details

Since I started working here every time a worker has an accident or injury or lesion our bosses don't give us enough time for recovery. For example, in my case, I fell and injured my arm, and I was in pain. I asked my employee to give me time off to recover and visit a doctor, he told me: "I'm sorry there is nobody to cover for you." So I had to go to work in pain, my job at the time needed me to lift heavy buckets and I was concerned it would get worse. The pain persisted, so the next day, when I had time off, I asked a friend to help me rubbing my arm, but that made it worse. I kept working for a week until I was able to make a doctor's appointment. The doctor told me that they cannot do anything, until I got x-rays. It took two days that I kept working, after that they told me to see a physical therapist. I was in pain when lifting and moving my arm. The doctor prescribed me pain medicine, and physical therapy exercises to do at home. This is a week and a half after my injury that I kept working because I felt I needed to keep working because as my boss told me nobody could cover for me.

I think that working in pain without having someone to cover for me is an unsafe working condition because I could get worse, also I couldn't accomplish my chores such as lifting heavy buckets. I kept driving the skid steer with my arm injured. I saw that in other cases with another worker that injured his finger while working, got a shift off, but the next day had to work. I believe he needed to rest another day to recover because he couldn't milk the cows properly, he could get worse, and the work is not done well in those conditions.

I believe that in order to avoid these situations, we need the farm to have the availability to hire more workers to cover when one or more of us get injured or have an accident, and for our boss to understand that we need more time when we don't feel completely healthy.

Follow-Up Notes

There are no additional notes for this report.

Follow-Up Questions/Comments

2022, 11. 07, 7:13 PM posted by Organization2022, 11. 07, 7:13 PM posted by Organization
thank you for giving us the opportunity to investigate your concern.
2022, 12. 06, 1:25 AM posted by Organization2022, 12. 06, 1:25 AM posted by Organization
We are committed to following-up on allegations of human rights violations within our supply chain. As it pertains to these cases, our review shows that these farms do not supply "Hannaford" brand fluid milk.
If there has been a violation of pay practices, we suggest you contact the Vermont Department of Labor:
<https://labor.vermont.gov/>

If there has been a violation of the VT Rental Housing Health Code, we suggest you contact the Vermont Department of Health:
<https://www.healthvermont.gov/>

2022, 12. 17, 5:30 PM posted by Reporter2022, 12. 17, 5:30 PM posted by Reporter

How can you say we aren't part of your supply chain when we were featured in the Hannaford Fresh Magazine in 2020? This farm still supplies to the same Co-op Agrimark-Cabot, that supplies the same processing plant Hood, that supplies Hannaford brand milk. Could you prove this milk is segregated? Can you prove there is direct sourcing? Because we understand that the milk is all commingled.

Chat Transcripts

There are no chat transcripts for this incident.

REPORT DETAILS

Report Submission Date

2022. 11. 28.

Reported Company/Branch Information

[REDACTED]

What is your relationship to The Company?

Associate/Employee

Please identify the persons involved:

[REDACTED]

Have you previously reported this to management, and if yes, to whom?

yes

Please provide the approximate date and time this occurred or began?

2018-2019-2020-2021-2022

How did you become aware of this?

It happened to me

Details

I worked a year and a few months here and I experienced many bad things. The housing is infested with cockroaches, we asked our employer to fumigate but it wasn't enough because of the house conditions such as a broken window where the snow enters during winter. We have to put in electric heaters, and our employers get mad and don't allow us to do so. The stove doesn't work, and the bathrooms are in bad condition. The house is made for five people but eight live here. We are paid low salaries, and if anyone has a work accident, there is no working compensation and we as workers are afraid to lose our jobs so we prefer to keep quiet and not ask for anything.

We feel discriminated against because our employer thinks that as immigrants we don't deserve to ask for good working and housing conditions. We don't feel heard, because they don't do anything to improve our situation.

When Hannaford says the farms in their supply chain are good, what farms is Hannaford referring to? Because this farm isn't good at all.

Follow-Up Notes

There are no additional notes for this report.

Follow-Up Questions/Comments

2022. 11. 28. 10:11 PM posted by Organization2022.

11. 28. 10:11 PM posted by Organization

Thank you for giving us the opportunity to investigate your concern.

2023. 01. 02. 1:14 AM posted by Organization2023.

01. 02. 1:14 AM posted by Organization

We are committed to following-up on allegations of human rights violations within our supply chain. As it pertains to these cases, our review shows that these farms do not supply "Hannaford" brand fluid milk.

If there has been a violation of pay practices, we suggest you contact the Vermont Department of Labor:

<https://labor.vermont.gov/>

If there has been a violation of the VT Rental Housing Health Code, we suggest you contact the Vermont Department of Health: <https://www.healthvermont.gov/>

2023. 01. 10. 8:40 PM posted by Reporter2023.

01. 10. 8:40 PM posted by Reporter

Thank you for your response. Although, in response to a previous complaint, from a member of our community, Hannaford has acknowledged that it sources its private-label fluid milk from Vermont farms belonging to the Dairy Farmers of America cooperative. We know that the farm where we are working and submitting this complaint belongs to the same cooperative, and that milk from DFA farms in this geographic region is commingled at the DFA facility in St. Albans before being sent to the bottling plants where Hannaford has private label contracts, how can Hannaford claim that this farm is not within its dairy supply chain? Can you provide evidence showing that milk from this farm is segregated from milk from other DFA farms that Hannaford has already acknowledged sourcing from?

Chat Transcripts

There are no chat transcripts for this incident.

REPORT DETAILS

Report Submission Date

2022. 12. 14,

Reported Company/Branch Information

[REDACTED]

What is your relationship to The Company?

Associate/Employee

Please identify the persons involved:

[REDACTED]

Have you previously reported this to management, and if yes, to whom?

Yes, to [REDACTED]

Please provide the approximate date and time this occurred or began?

2021

How did you become aware of this?

It happened to me

Details

We are 10 workers sharing a house with 4 rooms, some of us are sleeping in the living room. This house doesn't have a heat system, there is only heat in the kitchen, but doesn't cover the whole house. Many times it broke last year, and the farm owners took too long to repair it. There are holes in the walls where the outside cold comes in, the windows have cracks and are not sealed. Also, there is only a bathroom for the 10 of us. We feel this is unfair treatment because there are other people in the farm that get better housing, and are heard better. We work here longer and we aren't receiving the same treatment. We deserve a fair treatment because we are the main milkers for the farm, and day by day we sustain this business.

Uploaded Files

1. covering holes with plastic bottles.jpg
Picture of holes in our housing covered by plastic bottles to avoid the entrance of cold
2. covering holes with plastic bottles.jpg Picture of holes in our housing covered by plastic bottles to avoid the entrance of cold
3. covering holes with plastic bottles.jpg

Follow-Up Notes

There are no additional notes for this report.

Follow-Up Questions/Comments

2022. 12. 15. 4:52 PM posted by Organization2022.

12. 15. 4:52 PM posted by Organization

Thank you for giving us the opportunity to investigate your concern.

2023. 02. 10. 9:04 PM posted by Organization2023.

02. 10. 9:04 PM posted by Organization

Ahold Delhaize takes any allegations of abuses in our supply very seriously. Our suppliers are contractually obligated to conduct their business with us in accordance with our Standards of Engagement which is a document outlining our expectations related to worker's rights. Thank you for raising your concerns to us.

An investigation was initiated and completed into this incident by our supplier and a full assessment of the farm and its practices related to worker's rights has been completed recently. The allegations have been investigated and determined to be inconsistent with what was observed at the time of the assessment. If you still work and live at this farm, and you feel that the conditions have not improved, please notify us. As part of our investigation, we reiterated to our supplier our expectations related to worker's rights, including meeting the Vermont Rental Housing Health Code (<https://www.healthvermont.gov/>).

Thank you again for bringing this to our attention.

Chat Transcripts

There are no chat transcripts for this incident.

REPORT DETAILS

Report Submission Date

2022. 12. 27.

Reported Company/Branch Information

[REDACTED]

What is your relationship to The Company?

Former Associate/Employee

Please identify the persons involved:

[REDACTED]

Have you previously reported this to management, and if yes, to whom?

Yes, to [REDACTED]

Please provide the approximate date and time this occurred or began?

April, May, June 2022

How did you become aware of this?

It happened to me

Details

My name [REDACTED] worked on this farm when I was 17, we used to work with chemicals and didn't get any protective gear. I worked everyday without a full day off or vacation time. I talked to the employer but he didn't care about our health, or our safety. One day I got sick and went to the ER. I told my boss I couldn't go to work, and his response was that I needed to be there because his cows need to be milked, and I needed to show proof of me at the hospital with video, pictures or any other way to show him I was there, and if I didn't do it, I'll be fired without paying me the week that I already worked. I was diagnosed with a virus, and feeling really sick, I didn't feel good to go back to work that day, but I went back the next day. After this experience I stayed for two more weeks and my boss was looking for ways to find me guilty of wrongdoing at work or misbehaving. Knowing I'll be fired for any reason, I made the decision to leave. Later on I was paid only a few days of my working week.

On top of that, the house provided by my boss was infested with pests and when we told him about it his response was that it was too expensive to do anything about it. Clearly he didn't care about us at all.

For me this is an unfair treatment, because I'm a young worker doing my best to earn an income to support myself, and my boss didn't care about my well being, he only cared about his business. If I got back to work, the cows would have been milked wrong. I was feeling very sad for being treated like this and not having my boss believe me.

Follow-Up Notes

There are no additional notes for this report.

Follow-Up Questions/Comments

2022. 12. 28. 4:57 AM posted by Organization2022.

12. 28. 4:57 AM posted by Organization

Thank you for giving us the opportunity to investigate your concern.

2023. 01. 05. 3:56 PM posted by Organization2023.

01. 05. 3:56 PM posted by Organization

We are committed to following-up on allegations of human rights violations within our supply chain. As it pertains to these cases, our review shows that this farm does not supply "Hannaford" brand fluid milk.

If there has been a violation of pay practices, we suggest you contact the Vermont Department of Labor:

<https://labor.vermont.gov/>

If there has been a violation of the VT Rental Housing Health Code, we suggest you contact the Vermont Department of Health:

<https://www.healthvermont.gov/>

Chat Transcripts

There are no chat transcripts for this incident.

REPORT DETAILS
Report Submission Date
2023-01-10

Reported Company/Branch Information

What is your relationship to The Company?

Former Associate/Employee

Please identify the persons involved:

Have you previously reported this to management, and if yes, to whom?

Yes

Please provide the approximate date and time this occurred or began?

April, May, and June 2022

How did you become aware of this?

It happened to me

Details

My name is [REDACTED] filed a previous complaint (806777756201) that was dismissed, I want to correct the legal name of the farm where the incidents occurred. From [REDACTED] to hope you take into account my story because I know that Hannaford sources from the Hood plants that source from DFA farms. I worked on this farm when I was 17, we used to work with chemicals and didn't get any protective gear. I worked every day without a full day off or vacation time. I talked to the employer but health or our safety. One day I got sick and went to the ER. I told my boss I couldn't go to work, and his response was that I needed to be there because his cows need to be milked, and I need hospital with video, pictures, or any other way to show him I was there, and if I didn't do it, I'll be fired without paying me the week that I already worked. I was diagnosed with a virus, and feel good to go back to work that day, but I went back the next day. After this experience, I stayed for two more weeks and my boss was looking for ways to find me guilty of wrongdoing at work or fired for any reason, I made the decision to leave. Later on, I was paid only a few days of my working week.

On top of that, the house provided by my boss was infested with pests and when we told him about it his response was that it was too expensive to do anything about it. Clearly, he didn't care

For me, this is unfair treatment, because I'm a young worker doing my best to earn an income to support myself, and my boss didn't care about my well-being, he only cared about his business the cows would have been milked wrong. I was feeling very sad for being treated like this and not having my boss believe me.

Follow-Up Notes

There are no additional notes for this report.

Follow-Up Questions/Comments

2023-01-11 1:00 AM posted by Organization2023-01-11 1:00 AM posted by Organization2023-01-11 1:00 AM posted by Organization

Thank you for giving us an opportunity to investigate your concern.

2023-02-10 9:03 PM posted by Organization2023-02-10 9:03 PM posted by Organization2023-02-10 9:03 PM posted by Organization

Thank you for renewing your concern about [REDACTED] We are committed to following-up on allegations of human rights violations within our supply chain and so we have again that these farms do not supply "Hannaford" brand fluid milk.

If there has been a violation of pay practices or occupational health and safety requirements, we suggest you contact the Vermont Department of Labor: <https://labor.vermont.gov/>. They should have violations.

If there has been a violation of the VT Rental Housing Health Code, we suggest you contact the Vermont Department of Health: <https://www.healthvermont.gov/>

2023-02-14 2:46 AM posted by Reporter2023-02-14 2:46 AM posted by Reporter2023-02-14 2:46 AM posted by Reporter

Thank you for your response. Although, in response to a previous complaint, from a member of our community, Hannaford has acknowledged that it sources milk from Vermont farms below America cooperative. We know that the farm where we are working and submitting this complaint belongs to the same cooperative, and that milk from DFA farms in this geographic region is in St. Albans before being sent to the bottling plants where Hannaford has private label contracts, how can Hannaford claim that this farm is not within its dairy supply chain? Can you provide from this farm is segregated from milk from other DFA farms that Hannaford has already acknowledged sourcing from?

Chat Transcripts

There are no chat transcripts for this incident.

REPORT DETAILS

Report Submission Date

2023. 02. 13.

Reported Company/Branch Information

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

What is your relationship to The Company?

Associate/Employee

Please identify the persons involved:

[REDACTED]

Have you previously reported this to management, and if yes, to whom?

Yes to managers and employer

Please provide the approximate date and time this occurred or began?

All these years

How did you become aware of this?

It happened to me

Details

The way of living on the farms is so improper. We sleep in rooms on top of the milking parlor, we share bedrooms with workers with different schedules, and when one is sleeping the others need to turn the light on and make noise. We have problems with infestations of bedbugs and cockroaches, but our employer takes three weeks to do something and is always delayed. We spent one of the coldest winter nights without heat, but our employer didn't have any intention to repair it soon. These rooms are dangerous because there is high-voltage machinery that could fail and cause a short circuit and we could die in a fire. Everything will burn and we would lose our lives. We are afraid to ask for protection because of retaliation and we could lose our jobs. True is that we are not feeling safe or good.

If we were part of the Milk with Dignity Program, we would have protection and dignified housing. We won't feel this fear to ask for protection for our lives.

Follow-Up Notes

There are no additional notes for this report.

Follow-Up Questions/Comments

2023. 02. 14. 9:50 PM posted by Organization2023.

02. 14. 9:50 PM posted by Organization

Thank you for giving us the opportunity to investigate your concern.

2023. 04. 12. 2:22 AM posted by Organization2023.

04. 12. 2:22 AM posted by Organization

Hannaford takes any allegations of human rights violations or abuses in our supply chains very seriously. Our suppliers are contractually obligated to conduct their business with us in accordance with our Standards of Engagement which clearly outlines our expectations related to worker's rights. Thank you for raising your concerns to us.

An investigation into the alleged incident was conducted by our supplier and a full assessment of the farm and its practices related to worker's rights was completed in 2022. Following the investigation, the farm owner has committed to a timelier response to pest issues. The farm owner also confirmed that the safety issue had been corrected. If you still work and live at this farm, and you feel that the conditions have not improved, please notify us. You can also contact the Vermont Department of Health: <https://www.healthvermont.gov/> if there is a violation of the VT Rental Housing Health Code.

Thank you again for bringing this to our attention.

Chat Transcripts

There are no chat transcripts for this incident.

REPORT DETAILS

Report Submission Date

2023. 02. 22.

Reported Company/Branch Information

What is your relationship to The Company?

Former Associate/Employee

Please identify the persons involved:

Have you previously reported this to management, and if yes, to whom?

no

Please provide the approximate date and time this occurred or began?

1/28/2023

How did you become aware of this?

It happened to me

Details

I was working milking cows when we heard that some people from the church that bring food and other supplies arrive at the farm. My coworker asked me to go tell them that we couldn't see them while working. While I was starting to talk to them, my employer came yelling and very upset. He pushed the church person and he shook and pushed me too. I don't speak English so I couldn't understand what he was saying, but he was angry and yelling at us. The person from the church called the police because he felt assaulted. When the police arrived they thought it was a small fight between me and the other person, and because we weren't severely injured, the police didn't find anything to do about it. My boss told the police that he already had told workers that visits to the workplace weren't allowed, and that is why he got upset. I felt very sad and confused about being yelled at, shaken, and shoved away by my boss. When I just started working here I heard that he was a boss that would yell at workers and that he already had kicked out another worker with physical violence. When this happened to me I couldn't really understand why he felt empowered to do it, it's so unfair. I came to work not to get into trouble. I was fired on the third day after the incident. I think my boss waited to be Monday to fire me because he doesn't come during the weekend. My schedule will go from 12 to 15 hours milking cows, feeding calves, and cleaning stalls with only 30 minutes break. Violence and threats shouldn't happen anywhere. I don't want this to happen to anyone else, and I hope I stop feeling sad and afraid.

Follow-Up Notes

There are no additional notes for this report.

Follow-Up Questions/Comments

2023. 02. 24. 3:08 AM posted by Organization2023.

02. 24. 3:08 AM posted by Organization

Thank you for giving us the opportunity to investigate your concern.

2023. 04. 12. 11:48 PM posted by Organization2023.

04. 12. 11:48 PM posted by Organization

Hannaford takes any allegations of abuses in our supply chains very seriously. Our suppliers are contractually obligated to conduct their business with us in accordance with our Standards of Engagement which clearly outlines our expectations related to worker's rights. Thank you for raising your concerns to us.

An investigation into this incident was conducted by our supplier and a full assessment of the farm and its practices related to worker's rights was completed in 2022, prior to this incident. The investigation confirmed that police were called to the scene, but there were no charges filed. The farm owner referenced a violation of a recently implemented visitor policy following a previous incident with late-night visitors who released cows, which led to potential risks to food security protocols. However, there is no place for any type of violent behavior in the workplace. That is why we have issued a formal warning to our supplier that this type of behavior is not acceptable and not in line with our Standards of Engagement. Any further incidents of this nature will be addressed appropriately.

Thank you again for bringing this to our attention.

Chat Transcripts

There are no chat transcripts for this incident.

REPORT DETAILS

Report Submission Date

2023. 03. 27.

Reported Company/Branch Information

[REDACTED]

If other was selected, please specify the country

This is a general report

What is your relationship to The Company?

Third Party

Please identify the persons involved:

X X - X

Have you previously reported this to management, and if yes, to whom?

not applicable

Please provide the approximate date and time this occurred or began?

On going issues.

How did you become aware of this?

I heard it

Details

Good Afternoon,

I have been reading recently about the harsh and at times inhumane conditions that dairy workers have faced in the state. I am a concerned citizen and consumer who has also spoken with the farmworker community and heard their daily work experiences.

I would like to know how your company is making sure that abuse is being stopped in these farms. I have seen that this Speak Up Line is your support system for farmworkers. I am wondering if you could provide more information as to how the Speak Up Line is accessible and how it supports farmworkers well being. Have you received many calls? Have you been able to help farmworkers?

Follow-Up Notes

There are no additional notes for this report.

Follow-Up Questions/Comments

2023. 03. 30. 4:09 PM posted by Organization2023.

03. 30. 4:09 PM posted by Organization

Thank you for sharing your concerns and for giving us an opportunity to respond. We are committed to following-up on allegations of human rights violations within our supply chain.

Further, Hannaford is committed to conducting our business in an ethically responsible manner that recognizes and protects relationships with associates, customers, shareholders, vendors and communities. Integrity is the foundation of Hannaford's commitment to "doing what's right, every day." Because it is impossible for us to be aware of every incident that impacts our business, Hannaford, along with all Ahold Delhaize brands, has our Speak Up line in place to provide all stakeholders with a confidential, third-party reporting process via an online portal or by telephone – 24 hours a day, 7 days a week, 365 days per year. Reports submitted to the Speak Up line are forwarded on to the appropriate Hannaford resource, and where appropriate to the appropriate supplier, for review and prompt response or, where needed, investigation. All reports are treated confidentially, so callers can feel comfortable providing useful information without fear of retaliation. Because these reports are confidential, we cannot share numbers with you, but we can confirm that when we receive a report or concern that affects farmworkers, we work directly with our vendor to investigate the concern and, where necessary, ensure the responsible supplier remediates the concern.

Beyond ensuring Speak Up complaints are promptly investigated, Hannaford has been, and continues to be, engaged in a thorough due diligence review across our dairy supply chain. This important work is a collaboration with our private label milk suppliers that engages industry partners, including the National Milk Producers Federation and the Innovation Center for U.S. Dairy. Those organizations jointly provide guidance and support for U.S. dairy farms under the Farmers Assuring Responsible Management (FARM) assessment tool on the topics of animal care, environmental impact and worker development.

Hannaford's private label milk suppliers completed FARM Workforce Development assessments on farms across our entire geography. We are committed to ongoing, robust and transparent assessments of farms within our dairy supply chain.

Chat Transcripts

There are no chat transcripts for this incident.

REPORT DETAILS

Report Submission Date

10/13/2022

Reported Company/Branch Information

What is your relationship to The Company?

Associate/Employee

Please identify the persons involved:

Have you previously reported this to management, and if yes, to whom?

It was mention to the employer

Please provide the approximate date and time this occurred or began?

2019-2021

How did you become aware of this?

It happened to me

Details

The house that was provided to workers only had 3 rooms with 3 beds for 6 of us. So, when I will go to work, another worker will use the bed I just used. This situation wasn't healthy. We didn't have any privacy. We didn't want to put a complain for fear of retaliation. Our employer was aware of this situation and he decided not to do anything. We feel discriminated because of our origin because domestic workers didn't face the same crowded conditions. I'm not longer working and living there because I couldn't keep on these living conditions, but I hope you are able to do something about it, because the conditions there are the same or worst. On top of that, our work schedules didn't allow us to take food breaks. We worked 13-14 hours a day, and this situation of not having enough time to eat, wasn't healthy.

Follow-Up Notes

There are no additional notes for this report.

Follow-Up Questions/Comments

10/17/2022 9:07 AM posted by Organization

Thank you for giving us the opportunity to investigate your concern.

2/10/2023 3:01 PM posted by Organization

Ahold Delhaize takes any allegations of abuses in our supply very seriously. Our suppliers are contractually obligated to conduct their business with us in accordance with our Standards of Engagement which is a document outlining our expectations related to worker's rights. Thank you for raising your concerns to us.

An investigation was initiated and completed into this incident by our supplier and a full assessment of the farm and its practices related to worker's rights has been completed recently. The allegations have been investigated and determined to be inconsistent with what was observed at the time of the assessment. As part of our investigation, we reiterated to our supplier our expectations related to worker's rights, including meeting the Vermont Rental Housing Health Code (<https://www.healthvermont.gov/>).

Thank you again for bringing this to our attention.

Chat Transcripts

There are no chat transcripts for this incident.

REPORT DETAILS

Report Submission Date

5/24/2022

Reported Company/Branch Information

[REDACTED]
[REDACTED]

What is your relationship to The Company?

Associate/Employee

Please identify the persons involved:

[REDACTED]
[REDACTED]
[REDACTED]

Have you previously reported this to management, and if yes, to whom?

No

Please provide the approximate date and time this occurred or began?

1 of September, 2021

How did you become aware of this?

It happened to me

Details

The supervisor on the farm was a very violent man. He would force us to work extra hours, didn't allow us to take food breaks, and constantly insulted us. My wife, my mother, and I all had to work 11 hours a day. Our housing had pest infestations, and my employer didn't care. One evening the supervisor was drinking and he started to come into our room. He was mad at my mother. He was carrying a machete and started to threaten us. He wanted to hurt my mother. We decided to stay in our room, and another person started trying to calm him down. I decided to call the police. We had to leave out the back door when the police came. My supervisor denied everything to the police. My boss came to see what was happening, and she got upset with us for calling the police and started taking the supervisor's side. She fired us and asked us to leave the house first thing in the morning. She stated that it wasn't fair to leave her without the supervisor, and to call the police without even asking about our wellbeing.

We waited 2 hours that night for the police to take the violent supervisor into custody. At the time we felt it was a matter of life and death, we carry a lot of trauma to this day, and feel abandoned by our bosses. To this day we cannot set foot on that farm to visit family for fear of retaliation.

This is clearly an example of the violence in the workplace, fear of defending ourselves, losing our jobs and housing. We are now afraid to say anything in any workplace.

Follow-Up Notes

6/1/2022 10:23 AM

[REDACTED] presented this complaint with the support of Marita Canedo as interpreter. Please let us know the development of this. Thank you

6/17/2022 8:20 AM

Hello, I would like to correct the name of the supervisor. His name is [REDACTED], not [REDACTED]. Sorry for the confusion

8/17/2022 3:54 PM

In answer to your last communication, we are waiting to hear more about your investigation

Follow-Up Questions/Comments

5/26/2022 9:56 AM posted by Organization

Thank you for giving us the opportunity to investigate your concern.

6/3/2022 3:29 PM posted by Organization

Thank you for this additional information. Our investigation is ongoing and we will confirm once it is complete.

6/6/2022 12:03 PM posted by Organization

In order to assist in our investigation, would you please provide responses to the following questions:

1. How long did you work at this farm?
2. Where and when did the incident take place (on the job, or after working hours)?
3. Was there any follow up with or from the police or any other government agency? (Did the police take the supervisor into custody and remove him from the situation? Did the police or any other agency provide any resources for them on what to do next?)
4. Is the supervisor still working at that farm? Or anyone else who was involved in, or witnessed, the incident?
5. Do you have current contact information for Luis Alvarez?
6. Do you have any photographs or video that shows the pest infestation in the housing provided by the farm? If so, can you please share those with us.
7. Please explain what you mean when you say you were forced "to work extra hours." On average, how many hours per week did you work? How many hours were you normally scheduled for? Why were you forced to work extra hours?

Thank you in advance for your assistance in providing this additional information.

6/10/2022 11:09 AM posted by Reporter

1. 3 weeks

2. During work hours we weren't allowed to take meal breaks, we were insulted constantly. The house provided by employer had pests. The bigger incident happened at our house after work hours

3. called the police that night, they took the supervisor into custody resulting on his conviction for aggravated assault and finally deportation. We were fired of the farm and kicked out of the house first thing in the morning. Migrant Justice assisted my mother for support. Migrant Justice assisted me with interpretation with law enforcement and for the hearing in court.

4. I don't know

5. No

6. No

7We were working 11 hours a day. We felt forced to work because we couldn't take meal breaks, we couldn't take time to rest during shifts, or a day off. We felt forced to work because we knew if we didn't comply we will be fired resulting in not only losing our font of income but our housing situation as well.

7/29/2022 8:47 AM posted by Organization

Ahold Delhaize takes any allegations of abuses in our supply very seriously. Our suppliers are contractually obligated to conduct their business with us in accordance with our Standards of Engagement which is a document outlining our expectations related to worker's rights. Thank you for raising your concerns to us. An investigation was initiated and completed into this incident by our supplier. A full assessment of the farm and its practices related to worker's rights has been completed, which included a visit to this farm by Ahold Delhaize employees. While the investigation is not quite complete, what we have learned suggests that this incident was a dispute between coworkers that occurred away from work but inside housing provided by the farm owner. Police were called and responded. The individual creating the threat was taken into custody and has subsequently been deported. In addition to the incident itself, allegations were raised regarding pest infestation at the housing, long working hours, and lack of rest breaks. Each of these allegations has been investigated and determined to be inconsistent with what was observed. We are continuing to work with our supplier to ensure their investigation is complete and to determine other actions alleged to have occurred subsequent to this event. We will provide more details as they become available to us. Thank you again for bringing this to our attention.

8/25/2022 11:00 AM posted by Reporter

In answer to your last communication, we are waiting to hear more about your investigation

1/6/2023 10:28 PM posted by Organization

Thank you again for sharing your concerns with us. As mentioned previously, we did not find evidence of the allegations regarding pest infestation, long working hours and lack of rest breaks. We also have not been able to establish that the dismissal and eviction following the incident, which occurred away from work but inside housing provided by the farm owner, was directly related to the specific incident.

We want to confirm that, at the conclusion of our investigation, we held a formal meeting with the management of our supplier to reiterate the expectations outlined in our Standards of Engagement and to discuss the investigation, our findings and our concerns. As outlined in our Standards of Engagement, Hannaford requires suppliers to observe all applicable laws and regulations, including legislation on farm housing. In addition, the Standards of Engagement obligate suppliers to ensure no retaliation against employees who raise complaints in good faith. We have addressed our findings and concerns with our supplier and requested that they take appropriate steps to prevent such an incident from happening again.

In addition, we agreed with our supplier on an investigation procedure to ensure we can respond in a timely manner to concerns shared through our Speak Up Line. We thank you for your patience.

Our investigation into this incident is closed. We remain committed to protecting the rights of workers in our supply chains and we thank you for bringing this to our attention.

Chat Transcripts

There are no chat transcripts for this incident.