



2010

FAIR LABOR ASSOCIATION INDEPENDENT EXTERNAL MONITORING AGRICULTURAL REPORT

COMPANY: Syngenta AG
COUNTRY: India
PROVINCE: Karnataka
MONITOR: Glocal Research & Consultancy Services
AUDIT DATE: December 11 – 14 & 17, 2010
PRODUCTS: Tomato Seeds
NUMBER OF WORKERS: 91
NUMBER OF WORKERS INTERVIEWED: 49
NUMBER OF FARMS VISITED: 30
TOTAL AREA COVERED IN AUDIT: 29.25 Acres
PROCESSES: Hybridization, Staking & Pruning of Plants



CONTENTS:

Wages, Benefits and Overtime Compensation: General Compliance Wages, Benefits and Overtime Compensation _____	3
Wages, Benefits and Overtime Compensation: Minimum Wage _____	4
Wages, Benefits and Overtime Compensation: Worker Wage Awareness _____	5
Wages, Benefits and Overtime Compensation: Record Maintenance _____	6
Wages, Benefits and Overtime Compensation: Payment for Overtime _____	7
Forced Labor: Employment Terms/Voluntary Agreement _____	8
Freedom of Association and Collective Bargaining: Other _____	9
Harassment or Abuse: Discipline/Verbal Abuse _____	10
Harassment or Abuse: Grievance Procedure _____	11
Child Labor: General Compliance Child Labor _____	12
Child Labor: Proof of Age Documentation _____	13
Child Labor: Other Means of Age Verification _____	14
Child Labor: Education of Young Workers _____	15
Child Labor: Removal and Rehabilitation of Child Laborers _____	16
Non-Discrimination: General Compliance Non-Discrimination _____	17
Non-Discrimination: Employment Decisions _____	18
Non-Discrimination: Sex-Based Wage Discrimination _____	19
Code Awareness: _____	20
Code Awareness: _____	21
Code Awareness: Other (Company Internal Grievance Policy and Procedures) _____	22
Health and Safety: General Compliance Health and Safety _____	23
Health and Safety: Document Maintenance/Worker Accessibility and Awareness _____	24
Health and Safety: Health and Safety Management System _____	25
Health and Safety: Communication to Workers _____	26
Health and Safety: Access to Safety Equipment and First Aid _____	27
Health and Safety: Personal Protective Equipment _____	28
Health and Safety: Chemical Management and Training _____	29
Health and Safety: Chemical Management for Pregnant Women, Young Workers and Family Members Residing on the Farm _____	30
Health and Safety: Machinery Maintenance and Worker Training _____	31
Health and Safety: Medical Facilities _____	32
Hours of Work: General Compliance Hours of Work _____	33
Hours of Work: Rest Day _____	34
Hours of Work: Overtime _____	35
Hours of Work: Overtime/Positive Incentives _____	36
Hours of Work: Public Holidays _____	37
Hours of Work: Other _____	38



Wages, Benefits and Overtime Compensation: General Compliance Wages, Benefits and Overtime Compensation

WBOT.1 Growers shall comply with all local laws, regulations and procedures concerning the payment of wages and benefits, including overtime compensation. In cases where laws and the FLA Workplace Code of Conduct are contradictory, the standard providing the greatest protection for workers shall apply. Where provisions are lacking, growers shall take measures to reasonably accommodate matters concerning the payments of wages and benefits, including overtime compensation.

Noncompliance

Explanation: Procedures and regulations concerning wages and benefits and overtime compensation as per local law are not followed.

Sources: worker and grower interviews

Legal Reference: The Minimum Wages Act 1948

Plan Of Action: Syngenta has consistently tried to convince growers to pay as per local law.

Actions:

1. Bringing more awareness in this area.
2. Monitoring wages.
3. Involving local government and stakeholders in addressing this issue.

Deadline

Date:

Action

Taken:

Plan

Complete:

Plan

Complete

Date:

Wages, Benefits and Overtime Compensation: Minimum Wage

WBOT.2 Growers shall pay workers the legal minimum wage or the prevailing regional wage, whichever is higher.

Noncompliance

Explanation: Wages paid for certain operations are below legal minimum wages. Minimum daily wage prescribed for agricultural labor as per local law is Rs 107. For certain work, like transplantation, weeding, cross pollination and harvesting, which are carried out mostly by women, workers are paid Rs 70-100, less than legal minimum wage.

Sources: worker and grower interviews

Legal Reference: The Minimum Wages Act 1948

Plan Of Action: Syngenta has consistently tried to convince growers to pay as per local law.

Actions:

1. Bringing more awareness in this area.
2. Monitoring wages.
3. Involving local government and stakeholders in addressing this issue.

**Deadline
Date:**

**Action
Taken:**

**Plan
Complete:**

**Plan
Complete
Date:**



Wages, Benefits and Overtime Compensation: Worker Wage Awareness

WBOT.6 Grower/Organizer/Company will make an effort to educate workers so that the terms of employment, wages, benefits and deductions shall be clearly understood and acceptable by workers.

Noncompliance

Explanation: [Workers are not aware of their legally entitled wages and benefits as per local law.](#)

[Sources: worker and grower interviews](#)

Plan Of [Action:](#)

Action: [Awareness would be created about legal minimum wages among workers.](#)

Deadline

Date:

Action

Taken:

Plan

Complete:

Plan

Complete

Date:

Wages, Benefits and Overtime Compensation: Record Maintenance

WBOT.7 Company shall make efforts to educate and assist growers in maintaining records of wages provided to workers in cash or in-kind or both; such records shall be acknowledged by workers.

Noncompliance

Explanation: No records maintained by growers.

Sources: worker and grower interviews

Plan Of Action: Though maintaining documents at farms is difficult, it is important. Company has designed and provided a simple, uniform documentation system (attendance register) for growers, which can help them maintain records of employment; wages and advances; hours of work, etc. Incentives can be a way to promote record maintenance. Awareness building needs to happen around record maintenance, as this can lead to growers' and workers' own good.

We believe that the documentation over the last few years has been improved.

Actions:

More awareness will be generated among growers to maintain documents like attendance registers; age verification documents of all workers; contracts between growers and annual workers, etc.

Deadline

Date:

Action

Taken:

Plan

Complete:

Plan

Complete

Date:

Wages, Benefits and Overtime Compensation: Payment for Overtime

WBOT.10 The additional payment for overtime (OT) hours will be prescribed by local law. In cases of countries where there is no law regarding OT, workers shall be paid a premium rate for these hours.

Noncompliance

Explanation: [At 4 farms, workers reported they are not paid any additional money for overtime work. Workers do not have awareness about their legal entitlements.](#)

[Sources: worker interviews](#)

Plan Of Action: [Actions:](#) Awareness to be created among growers about overtime compensation; a mechanism to monitor the OT compensation would be put in place.

Deadline Date:

Action Taken:

Plan Complete:

Plan Complete Date:



Forced Labor: Employment Terms/Voluntary Agreement

F.3 Employment terms shall be those to which the worker has voluntarily agreed, in as far as those terms do not fall below provisions of local laws, freely negotiated and valid collective bargaining agreements, or the FLA Workplace Code of Conduct.

Noncompliance

Explanation: Prevailing market wage rates constitute the basis for verbal agreement terms between grower and seasonal workers who take advances against their wage payments. Though workers voluntarily enter these agreements, it is to be noted that the prevailing wage rates for most agricultural operations are below legal minimum wages in this region. Both growers and workers are not aware of legal minimum wages.

Sources: record review; worker and grower interviews

Legal References: Minimum wages for daily wage agricultural workers prescribed by [State name] government under The Minimum Wages Act 1948.

Plan Of Action: In some cases, growers engage annual workers to conduct farm operations smoothly. Therein, the focus is not only seed production, as these workers are involved in other various field activities. This type of engagement is always verbal and a verbal contract is made between growers and the laborers. This requires attention as the remediation plan we have planned.

Actions:

1. We will educate growers on various aspects of law related to annual labor contracts.
2. We will encourage growers to a) have a written contract between growers and laborers with clearly specified terms and conditions of employment and b) keep the document ready in case it is required.

Deadline

Date:

Action

Taken:

Plan

Complete:

Plan

Complete

Date:

Freedom of Association and Collective Bargaining: Other

Other

Noncompliance

Explanation: No formal grievance system in place for workers to raise their concerns.

Sources: worker and grower interviews

Plan Of Action: Syngenta would create awareness through training programs for all concerned stakeholders on noncompliance, develop a culture of transparent work environment and establish a strong communication among the team.

Actions:

1. Started engaging opinion leaders, teachers and women at the village level to form a committee to serve as channel for information dissemination and worker grievances. At least 50% of these Grievance Committee members will be women. Company will take appropriate steps to publicize this grievance channel among growers and workers. Contact information of village committee members, as well as that of organizers and company supervisors, will be made available to growers and workers. Village committee will contact company in case of grievances.
2. 1 day per month will be assigned to company representative to deal with field level worker grievances. All worker grievances will be documented for analysis.
3. In the long term, an internal system within the monitoring program will be developed to award growers with zero grievances.
4. Supervisors will be equipped with visiting cards on which contact numbers of respective regional project manager (RPM) and project coordinator are mentioned; workers will be educated to contact these numbers on noncompliances they observe.
5. Leaflets with information about emergency numbers will be distributed among workers.

Deadline Date:

Action Taken:

Plan Complete:

**Plan
Complete
Date:**

Harassment or Abuse: Discipline/Verbal Abuse

H&A.8 Grower will not use, engage in, or support any form of verbal violence, including screaming, yelling, or the use of threatening, demeaning, or insulting language as means to maintain labor discipline.

Noncompliance

Explanation: Worker interviews indicate some growers resort to verbal abuse if workers fail to perform work properly or are absent from work without any intimation. However, workers informed that this is not a common practice.

Sources: Worker interviews

**Plan Of
Action:** It's not a very common practice, but growers never want to resort to any abuse. They have to maintain a good relationship, as it is very difficult to find laborers in this area. We will educate growers on how to keep a good relationship with workers.

**Deadline
Date:**

**Action
Taken:**

**Plan
Complete:**

**Plan
Complete
Date:**

Harassment or Abuse: Grievance Procedure

H&A.12 Company shall have in place grievance procedures that first allow an attempt to settle grievances directly between the worker and the grower, but, where this is inappropriate or has failed, it is possible for the worker to have the grievance considered at one or more steps, depending on the grievance's nature and the enterprise's structure and size. Company shall ensure workers know the grievance procedures and applicable rules.

Noncompliance

Explanation: No grievance policy and procedures in place.

Sources: worker and grower interviews

Plan Of Action: Syngenta would create awareness through training programs for all concerned stakeholders on noncompliance, develop a culture of transparent work environment and establish a strong communication among the team.

Actions:

1. Started engaging opinion leaders, teachers and women at the village level to form a committee to serve as channel for information dissemination and worker grievances. At least 50% of these Grievance Committee members will be women. Company will take appropriate steps to publicize this grievance channel among growers and workers. Contact information of village committee members, as well as that of organizers and company supervisors, will be made available to growers and workers. Village committee will contact company in case of grievances.
2. 1 day per month will be assigned to company representative to deal with field level worker grievances. All worker grievances will be documented for analysis.
3. In the long term, an internal system within the monitoring program will be developed to award growers with zero grievances.
4. Supervisors will be equipped with visiting cards on which contact numbers of respective RPM and project coordinator are mentioned; workers will be educated to contact these numbers on noncompliances they observe.
5. Leaflets with information about emergency numbers will be distributed among workers.

Deadline Date:

Action Taken:

**Plan
Complete:**

**Plan
Complete
Date:**

Child Labor: General Compliance Child Labor

CL.1 Growers shall comply with all local laws, regulations, and procedures concerning the prohibition of child labor.

Noncompliance

Explanation: As per local law, children under 14 are not allowed to do farm activities for more than 6 hours, which includes rest interval; time spent waiting for work; and 2 hours spent for education and recreational activities. Wherever children are employed on sample farms visited, this is clearly violated.

Sources: record review; visual inspection; worker and grower interviews

Legal References: Child Labor Prohibition (Regulation) Act 1986, Right to Education Act 2009

**Plan Of
Action:** Syngenta has taken immediate action and requested growers to replace child laborers with adult laborers, with children removed from the field.

But, from a long-term perspective, Syngenta has planned to:

1. Improve awareness among growers and workers.
2. Improve awareness among field supervisors.
3. Propagate compliance message to growers and laborers thorough creative communication.
4. Live street play is planned immediately; a maximum number of growers and laborers will be involved (particularly new growers).

**Deadline
Date:**

**Action
Taken:**

**Plan
Complete:**

**Plan
Complete
Date:**

Child Labor: Proof of Age Documentation

CL.3 Company will assist growers in maintaining proof of age documentation for all young workers on the farm and is recommended to maintain proof of age documentation for all workers on the farm, including the long term and casual workers.

Noncompliance

Explanation: Company staff has not informed new growers about this requirement. Except for 1, none of the farms visited maintained any age proof verification documents for young workers.

Sources: record review; worker and grower interviews

**Plan Of
Action:** Actions:
1. Syngenta wage verification process would be strengthened in this coming season.
2. Syngenta has planned to establish a village level committee for some key villages involving opinion leaders, panchayat and school. This committee will help in identifying the age of the labor in the group.

**Deadline
Date:**

**Action
Taken:**

**Plan
Complete:**

**Plan
Complete
Date:**

Child Labor: Other Means of Age Verification

CL.4 In cases where proof of age documentation is not readily available or unreliable, growers will take precautions to ensure all workers are at least the minimum working age, including checking medical or religious records, school records or other means considered reliable in the local context.

Noncompliance

Explanation: For age verification, school and medical records are considered as reliable, but none of the farms maintained any of these records.

Sources: record review; worker and grower interviews

**Plan Of
Action:** Actions:
Syngenta has planned to establish a village level committee for some key villages involving opinion leaders, panchayat and school. This committee will help in identifying the age of the labor in the group.

**Deadline
Date:**

**Action
Taken:**

**Plan
Complete:**

**Plan
Complete
Date:**



Child Labor: Education of Young Workers

CL.8 Growers shall ensure that when young workers are employed, their education is not jeopardized.

Noncompliance

Explanation: Except for 1, none of the young workers found working on the farms are attending school or college.

Sources: worker interviews

Plan Of Action: Action: Syngenta would educate growers to not disturb young workers' educations and to monitor during internal monitoring.

Deadline Date:

Action Taken:

Plan Complete:

Plan Complete Date:

Child Labor: Removal and Rehabilitation of Child Laborers

CL.10 If a child laborer is found working on the farms, the grower and the company shall ensure that the child is immediately removed from the farm, rehabilitated and brought into the mainstream school system. The grower and company will make efforts to make this rehabilitation sustainable.

Noncompliance

Explanation: When children found on farms, they were simply removed from work; there was no evidence to suggest all of them were rehabilitated and brought into the mainstream school system. Lack of special schools for aged children who have never been to school is 1 reason for non-rehabilitation of child laborers. Older children who have never been to school or have missed several years of schooling cannot be directly admitted into regular schools, as they need a special bridge course to fill the gap between their age and level of learning skills. After attending these special bridging courses they can be admitted into classes for their age in regular schools.

Sources: worker, grower and management interviews

Plan Of Action: Syngenta is collaborating with local schools. Team is finding difficulty, as there are no special schools to admit aged children into higher classes. Though this is not for all cases, we are working on this direction and exploring involvement with local stakeholders, NGOs and CSOs for such cases.

Deadline Date:

Action Taken:

Plan Complete:

Plan Complete Date:

Non-Discrimination: General Compliance Non-Discrimination

D.1 Growers shall comply with all local laws, regulations, and procedures concerning non-discrimination.

Noncompliance

Explanation: Procedures and regulations concerning non-discrimination of workers in wage payments and work allocation as per local law are not followed.

Sources: worker and grower interviews

Legal References: The Equal Remuneration Act 1976, The Minimum Wages Act 1948

Plan Of Actions:

Action: In some cases, male laborers, when they are engaged in additional work other than pollination, like plowing, spraying, digging, etc, are paid higher than female laborers. Both male and female laborers would be provided equal wages for equal work. Syngenta would create awareness in the production regions and monitor this under internal monitoring.

Deadline

Date:

Action

Taken:

Plan

Complete:

Plan

Complete

Date:

Non-Discrimination: Employment Decisions

D.2 All employment decisions shall be made solely on the basis of a person's qualifications, in terms of education, training, experience, demonstrated skills and/or abilities, as they relate to the inherent requirements of a particular job.

Noncompliance

Explanation: Gender and age discrimination in wages and work allocation was widely prevalent on all farms visited. Dividing labor along gender lines and paying different wages to male and female workers are common practices in this region and observed in all crops.

Sources: worker and grower interviews

Plan Of

Action:

Actions:

In some cases, male laborers, when they are engaged in additional work other than pollination, like plowing, spraying, digging, etc, are paid higher than female laborers. Both male and female laborers would be provided equal wages for equal work. Syngenta would create awareness in the production regions and monitor this under internal monitoring.

Deadline

Date:

Action

Taken:

Plan

Complete:

Plan

Complete

Date:

Non-Discrimination: Sex-Based Wage Discrimination

D.3 There shall be no differences in remuneration between male and female workers for work of equal value. Remuneration (wages, compensation) includes the basic minimum or prevailing industry wage and any additional payments to be made directly or indirectly, whether in cash or in kind, by the grower to the worker arising out of the workers' employment. Such additional payments include wage differentials or increments based on seniority or marital status; cost of living allowances; housing or residential allowances; family allowances; benefits in-kind such as the allotment and cleaning of work clothes or provision of fire wood, spices, raw material for food, equipment; and other benefits.

Noncompliance

Explanation: Gender and age discrimination in wages and work allocation is widely prevalent in all farms visited. Dividing labor along gender lines and paying different wages to male and female workers are common practices in this region and observed in all crops.

Sources: worker and grower interviews

Legal References: The Equal Remuneration Act 1976, The Minimum Wages Act 1948

Plan Of Action: Actions:
In some cases, male laborers, when they are engaged in additional work other than pollination, like plowing, spraying, digging, etc, are paid higher than female laborers. Both male and female laborers would be provided equal wages for equal work. Syngenta would create awareness in the production regions and monitor this under internal monitoring.

Deadline Date:

Action Taken:

Plan Complete:

Plan Complete Date:

Code Awareness:

GEN. 1 Establish and articulate clear, written workplace standards. Formally convey those standards to company growers as well as to seed organizers.

Noncompliance

Explanation: Company developed clear written workplace standards, but has not communicated them properly to all growers. For example, no farms audited in [District name], which is new production location for the company, have any information on the company's social compliance policy. Company staff and organizers did not inform growers, either orally or in written form, of the policy. When seed organizer and RPM asked about this, they agreed they did not communicate it to growers at the season's beginning. Reasons cited for delay: a) [District name] is a new location for the company; this is on a trial basis and the first time for tomato seed production. b) Due to current season's increased production targets, company moved to this new location. Initially, they were not sure about continuing production in this location. c) Entire production team was busy identifying new growers and addressing production (seed quantity and quality) related issues and could not concentrate on social compliance program. Seed organizer has informed audit team they have made all arrangements for the completion of code awareness meetings with growers in the new location by the end of December 2010.

Sources: farm visits; record review; grower and management interviews

Plan Of Action: Syngenta plans to conduct grower awareness sessions in these new areas in steps:
1. Organize 2 grower awareness sessions in new locations covering all growers.
2. Distribute reading materials regarding code of conduct (COC) to all growers.
3. Appoint women mobilizers to educate growers, their families and workers.
4. A peer-to-peer awareness building model (worker-to-worker, grower-to-grower, supervisor-to-supervisor, and women-to-women) and self-help groups will be established.

Deadline Date:

Action Taken:

Plan Complete:

**Plan
Complete
Date:**

Code Awareness:

GEN. 2 Ensure all company growers, as well as seed organizers, inform their workers about workplace standards orally and through the posting of standards in a prominent place (in local languages spoken by workers) and undertake other efforts to educate workers of standards on a regular basis.

Noncompliance

Explanation: None of the workers interviewed were aware of company's social compliance policy in [District name]. As growers themselves were not aware of policy, they could not communicate it to workers.

Sources: farm visits; record review; grower, worker and management interviews

Plan Of Action: [District name] being a new location for the production of tomato seeds, growers would be insisted to train workers on COC.

Actions:

1. COC will be not posted at each farm, but rather, relevant messages will be posted or disseminated in village schools, temples, common meeting places, and offices of local administration body (panchayat), organizers and company as prescribed by stakeholders.
2. Trainings will be customized for family labor farms. The grower, who is generally the head of the family, can be trained as an educator. Female members (mothers/elder women) of the family will be involved in awareness programs. A communication strategy for each target audience within the program: organizers, growers, family laborers and hired laborers will be developed.
3. Keeping cultural sensitivities in mind, a separate meeting will be held with only women.
4. Women community mobilizers are appointed, as there is a need to increase women mobilizers to work closely with the growers' families and workers.

**Deadline
Date:**

**Action
Taken:**

**Plan
Complete:**

**Plan
Complete
Date:**

Code Awareness: Other (Company Internal Grievance Policy and Procedures)

Other

Noncompliance

Explanation: There is some mechanism to address growers' grievances, but there are no means by which workers can report their grievances directly to company.

Sources: record review; worker and grower interviews

**Plan Of
Action:** Syngenta would create awareness through training programs for all concerned stakeholders on noncompliance, develop a culture of transparent work environment and establish a strong communication among the team.

Actions:

1. Started engaging opinion leaders, teachers and women at the village level to form a committee to serve as channel for information dissemination and worker grievances. At least 50% of these Grievance Committee members will be women. Company will take appropriate steps to publicize this grievance channel among growers and workers. Contact information of village committee members, as well as that of organizers and company supervisors, will be made available to growers and workers. Village committee will contact company in case of grievances.
2. 1 day per month will be assigned to company representative to deal with field level worker grievances. All worker grievances will be documented for analysis.
3. In the long term, an internal system within the monitoring program will be developed to award growers with zero grievances.
4. Supervisors will be equipped with visiting cards on which contact numbers of respective RPM and project coordinator are mentioned; workers will be educated to contact these numbers on noncompliances they observe.
5. Leaflets with information about emergency numbers will be distributed among workers.

Deadline

Date:

Action

Taken:

Plan

Complete:

Plan

Complete

Date:

Health and Safety: General Compliance Health and Safety

H&S.1 Growers shall comply with all local laws, regulations, and procedures concerning health and safety. In cases where local laws and the Workplace Code of Conduct are contradictory, the higher standards will apply. The grower will possess all legally required permits.

Noncompliance

Explanation: Local law stipulates employers provide training, personal protective equipment (PPE), and health checkups for workers who handle chemical pesticides. This is not followed.

Sources: worker and grower interviews

Legal References: The Insecticides Act 1968

**Plan Of
Action:**

As this is a new location, 100% of growers are not covered under PPE scheme.

Actions:

1. Organize a greater number of these trainings to cover all growers with help of the Crop Protection (CP) team.
2. Engage 1 agency which will help company address this issue at a greater level.
3. Explore the possibility of equipping all growers with PPE.
4. Health check camps for workers will be planned across program locations.

Deadline

Date:

Action

Taken:

Plan

Complete:

Plan

Complete

Date:

Health and Safety: Document Maintenance/Worker Accessibility and Awareness

H&S.2 All documents required to be available to workers and growers by applicable laws (health and safety policies, MSDS, etc.) shall be made available in the prescribed manner and in the local language or language(s) spoken by the workers if different from the local language. If the workers are illiterate, the company shall make an effort to provide pictorials that the workers can easily understand.

Noncompliance

Explanation: Material Safety Data Sheets (MSDS) are not available with growers.

Sources: worker and grower interviews

Plan Of

Action:

Abstracts of MSDS (in all regional languages) are included with chemicals purchased by growers. Also, the implementing team is well trained on MSDS and we regularly pass this message to growers and workers. However, Syngenta is trying to explore the possibility of available MSDS for all growers.

Deadline

Date:

Action

Taken:

Plan

Complete:

Plan

Complete

Date:

Health and Safety: Health and Safety Management System

H&S.4 The health and safety policy shall contain the framework for a comprehensive health and safety management system within which growers' responsibilities; workers' rights and duties; various responsibilities of designated personnel; procedures that enable workers to raise health and safety concerns; procedures for reporting death, injury, illness; and other health and safety issues (for instance, near-miss accidents) are clear, regularly tested and reviewed.

Noncompliance

Explanation: Policy does not clearly specify comprehensive health and safety management systems.

Sources: record review, management interviews

Plan Of Action: Formal, disciplined working systems' H&S policy is developed. This document explains company's stance on H&S. Document is available at all internal monitoring (IMS) centers. However, key points of this are included in the document "Best Seed Production Practices," which is explained and given to growers at the time of seed production.

Action:
Create more awareness on HSE aspects.

**Deadline
Date:**

**Action
Taken:**

**Plan
Complete:**

**Plan
Complete
Date:**

Health and Safety: Communication to Workers

H&S.5 The health and safety policy shall be communicated to all workers in the local language or language(s) spoken by workers if different from the local language.

Noncompliance

Explanation: Workers have not received any communication in regards to company's health and safety policy.

Sources: worker interviews

Plan Of Action: Actions:
During field monitoring visit, field supervisors educate workers who handle chemicals. However, training programs would be organized to create awareness of H&S policy to workers.

Deadline Date:

Action Taken:

Plan Complete:

Plan Complete Date:

Health and Safety: Access to Safety Equipment and First Aid

H&S.6 Company should ensure that growers and workers have access to safety equipment and first aid.

Noncompliance

Explanation: First aid kits are not maintained at farms.

Sources: record review; grower and management interviews

Plan Of Action: First aid kits are kept with schools, farmers and workers. Being new locations, some places are missed. Trainings are in progress in this area. Practically, it is difficult to supply first aid kits to all growers.

Actions:

1. Syngenta would provide first aid kits to key villages; they will be kept at important junctions like schools, panchayat or with any responsible growers.
2. Additional requirements will be worked out and purchased.
3. Growers will be encouraged to keep first aid kits on their own.
4. Growers will be sufficiently trained in the effective use of first aid.

Deadline

Date:

Action

Taken:

Plan

Complete:

Plan

Complete

Date:

Health and Safety: Personal Protective Equipment

H&S.7 All necessary personal protective equipment (PPE), such as gloves, eye protection, respiratory protection, etc., should be made available to relevant workers to prevent unsafe exposure (such as inhalation or contact with solvent vapors, dust, etc.) to health and safety hazards.

Noncompliance

Explanation: Company has not distributed PPE to tomato growers.

Sources: record review; grower and management interviews

Plan Of Action: As this is a new location, 100% of growers are not covered under PPE scheme.

Actions:

1. Organize a greater number of these trainings to cover all growers with help of the CP team.
2. Engage 1 agency which will help company address this issue at a greater level.
3. Explore possibility of equipping all growers with PPE.
4. Health check camps for workers will be planned across program locations.

Deadline

Date:

Action

Taken:

Plan

Complete:

Plan

Complete

Date:

Health and Safety: Chemical Management and Training

H&S.8 All chemicals and hazardous substances, farm produce, and raw materials should be properly labeled and stored. Grower shall not use any banned (either by national or international laws) pesticides, fertilizers, or any other agro chemicals in the farm. Grower shall ensure the safe disposal of waste chemicals, empty containers of chemicals or packing materials. Grower/organizer/company will provide the necessary training to workers in regard to the handling of agro chemicals (pesticides, fertilizers, and other hazardous substances), their application and the use of PPE.

Noncompliance

Explanation: None of the workers and nearly 90% of growers interviewed reported they have not received any training on health and safety from the company. Company has conducted training for growers on H&S, the safe handling of chemicals, and PPE in 2 locations, namely [District name] and [District name]. However, no training was conducted in [District name] location.

Sources: record review; grower and management interviews

Plan Of Action: Actions:
1. Organize more awareness campaigns on this.
2. Guidelines from FLA will be taken on how to organize training in an unorganized sector like agriculture.

Deadline Date:

Action Taken:

Plan Complete:

Plan Complete Date:

Health and Safety: Chemical Management for Pregnant Women, Young Workers and Family Members Residing on the Farm

H&S.9 To prevent unsafe exposure to hazardous chemicals, specific appropriate accommodations shall be made for pregnant women and workers under the age of 18, as required by applicable laws or the provisions of the FLA Workplace Code of Conduct, in a manner that does not unreasonably disadvantage workers. Grower shall ensure young workers; pregnant or nursing women; and persons with chronic respiratory disease are not allowed to work with the application of hazardous chemicals. Grower will take measures to ensure workers and their families residing on the farm are not at risk of exposure to pesticides and agrochemicals used on the farm.

Noncompliance

Explanation: None of the workers and nearly 90% of growers interviewed reported they have not received any training on health and safety from the company. Company has conducted training to growers on H&S, the safe handling of chemicals, and PPE in 2 locations, namely [District name] and [District name]. However, no training was conducted in [District name] location.

Sources: record review; grower and management interviews

Plan Of Action: Actions:
1. Organize more awareness campaigns on this.
2. Guidelines from FLA will be taken on how to organize training in an unorganized sector like agriculture.

Deadline Date:

Action Taken:

Plan Complete:

Plan Complete Date:

Health and Safety: Machinery Maintenance and Worker Training

H&S.11 All production machinery, equipment, and tools shall be regularly maintained and properly guarded. Workers shall receive training in the proper use and safe operation of machinery, equipment, and tools they use.

Noncompliance

Explanation: Workers have not received any training on the proper use and safe operation of machinery and equipment.

Sources: worker and grower interviews

Plan Of Actions:

Action: Growers are not using any complicated machinery in seed production. We have given trainings to growers on machinery during safe handling of chemicals training. We would organize more training for workers on this aspect. However, Syngenta would cover electric hazards during our trainings.

Deadline

Date:

Action

Taken:

Plan

Complete:

Plan

Complete

Date:

Health and Safety: Medical Facilities

H&S.12 Medical facilities shall be established and maintained as required by applicable laws. In cases where there is no local law, the company should ensure that growers can approach them in cases of medical emergencies and that the local medical officer's contact address is available to growers and workers. In the cases of medical emergency, e.g., injury or sudden illness, employers will not unreasonably delay allowing a worker access to medical treatment.

Noncompliance

Explanation: Most growers do not have complete awareness on whom to contact in case of medical emergency.

Sources: grower interviews

Plan Of Action: Actions: Awareness would be created among growers about the medical facilities available in nearby villages. Contact numbers for the nearest hospitals/ambulances would be provided to all growers.

Deadline Date:

Action Taken:

Plan Complete:

Plan Complete Date:

Hours of Work: General Compliance Hours of Work

HOW.1 Growers shall comply with all local laws, regulations, and procedures concerning hours of work, public holidays, and leave.

Noncompliance

Explanation: Procedures and regulations concerning hours of work, public holidays and overtime compensations as per local law are not followed. Both workers and growers are not aware of local law.

Sources: worker and grower interviews

Legal Reference: The Minimum Wages Act 1948

Plan Of Action: In some cases, growers engage annual workers to conduct farm operations smoothly. Therein, the focus is not only seed production, as these workers are involved in other various field activities. This type of engagement is always verbal and a verbal contract is made between growers and the laborers. This requires attention as the remediation plan we have planned.

Actions:

1. We will educate growers on the various aspects of law related to annual labor contracts.
2. We will encourage growers to a) have a written contract between growers and laborers with clearly specified terms and conditions of employment and b) keep the document ready in case it is required.

Deadline

Date:

Action

Taken:

Plan

Complete:

Plan

Complete

Date:

Hours of Work: Rest Day

HOW.2 Workers shall be entitled to at least 1 day off in every 7-day period. In case workers have to work for several days without a day off due to the requirement of the production cycle, they can do so as far as they voluntarily agree to it.

Noncompliance

Explanation: [Workers are not entitled for paid rest days or weekly days off.](#)

[Sources: worker and grower interviews](#)

Plan Of Action: [Actions:](#)
[Rest days and weekly days off are applicable only for annual workers, not for all workers. Hence, awareness would be created among growers about rest days and weekly days off.](#)

Deadline Date:

Action Taken:

Plan Complete:

Plan Complete Date:

Hours of Work: Overtime

HOW.4 No worker shall be expected to work for more than 8 hours per day, excluding breaks. In extraordinary circumstances, the daily working hours can be extended to 10 hours.

Noncompliance

Explanation: During peak cross pollination period sometimes work extends beyond 10 hours.

Sources: worker and grower interviews

Plan Of Action: In some cases, growers engage annual workers to conduct farm operations smoothly. Therein, the focus is not only seed production, as these workers are involved in other various field activities. This type of engagement is always verbal and a verbal contract is made between growers and the laborers. This requires attention as the remediation plan we have planned.

Actions:

1. We will educate growers on the various aspects of law related to annual labor contracts.
2. We will encourage growers to a) have a written contract between growers and laborers with clearly specified terms and conditions of employment and b) keep the document ready in case it is required.

**Deadline
Date:**

**Action
Taken:**

**Plan
Complete:**

**Plan
Complete
Date:**

Hours of Work: Overtime/Positive Incentives

HOW.5 Growers shall use positive incentive schemes to induce overtime and shall ensure that workers know such incentive schemes.

Noncompliance

Explanation: Daily wages are fixed; workers are not paid any overtime compensation when they work additional time.

Sources: worker and grower interviews

Plan Of Action: In some cases, growers engage annual workers to conduct farm operations smoothly. Therein, the focus is not only seed production, as these workers are involved in other various field activities. This type of engagement is always verbal and a verbal contract is made between growers and the laborers. This requires attention as the remediation plan we have planned.

Actions:

1. We will educate growers on the various aspects of law related to annual labor contracts.
2. We will encourage growers to a) have a written contract between growers and laborers with clearly specified terms and conditions of employment and b) keep the document ready in case it is required.

Deadline

Date:

Action

Taken:

Plan

Complete:

Plan

Complete

Date:

Hours of Work: Public Holidays

HOW.6 Growers shall provide workers with all public holidays as required under local laws, regulations, and procedures.

Noncompliance

Explanation: [Workers reported that they even work during public holidays.](#)

[Sources: worker and grower interviews](#)

Plan Of Action: [Action:](#) Laborers engaged on daily wage basis; however, awareness would be created about public holidays.

Deadline Date:

Action Taken:

Plan Complete:

Plan Complete Date:

Hours of Work: Other

Other

Noncompliance

Explanation: No formal grievance system in place for workers to raise their concerns.

Sources: worker and grower interviews

Plan Of Action: Syngenta would create awareness through training programs for all concerned stakeholders on noncompliance, develop a culture of transparent work environment and establish a strong communication among the team.

Actions:

1. Started engaging opinion leaders, teachers and women at the village level to form a committee to serve as channel for information dissemination and worker grievances. At least 50% of these Grievance Committee members will be women. Company will take appropriate steps to publicize this grievance channel among growers and workers. Contact information of village committee members, as well as that of organizers and company supervisors, will be made available to growers and workers. Village committee will contact company in case of grievances.
2. 1 day per month will be assigned to company representative to deal with field level worker grievances. All worker grievances will be documented for analysis.
3. In the long term, an internal system within the monitoring program will be developed to award growers with zero grievances.
4. Supervisors will be equipped with visiting cards on which contact numbers of respective RPM and project coordinator are mentioned; workers will be educated to contact these numbers on noncompliances they observe.
5. Leaflets with information about emergency numbers will be distributed among workers.

Deadline

Date:

Action

Taken:

Plan

Complete:



**Plan
Complete
Date:**