

2011

FAIR LABOR ASSOCIATION INDEPENDENT EXTERNAL MONITORING AGRICULTURE REPORT

COMPANY: Syngenta AG
COUNTRY: India
PROVINCE: Maharashtra

MONITOR: T Group Solutions Private Limited
AUDIT DATE: January 9 – 12, 2012
PRODUCTS: Sweet Pepper Seeds
NUMBER OF WORKERS: 3
NUMBER OF WORKERS INTERVIEWED: 3

NUMBER OF FARMS VISITED: 25
TOTAL AREA COVERED IN AUDIT: 8.75 Acres

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PROCESSES: Weeding



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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: Legal minimum wage in the region is INR145/-. Growers are being paid INR 100/-, the

wage range prevalent in the region.

Sources: worker and grower interviews

Legal Reference: The Minimum Wages Act 1948

Plan Of Action:

During the local stakeholders' consultation, it was noticed that both growers and workers did not have awareness on minimum wages. Syngenta will create awareness about the minimum wage to growers and workers during the preseason meetings. Syngenta to supply growers with information on local minimum wages by distributing their Grower Documentation Kit (GDK) in training.

Syngenta's Grower Documentation Kit has been sent to the FLA for review and includes the following:

- 1. Syngenta's Code of Conduct (COC)
- 2. <u>Social Compliance Contract</u>: lists items found in Syngenta's COC and asks for growers to sign the contract acknowledging that if they "fail to comply with the above elements of the "Syngenta Social Compliance policy," company [Syngenta] has every right to dismiss my seed production agreement."
- 3. <u>Health and Safety Aspects for Workers and Growers</u>: lists Do's and Don'ts, covering items such as: hiring trained workers, personal protection equipment (PPE), first aid, chemical style/use, safe disposal of chemical containers, drinking water, and safe machinery use.
- 4. Examples of documentation needed whenever training is given (certificates earned, attendance sheets).
- 5. <u>Local Laws for the Agriculture Sector</u>: Notification that local law books related to the agricultural sector are maintained at local IMS (monitoring) centers.
- 6. <u>Minimum Wages Applicable for the Region</u>: documentation on the local minimum wage for each worker position applicable in the agriculture sector.



- 7. <u>Grievance Procedure</u>: Notification of Syngenta's "confidential grievance procedure," listing various channels growers have a choice of adopting for workers to contact Syngenta directly. Notification that growers must keep documentation when a grievance has been received regarding the grievance itself, the investigation, and any disciplinary action taken.
- 8. <u>Age-Proof Documentation</u>: Notification of what age-proof documents growers must keep at their fields on each worker (school-leaving certificate, birth certificate, ration card, doctor's certificate and/or local government birth records).

Deadline Date:	October 2012			
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: There are no written terms and agreements between grower and workers, they work on verbal commitments.

Sources: record review; worker and grower interviews

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

Plan Of Action:

- 1. Syngenta will conduct a study to assess the prevailing conditions for annual farm workers in the region.
- 2. Syngenta would identify the total number of growers employing annual farm workers.
- 3. The concerned growers would be consulted with the outcome of the study to draw the remediation plan.
- 4. During preseason meetings, awareness is to be created on Bonded Labour Abolition Act 1976 and Minimum Wages Act.

Deadline Date:	May 2012
Action Taken:	
Plan Complete:	
Plan Complete Date:	



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

Other

Noncompliance

Explanation: There is no formal grievance policy or procedure in place. In case there are any issues,

growers/workers can approach company staff directly.

Sources: record review; worker and grower interviews

Plan Of Syngenta to supply growers with information on the grievance policy by distributing

Action: their GDK in training. (For a full list of GDK contents, see WBOT.1.)

Deadline May 2012

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

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Explanation:	MSDS is not posted near chemical storage or near the farm where it is used.
	Sources: worker and grower interviews
Plan Of Action:	Awareness about MSDS usage would be created among workers and growers during preseason meetings.
Deadline Date:	May 2012
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: Personal protective equipment (PPE) is not stored at the farms. It is usually stored in

growers' houses, and workers are required to obtain it from the grower before they start using/spraying chemicals on the farms. This procedure involves the possibility for a

worker to not use PPE every time they use/spray chemicals (if grower is not at home/farm, avoiding visit to growers' home due to lack of additional effort).

Sources: record review; grower and management interviews

Plan Of Action:

Date:

Growers will make sure that workers have necessary PPE (recommended by IRFT), which is locally available to prevent unsafe exposure. This will be reinforced during preseason meetings. During the local stakeholders' meeting, growers suggested that Syngenta provided user-friendly PPE with cost contributions from growers. Syngenta will explore the possibility that all the growers are covered under the scheme. PPE is covered in the GDK's Health and Safety Aspects for Workers and Growers, which includes a list of do's and don'ts. The GDK is covered and passed out in training. (For a full list of GDK contents, please see WBOT.1.)

Deadline	October 2012			
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Plan				
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Plan				
Complete				
Complete				



Health and Safety: Chemical Management and Training

H&S.8 All chemicals and hazardous substances, farm produce, and raw materials should be properly labelled 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

October 2012

Explanation: Chemicals are not safely stored. While in few instances the boxes used for storing

chemicals were unlocked, in most cases, chemicals were easily accessible.

Sources: record review; grower and management interviews

Plan Of Action:

Deadline

- 1. Growers will be educated on using trained workers for pesticide application.
- 2. Syngenta will organize the health and safety training (which includes safe chemical handling, machinery maintanence and first aid trainings) for all growers.
- 3. During local stakeholders' consultation, the group recommended that the company should create a policy on the collection of empty containers and disposal. Syngenta would explore the possibility.

These issues are covered in the GDK, which is passed out and gone over in training. (For a full list of GDK contents, please see WBOT.1.)

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: No first aid kits maintained in the farms.

Sources: grower interviews

Plan Of Action:

- 1. Growers will be effectively trained in first aid and will be encouraged to keep first aid boxes on their own. First aid is covered in the GDK's Health and Safety Aspects for Workers and Growers, which includes a list of do's and don'ts. The GDK is covered and passed out in training. (For a full list of GDK contents, please see WBOT.1.)
- 2. Syngenta will supply and maintain 1 first aid box for farms located in close proximity and educate growers on how to utilize them.

Deadline Date:	October 2012					
Action						
Taken:						
Plan						
Complete:						
Plan						
Complete						
Date:						