COMPANY: Syngenta AG
COUNTRY: India
PROVINCE: Maharashtra
MONITOR: Glocal Research and Consultancy Services
AUDIT DATE: October 19 – 24, 2011
PRODUCTS: Hot Pepper Seeds
NUMBER OF WORKERS: 189
NUMBER OF WORKERS INTERVIEWED: 49
NUMBER OF FARMS VISITED: 30
TOTAL AREA COVERED IN AUDIT: 7.5 Acres
PROCESSES: Emasculation, Pollination

To view more about the FLA’s work with Syngenta, please visit the FLA website here.
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Wages, Benefits and Overtime Compensation: General Compliance

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

Noncompliance

Explanation: The procedures and regulations concerning wages and benefits as per the local law are not followed. Both workers and growers are not aware of the local law.

Sources: grower and worker interviews

Legal Reference: The Minimum Wages Act 1948

Plan Of Action: During the local level stakeholder consultation, it was noted that in a few villages workers are paid above the legal minimum wages, and other benefits like food, tea and transport are not being taken into account. Hence, the group suggested to create improved monitoring of wages. Syngenta will create awareness about minimum wages among growers and workers during 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. Social Compliance Contract: 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. Health and Safety Aspects for Workers and Growers: 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. **Local Laws for the Agriculture Sector**: Notification that local law books related to the agricultural sector are maintained at local IMS (monitoring) centers.

6. **Minimum Wages Applicable for the Region**: documentation on the local minimum wage for each worker position applicable in the agriculture sector.

7. **Grievance Procedure**: 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. **Age-Proof Documentation**: 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).

1. Syngenta will create awareness about minimum wages among growers and workers during preseason meetings.

2. Syngenta will closely monitor this using the documentation kit.

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<th>December 2012</th>
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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 in agriculture, whichever is higher.

Noncompliance

Explanation: The wages paid for certain operations are below the legal minimum wages. The minimum daily wage prescribed for agricultural labor as per the local law is Rs 110. For certain work, like sowing, weeding and harvesting (carried out mostly by women), workers were paid between Rs 80 – 100, which is less than the legal minimum wages. In the case of cross-pollination, there was variation in different sample villages, ranging from Rs 100 – 150. For operations carried out by men, like land preparation, fertilizer and pesticide application, workers were paid Rs 150 – 250, which is above the legal minimum wage.

Sources: grower and worker interviews

Legal Reference: The Minimum Wages Act 1948

Plan Of Action: During the local stakeholder consultation, it was noted that neither growers nor workers were aware of minimum wages. Hence, the group recommended providing awareness about minimum wages. Syngenta will create awareness about minimum wages among growers and workers during preseason meetings. Syngenta to supply growers with information on local minimum wages by distributing their GDK in training. (For a full list of GDK contents, see WBOT.1.)

Deadline Date: December 2012

Action Taken: Plan Complete Date:
Wages, Benefits and Overtime Compensation: Worker Wage Awareness

WBOT.6 Growers/Organizers/Company shall make an effort to educate workers so that the terms of employment, wages, benefits and deductions are clearly understood and acceptable by the worker.

Noncompliance

Explanation: Workers are not aware of their legally entitled wages and benefits. The grower or company has not made attempts

Sources: grower and worker interviews

Plan Of Action: During the local stakeholder consultation, it was noted that neither growers nor workers were aware of minimum wages. The participants learnt from experts and Panchayat representatives, that the minimum wage applicable from April 1, 2012, would be Rs 155. Hence, the group recommended providing awareness about minimum wages. Syngenta will create awareness about minimum wages among workers during preseason meetings. Syngenta to supply growers with information on local minimum wages by distributing GDK in training. (For a full list of GDK contents, see WBOT.1.)

Deadline Date: December 2012

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 the workers in cash or in-kind or both; these records shall be acknowledged by the worker.

Noncompliance

Explanation: Most growers are not maintaining any wage records.

Sources: grower and worker interviews

Plan Of Action: During the local stakeholder consultation, it was noted that for most operations like sowing, weeding, and fertilizer application, workers are paid below the actual minimum wage. But, when explored further, the number of hours spent on these operations (2 – 4 hours, with a maximum of 5 hours) is relatively low. Hence, the group agreed to record hours of work for each operation to monitor both hours of work and wages and benefits for all cultivation practices. Syngenta to supply growers with information on local minimum wages and documentation by distributing their GDK in training. (For a full list of GDK contents, see WBOT.1.)

Deadline Date: December 2012

Action Taken:

Plan Complete:

Plan Complete Date:
Forced Labor: General Compliance Forced Labor

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

Uncorroborated Evidence of Noncompliance

Explanation: The terms and conditions under which workers (annual and seasonal) are engaged seem to violate some provisions of the local laws (i.e., Bonded Labor Abolition Act 1976, The Minimum Wages Act), which needs to be probed and analyzed further.

Sources: grower and worker interviews

Legal Reference: The Bonded Labor Abolition Act 1976

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 growers concerned would be consulted with the outcome of the study to draw the remediation plan.

Deadline Date: December 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.

### Uncorroborated Evidence of Noncompliance

**Explanation:** The Annual Farm Workers’ System is widely prevalent in the sample villages. On 9 out of 30 sample farms, farmers have engaged annual farm workers (AFWs); in some cases, growers have more than 1 AFW working for them. The terms and conditions under which these AFWs are working seem to violate some provisions of the local law regarding forced/bonded labor (The Bonded Labor Abolition Act 1976). In the terms and conditions of the AFW contract, there are some elements of the bonded labor system such as: 1) payment of advances/loans binds the workers, 2) long hours of work (10 – 12 hours a day), 3) difficulty to exit before expiry of the contract, 4) non-existence of leave and medical facilities as per law, etc. This needs to be probed and analyzed further.

**Sources:** record review; grower and worker interviews

**Legal Reference:** The Bonded Labor Abolition Act 1976

**Plan Of Action:**

1. Syngenta will conduct a study to assess the prevailing conditions for annual farm workers in the region.

2. Syngenta will identify the total number of growers employing annual farm workers.

3. The growers concerned will be consulted with the outcome of the study to draw the remediation plan.

**Deadline Date:** December 2012

**Action Taken:**

**Plan Complete Date:**
Forced Labor: Debt/Bonded Labor

F.5 Growers shall not bind workers to employment as a condition of fulfilling terms of a debt to a third party or to the grower.

Noncompliance

Explanation: The Annual Farm Workers’ System is widely prevalent in the sample villages. On 9 out of 30 sample farms, farmers have engaged annual farm workers (AFWs); in some cases, growers have more than 1 AFW working for them. The terms and conditions under which these AFWs are working seem to violate some provisions of the local law regarding forced/bonded labor (The Bonded Labor Abolition Act 1976). In the terms and conditions of the AFW contract, there are some elements of the bonded labor system such as: 1) payment of advances/loans binds the workers, 2) long hours of work (10 – 12 hours a day), 3) difficulty to exit before expiry of the contract, 4) non-existence of leave and medical facilities as per law, etc. This needs to be probed and analyzed further.

Sources: record review; grower and worker interviews

Legal Reference: The Bonded Labor Abolition Act 1976

Plan Of Action:

1. Syngenta will conduct a study to assess the prevailing conditions for annual farm workers in the region.

2. Syngenta will identify the total number of growers employing annual farm workers.

3. The growers concerned will be consulted with the outcome of the study to draw the remediation plan.

Deadline Date: December 2012

Action Taken: 

Plan Complete: 

Plan Complete Date: 
Freedom of Association and Collective Bargaining
Other

Noncompliance

Explanation: There is no formal grievance system in place for workers to raise their concerns.

Plan Of Action: Syngenta to supply growers with information on the grievance policy by distributing their GDK in training. (For a full list of GDK contents, see WBOT.1.)

Deadline Date:

Action Taken:

Plan Complete:

Plan Complete Date:
Harassment or Abuse: Discipline/Fair and Non-Discriminatory Application

H&A.2 Growers shall apply company standards for corrective measures to address instances of harassment and abuse.

Noncompliance

Explanation: Company has not communicated any written disciplinary policy and procedure to the growers.

Sources: grower and worker interviews

Plan Of Action: Syngenta to supply growers with information on the disciplinary policy and procedures by distributing their GDK in training. (For a full list of GDK contents, see WBOT.1.)

Deadline Date: December 2012

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; however, where this is inappropriate or has failed, it should be 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 that workers know the grievance procedures and applicable rules.

Noncompliance

Explanation: There is no proper grievance policy and procedure in place.

Sources: grower and worker interviews

Plan Of Action:
- Syngenta to supply growers with information on the grievance policy by distributing their GDK in training. (For a full list of GDK contents, see WBOT.1.)

Deadline Date: December 2012

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 regulation of child labor.

Noncompliance

Explanation: As per local law, children under 14 years old are not allowed to do certain 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 were employed on sample farms visited, this was clearly violated.

Sources: visual inspection; external information gathering; grower and worker interviews

Legal Reference: Child Labor Prohibition (Regulation) Act 1986

Plan Of Action:

1. Special emphasis on child labor COC will be given during the preseason campaigns and a stringent monitoring mechanism will be put in place.

2. Syngenta to supply growers with information on child labor by distributing their GDK in training. (For a full list of GDK contents, see WBOT.1.)

Deadline Date: December 2012

Action Taken:

Plan Complete:

Plan Complete Date:
**Child Labor: Child Labor**

CL.2 Growers shall not employ children when work interferes with full-time schooling and/or is mentally, physically, socially or morally dangerous and harmful.

**Noncompliance**

**Explanation:** The audit team found 3 female children working in 1 of the sample farms in [Village name]. In the interview, the children informed the team that they are studying 8th class in the neighboring village, [Village name], and that it was Diwali vacation for them. They also informed the team that it was the second working day for them. The grower’s son, who is also in 8th class, was also found working on the same farm at the time of the audit. The team also observed school-going children working in another 2 sample farms in the same village, but they ran away upon observing the audit team approaching the farms. Some growers admitted that their children who are going to school do work on their farm for a few days during the peak crossing period. The growers informed the team that the concentration of farms of all companies has resulted in a huge demand for a workforce in some villages. Scarcity of skilled adult labor is cited as the main reason for using children. Interviews with local schoolteachers also indicate that some children miss school during peak cross-pollination activity.

Sources: visual inspection; external information gathering; worker and grower interviews

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

**Plan Of Action:** Syngenta has immediately removed the children from the fields.

1. Special emphasis on child labor COC will be given during the preseason campaigns and a stringent monitoring mechanism will be put in place.

2. Syngenta to supply growers with information on child labor by distributing their GDK in training. (For a full list of GDK contents, see WBOT.1.)

**Deadline Date:** December 2012

**Action Taken:**

**Plan Complete:**
Child Labor: Proof of Age Documentation

CL.3 In cases where proof of age documentation is not readily available or is unreliable, growers will take precautions to ensure all workers are at least the minimum working age, including using medical, religious or school records or other means considered reliable in the local context.

Noncompliance

Explanation: None of the farms visited maintained any age proof verification documents for young workers.

Sources: grower interviews, record review

Plan Of Action: As noted in the GDK, Syngenta will share 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) with growers in training. (For a full list of GDK contents, see WBOT.1.) Syngenta will also ensure that a parent has to collect the age-proof documents from schools, birth certificates from village panchayats, and certificates from doctors for young workers.

Deadline Date: December 2012

Action Taken:

Plan Complete:

Plan Complete Date:
Child Labor: Other Means of Age Verification

CL.4 Growers shall abide by all the relevant rules and procedures where the law requires government permits or permission from parents as a condition of employment.

Noncompliance

Explanation: For age verification, school and medical records are also considered as reliable, but most farms have not maintained any of these records.

Sources: grower interviews, record review

Plan Of Action: It was recommended during the local stakeholder consultation that a committee involving company, school, NGOs and growers should be formed. This committee would help verify the age of young-looking children. As noted in the GDK, Syngenta will share 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) with growers in training. (For a full list of GDK contents, see WBOT.1.) Syngenta will also ensure that a parent has to collect the age-proof documents from schools, birth certificates from village panchayats, and certificates from doctors for young workers.

Deadline Date: December 2012

Action Taken: Plan Complete:

Plan Complete Date:
Child Labor: Education of Young Workers

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

Noncompliance

Explanation: None of the 4 young workers interviewed are attending school/college. The nature of this work demands a minimum of 8 – 9 hours a day and it is very difficult for them to attend both school and work simultaneously.

Sources: grower interviews

Plan Of Action: Syngenta will inform the growers and workers on the importance of education for young workers during preseason meetings. However, they will be also educated that young workers are not to be employed for hazardous processes like, spraying and handling of chemicals and machinery, etc. Syngenta will consult the local NGOs and CSOs to address this issue in the long run. Syngenta’s GDK contains information on young workers and will be explained and passed out to growers in training. (For a full list of GDK contents, please see WBOT.1.)

Deadline Date: December 2012

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 shall make efforts to make this rehabilitation sustainable. Growers shall abide by all the relevant rules and procedures where the law requires government permits or permission from parents as a condition of employment.

Noncompliance

Explanation: In the past when children were found on farms, they were removed from work, but there was no evidence to suggest that all of them were rehabilitated and brought into the mainstream school system. Lack of special schools for school-age children who have never been to school is one of the main reasons for non-rehabilitation of child laborers.

Sources: grower interviews, record review

Plan Of Action: Syngenta would identify, map and collaborate with local stakeholders for the removal and rehabilitation of child laborers.

1. Special emphasis on child labor COC will be given during the preseason campaigns and a stringent monitoring mechanism will be put in place.

2. Syngenta to supply growers with information on child labor by distributing their GDK in training. (For a full list of GDK contents, see WBOT.1.)

Deadline Date: December 2012

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.

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

Sources: worker and grower interviews


Plan Of Action: It was agreed by growers during the local stakeholder consultation that both men and women get paid equal pay for equal work and that men are not willing to do low-paying jobs like cross pollination. However, Syngenta will develop a chart depicting the tasks done by men and women with wages during the awareness meetings. Equal pay for equal work (Equal Remuneration Act 1976) will be emphasised during these meetings. During training, the GDK, which includes information about equal payment of wages, will be passed out and explained to growers. (For a full list of GDK contents, please see WBOT.1.)

Deadline Date: December 2012

Action Taken: Plan Complete: Plan Complete Date:
Non-Discrimination: Employment Decision

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 discrimination in wages and work allocation was widely prevalent in all farms visited. It is to be noted that division of labor along gender lines and differential wages for male and female workers are common practices in this region and observed in all crops.

Sources: worker and grower interviews

Plan Of Action: It was agreed by growers during the local stakeholder consultation that both men and women get paid equal pay for equal work and that men are not willing to do low-paying jobs like cross pollination. However, Syngenta will develop a chart depicting the tasks done by men and women with wages during the awareness meetings. Equal pay for equal work (Equal Remuneration Act 1976) will be emphasised during these meetings. During training, the GDK, which includes information about equal payment of wages, will be passed out and explained to growers. (For a full list of GDK contents, please see WBOT.1.)

Deadline Date: December 2012

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 discrimination in wages and work allocation was widely prevalent in all farms visited. It is to be noted that division of labor along gender lines and differential wages for male and female workers are common practices in this region and observed in all crops.

Sources: worker and grower interviews

Plan Of Action: It was agreed by growers during the local stakeholder consultation that both men and women get paid equal pay for equal work and that men are not willing to do low-paying jobs like cross pollination. However, Syngenta will develop a chart depicting the tasks done by men and women with wages during the awareness meetings. Equal pay for equal work (Equal Remuneration Act 1976) will be emphasised in these meetings. During training, the GDK, which includes information on equal payment of wages, will be passed out and explained to growers. (For a full list of GDK contents, please see WBOT.1.)

Deadline Date: December 2012

Action Taken:

Plan Complete:

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

**Noncompliance**

**Explanation:** Neither company nor growers have informed workers about workplace standards.

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

**Plan Of Action:** During the preseason meetings, growers and laborers will be educated about the company workplace standards. Growers are to ensure to bring at least 1 worker representative to the preseason meeting. Code of conduct will be communicated through wall paintings in villages with high rates of illiteracy. For growers with a higher degree of literacy, the GDK contains Syngenta’s COC. (For a full list of GDK contents, see WBOT.1.)

**Deadline Date:** December 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**
Code Awareness:
Other (Company Internal Grievance Policy and Procedures)

Noncompliance

Explanation: There is some mechanism to address growers’ grievances, but there is no means by which workers can report their grievances directly to the company. The company has a number mentioned on the attendance register; however, this is not properly maintained by most growers and workers do not have access it.

Sources: record review; grower and worker interviews

Plan Of Action: Syngenta to supply growers with information on the grievance policy by distributing their GDK in training. (For a full list of GDK contents, see WBOT.1 Plan of Action.)

Deadline Date: December 2012

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, safety, and the environment. In any case where local laws and the FLA Code of Conduct in agriculture are contradictory, the higher standards will apply. The grower will possess all legally required health, safety, and environmental permits.

Noncompliance

Explanation: The local law stipulates that employers are to provide training, personal protective equipment (PPE), health checkups for workers who are employed to handle chemical pesticides. This is not completely followed. Not all workers involved in pesticide application are provided training on the safe handling of pesticides.

Sources: worker and grower interviews

Legal Reference: The Insecticides Act 1968

Plan Of Action:

1. Syngenta will organize the safe chemical handling program for growers and workers.
2. Growers will be educated on using trained workers for pesticide application.
3. Syngenta will also provide GDK for growers which has information on pesticide safety with literature of do’s and don’ts. (For full list of GDK contents, please see WBOT.1.)

Deadline Date: December 2012

Action Taken:

Plan Complete:
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: The policy does not clearly specify comprehensive health and safety management system.

Sources: record review, management interview

Plan Of Action: Comprehensive health and safety management system will be developed and tested in some pilot villages.

Deadline Date: December 2012

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: Most workers have not received any communication regarding the company’s health and safety policy.

Sources: worker interviews

Plan Of Action:

1. Worker representative will be educated on the company health and safety policy; once educated, he will, in turn, communicate the policy to the other workers.

2. In training, the GDK will be passed out to growers and includes a list of do’s and don’ts regarding health and safety. Syngenta’s Social Compliance Contract that growers are asked to sign (failing to comply results in termination of the agreement) covers training all workers. (For more information on the GDK and a full list of GDK contents, please see WBOT.1.)

Deadline Date:

Action Taken:

Plan Complete:

Plan Complete Date:
Health and Safety: Access to Safety Equipment and First Aid

H&S.6 The company should ensure that growers provide workers with suitable first aid in case of emergency. First aid kits should be made available at contracted farms and processing units. Clusters of small farms may share first aid kits. The company will ensure that procedures are in place to train the growers or farm supervisors on first aid and take active measures to ensure there are suitable supplies.

Noncompliance

Explanation: First aid boxes are not been maintained at farms.

Sources: record review; grower and management 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:

Action Taken:

Plan Complete:

Plan Complete Date:
Health and Safety: Personal Protective Equipment

H&S.7 The company should 1) make sure that growers have enough knowledge about appropriate personal protection equipment (PPE) and 2) provide growers with PPE whenever necessary within its supply chain in sufficient numbers, ensuring the PPE provided by the growers is for all workers to use. Where necessary, the company should also provide training to growers and workers on the safe use of PPE practices.

Noncompliance

Explanation: Company has not distributed PPE to all growers.

Sources: record reviews; grower and management interviews

Plan Of Action: Growers will make sure that workers have the necessary PPE (recommended by IRFT), which is locally available to prevent unsafe exposure. This will be reinforced during the preseason meetings. During the local stakeholder meeting, growers suggested for Syngenta to provide user-friendly PPE with cost contributions from growers. Syngenta will explore the possibility of covering all growers under the scheme. PPE is covered in the GDK, which will be passed out and covered during training. (For a full list of GDK contents, please see WBOT.1.)

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 on 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: Most growers and workers reported that they have not received any formal training on health and safety from the company.

Sources: record review; grower and management interviews

Plan Of Action:

1. Growers will be educated on using trained workers for pesticide application.

2. Syngenta will organize the health and safety training (including safe chemical handling, machinery maintenance and first aid trainings) for all growers.

3. During the local stakeholder consultation, the group recommended for the company to come up with a policy regarding the collection of empty containers and their 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.)

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: grower and worker interviews

Plan Of Action: Syngenta will organize the machinery maintenance training for all the 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:** The procedures and regulations concerning hours of work, public holidays and overtime compensations as per the local law are not followed. Neither workers nor growers are aware of the local law.

*Sources: grower and worker interviews*

*Legal Reference: The Minimum Wages Act 1948*

**Plan Of Action:** During the local stakeholder consultation, it was noted that for most operations like sowing, weeding, and fertilizer application, workers are paid below the actual minimum wage. But, when explored further, the number of hours spent on these operations (2 – 4 hours, with a maximum of 5 hours) is relatively low. Hence, the group agreed to record hours of work for each operation to monitor both hours of work and wages and benefits for all cultivation practices. In training, Syngenta will pass out and go over the GDK, which covers information on local minimum wages and by signing the Social Compliance Contract, growers agree to comply with Syngenta’s COC, which states that overtime must be paid correctly or else Syngenta will terminate the contract. (For a full list of GDK contents, please see WBOT.1.) GDK would support the monitors in recording the hours of work.

**Deadline Date:** December 2012
Hours of Work: Rest Day

HOW.2 Workers should be allowed at least 24 consecutive hours of rest 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 to paid rest days or weekly days off.

Sources: grower and worker interviews

Plan Of Action: Syngenta will create awareness among growers (annual and seasonal) about rest days.

This will be covered during grower training, where information regarding workers' hours and days off is passed out in the GDK. (For a full list of contents, please see WBOT.1.)

Deadline Date: December 2012

Action Taken:

Plan Complete:

Plan Complete Date:
**Hours of Work: Overtime**

HOW.4 Growers shall provide reasonable meal and rest breaks, which, at a minimum, comply with local laws.

**Noncompliance**

**Explanation:** Many times, annual farm workers work more than 10 hours a day.

**Sources:** grower and worker interviews

**Plan Of Action:** Syngenta would inform growers on incentives for annual workers and encourage the growers to have written employment contracts with seasonal workers, which implies that they would receive additional payment for overtime. This will be covered during grower training, where information regarding workers’ hours is passed out in the GDK. (For a full list of contents, please see WBOT.1.)

**Deadline Date:** December 2012

**Action Taken:**

**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 work even during public holidays.

Sources: grower and worker interviews

Plan Of Action: Syngenta will create awareness among growers and workers (annual and seasonal) about public holidays. This will be covered during grower training, where information regarding workers' hours and days off is passed out in the GDK. (For a full list of contents, please see WBOT.1.)

Deadline Date: December 2012

Action Taken:

Plan Complete:

Plan Complete Date: