

2011

# FAIR LABOR ASSOCIATION INDEPENDENT EXTERNAL MONITORING AGRICULTURE REPORT

COMPANY: Syngenta AG
COUNTRY: India
PROVINCE: Karnataka

**MONITOR:** Glocal Research and Consultancy Services **AUDIT DATE:** November 27 – December 3, 2011

PRODUCTS: Watermelon NUMBER OF WORKERS: 267

NUMBER OF WORKERS INTERVIEWED: 62 NUMBER OF FARMS VISITED: 30

**TOTAL AREA COVERED IN AUDIT:** 49.5 Acres

PROCESSES: Hybridization, Weeding



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## 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 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 the payments of wages and benefits, including overtime compensation.

#### Noncompliance

**Explanation:** The procedures and regulations concerning wages and benefits as per local law are not followed.

Sources: grower and worker interviews

Legal Reference: The Minimum Wages Act 1948

Plan Of Action:

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. <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:	



#### 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 133. For

certain work mostly carried out by women, like transplantation and weeding, workers

were paid Rs 80 - 100, which is less than the legal minimum wages.

Sources: grower and worker interviews

Legal Reference: The Minimum Wage 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 that 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 GDK in training. (For a full list of GDK contents, see WBOT.1.)

Deadline October 2012
Date:

Action Taken:

Plan Complete:



#### 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 shall be clearly understood and acceptable by the worker.

#### Noncompliance

Explanation:	Workers are not aw	are of their legall	y entitled wages a	and benefits as pe	er the local law.

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. Participants learnt from experts and panchayat representatives, the minimum wages 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 growers and 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:	October 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 the growers in maintaining records of wages provided to workers in cash or in-kind or both; these records shall be acknowledged by the worker.

#### Noncompliance

**Explanation:** No records are maintained by growers.

Sources: grower and worker interviews

Plan Of Action:

During the local stakeholder consultation, it has been noted that for most operations like sowing, weeding, and fertilizer application, workers are paid below the actual minimum wages. But, when explored further, the numbers of hours (2 – 4, maximum of 5) spent on these operations are 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	October 2012
Date:	

Plan Complete:

Action Taken:



#### 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

<b>Explanation:</b>	The prevailing market wage rates constitute the basis for the terms of the verbal
	agreements between growers and seasonal workers who take advances against their
	wage payments. Though the workers enter these agreements voluntarily, it is to be
	noted that the prevailing wage rates for most agricultural operations are below the legal
	minimum wages in this region. Neither growers nor workers aware of the legal
	minimum wages.

Sources: record review; grower and worker interviews

Legal Reference: Minimum Wages Act 1948

Plan Of On a pilot basis, growers will be supported with documentation kits, which will have employment contracts. Growers will be made responsible for engaging workers with

written contracts. (For a full list of GDK contents, see WBOT.1.)

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



### Freedom of Association and Collective Bargaining: Other

Other

#### Noncompliance

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

Sources: grower and worker interviews

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

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

Deadline October 2012

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 or procedures in place.
	Source: 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:	October 2012
Action Taken:	
Plan Complete:	
Plan Complete Date:	



#### **Child Labor: General Compliance Child Labor**

CL.1 No person will be employed at an age younger than 15 years of age (or 14 where the law of the country allows) or younger than the age for completing compulsory education in the country of produce where such age is higher than 15.

#### Noncompliance

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

Sources: visual farm inspection; grower and worker interviews

Legal Reference: Child Labour 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 October 2012
Date:

Action Taken:

Plan Complete:



#### **Child Labor: Child Labor**

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

#### **Uncorroborated Evidence of Noncompliance**

**Explanation:** Of 30 farms visited, work was going on in 18 farms, out of which 9 farms were found using 10 children below 15 years old. Out of 10 children: a) 5 boys, 5 girls; b) 4 hired labor, 6 family laborers; c) except 1, all of them are going to school; d) some work only during holidays and vacation, and others go to school irregularly during peak season to work on seed farms. In the absence of any documentary evidence available on the farms, the audit team visited the local school and verified the age particulars of these children from school records. Most of the farmers found employing children seem to hire them occasionally during peak agricultural operations like cross-pollination and harvesting. The use of child labor on seed production farms is due to both supply and demand factors. From the farmers' side, there is demand and preference for children in seed production activities. The supply side factors include poverty, lack of awareness among parents, lack of proper functioning of schools, etc.

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

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

#### Plan Of Action:

- 1. Syngenta has immediately removed the children from the fields.
- 2. Special emphasis on child labor COC will be given during the preseason campaigns and a stringent monitoring mechanism will be put in place.
- 3. 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:	October 2012			
Action Taken:				
Plan Complete:				



Plan Complete Date:	
Child Lahor	Proof of Age Documentation
CL.3 In cases of precautions to	where proof of age documentation is not readily available or is unreliable, growers will take of ensure all workers are at least the minimum working age, including using medical, shool 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. The company field staff have not taken this issue seriously and assisted the growers in maintaining age proof documents for young workers.
	Sources: record review; grower and workers interviews
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:	October 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 considered reliable, but none of the

farms maintained any of these records.

Sources: record review; grower and worker interviews

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 will help verify the age of young-looking children. It will conduct periodic meetings to review and plan in the future. Along with this committee, Syngenta will supply growers information on what age-proof documents growers must keep at their fields for each worker (school-leaving certificate, birth certificate, ration card, doctor's certificate and/or local government birth records) with their GDK and in training. (For a full list of GDK contents, please 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:	October 2012
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:** None of the young workers interviewed are presently attending school. The cross-

pollination activity is very labor intensive and demands long hours of work (a minimum of 8 hours every day). Hence, it is difficult for the children to simultaneously work on the

farm and attend the school.

Sources: worker 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	October 2012
Date:	
_	
Action	

Plan Complete:

Taken:



#### **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.

#### **Noncompliance**

**Explanation:** When children were found on the farms, attempts were made to remove them 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 never been to school is one of the reasons for the non-rehabilitation of all child laborers. The older children who have never been to school or missed several years of schooling cannot be directly admitted into regular schools; they need a special bridge course to the 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. The [District name] administration has realized this problem and, with the assistance from UNICEF, it is soon going to start 30 bridge course centers in the district for the rehabilitation of child laborers.

Source: grower, worker and management interviews

Plan Of Action: We are collaborating with local schools. The team is finding difficulty, as there are no special schools for school-age children to admit them into higher classes. Though this is not for all cases, we are working on this direction and exploring the involvement of local stakeholders, NGOs and CSOs for such cases. 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:	October 2012
Action	

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:** The procedures and regulations concerning the non-discrimination of workers in wage

payments and work allocation as per local law are not completely followed.

Source: grower and worker interviews

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

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 for corn 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

October 2012

Date:

Action Taken:

Plan

**Complete:** 



Plan Complete Date:	
Non-Discrim	ination: Employment Decision
education, tra	yment decisions shall be made solely on the basis of a person's qualifications, in terms of sining, experience, demonstrated skills and/or abilities, as they relate to the inherent of a particular job.
	Noncompliance
Explanation:	Gender discrimination in wages and work allocation widely prevalent in all farms visited. It is to be noted that the 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.
	Source: grower and worker 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 full list of GDK contents, see WBOT.1.)
Deadline Date:	October 2012
Action Taken:	
Plan Complete:	



#### **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 the farms visited. It is to be noted that the 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.

Source: grower and worker 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:	October 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:** Workers are not aware of the workplace standards; they do not have awareness about

the different codes.

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

Plan Of 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

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	October 2012
Date:	

Action Taken:

Plan Complete:



#### **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, it is maintained by the grower

and workers do not have access to it.

Sources: record review; grower and worker interviews

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

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

Deadline October 2012

Date:

Action Taken:

Plan

**Complete:** 

Plan

Complete Date:

21



#### **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.

and environme	the higher standards will apply. The grower will possess all legally required health, safety ental permits.
	Noncompliance
•	The local law stipulates that employers provide training, personal protective equipment (PPE), and health checkups for workers employed handling chemical pesticides. This is not followed.
	Sources: grower and worker interviews
	Legal Reference: The Insecticides Act 1968
	1. Growers will be educated on using trained workers for pesticide application.
Action:	2. Syngenta will organize a safe chemical handling program for all locations.
Deadline Date:	October 2012
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:	Comprehensive health and safety management system will be developed and tested in some pilot villages.
Deadline Date:	October 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

**Complete:** 

Explanation:	Most hired 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:	October 2012
Action Taken:	
Plan	



#### 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 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:

October 2012

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 watermelon growers in this area.

Sources: record review; 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	October 2012	
Date:		
Action		
Taken:		
Plan		

Plan Complete Date:

Complete:



#### **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 some of the farmers interviewed reported that they have not

received any 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 empty container collection and disposal. Syngenta will explore 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:	October 2012
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:	October 2012
Action Taken:	

Plan Complete Date:

Plan Complete:



#### **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 requirements of the production cycle, they can do so as far as they voluntarily agree to it.

#### Noncompliance

Explanation:	Workers engaged on seasonal contracts are not provided 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:	October 2012
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

<b>Explanation:</b>	During peak cross-pollination period, sometimes the work extends beyond 8 hours (9 –
	10 hours), excluding breaks

Sources: grower and worker interviews

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

Deadline October 2012
Date:

Action

Taken:

Plan Complete:



#### **Hours of Work: Others**

Other

#### Noncompliance

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

Sources: grower and worker interviews

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

**Deadline** October 2012

Date:

Action Taken:

Plan

**Complete:** 

Plan

Complete Date:

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