



2011

## FAIR LABOR ASSOCIATION INDEPENDENT EXTERNAL MONITORING AGRICULTURE REPORT

**COMPANY:** Syngenta AG

**COUNTRY:** India

**PROVINCE:** Karnataka

**MONITOR:** Glocal Research and Consultancy Services

**AUDIT DATE:** August 8 – 12, 2011

**PRODUCTS:** Okra Seeds

**NUMBER OF WORKERS:** 102

**NUMBER OF WORKERS INTERVIEWED:** 38

**NUMBER OF FARMS VISITED:** 29

**TOTAL AREA COVERED IN AUDIT:** 26.25 Acres

**PROCESSES:** Hybridization, Weeding

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 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 and overtime compensation as per the local law are not followed.

Sources: worker and grower interviews

Legal Reference: The Minimum Wage Act 1948

**Plan Of Action:** Syngenta will create awareness about minimum wage among growers and workers during pre-season 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).

**Deadline Date:** October 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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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 133.8. For certain work carried out mostly by women, like transplantation, weeding, cross-pollination and harvesting, workers were paid Rs 80 – 100, which is less than the legal minimum wages.

Sources: worker and grower interviews

Legal Reference: The Minimum Wage Act 1948

**Plan Of Action:** Syngenta will create awareness about the minimum wages among growers and workers during pre-season 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:** October 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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**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 aware of their legally entitled wages and benefits as per the local law.

Sources: worker and grower interviews

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

**Deadline Date:** October 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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**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 the growers.

Sources: record review; worker and grower 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 minimum wages. But, when explored further, the number of hours spent on these operations (2 – 4 hours, with a maximum of 5) 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:** October 201`2

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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### **Wages, Benefits and Overtime Compensation: Payment for Overtime**

WBOT.10 The additional payment for overtime hours will be as prescribed by the 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:** On 4 farms, workers reported that they are not paid any additional money for overtime work; however, they also said that overtime was voluntary and not forced upon them. Workers do not have awareness about their legal entitlements.

Sources: 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 minimum wages. But, when explored further, the number of hours spent on these operations (2 – 4 hours, with a maximum of 5) 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:**

**Action  
Taken:**

**Plan  
Complete:**

**Plan  
Complete  
Date:**

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## 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: worker and grower 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:** June 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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### **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:** The prevailing market wage rates constitute the basis for the terms of the verbal agreements between the grower and seasonal workers who take advances against their wage payments. Though 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 are aware of the legal minimum wages.

Sources: record review; worker and grower interviews

Legal Reference: The Minimum Wage Act 1948

**Plan Of Action:** On a pilot basis, growers will be supported with documentation kits, which will have employment contracts. (For a full list of what is in the documentation kits, please see WBOT.1.) Growers will be made responsible for engaging workers with written contracts.

**Deadline Date:** June 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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**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 are in place.

Sources: worker and grower 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:** June 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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### **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 old are not allowed to do farm activities for more than 6 hours, which includes a rest interval, time spent waiting for work, and 2 hours spent for education and recreational activities. Wherever children were employed on the sample farms visited, this was clearly violated.

Sources: visual inspection of farms; worker and grower 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 Date:** June 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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### **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 the 29 farms visited, children below 15 years old were found working on 3 farms. A total of 3 children (2 boys, 1 girl, 1 on each farm) were seen doing cross-pollination activity. 2 of them had dropped out of school a few years ago, and 1 child is going to school, but very irregularly. In the absence of any documentary evidence available at the farms, the audit team visited the local school and verified the age particulars of these children from the school records. Most farmers who were 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 a demand and a preference for children in seed production activities. The supply side factors include poverty, lack of awareness among parents, and lack of proper functioning of schools, etc.

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

Legal References: Child Labour 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:** June 2012

**Action  
Taken:**

**Plan  
Complete:**

**Plan  
Complete  
Date:**

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### **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: record review; worker and grower 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:** June 2012

**Action  
Taken:**

**Plan  
Complete:**

**Plan  
Complete  
Date:**

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### 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; worker and grower 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:** June 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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## 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 children to simultaneously work on the farm and attend 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 Date:** June 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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### 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, they were simply removed from work; 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 reasons for the non-rehabilitation of all child laborers. The older children who are never been to school or missed several years of schooling cannot be directly admitted into regular schools. 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 of their age in regular schools.

Sources: worker, grower, 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 to involve the local stakeholders, NGOs and CSOs in such cases. Special emphasis on child labor COC will be given during the preseason campaigns and a stringent monitoring mechanism will be put in place. 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:** Year 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.

### Noncompliance

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

Sources: worker and grower 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 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:** June 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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## 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 and age discrimination in wages and work allocation is widely prevalent in all the 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:** June 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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### **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 on all the 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

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 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:** June 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; worker, grower 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:** June 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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**Code Awareness:**

Other (Company Internal Grievance Policy and Procedures)

**Noncompliance**

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

Sources: record review; worker and grower 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:** June 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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## 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 employers to provide training, personal protective equipment (PPE), health checkups to workers who are employed to handle chemical pesticides. This is not followed.

Sources: worker and grower interviews

Legal Reference: The Insecticides Act 1968

**Plan Of  
Action:**

1. Growers will be educated on using trained workers for pesticide application.
2. Syngenta will organize a safe chemical handling program for all locations.

More information on this will be included in the GDK passed out to workers. (For a full lost of GDK contents, please see WBOT.1.)

**Deadline  
Date:** October 2012

**Action  
Taken:**

**Plan  
Complete:**

**Plan  
Complete  
Date:**

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### 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:** June 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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### 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:** 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:** June 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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## 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 kits are not 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:**

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### 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 okra 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 Date:** October 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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## 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:** No workers and most farmers interviewed reported not having received any training on H&S from the company. Company has conducted training for growers on H&S; safe handling of chemicals; and PPE in 2 locations in 2010, namely [City name] and [Town name]. As most farmers interviewed are new growers, they were not covered last year.

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 (includes safe chemical handling, machinery maintenance and first aid trainings) for all growers.
3. In local stakeholder consultation, group recommended for company to create policy on empty container collection 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.)

**Deadline  
Date:** October 2012

**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 Action:** Syngenta will organize the health and safety training (which includes safe chemical handling, machinery maintenance and first aid trainings) for all growers.

**Deadline Date:** October 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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### 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 local law are not followed. Neither workers nor growers are aware of the local law.

Sources: worker and grower 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:**

**Plan Complete Date:**

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

#### Noncompliance

**Explanation:** Workers engaged on seasonal and annual contracts are not provided paid rest days or weekly days off.

Sources: worker and grower interviews

**Plan Of Action:** Syngenta growers have written employment contracts with seasonal workers, which would specify paid rest days and weekly days off. 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:** June 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

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

Sources: worker and grower interviews

**Plan Of Action:** 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:** November 2012

**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:** The daily wages are fixed and workers are not paid any overtime compensation when they work additional time.

Sources: worker and grower interviews

**Plan Of Action:** 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:** June 2012

**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:** Awareness about the public holidays will be created during the preseason meetings. 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:** June 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

**Hours of Work: Other**

Other

**Noncompliance**

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

Sources: worker and grower 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:** June 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**