FAIR LABOR ASSOCIATION
INDEPENDENT EXTERNAL MONITORING
AGRICULTURAL REPORT

COMPANY: Syngenta
COUNTRY: Hungary
PROVINCE: Tiszaföldvar-Fabiansebestyen-Murony-Bekes
MONITOR: Andrea Gereoff, FLA
AUDIT DATE: July 2 – 5, 2013
PRODUCTS: Corn
NUMBER OF WORKERS: 105
NUMBER OF WORKERS INTERVIEWED: 22
NUMBER OF FARMS VISITED: 5
TOTAL AREA COVERED IN AUDIT: 290 Acres
PROCESSES: Detasseling

To view more about FLA’s work with Syngenta, please visit the FLA website here.
**Noncompliance Overview and Table of Contents**

<table>
<thead>
<tr>
<th>1. Code Awareness</th>
<th>Table of Contents</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GEN 1:</strong> Establish and articulate clear, written workplace standards. Formally convey those standards to Company Growers as well as to supply chain Organizers.</td>
<td></td>
</tr>
<tr>
<td><strong>GEN 2:</strong> Ensure that all Company growers as well as supply chain 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.</td>
<td>Noncompliance 6</td>
</tr>
<tr>
<td><strong>GEN 3:</strong> Develop a secure communications channel, in a manner appropriate to the culture and situation, to enable Company employees, Supervisors and employees of supply chain organizers to report to the Company on noncompliance with the workplace standards, with security that they shall not be punished or prejudiced for doing so.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2. Forced Labor</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>F.1</strong> General Compliance Forced Labor</td>
<td></td>
</tr>
<tr>
<td><strong>F.2</strong> Freedom in Employment</td>
<td></td>
</tr>
<tr>
<td><strong>F.3</strong> Employment Terms/Voluntary Agreement</td>
<td>Noncompliance 7</td>
</tr>
<tr>
<td><strong>F.4</strong> Employment Terms/Prohibitions</td>
<td></td>
</tr>
<tr>
<td><strong>F.5</strong> Debt/Bonded Labor</td>
<td></td>
</tr>
<tr>
<td><strong>F.6</strong> Wage Advances</td>
<td></td>
</tr>
<tr>
<td><strong>F.7</strong> Free Disposal of Wages/Cash and In-Kind Compensation</td>
<td></td>
</tr>
<tr>
<td><strong>F.8</strong> Recruitment through Referrals</td>
<td></td>
</tr>
<tr>
<td><strong>F.9</strong> Freedom of Movement</td>
<td></td>
</tr>
<tr>
<td><strong>F.10</strong> Grower-Controlled Living Quarters</td>
<td></td>
</tr>
<tr>
<td><strong>F.11</strong> Worker Ability to Terminate-Freedom of Movement</td>
<td></td>
</tr>
<tr>
<td><strong>F.12</strong> Individual Contracts (Verbal / Written)</td>
<td></td>
</tr>
<tr>
<td><strong>F.13</strong> Personal Worker Identification and Other Documents</td>
<td></td>
</tr>
<tr>
<td><strong>F.14</strong> Bonded Labor</td>
<td></td>
</tr>
<tr>
<td>3. Child Labor</td>
<td></td>
</tr>
<tr>
<td>---------------------------------------------------</td>
<td>---</td>
</tr>
<tr>
<td>CL.1 General Compliance Child Labor</td>
<td></td>
</tr>
<tr>
<td>CL.2 Child Labor</td>
<td>Noncompliance 8</td>
</tr>
<tr>
<td>CL.3 Proof of Age Documentation</td>
<td>Noncompliance 9</td>
</tr>
<tr>
<td>CL.4 Other Means of Age Verification</td>
<td>Noncompliance 10</td>
</tr>
<tr>
<td>CL.5 Government Permits and Parental Consent Documentation</td>
<td>Noncompliance 11</td>
</tr>
<tr>
<td>CL.6 Employment of Young Workers</td>
<td></td>
</tr>
<tr>
<td>CL.7 Hazardous Work for Young Workers</td>
<td></td>
</tr>
<tr>
<td>CL.8 Education of Young Workers</td>
<td></td>
</tr>
<tr>
<td>CL.9 Children on Premises</td>
<td></td>
</tr>
<tr>
<td>CL.10 Removal and Rehabilitation of Child Laborers</td>
<td>Noncompliance 12</td>
</tr>
<tr>
<td>4. Harassment or Abuse</td>
<td></td>
</tr>
<tr>
<td>H&amp;A.1 General Compliance Harassment and Abuse</td>
<td></td>
</tr>
<tr>
<td>H&amp;A.2 Discipline/Fair and Non-discriminatory Application</td>
<td></td>
</tr>
<tr>
<td>H&amp;A.3 Discipline/Worker Awareness</td>
<td>Noncompliance 13</td>
</tr>
<tr>
<td>H&amp;A.4 Discipline/Training</td>
<td>Noncompliance 14</td>
</tr>
<tr>
<td>H&amp;A.5 Discipline/Monetary Fines and Penalties</td>
<td></td>
</tr>
<tr>
<td>H&amp;A.6 Discipline/Access to Facilities</td>
<td></td>
</tr>
<tr>
<td>H&amp;A.7 Discipline/Physical Abuse</td>
<td></td>
</tr>
<tr>
<td>H&amp;A.8 Discipline/ Verbal Abuse</td>
<td></td>
</tr>
<tr>
<td>H&amp;A.9 Violence/Harassment/Abuse</td>
<td></td>
</tr>
<tr>
<td>H&amp;A.10 Sexual Harassment</td>
<td></td>
</tr>
<tr>
<td>H&amp;A.11 Punishment of Abusive Workers/Others</td>
<td></td>
</tr>
<tr>
<td>H&amp;A.12 Grievance Procedure</td>
<td>Noncompliance 15</td>
</tr>
<tr>
<td>5. Non-Discrimination</td>
<td></td>
</tr>
<tr>
<td>D.1 General Compliance Non-Discrimination</td>
<td></td>
</tr>
<tr>
<td>D.2 Employment Decisions</td>
<td></td>
</tr>
</tbody>
</table>
### 6. Health and Safety

#### H&S.1 General Compliance Health and Safety

#### H&S.2 Document Maintenance/Worker Accessibility and Awareness

#### H&S.3 Written Health and Safety Policy

#### H&S.4 Health and Safety Management System

#### H&S.5 Communication to Workers

#### H&S.6 Access to Safety Equipment and First Aid

#### H&S.7 Personal Protective Equipment

#### H&S.8 Chemical Management and Training

#### H&S.9 Chemical Management for Pregnant Women, Young Workers and Family Members residing in the farm

#### H&S.10 Protection Reproductive Health

#### H&S.11 Machinery Maintenance and Worker Training

#### H&S.12 Medical Facilities

#### H&S.13 Drinking Water

#### H&S.14 Rest Areas

#### H&S.15 Living Quarters

### 7. Freedom of Association and Collective Bargaining

#### FOA.1 General Compliance Freedom of Association

#### FOA.2 Right to Freely Associate

#### FOA.3 Grower Interference and Control

#### FOA.4 Anti-Union Violence/Harassment/Abuse

<p>| Noncompliance | 16 |
| Noncompliance | 17 |
| Noncompliance | 18 |
| Noncompliance | 19 |
| Noncompliance | 20 |</p>
<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Status</th>
<th>Code</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FOA.5 Right to Collective Bargaining/Unorganized Workers</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. Hours of Work</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HOW.1 General Compliance Hours of Work</td>
<td></td>
<td>Noncompliance</td>
<td>21</td>
</tr>
<tr>
<td>HOW.2 Rest Day</td>
<td></td>
<td>Noncompliance</td>
<td>22</td>
</tr>
<tr>
<td>HOW.3 Meal and Rest Breaks</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HOW.4 Overtime</td>
<td></td>
<td>Noncompliance</td>
<td>23</td>
</tr>
<tr>
<td>HOW.5 Overtime/Positive Incentives</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HOW.6 Public Holidays</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Wages, Benefits and Overtime Compensation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WBOT.1 General Compliance Wages, Benefits and Overtime Compensation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WBOT.2 Minimum Wage</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WBOT.3 Timely Payment of Wages</td>
<td></td>
<td>Noncompliance</td>
<td>24</td>
</tr>
<tr>
<td>WBOT.4 In-kind Compensation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WBOT.5 Advance Payments</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WBOT.6 Worker Wage Awareness</td>
<td></td>
<td>Noncompliance</td>
<td>25</td>
</tr>
<tr>
<td>WBOT.7 Record Maintenance</td>
<td></td>
<td>Noncompliance</td>
<td>26</td>
</tr>
<tr>
<td>WBOT.8 Employer Provided Services</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WBOT.9 Additional Benefits</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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: In the first year of the program’s implementation, the company provided training regarding the code of conduct (COC) to seed contractors and growers. However, workers have barely any information on workplace standards. The company did not organize trainings or create visual materials in order to inform workers. There are, however, placards for health and safety (H&S) requirements.

Sources: worker interviews, training records, farm walkthrough

Plan Of Action: The (seasonal) workers do not receive information about the COC despite the 2 trainings per year that are provided to growers. Therefore, Syngenta decided to improve this communication in the coming year. Syngenta believes that the most efficient tool is to place easy visual materials about the COC on the shuttle bus in order to catch workers’ attention. Furthermore, due to the high turnover rate among field workers, the agronomist assistant will hold a short training session (10 minutes) before each work day to make sure all workers are aware of the COC. This training will include the following topics: where the first aid box is located; emergency phone numbers and where they are placed; child-labor prohibition; the toll-free telephone number provided by Syngenta to communicate grievances; and importance of the rest day.

Deadline Date: Training materials will be created by February 15, 2014.

Action Taken:

Plan Complete:

Plan Complete Date:
**Forced Labor: Employment Terms/Voluntary Agreement**

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

**Noncompliance**

**Explanation:** Labor contractors use registration sheets instead of contracts. On the registration sheets, there is no information on the terms and conditions related to hours of work and wages. In most cases, workers do not have a contract; they have a certificate, which shows that they work on the farm mentioned. However, this certificate can only be taken at the end of the day. In some cases, it was observed that labor contractors and growers only register the head of the family.

**Sources:** worker interviews, registration records

**Plan Of Action:** In the case of “E” category growers¹ (in this category, Syngenta contracts with labor contractors to find seasonal workers), Syngenta plans to introduce a contract for seasonal workers. Approximately 20% of the fields fall into this category. As for the other grower categories, Syngenta can only raise awareness and suggest the same.

When whole families (including children) take part in detasseling work, we face a special case. In these fields, the families are shareholders of the particular seed-producing stock companies and therefore have a contract with the stock company. The FLA auditor could review these contracts. The children participated in the work as members of the family.

**Deadline Date:** January 20, 2014

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¹ The growers are organized in different segments, ranging from A to F. Each segment has a different contract, involving different conditions and support in implementing the FLA program. Syngenta contracts with labor contractors only when seasonal workers are needed in segment E growers (where Syngenta rents the fields). Otherwise, growers organize their own laborforce.
**Child Labor: Child Labor**

CL.2 Growers shall not employ children younger than 15 (or 14 where the law of the country of production allows) or younger than the age for completing compulsory education in the country of production where such age is higher than 15.

**Noncompliance**

**Explanation:** During the farm visits, it was observed that children are also working on detasseling. In some cases, growers make contracts on a hectare basis, with which families can also bring their children. There contracts have no closure on working conditions or child labor; therefore, workers have limited knowledge of child labor.

**Sources:** worker interviews, farm walkthrough

**Plan Of Action:**

Syngenta will inform growers on working conditions related to child labor regulations. Growers will then have to distribute this information to their involved family members.

Syngenta will conduct trainings twice per year, one in March and one before sowing in April. FLA standards are included in both trainings and focus on the prohibition of child labor.

**Deadline Date:** March 2014
Child Labor: Proof of Age Documentation

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

Uncorroborated Evidence of Noncompliance

Explanation: There is no system in place for age verification and there are different ways to employ workers. Some growers contract directly with families or workers on a hectare basis, others work with labor contractors. In cases where growers make contracts with families, there is no possibility of checking workers’ ages. While labor contractors keep workers’ records with names and tax numbers, when they work with families, it is common to only register the head of the family.

Sources: worker interviews, document review

Plan Of Action: Syngenta will make sure that growers are trained about child labor rules. Detasseling takes place during the summer holiday; therefore, children are not taken away from school, but instead escort their parents to the fields in lieu of staying at home alone. If a child under the age of 15 is found in the fields, we ask the child to stop work and sit in the rest area until their parents take them back home.

Deadline Date: April 2014

Action Taken:

Plan Complete:

Plan Complete Date:
Child Labor: Other Means of Age Verification
CL.4 In those cases where proof of age documentation is not readily available or unreliable, grower will take precautions to ensure that all workers are at least the minimum working age, including medical or religious records, school records or other means considered reliable in the local context.

Noncompliance

Explanation: There is no system in place with which to conduct age verification; therefore, not all records are complete concerning worker registration.

Sources: worker interviews, document review, farm walkthrough

Plan Of Action: Syngenta will make sure that growers are trained about child labor rules. Syngenta will also put in place a new policy, where each morning before starting to work, the head of the detasseling workers will check everyone's ID card and not accept potential workers under the age of 15. Furthermore, the head of the workers will prepare an accurate attendance list. Labor contractors are required to report every detasseling worker to the tax office. During the trainings, producers will be informed that the requirements mentioned above are strictly required from the employer for every detasseling worker.

Deadline Date: April 2014
Action Taken:
Plan Complete:
Plan Complete Date:
Child Labor: Government Permits and Parental Consent Documentation

CL.5 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.

Uncorroborated Evidence of Noncompliance

Explanation: During the farm visit, it was observed that some young workers come with their families to the field. Not all young workers are registered and, in some cases, parents do not allow young workers to participate in interviews.

Sources: worker interviews, document review, farm walkthrough

Plan Of Action: Syngenta will make sure that growers are trained about child labor and young worker regulations. Syngenta will also further inform labor contractors, so that they know they must obtain parental consent in cases of young employees (under 16 years old) and other necessary proof regarding being a certified employee. During trainings, producers will be informed of the aforementioned requirements.

Deadline Date: April 2014

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 and is rehabilitated and brought into the mainstream school system. The grower and company will make efforts to make this rehabilitation sustainable.

Uncorroborated Evidence of Noncompliance

Explanation: Detasseling takes place during the summer; therefore, none of the children are removed from the school system. However, there is no system in place at either the company or grower level, with which they could intervene if such a case were to occur.

Sources: worker and grower interviews; farm walkthrough

Plan Of Action: Detasseling takes place during the summer, when there is no school. As detasseling is done during the summer holiday, children are not taken from school; therefore, they escort their parents to the fields, instead staying at home alone. Syngenta Hungary is searching for alternative solutions to avoid employing underage individuals. Possible social projects can be created in the near future.

Deadline Date: 2014 – 2015

Action Taken:

Plan Complete:

Plan Complete Date:
Harassment or Abuse: Discipline/Worker Awareness

H&A.3 Grower will follow disciplinary practices that are fair and are clearly understood by the workers. The grower will take necessary steps to ensure that the farm’s disciplinary procedure is clearly understood by the workers.

Uncorroborated Evidence of Noncompliance

Explaination: There is neither a disciplinary system in place nor related written documents.

Sources: worker interviews, document review, farm walkthrough

Plan Of Action: The (seasonal) workers do not receive information about the COC, despite the 2 trainings per year that are provided to growers. Therefore, Syngenta has decided to improve this communication in the coming year. Syngenta believes that the most efficient tool is to place easy visual materials about the COC on the shuttle bus in order to catch workers’ attention. Furthermore, due to the high turnover rate among field workers, the agronomist assistant will hold a short training session (10 minutes) before each work day to make sure all workers are aware of the COC. This training will include the following topics: the location of the first aid box; emergency phone numbers and where they are placed; child-labor prohibition; the toll-free telephone number provided by Syngenta to communicate grievances; and the importance of the rest day.

Deadline Date: June 2014

Action Taken:

Plan Complete:

Plan Complete Date:
Harassment or Abuse: Discipline/Training
H&A.4 Grower/Organizer/Company will provide training on appropriate disciplinary practices to persons who supervise the workers.

Uncorroborated Evidence of Noncompliance

Explanation: There is no disciplinary system training for workers.

Sources: worker interviews, document review, farm walkthrough

Plan Of Action: The (seasonal) workers do not receive information about the COC, despite the 2 trainings per year that are provided to growers. Therefore, Syngenta has decided to improve this communication in the coming year. Syngenta believes that the most efficient tool is to place easy visual materials about the COC on the shuttle bus in order to catch workers’ attention. Furthermore, due to the high turnover rate among field workers, the agronomist assistant will hold a short training session (10 minutes) before each work day to make sure all workers are aware of the COC. This training will include the following topics: the location of the first aid box; emergency phone numbers and where they are placed; child-labor prohibition; the toll-free telephone number provided by Syngenta to communicate grievances; and the importance of the rest day.

Deadline Date: June 2014

Action Taken:

Plan Complete:

Plan Complete Date:
Harassment or Abuse: Grievance Procedure
H&A.12 Company shall have in place grievance procedures that allow first 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 nature of the grievance and the structure and size of the enterprise. Company shall ensure that workers know the grievance procedures and applicable rules.

Noncompliance

Explanation: Syngenta Hungary has a toll-free number; however, none of the workers are aware of either the number or its purposes. The number is written below the H&S placards, which the majority of workers associate with H&S issues, such as injuries, etc.

Sources: worker and grower interviews; document review; farm walkthrough

Plan Of Action: Syngenta will work on distributing its toll-free number to workers to allow them to confidentially communicate employment grievances. The number was already seen on the field boards that were used in the summer of 2013. Syngenta will also include this topic in the training plan as described in the Plan of Action for GEN 2.

Deadline Date: June 2014

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 and workers’ rights and duties, various responsibilities of designated personnel, procedures that enable workers to raise health and safety concerns, and procedures for reporting death, injury, illness, and other health and safety issues (for instance, near-miss accidents) are clear and regularly tested and reviewed.

Noncompliance

Explanation: Subcontractors do some tasks, such as the application of pesticides. A majority of farms do not have an H&S management system.

Sources: worker and grower interviews; document review; farm walkthrough

Plan Of Action: Hungarian H&S legal requirements are highly related to health, safety, and the environment. Syngenta is providing written materials (booklets), presentations, and on-the-spot tables to raise attention regarding the most important risk elements, such as:

1. Raising grower awareness during presentations before the season;
2. Listing requirements in the contracts (in order to build long-term partnerships with Syngenta, growers need to show commitment regarding: a) keeping these terms and conditions and b) requesting to share such requirements with work providers);
3. Placing information boards in the fields on which requirements are visible (already done in 2013);
4. Checklists that are filled out by Syngenta’s agronomists based on grower interviews can give feedback about dangerous situations, accidents or near-miss accidents.

Deadline Date: June 2014

Action Taken:

Plan Complete:

Plan Complete Date:
Health and Safety: Communication to Workers

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

Noncompliance

Explanation: Workers have only received limited information regarding H&S requirements via clipboards in the field.

Sources: worker interviews, farm walkthrough

Plan Of Action: Syngenta will organize a daily 10-minute training provided by the temporary agronomist during the peak season, as described under the Plan of Action for GEN 2. This will be done for growers in the C, D, and E categories. For category E, the seasonal workers are provided by Syngenta’s direct supplier (labor contractors). For categories C and D, Syngenta has long-term contracts with the growers, meaning we can put more pressure on them and request better handling of FLA standards. For categories A and F, Syngenta has short-term contracts.

Deadline Date: June 2014

Action Taken:

Plan Complete:

Plan Complete Date:
Health and Safety: Personal Protective Equipment

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

Noncompliance

Explanation: Workers bring their own protective equipment to the fields. During the field visit, it was observed that a majority of workers work without protective equipment in the fields.

Sources: worker interviews, farm walkthrough

Plan Of Action: Syngenta will organize a daily 10-minute training provided by the temporary agronomist during the peak season, as described under the Plan of Action for GEN 2. This will be done for growers in the C, D, and E categories.

Due to the high rotation rate (20 – 80%) of the seasonal workers, Syngenta is not able to ensure high-value PPE for workers. It is not workable to maintain hygienic solutions regarding PPE distribution if 20 – 80% of seasonal workers change daily (shoes, shirts, and hats) and the 1-day equipment is not usable.

With growers from the C, D, and E categories, Syngenta tries to create common actions to improve working conditions and for the returning work groups (mainly in category E) to ensure PPE.

Deadline Date: June 2014

Action Taken:

Plan Complete:

Plan Complete Date:
Health and Safety: Medical Facilities
H&S.12 Medical facilities shall be established and maintained as required by applicable laws. In case of no local law, the company should ensure that the growers could approach them in case of medical emergencies and have the local medical officer’s contact address available to the growers and workers. In the case of a medical emergency, e.g. injury or sudden illness, employers will not unreasonably delay allowing a worker to have access to medical treatment.

Uncorroborated Evidence of Noncompliance

Explanation: Some field areas are located far away from the center. In some cases, workers come with their bicycles or either the labor contractor or grower picks them up and takes them to and from the field. Workers do not know how to proceed in case of emergency. Given the location of the farms and that, in some cases, workers lack transportation, access to medical facilities is very limited.

Sources: worker and grower interviews; farm walkthrough

Plan Of Action:
All working groups (in all fields) have a first aid box that is placed at the meeting point. Emergency telephone numbers are displayed on the notice boards at the meeting point (these notice boards were used in the summer of 2013). Also, the temporary agronomist will further raise worker awareness regarding placement of the first aid box and the emergency phone numbers during the daily training. The Hungarian ambulance service can theoretically reach an injured person within 15 minutes.

Deadline Date: Training materials will be created by February 15, 2014.

Action Taken:

Plan Complete:

Plan Complete Date:

Plan Complete Date:
Health and Safety: Rest Areas
H&S.14 Grower shall make provision for adequate rest area for workers in case of extreme weather, protection from animals and in case of health emergency.

Noncompliance

Explanation: There are no rest areas in the field. Workers work from 5am until 2pm under extreme weather conditions.

Sources: worker interviews, farm walkthrough

Plan Of Action: For growers’ seasonal workers in category E, Syngenta is going to place trial versions of shade tents in 2014.

Deadline Date: June 2014

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.

Uncorroborated Evidence of Noncompliance

Explanation: In cases where workers are paid hourly, their working hours are registered through registration sheets. However, for workers who work on a daily basis, in most cases, there is no such record related to their hours of work.

Sources: worker and grower interviews; document review; farm walkthrough

Plan Of Action: In 2014, Syngenta will start using contracts for seasonal workers that are prepared by a lawyer and will also provide a payment list per person that will be signed by workers in category E (forming a maximum of 15% of the total area).

Deadline Date: February 15, 2014

Action Taken:

Plan Complete:

Plan Complete Date:
**Hours of Work: Rest Day**

HOW.2 Workers shall be entitled to at least one day off in every seven-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.

**Uncorroborated Evidence of Noncompliance**

**Explanation:** During the peak season, seasonal workers try to work as much as possible. During the on-site visit, it was observed that some workers work 7 days a week without a rest day.

**Sources:** worker and grower interviews; document review; farm walkthrough

**Plan Of Action:** Hungarian Labor Code enables workers to work more than 7 days in a row. During trainings, Syngenta informs growers of all FLA standards related to this and they also receive a FLA brochure. Nevertheless, as Syngenta recognizes the communication gap between growers and seasonal workers, we will place visual materials about these regulations on the buses and include this in the training to be held by the temporary agronomist.

**Deadline Date:** June 2014

**Action Taken:**

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

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

Noncompliance

Explanations: In particular, workers who get their salary on a daily basis do not receive overtime payment. In urgent cases due to weather conditions, they might work more than 10 hours a day detasseling.

Sources: worker and grower interviews; document review; farm walkthrough

Plan Of Action:
The visual materials that will be placed on the shuttle buses will contain information about overtime regulations, such as how workers have the right to request extra payment in cases where they work more than 8 hours per day. For growers’ seasonal workers in category E, Syngenta is going to start using a payment list that will be signed by workers when the daily payment is made. This payment list will also show overtime if there is any. Besides this, Syngenta will use the visual materials described earlier in the Plan of Action for HOW.4 for all categories of workers.

Deadline Date: June 2014

Action Taken: 

Plan Complete: 

Plan Complete Date:
Wages, Benefits and Overtime Compensation: Timely Payment of Wages

WBOT.3 All wages, including overtime compensation shall be paid within legally defined time limits. When law does not define time limits, compensation shall be paid at least once a month or as agreed between the worker and the grower.

Uncorroborated Evidence of Noncompliance

Explanation: There are limited records of payments; therefore, it is not possible to determine if the payments are timely made.

Sources: worker and grower interviews; document review; farm walkthrough

Plan Of Action: For growers’ seasonal workers in category E, Syngenta is going to start using a payment list that will be signed by workers when the daily payment is made. This payment list will also show overtime if there is any. Besides this, Syngenta will use the visual materials described earlier in the Plan of Action for HOW.4 for all categories of workers.

Deadline Date: June 2014

Action Taken: 

Plan Complete: 

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

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

Noncompliance

Explanation: Workers do not receive any training or information regarding wages and terms of employment.

Sources: worker and grower interviews; document review; farm walkthrough

Plan Of Action: Visual materials describing all of the labor code regulations related to seasonal work will be placed on the shuttle buses. Furthermore, Syngenta will present these regulations to growers in the trainings that are held twice per year.

Deadline Date: June 2014

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 the worker in cash or in-kind or both, and such records shall be acknowledge by the worker.

Noncompliance

Explanation: In cases where workers are employed directly by growers, they sign a registration sheet upon receiving their salary at the end of the day. However, no records were available for cases regarding labor contractors.

Sources: worker and grower interviews; document review; farm walkthrough

Plan Of Action: Target category E workers to create a full documentation procedure.

In 2014, Syngenta will start using contracts for seasonal workers that are prepared by a lawyer. We will also provide a payment list per person that will be signed by workers in category E (forming a maximum of 15% of the total area).

Deadline Date: June 2014

Action Taken:

Plan Complete:

Plan Complete Date: