FAIR LABOR ASSOCIATION
INDEPENDENT EXTERNAL MONITORING
AGRICULTURAL REPORT

COMPANY: Syngenta India
COUNTRY: India
PROVINCE: Andhra Pradesh, Sattupally
MONITOR: Rohini Chandrasekaran & Praveen Daggani
AUDIT DATE: 26 – 30 January 2014
PRODUCTS: Corn
NUMBER OF GROWERS/WORKERS: 9/30
NUMBER OF GROWERS/WORKERS INTERVIEWED: 9/30
NUMBER OF FARMS VISITED: 5
TOTAL AREA COVERED IN AUDIT: 30 Acre
PROCESSES: Detasseling

To view more about the FLA’s work with Syngenta, please visit the FLA website here.
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<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>
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**Code Awareness:**
GEN 2 Ensure that all Company growers, as well as Seed Organizers, inform their workers about the workplace standards orally and by posting the 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:** Most of the growers and all the workers are not aware of the workplace standards and the company COC. The awareness and training programs organized by the company have been largely confined to a few grower leaders. The company has not yet succeeded to educate the workers on workplace standards.

*Source:* Grower / Worker / Management interviews, farm visits and records review

**Plan Of Action:**

- Syngenta will organize workers meetings for de-tasseling workers at the beginning of the season to create awareness about the Code of conduct;
- Generally workers hired on contract basis are engaged in de-tasseling activity. Hence workers awareness sessions could be done for each contracted group during de-tasseling period in their convenient location on all elements of Code of conduct (COC);
- Information Education Communication (IEC) materials like posters, wall hangings (Torans), fans, pamphlets, notices containing information on the COC will be distributed by the Company during these worker meetings and sessions;
- The Company will plan to make 50 wall paintings. This wall painting describes the different code elements of Syngenta COC in short sentences or display of posters at key places in all production villages

**Deadline Date:** September 2014 to February 2015

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**
Code Awareness

Other (Company Internal Grievance Policy and Procedures)

Noncompliance

Explanation:  The growers and workers do not have awareness of the Company’s grievance policy and procedure.

Source: Interviews with the workers / growers and records review

Plan Of Action:

• Syngenta will explain the grievance policy during pre-season meetings with the growers;

• Syngenta will convey the message during workers awareness sessions especially during de-tasseling period. Refer to GEN 2.

Deadline Date:  September 2014 to February 2015
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.

Uncorroborated Noncompliance

Explanation: The audit team observed approximately 500 children involved in chili harvesting on the way to Syngenta production villages, including children of migrant workers from Chattisgarh. These tribal workers/migrant workers are employed on a seasonal basis for chili harvesting. Although those children were not identified on Syngenta producing farms, it implies a general practice to employ children/migrant worker children in farms in these villages. It therefore needs careful investigation and monitoring from the company side.

Source: Observation, Workers/Growers Interviews

Plan Of Action:

- Syngenta has started awareness programs among the growers and workers about the code of conduct, including child labor, and how to maintain the documentations about verification of age at farms;
- All the growers and workers are motivated to keep the age verification documents wherever it is easily accessible to the auditors during their visit;
- Syngenta will check the age proof documentation with the growers during the internal monitoring process.

Deadline Date: September 2014 to February 2015

Action Taken:

Plan Complete:

Plan Complete Date:
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.

Noncompliance

Explanation: Neither the growers, nor the seed organizers, maintain any proof of age verification document for young workers and young-looking workers. The growers have not been educated on this issue.

Source: Workers / Growers interviews, Records Review

Plan Of Action:

Corn is a medium labor-intensive crop. Hence labor requirements are high during the de-tasseling period. The company has delegated the de-tasseling to its vendors (seed organizers).

The seed organizers engage male and female workers in batches of 10 to 30 and will maintain all the attendance records, wage records, and age verification records for these workers by filing a photocopy of the age proof documents like voter ID’s, public distribution system cards issued by Government of INDIA (GOI), school leaving certificates.

Syngenta will distribute the documentation kits to the vendors to maintain all types of records. The borderline young workers would be identified with age proof documents as mentioned above.

Deadline Date: September 2014 to February 2015
Child Labor: Employment of Young Workers

CL.6 Growers shall comply with all relevant laws and regulations that apply to young workers, i.e., those between the minimum working age and the age of 18, including those relating to hiring, working conditions, types of work, hours of work, proof of age documentation, and overtime.

Noncompliance

Explanation: About 20 young workers were identified working on the plots during the visits. They were working long hours, the same as the adult workers – 9 hours per day spent on the plot doing de-tasseling activity, excluding travelling time. To reach the field, they are transported on crowded auto rickshaws (9-10 workers in each) entailing serious health and safety risks. The local regulations providing special protection to young workers are not being followed.

Source: Worker / Grower Interviews; observation

Plan Of Action:

The vendor/grower leader hires workers for de-tasseling activity. The vendor will be strictly advised to follow the local legal requirements for hiring and transportation of the workers. The Syngenta field team will strictly monitor this activity.

All the hired young workers will be educated on the code of conduct and guidelines on road and field safety before the de-tasseling and documented.

Deadline Date: September 2014 to February 2015

Action Taken:

Plan Complete:

Plan Complete Date:
**Health and Safety: General Compliance Health and Safety**

H&S.1 Growers shall comply with all local laws, regulations, and procedures concerning health and safety. In any case where local laws and the Workplace Code of Conduct are contradictory, the higher standards will apply. The grower will possess all legally required permits.

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**Noncompliance**

**Explanation:** The Insecticide Act stipulates employers to provide training, PPE (Personal Protective Equipment) and health check-ups to workers who handle chemical pesticides. The company has not educated the seed organizers, growers, or the workers regarding the law. It has not provided PPE to growers and workers involved in chemical application.

Reference: Insecticide Act 1968

Source: Grower/worker interviews, record review,

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**Plan Of Action:**

- Syngenta will develop a health and safety manual to be followed at farms;
- During every pre-season campaign or grower/workers awareness training, the growers will be educated on health and safety, and insist on PPE use when handling chemicals;
- Syngenta will organize more health & safety and first aid management trainings as mentioned under GEN 2;
- Syngenta and its vendors will distribute PPE to de-tasseling workers and ensure their proper utilization during de-tasseling activity.

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**Deadline Date:** September 2014 to February 2015

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**Action Taken:**

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**Plan Complete Date:**

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**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: The company's health and safety policies do not clearly specify comprehensive health and safety management systems that should be applied at farm level.

Source: Management Interview, record review

Plan Of Action:

Syngenta will provide a health and safety manual with policies and procedures to be followed at farms to growers, and educate them on using the manual.

Syngenta will educate the Seed organizers regarding the form for reporting death, illness, other health incident/accident, and safety issues at grower farms in order to use the data to analyze for improving.

Syngenta will use different IEC materials to educate the target group.

Deadline Date: September 2014 to February 2015

Action Taken:

Plan Complete:
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:**

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

**Source:** Grower/worker interview, record review

**Plan Of Action:**

Syngenta’s implementation team will communicate the health and safety policy to the workers during their routine field visits. Syngenta will also do more wall paintings in key places in the villages. Refer to GEN 2.

Syngenta will:

- Organize more awareness sessions at the farm level;
- Use different IEC materials to educate the workers;
- Use audio – visual aids to communicate the message.

**Deadline Date:** September 2014 to February 2015

**Action Taken:**

**Plan Complete:**

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

H&S.6 Company should ensure that growers and workers have access to safety equipment and first aid.

Noncompliance

Explanation: First aid boxes were distributed in a few villages, but coverage is insufficient. The company does not have a mechanism to help the growers access first aid and safety equipment.

Source: Grower/Management interview, record review, observation

Plan Of Action:

• First aid boxes are installed at key places in the 3 production villages (out of 8 villages), which are easily accessible to the workers. The usage and stock status of medicines in these boxes are monitored by the field supervisors;

• Syngenta will motivate the growers to maintain first aid kits at farm level. Syngenta has planned to support these growers by providing small kits (cost effective) containing medicines of less quantity/smaller volume than is sufficient for individual farms;

• Seed organizers (vendors) are also instructed by the team to maintain first aid kits with their team members.

Deadline Date: September 2014 to February 2015

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: The company has not distributed any PPE to growers/workers involved in handling of chemicals. The seed organizer had not distributed gloves, goggles, caps, and full length coat for de-tasseling workers

Source: Grower/Worker/Management interviews, observation

Plan Of Action:

• Syngenta will identify the appropriate PPE, suitable for this climatic condition;
• Syngenta will educate the growers to provide the correct PPE to the workers;
• Syngenta has planned to provide PPE for chemical spray to all growers on a pilot basis (100 growers over 8 villages); depending on feasibility this will be phased in to extend to entire area;
• The vendors will be asked to supply the proper safety equipment such as boots, goggles, protective caps, gloves etc. to the corn de-tasseling workers whom they hire directly;
• Workers will be educated on the usage of PPE as mentioned in GEN 2. Syngenta will educate and demonstrate to the workers about the ill effects of not using PPE

Deadline Date: September 2014 to February 2015

Action Taken:

Plan Complete:

Plan Complete Date:
Health and Safety: Chemical Management and Training

H&S.8 All chemicals and hazardous substances, farm produce, and raw materials should be properly labeled and stored. The grower shall not use any banned (either by national or international laws) pesticides fertilizers, or any other agro chemicals in the farm. The grower shall ensure safe disposal of waste chemicals or empty containers of chemicals or packing materials. The grower/organizer/company will provide the necessary training to the worker with regard to handling of agro chemicals (pesticides, fertilizers, and other hazardous substances), their application and the use of personal protective equipment.

Noncompliance

Explanation: The workers have not received any training on health & safety and chemical handling from the company.

Source: Grower/worker/management interview, record review

Plan Of Action:

• Syngenta plans to conduct exclusive health and safety trainings to the growers at the village level (in 3 out of 8 villages);
• The company has planned to train the workers on safety at the farm level during de-tasseling;
• Syngenta has planned to distribute the various IEC materials to the growers and workers, and use the audio visual aids to motivate them;
• Syngenta has planned to draw/post wall paintings and wall posters at common places in the villages.

Deadline Date: September 2014 to February 2015

Action Taken:

Plan Complete:

Plan Complete Date:
Freedom of Association and Collective Bargaining: Grower Interference and Control

FOA.3 Company and growers shall refrain from any acts of interference with workers’ organizations, including acts, which are designed to establish or promote the domination, financing, or control of workers’ organizations.

Uncorroborated Noncompliance

**Explanation:**

At the time of the visit, a big protest was going on at the taluk, and negotiations were taking place between farmers’ representative and workers’ union to discuss wages and hours of work issues. In one of the village visited, few of the growers reported that their workers were involved in the protest for increasing wages. Therefore, there was no activity in their fields. In another village, the growers reported that they have sent their workers to another village to complete other activity. In these cases, growers seemed to have taken the decision in order to avoid their workers being involved in the protest. Information could not be corroborated with worker interviews but there is a high risk of interference with the rights of workers to associate freely.

**Source:** Grower interviews, observation

**Plan Of Action:**

Syngenta will organize a consultation with local stakeholders, key growers, and workers to understand the situation. The company will educate the growers in the area on the importance of freedom of association and workers’ collective bargaining rights.

**Deadline Date:** September 2014 to February 2015

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**
Hours of Work: General Compliance

HOW.1 Growers shall comply with all local laws, regulations, and procedures concerning hours of work, public holidays, and leave.

Noncompliance

Explanation: The workers involved in de-tasseling spend more than 8 hours in the field and are not paid the overtime premium. However, as per the local law in Andhra Pradesh state, the legal daily hours should only be 6 hours due to extreme hot temperatures in this province.

Source: Grower/worker interview, observation

Plan Of Action:

Syngenta will educate the growers and workers, and motivate the seed organizers to focus on these aspects. Syngenta will train its implementation team on working on hours of work. The below action points will be the standard operating procedure (SOP) for Syngenta Corn Production and will be followed stringently every year.

• Syngenta will educate the growers by conducting village level campaigns, and inform the workers during field level awareness sessions about the local regulations on hours of work;
• Syngenta will assist the seed organizers in maintaining hours of work records for the de-tasseling workers, and strictly monitor the number of hours spent in the field. The seed organizers will monitor their working hours, and further educate them about the local laws and regulations concerning hours of work.

Deadline Date: September 2014 to February 2015

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 the breaks. In extraordinary circumstances, the daily working hours can be extended to 10 hours.

Noncompliance

Explanation: In this region, corn de-tasseling activity is completed in a stipulated time period of 60 days. The de-tasseling workers are hired directly by Syngenta’s seed organizers to perform this activity. The interviewed de-tasseling workers work for more than 8 hours a day, excluding breaks. However, the Indian law pertaining to the state of Andhra Pradesh limits the daily working hours to 6 hours.

Source: Grower/worker interview, record review

Plan Of Action: Syngenta will assist the seed organizers in maintaining hours of work records for these de-tasseling workers in order to monitor their working hours and further educate them about the local laws and regulations concerning overtime.

Deadline Date: September 2014 to February 2015

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, whichever is higher.

Noncompliance

Explanation: The legal minimum wage for different agricultural operations varies between INR 175 and INR 234 per day. For certain operations like weeding or pollination, the wages paid by Syngenta growers are below the minimum wages (INR 150 for weeding and INR 175-200 for pollination). Whereas, operations which are mostly carried out by men like plowing, fertilizer and pesticide applications, loading and unloading, are at par or slightly higher than legal minimum wage (INR 200-300). De-tasseling workers were paid below the minimum wage, INR 130 per day and additional INR 20 for the travel by auto rickshaw from their village to the farm. However according to the local law, transport cost should not be added to the minimum wage. Workers and growers are not aware of the legal minimum wages prescribed by the Andhra Pradesh State government for different agriculture operations. The company field staff also does not have updated information on legal minimum wages.


Source: Grower/ worker interviews

Plan Of Action:

- Syngenta will educate the workers on local minimum wages and overtime compensation through awareness sessions, wall paintings/posters and different IEC materials as mentioned in GEN2;
- Syngenta will make sure the seed organizers (vendors) pay the minimum wages for de-tasseling workers through monitoring and follow up by the regional production staff;
- Syngenta will motivate the growers and seed organizers to record the wages provided and hours of work in the documentation kit provided to them.

Deadline Date: September 2014 to February 2015
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:** None of the interviewed workers were aware of their legally entitled wages and benefits as per the local law, but workers involved in the protest were. Hence there is awareness of minimum wages in one region where the agriculture union is strong, whereas workers in Syngenta farms in another region are not aware of the minimum wages.

**Source:** Worker interviews

**Plan Of Action:**

- Syngenta will create awareness among the workers about the local minimum wage rate recommended by the government during village level workers meeting and workers awareness sessions for de-tasseling workers.
- The same information will be communicated through various information education communication materials like wall painting/posters and pamphlets.

**Deadline Date:** September 2014 to February 2015

**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: The growers do not maintain hours of work and wage records.
Source: Grower/worker interviews, observation

Plan Of Action: The documentation kits are currently being printed and will be supplied to all the growers and seed organizers to maintain records of attendance, proof of age for the young workers, wage provided, hours of work etc.

Deadline Date: September 2014 to February 2015

Action Taken: Plan Complete: