FAIR LABOR ASSOCIATION
INDEPENDENT EXTERNAL MONITORING
AGRICULTURAL REPORT

COMPANY: Syngenta
COUNTRY: India
PROVINCE: Haveri District, Karnataka
MONITOR: Glocal Research Service
AUDIT DATE: December 8 – 11, 2012
PRODUCTS: Tomato Seeds
NUMBER OF WORKERS: 251
NUMBER OF WORKERS INTERVIEWED: 76
NUMBER OF FARMS VISITED: 30
TOTAL AREA COVERED IN AUDIT: 12 Acres
PROCESSES: Hybridization; Cleaning and Tying Plants

To view more about the FLA’s work with Syngenta, please visit the FLA website here.
## CONTENTS:

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Code Awareness:</td>
<td>3</td>
</tr>
<tr>
<td>Code Awareness: Other</td>
<td>4</td>
</tr>
<tr>
<td>Child Labor: Proof of Age Documentation</td>
<td>5</td>
</tr>
<tr>
<td>Child Labor: Other Means of Age Verification</td>
<td>6</td>
</tr>
<tr>
<td>Child Labor: Education of Young Workers</td>
<td>7</td>
</tr>
<tr>
<td>Harassment or Abuse: Grievance Procedure</td>
<td>8</td>
</tr>
<tr>
<td>Non-Discrimination: General Compliance Non-Discrimination</td>
<td>9</td>
</tr>
<tr>
<td>Non-Discrimination: Employment Decisions</td>
<td>10</td>
</tr>
<tr>
<td>Non-Discrimination: Sex-Based Wage Discrimination</td>
<td>11</td>
</tr>
<tr>
<td>Health and Safety: General Compliance Health and Safety</td>
<td>12</td>
</tr>
<tr>
<td>Health and Safety: Health and Safety Management System</td>
<td>13</td>
</tr>
<tr>
<td>Health and Safety: Communication to Workers</td>
<td>14</td>
</tr>
<tr>
<td>Health and Safety: Access to Safety Equipment and First Aid</td>
<td>15</td>
</tr>
<tr>
<td>Health and Safety: Personal Protective Equipment</td>
<td>16</td>
</tr>
<tr>
<td>Health and Safety: Chemical Management and Training</td>
<td>17</td>
</tr>
<tr>
<td>Health and Safety: Machinery Maintenance and Worker Training</td>
<td>18</td>
</tr>
<tr>
<td>Hours of Work: Rest Day</td>
<td>19</td>
</tr>
<tr>
<td>Hours of Work: Public Holidays</td>
<td>19</td>
</tr>
<tr>
<td>Wages, Benefits and Overtime Compensation: General Compliance Wages, Benefits and Overtime Compensation</td>
<td>21</td>
</tr>
<tr>
<td>Wages, Benefits and Overtime Compensation: Minimum Wage</td>
<td>22</td>
</tr>
<tr>
<td>Wages, Benefits and Overtime Compensation: Worker Wage Awareness</td>
<td>23</td>
</tr>
<tr>
<td>Wages, Benefits and Overtime Compensation: Record Maintenance</td>
<td>24</td>
</tr>
<tr>
<td>Wages, Benefits and Overtime Compensation: Other</td>
<td>25</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: Hired workers are not aware of the workplace standards; they do not have clear awareness about the different codes. So far, the company’s awareness and training programs have been largely confined to farmers and family workers. Neither the company nor the farmers have made the required efforts to educate hired workers on workplace standards.

Plan Of Action:

1. During the preseason meetings, growers and family laborers will be educated about the company’s workplace standards. Growers are to ensure to bring at least 1 non-family worker representative to the preseason meeting.

2. The code of conduct will be communicated through pamphlets; posters; snake and ladder games; and wall paintings in all of the villages.

3. The field team will be educated by the CSR Team and will communicate the codes to workers during their regular farm visits.

4. Syngenta will explore using more women mobilizers to meet workers on their farm and communicate the message.

Deadline Date: October 2013
Action Taken: 
Plan Complete: 

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

Noncompliance

Explanation: The growers and workers do not have awareness about the company’s policy on worker grievances. Company has recently developed policy on worker grievances and a feedback mechanism. At present, this is not functioning effectively, because workers have very little awareness on the topic. Company is planning to take some special measures in the coming seasons to create awareness among workers about the company’s policy on worker grievances.

Plan Of Action:

1. Syngenta has developed a grievance policy for workers and growers.

2. The grievance policy is communicated to all workers and growers during various channels and campaigns in preseason and midseason meetings.

3. Syngenta has developed various informational, educational, and communication (IEC) materials, such as pamphlets, posters, and wall paintings to communicate the policy.

Deadline Date: October 2013

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 on the farm and is recommended to maintain proof of age documentation for all workers on the farm, including long term and casual workers.

Noncompliance

Explanation: Young workers were found on many farms, but none of the farmers maintain any age proof documentation. When asked about this, some farmers reported that they are unable to insist and demand certificates from workers, owing to the scarcity of labor. They are concerned that insisting on documents will deter workers, jeopardizing the completion of seasonal tasks.

Plan Of Action:
1. During awareness meetings, growers will be educated and motivated on: a) managing young workers, b) the legal requirements to be met for engaging them, and c) the requirement related to maintaining records on the farms.

2. Copies of birth certificates, school certificates, ration cards, medical certificates, local government birth records, etc., are accepted as age proof documentation; a copy of any one of these records will be kept at the farms.

3. The company is planning to distribute documentation kits to all growers. The kits will include the age verification procedure and will be maintained by growers.

Deadline Date: October 2013
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: For age verification, school and medical records are considered as reliable; however, none of the farms maintained any of these records.

Plan Of Action:

1. During awareness meetings, growers will be educated and motivated on the requirement related to maintaining records on the farms.

2. Copies of birth certificates, school certificates, ration cards, medical certificates, local government birth records, etc., are accepted as age proof documentation; a copy of any one of these records can be kept at the farms.

3. The company is planning to distribute documentation kits to all growers. The kits will include the age verification procedure and will be maintained by growers.

Deadline Date: October 2013
Child Labor: Education of Young Workers

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

Noncompliance

Explanation: None of the young workers interviewed were presently attending school. The cross-pollination activity is very labor intensive and demands long hours of work (minimum 8 – 9 hours every day). Hence, it is difficult for children to simultaneously work on farms and attend school.

Plan Of Action: Syngenta is informing growers and workers about the importance of young workers’ education during preseason meetings. While Syngenta does not provide incentives for young workers, it will organize events and competitions at schools to motivate young workers to participate and continue their education.

Deadline Date: October 2013

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: Growers and workers are not aware of the company’s grievance policy and procedure. The company has yet to educate them on this aspect.

Plan Of Action: 1. Syngenta has developed systematic policy related to grievance procedures; workers will be educated on it and it will be communicated to them through various IEC materials, such as pamphlets, posters, and wall paintings.

2. The grievance procedure will be communicated during growers and workers’ preseason and mid-season meetings and also by wall paintings made in selected villages.

Deadline Date: October 2013

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. Neither farmers nor workers have a clear understanding on local laws related to non-discrimination.

Plan Of Action: In the long run, we are planning to address this issue during local stakeholder consultations.

Deadline Date: October 2013

Action Taken:

Plan Complete:

Plan Complete Date:
Non-Discrimination: Employment Decisions

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 were widely prevalent in all of the farms visited. It is to be noted that: a) the division of labor along gender lines and b) paying male and female different wages for joint activities are common practices in this region and were observed in all crops.

Plan Of Action: In the long run, we are planning to address this issue during local stakeholder consultations.

Deadline Date: October 2013

Action Taken:

Plan Complete:

Plan Complete Date:
Non-Discrimination: Sex-Based Wage Discrimination

D.3 There shall be no differences in remuneration for men and women 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 and 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 and age discrimination in wages and work allocation were widely prevalent in all of the farms visited. It is to be noted that: a) the division of labor along gender lines and b) paying male and female different wages for joint activities are common practices in this region and were observed in all crops.

Plan Of Action: In the long run, we are planning to address this issue during local stakeholder consultations.

Deadline Date: October 2013

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.

Noncompliance

Explanation: Local law stipulates that employers are to provide training, personal protective equipment (PPE), and health checkups to workers who are employed to handle chemical pesticides. This is not followed. Farmers are not aware of the local law related to health and safety. Although the company has conducted awareness and training programs on the safe handling of chemicals, they mainly target farmers and not workers.

Plan Of Action:
The company has developed a comprehensive health and safety management system; it is covered in best (seed production) practices documents and pamphlets that are distributed among workers. Growers themselves do chemical spraying on 90% of the plots. 10% of the growers use hired workers for handling chemicals.

Actions:

1. The company is continuously organizing separate training programs for workers on the safe handling of chemicals.

2. The company had developed different communication tools, which explain the guidelines and procedures, like the Do’s and Don’ts for handling chemicals. These tools will be distributed to farm workers by Syngenta’s field supervisors during cross-pollination.

3. Syngenta’s field team also educated workers during their field visit and will continue to do so. Syngenta distributed PPE to 100% of growers in February 2013. Syngenta has already trained the growers; in the future, the company will identify hired workers involved in chemical handling from a cluster of villages and train them with external experts. Syngenta is formulating a strategy for health checkups.

Deadline Date: October 2013

Action Taken: Plan Complete:
Health and Safety: Health and Safety Management System

H&S.4 The health and safety policy shall contain the framework for a comprehensive health and safety management system within which growers’ responsibilities 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 health and safety policy does not clearly specify comprehensive health and safety management systems.

Plan Of Action:

1. A comprehensive health and safety management policy has been developed; it is covered in the seed production procedure document.

2. Educate growers and workers about the policy.

3. Distribute informational, educational, and communication (IEC) materials related to the Do's and Don'ts of chemical handling to workers and growers.

Deadline

Date: October 2013

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: Though the company has conducted awareness and training programs on the safe handling of chemicals, they are mainly targeted to farmers and not workers. Hired workers have not received any communication regarding the company’s health and safety policy. In some locations, the company has initiated some activities, such as wall paintings, street plays, and posters to create awareness among growers and workers; however, the outreach of these activities is limited and needs wider coverage.

Plan Of Action: Syngenta will increase various outreach activities to reach a wider coverage of workers through wall paintings, posters, and farm-level worker awareness sessions.

Deadline Date: October 2013

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: There is no access to first aid boxes in some of the villages. The company only distributed first aid boxes to a limited number of villages.

Plan Of Action: At present, the company is providing a few first aid boxes to be kept at important production villages for farmer and worker use.

Actions:

1. Growers will be effectively trained on first aid and will be encouraged to keep first aid boxes on their own.

1. The company will ensure that there are first aid boxes.

Deadline Date: October 2013

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 (inhalation or contact with solvent vapors, dust, etc.) to health and safety hazards.

Noncompliance

Explanation: The company has not distributed PPE to growers since 2009.

Plan Of Action: Syngenta will ensure that growers ensure workers have the necessary PPE, which is locally available, to prevent unsafe exposure. This will be reinforced during preseason meetings. Also, 90% of growers are engaged in chemical application. The company has supplied them with PPE; workers can use the PPE available with each grower.

Deadline Date: October 2013

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: None of the interviewed workers have received any training by the company on health and safety.

Plan Of Action: The company will organize trainings in the villages for workers on health and safety, regarding machinery handling, safe chemical management, etc.

Deadline Date: October 2013

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: None of the interviewed workers have received any training on the proper use and safe operation of machinery and equipment.

Plan Of Action: The company will organize trainings in the villages for workers on health and safety, regarding machinery handling, safe chemical management, etc.

Deadline Date: October 2013

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.

Noncompliance

Explanation: Workers engaged on seasonal contracts are not provided paid rest days. When asked about this, most farmers stated that they are not aware of the related legal provisions. The pressures of seasonality and the specific nature of tasks, such as cross-pollination, have been cited as practical problems for noncompliance related to hours of work.

Plan Of Action: Syngenta will encourage its growers to initially have verbal employment contracts (with written contracts in the long run) with seasonal workers, which include paid days, rest days, and weekends off.

Deadline Date: October 2013

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 engaged on seasonal contracts are not provided paid public holidays. When asked about this, most farmers stated that they are not aware of the related legal provisions. The pressures of seasonality and the specific nature of tasks, such as cross-pollination, have been cited as practical problems for noncompliance related to hours of work.

**Plan Of Action:** Syngenta will encourage its growers to initially have verbal employment contracts (with written contracts in the long run) with seasonal workers, which include a list of public holidays.

**Deadline Date:** October 2013

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**
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 Workplace Code of Conduct 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 overtime compensation as per local law are not followed. Neither farmers nor workers are properly aware of the legal provisions related to wages and benefits. Neither the government nor the company has made growers and workers aware of these aspects.

Plan Of Action: Syngenta is creating awareness about minimum wage and overtime payments among growers and workers by wall paintings in all of the villages and communicating about them during preseason meetings.

Deadline Date: October 2013

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 minimum daily wage rate as per local law is Rs 157.34 (Rs 100 basic + Rs 57.34 VDA). This rate is commonly applicable for all agricultural operations. However, for certain work carried out by mostly women, like transplanting, weeding, and harvesting, workers are paid Rs 120 – 150, which is less than the legal minimum wage.

Plan Of Action:

1. Syngenta will create awareness about minimum wage and overtime payments among growers and workers during the preseason meetings.

2. The company has developed IEC materials, such as pamphlets, posters, etc.; they will be distributed to growers and workers. Wall paintings are also planned in all villages.

3. Planning to address this issue in local stakeholder consultations.

Deadline Date: October 2013

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 are not aware of wages and benefits they are entitled to as per local law.

**Plan Of Action:**

1. Syngenta is creating awareness about minimum wages among growers and workers during the preseason meetings. It is also planned to create wall paintings in all villages.

2. In the long run, we are planning to address this issue during local stakeholder consultations.

**Deadline Date:** October 2013

**Action Taken:**

**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: Growers maintain no wage records. When asked, farmers reported that they are not used to maintaining such records and that they mostly go by oral practice. A few growers cited illiteracy as the reason for this practice and asked for handheld support regarding record maintenance. Farmers need more orientation related to the importance of keeping records pertaining to worker attendance and wage payments.

Plan Of Action:

1. A documentation kit that includes: a seed production policy document; a copy of the contract between grower and vendors; health and safety Do's and Don'ts; local agriculture labor laws on hours of work, overtime, and minimum wages; grievance procedure with telephone number; and attendance sheet/wage register for workers will be supplied to all growers, so that they can maintain the records. Field supervisors will support illiterate farmers by training their children and literate workers to maintain the documentation kits.

2. Syngenta will closely monitor wages with the documentation kits and data collected through internal monitoring visits by the field staff.

Deadline Date:

Action Taken:

Plan Complete:

Plan Complete Date:
Wages, Benefits and Overtime Compensation: Other
Other: Overtime Compensation

Noncompliance

Explanation: On 6 farms, workers reported that during the peak cross-pollination period, they work 1 or 2 hours extra without any additional payment. They also stated that overtime is voluntary and not forced upon them. Workers are not aware of their legal entitlements.

Plan Of Action: If any deviation is found, Syngenta will create awareness about overtime payments among growers and workers by awareness meetings, wall paintings, etc.

Deadline Date:

Action Taken:

Plan Complete:

Plan Complete Date: