COMPANY: Syngenta
COUNTRY: India
PROVINCE: Karnataka
MONITOR: Ms. Maya Talkar, Mr. Raviraj
AUDIT DATE: January 20 – 23, 2013
PRODUCTS: Sunflower Hybrid Seeds
NUMBER OF WORKERS: 35
NUMBER OF WORKERS INTERVIEWED: 31
NUMBER OF FARMS VISITED: 29
TOTAL AREA COVERED IN AUDIT: 44.75 Acres
PROCESSES: Pollen Collection, Pollination, Pesticide Spraying; No Activity on Some Farms

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

GEN.3 Develop a secure communications channel, in a manner appropriate to the culture and situation, to enable company employees, supervisors, and employees of seed 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.

Noncompliance

Explanation: The noncompliance reporting mechanism is informal. The company has employed 3 women mobilizers for 3 villages [Village name #1], [Village #2], and [Village #3]. They have yet to extend the facility to other villages where the seed production program is implemented. There is no hotline/contact number through which growers/workers can contact the company directly. Also, there is no non-retaliation policy in the grievance procedure.

Plan Of Action:

1. To address grievances, the program leader’s mobile number is provided to all growers and workers and communicated during awareness and preseason campaigns. However, Syngenta is in the process of developing a robust grievance procedure, which will be functioning from May 2013.

2. During grower meetings, we have already informed workers and growers about the procedure. We will continue to educate workers and growers during preseason meetings.

3. We have developed various informational, educational, and communication (IEC) materials, such as pamphlets, posters, and wall paintings in villages, which will help us in communication.

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

Noncompliance

Explanation: Although growers do not recruit workers less than 15 years of age, they do not maintain proof of age documentation for hired workers.

Plan Of Action: Syngenta has developed documentation kits and supplied them to all growers; they will help growers maintain various records, such as age proof documentation, workers’ daily attendance, paid wages, etc. Syngenta will organize awareness campaigns to educate growers on this issue.

Deadline Date: December 2013

Action Taken:

Plan Complete:

Plan Complete Date:
Harassment and 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.

Noncompliance

Explanation: Growers’ understanding on harassment and abuse is limited. The company has not developed policy and procedure for handling discipline.

Plan Of Action:

1. Syngenta has developed an internal monitoring system (IMS) manual for the program. This manual explains the policy on harassment and abuse. An extract of this is available in the “Best Seed Production Practices” document, which is given to all growers. A copy of the IMS manual is available in the IMS center.

2. Syngenta is continuously educating growers on code elements during preseason and awareness campaigns. Syngenta will continue to educate growers and workers on these parameters during these campaigns.

Deadline Date: December 2013

Action Taken:

Plan Complete:

Plan Complete Date:
Harassment and Abuse: Discipline/Training

H&A.4 Grower/Organizer/Company will provide training on appropriate disciplinary practices to persons who supervise the workers.

Noncompliance

Explanation: Most of the farms are family-owned, so grower-worker relations are informal; hence, issues of harassment and abuse are not common in the agriculture sector. However, no training has been given on the appropriate disciplinary practices to persons who supervise workers.

Plan Of Action:

1. Syngenta has developed an internal monitoring system (IMS) manual for the program. In this manual, we have developed a policy on harassment and abuse. An extract of this is available in the “Best Seed Production Practices” document, which is given to all growers. A copy of the IMS manual is available in the IMS center.

2. Syngenta is continuously educating growers on code elements during preseason and awareness campaigns. Syngenta will continue to educate growers and workers on these parameters during these campaigns.

Deadline Date: December 2013

Action Taken:

Plan Complete:

Plan Complete Date:
Harassment and Abuse: Sexual Harassment

H&A.10 Growers shall refrain from any act of sexual harassment, including any insult or inappropriate remark, joke, insinuation, or comment on a person's dress, physique, age, family situation, etc.; a condescending or paternalistic attitude with sexual implications undermining dignity; any unwelcome invitation or request, implicit or explicit, whether or not accompanied by threats; any lascivious look or other gesture associated with sexuality; and any unnecessary physical contact such as touching, caresses, pinching, or other. Growers shall not offer – or take any action that may suggest an offer of – recruitment, continued employment, promotion, improved working conditions, preferential work assignments, or other preferential treatment of any kind in actual or implied exchange for a sexual relationship, nor subject workers to prejudicial treatment of any kind in retaliation for refused sexual advances or corrected inappropriate behavior. Growers shall refrain from any action – and shall take all appropriate action to ensure that all workers refrain from any action – that will result in a sexually intimidating, hostile, or offensive work environment.

Noncompliance

Explanation: Although growers treat their workers well and there are no sexual harassment cases so far, they are not aware of the Vishaka Judgment (as stipulated by the Supreme Court in 1997) and other government directives that are against sexual harassment at work.

Plan Of Action:

1. Syngenta has developed an IMS manual for the program. In this manual, we have developed a policy on harassment and abuse. An extract of this is available in the “Best Seed Production Practices” document, which is given to all growers. A copy of the IMS manual is available in the IMS center.

2. Syngenta is continuously educating growers on code elements during preseason and awareness campaigns. Syngenta will continue to educate growers and workers on these parameters during these campaigns.

Deadline Date: December 2013

Action Taken:

Plan Complete:

Plan Complete Date:
Harassment and 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: The noncompliance reporting mechanism is informal; subsequently, no system has been developed to maintain grievance records. The company has recruited only 3 female mobilizers to play the role of grievance reporters in 3 villages [Village name #1], [Village name #2], and [Village name #3]. They have yet to extend the facility to other villages where the seed production program is implemented. The company needs to develop an effective noncompliance reporting mechanism.

Plan Of Action:

1. For addressing grievances at present, the program leader’s mobile phone number is provided to all growers and workers. This is communicated during awareness and preseason campaigns. Syngenta is in the process of developing a robust grievance procedure, which will be functioning from May 2013.

2. During grower meetings, we have already informed workers and growers about the procedure. We will continue to educate workers and growers during preseason meetings.

Deadline Date: May 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: First aid boxes have not been provided to growers. In case of emergencies, workers go to the closest doctor or the Primary Health Centre (PHC) in the village to use its facilities.

Plan Of Action: Syngenta has already distributed and installed 90 first aid boxes in key places/villages, with a responsible person in both vegetable and field seed production.

It is planned to extend this scheme to all production villages.

Growers were trained in first aid management across the locations; it is planned to extend the training program to all growers and workers.

Deadline Date: December 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: On one of the sample farms, a grower’s family member was applying pesticides. Although he was aware of the personal protective equipment (PPE) to use during pesticide handling (he covered his face with a cloth and wore boots), he did not use PPE to cover his hands and legs. Upon further probing, it was revealed that the company did not provide the required PPE. During the farm inspection, it was observed that in most farms, workers were not provided aprons. The company should provide a sufficient amount of PPE to growers and workers.

Plan Of Action: Growers will make sure that workers have the necessary PPE, which is locally available, to prevent unsafe exposure. This will be reinforced during preseason meetings. The company is planning to organize health and safety trainings (which include safe chemical handling and PPE use) for growers and workers.

Deadline Date: December 2013

Action Taken:

Plan Complete:

Plan Complete Date:
Health and Safety: Chemical Management for Pregnant Women, Young Workers, and Family Members Residing in the Farm

H&S.9 To prevent unsafe exposure to hazardous chemicals, specific appropriate accommodations shall be made for pregnant women and workers under the age of 18 as required by applicable laws or the provisions of the FLA Workplace Code of Conduct in a manner that does not unreasonably disadvantage workers. Grower shall ensure that young workers, pregnant or nursing women, persons with chronic respiratory disease are not allowed to work with the application of hazardous chemicals. Grower will take measures to ensure that workers or their families residing on the farm are not at risk of exposure to pesticides and agrochemicals used on the farm.

Noncompliance

Explanation: On one of the farms, a pesticide was being sprayed around 11:30am, while workers on the neighboring farm were at work. The strong odor of pesticide was persistent throughout both farms. Therefore, growers need to be made aware of the health and safety dangers related to spraying pesticides.

Plan Of Action: During preseason meetings, Syngenta educated growers on health and safety. The company also sensitized growers to safe spraying methods – using PPE, proper storage of chemicals, proper waste disposal, the timing of sprayings, etc.

Syngenta will organize more health and safety trainings (which include safe chemical handling, PPE usage, and first aid trainings) for growers and workers.

Deadline Date: December 2013

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 cases where there is 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.

Noncompliance

Explanation: Basic first aid kits are not available on any of the farms. In case of emergencies, workers go to the closest doctor or the Primary Health Centre (PHC) in the village to use its facilities. Few growers are aware of the medical officer’s contact number and other details.

Plan Of Action: In January 2013, the company supplied the first aid kits and installed them in key places, which are easily accessible to workers. In the [City name] location, 90 villages were supplied kits. Also, we supplied and installed anti-venom kits at every production location, so that they can be used during emergencies.

It is planned to extend this program across the production villages.

Educating all stakeholders on how to best utilize the resources that are available nearby is also planned.

Deadline Date: Jan 2013

Action Taken:

Plan Complete:

Plan Complete Date:
Hours of Work: Other
Other

Noncompliance

Explanation: Growers do not maintain attendance and wage registers.

Plan Of Action:

1. The procedures for maintaining attendance registers are in place. The company agrees with the auditor’s comments that growers are not maintaining attendance registers regularly. Syngenta has plans to improve this in the near future.

2. Syngenta has developed documentation kits, which will be maintained at farms and will be helpful to closely monitor wage rates and working hours. The documentation kits include: the seed production policy; a social compliance contract; Health & Safety Aspects; local laws related to the agricultural sector; minimum wages applicable for the region; a list of records to be maintained on the farms; emergency number contact; and labor attendance sheets.

3. Syngenta will plan awareness campaigns for addressing this issue and will educate growers on it.

Deadline Date: December 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: About 10% of the female workers are paid INR 150.00 per day, which is less than the minimum wage, INR 157.34, as required by law. However, it could not be verified, as growers do not maintain any wage records at the farm level.

Plan Of Action:

1. Syngenta is creating awareness about the minimum wages and OT payments among growers and workers during the preseason meetings.

2. A documentation kit consisting of: a seed production policy document; a copy of the contract between growers 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 to maintain the records. Field supervisors will support illiterate farmers by training their children and literate workers to maintain the documentation kits.

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

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

Deadline Date: December 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: None of the growers are aware of the region’s minimum wages. Growers and workers are not aware of wages and benefits related issues.

Plan Of Action:

1. Syngenta is creating awareness about minimum wages and overtime payments among growers and workers during the preseason meetings.

2. Wall paintings, which are placed in key places and visible to all are planned. It is also planned to place these types of paintings in all villages.

3. Various IEC materials are developed to educate growers and workers, such as posters, pamphlets, etc.

Deadline Date: December 2013

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: No wage records are maintained on the farms.

Plan Of Action: The procedures for maintaining attendance and wage registers are in place. The company agrees with the auditor’s comments that growers are not maintaining the attendance/wage registers regularly. Syngenta plans to improve this in the near future:

Actions:

1. A documentation kit consisting of: a seed production policy document; a copy of the contract between growers 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 to 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 field staff.

3. Syngenta will plan awareness campaigns for addressing this issue and will educate growers on it.

Deadline Date: December 2013

Action Taken:

Plan Complete:

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

Noncompliance

Explanation: The company does not provide growers with attendance and wage registers. Neither wage rate records nor hours of work records are maintained at the farm level. Therefore, it is not possible to verify overtime work/compensation.

Plan Of Action: The procedures for maintaining attendance/wage registers are in place. The company agrees with the auditor’s comments that growers are not maintaining the attendance registers regularly. This has occurred because the program in field seed is new. Syngenta plans to improve this in the near future:

Actions:

1. A documentation kit consisting of: a seed production policy document; a copy of the contract between growers 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 to maintain the records. Field supervisors will support illiterate farmers by training their children and their 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 field staff.

3. Syngenta will plan the awareness campaigns for addressing this issue and will educate growers on it.

Deadline Date: December 2013

Action Taken:

Plan Complete:

Plan Complete Date: