



2012

FAIR LABOR ASSOCIATION
INDEPENDENT EXTERNAL MONITORING
AGRICULTURAL REPORT

COMPANY: Syngenta
COUNTRY: Argentina
PROVINCE: San Luis
MONITOR: Corinne Adam
AUDIT DATE: January 25 – 26, 2012
PRODUCTS: Corn
NUMBER OF WORKERS: 40
NUMBER OF WORKERS INTERVIEWED: 34
NUMBER OF FARMS VISITED: 1
PROCESSES: Detasseling

To view more about the FLA's work with Syngenta, please visit the FLA website [here](#).



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Code Awareness:

GEN.1 Establish and articulate clear, written workplace standards. Formally convey those standards to Company Growers as well as to Seed Organizers.

Uncorroborated Evidence of Noncompliance

Explanation: Standards have been established and the code of conduct (COC) is available in Spanish. At the time of the audit, leaflets and posters were in the process of being delivered to camps and further training sessions for farm management were being contemplated. No specific training has been developed for workers yet.

Plan Of Action: Induction staff will be hired at the beginning of the campaign and train growers on all code elements. Syngenta will also start implementing the internal monitoring system (IMS).

Deadline Date: November 2012

Action Taken: We gave FLA and HSE training to all of the field workers at the beginning of and during the season (season spans 120 days, from planting to harvesting, but field workers work on the field for only 2 – 3 months.) We gave all rural workers a brochure with the 8 principles of the FLA, HSE, and country local requirements. Unlike in other countries, Syngenta does not have seed organizers in Argentina; Syngenta contracts the field workers and the land directly. Syngenta provides the workforce for the fields.

Plan Complete: Yes

Plan Complete Date: February 2013



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.

Uncorroborated Evidence of Noncompliance

Explanation: Standards have been established and the COC is available in Spanish. At the time of the audit, leaflets and posters were in the process of being delivered to camps and further training sessions for farm management were being contemplated. No specific training has been developed for workers yet.

Plan Of Action: Induction staff will be hired at the beginning of the campaign and train growers on all code elements. Syngenta will also start implementing the IMS.

Deadline Date: November 2012

Action Taken: We gave FLA and HSE training to all of the field workers at the beginning of and during the season (season spans 120 days, from planting to harvesting, but field workers work on the field for only 2 to 3 months.) We gave all rural workers a brochure with the 8 principles of the FLA, HSE, and country local requirements. Unlike in other countries, Syngenta does not have seed organizers in Argentina; Syngenta contracts the field workers and the land directly. Syngenta provides the workforce for the fields.

Plan Complete: Yes

Plan Complete Date: February 2013

Code Awareness: Other

Other (Company Internal Grievance Policy and Procedures)

Noncompliance

Explanation: Apart from policies for Syngenta employees, who are not the focus of this audit, there is no grievance policy or procedure in place yet.

Plan Of Action: Workers will receive training on the use of the communication channel . Workers will also be trained on the objectives of the toll-free 800 number. We will also check to see that FLA posters are placed in the camp. Syngenta procedure is available on how to deal with incoming calls.

Deadline Date: November 2012

Action Taken: Workers received training on FLA so they know what to do when one of the 8 code elements are not respected and how to use the toll-free 800 number. FLA posters were placed in all camps during the campaign.

Plan Complete: Yes

Plan Complete Date: December 2012



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.

Noncompliance

Explanation: There has been no training on disciplinary practices and no worker awareness modules have been prepared. Workers are not aware of disciplinary practices. Training material is in the process of development.

Plan Of Action: In accordance with local country regulation (as field workers are contracted by Syngenta and not by growers), Syngenta will develop a training plan with established responsibilities and have it completed before the start of the season. Disciplinary practices need to follow the local country regulations, increase in severity (first a verbal warning, then a written warning, then dismissal), and be applied by the employer.

Deadline Date: November 2012

Action Taken: Growers’ contracts now include an annex containing the relative FLA COC elements. Growers will also receive training on the 8 principles of FLA. This year, priority was given to training the entire field production team, especially all rural workers hired by Syngenta during the campaign.

Deadline Date: November 2013

Plan Complete: No

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.

Noncompliance

Explanation: Neither Syngenta nor the human resources company has a disciplinary policy and procedure in place at the farm level. There are also no prepared worker awareness modules. As a result, workers have not received training on disciplinary policy.

Plan Of Action: In accordance with local country regulation (as field workers are contracted by Syngenta and not by growers), Syngenta will develop a training plan with established responsibilities and have it completed before the start of the season.

Deadline Date: November 2012

Action Taken: Growers' contracts now include an annex containing the 8 principles of FLA. Growers will also receive training on the 8 principles of FLA. This year, priority was given to training the entire field production team, especially all rural workers hired by Syngenta during the campaign.

Deadline Date: November 2013

Plan Complete: No

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: There is no procedure in place yet, but a hotline has been installed. Procedure and training material are to be developed in coming months. (They were not available during the visit.)

Plan Of Action: Induction before the start of the season will cover the use of communication channels (i.e., the toll-free 800 number). We will also check to see that the relative FLA COC elements are communicated to all camps through banners. We are also developing banners with pictures to help illiterate workers.

Deadline Date: November 2012

Action Taken: Workers received training on the use of the toll-free 800 number. These trainings emphasized that workers can communicate anonymously. During the campaign, staff placed banners in all camp housing. We are developing banners with pictures to help illiterate workers.

Plan Complete: Yes

Plan Complete Date: December 2012



Non-Discrimination: General Compliance Non-Discrimination

D.1 Growers shall comply with all local laws, regulations, and procedures concerning non-discrimination.

Noncompliance

Explanation: Only men are employed to work in the fields. We understand that this is due to logistical as well as cultural reasons.

Plan Of Action: During other field visits, balanced field work groups were identified; we need a better understanding of the matter during future internal monitoring system (IMS) and IEM audits.

Deadline Date: November 2012

Action Taken: We have explained the mode of recruitment of workers in [Province name], where all hired workers are male. It is common and widespread to hire men for these activities; their women stay at home to care for their children's education, as they generally have large families.

Plan Complete: Yes

Plan Complete Date: November 2012

Health and Safety: Document Maintenance/Worker Accessibility and Awareness

H&S.2 All documents required to be available to workers and growers by applicable laws (such as health and safety policies, MSDS, etc.) shall be made available in the prescribed manner and in the local language or language(s) spoken by the workers if different from the local language. If the workers are illiterate, the company shall make an effort to provide pictorials that the workers can easily understand.

Uncorroborated Evidence of Noncompliance

Explanation: Workers have very limited knowledge about the handling of chemicals. Because the workers' knowledge is very limited, there is an element of risk. The field activities that workers have been hired for do not include pesticide spraying; nevertheless, it is very important to give a pesticide induction for field workers for when they re-enter the fields after pesticides have been sprayed.

Plan Of Action: Workers will receive training on the risks and health hazards of chemicals, even if they are not handling them directly.

Deadline Date: November 2012

Action Taken: HSE technicians have been hired for the campaign. These technicians provided support to field operations during many HSE and FLA trainings. They also conducted trainings on housekeeping and chemical risks (especially empty containers). It should be clear that rural workers do not apply chemicals products in the field.

Plan Complete: Yes

Plan Complete Date: December 2012

Health and Safety: Written Health and Safety Policy

H&S.3 Company, in consultation with growers, organizers, and if possible workers, is required to develop a health and safety policy. The policy must, at the very least, be aimed at complying with legal minimum safety and health standards, regulations, and procedures and with the Workplace Code of Conduct.

Noncompliance

Explanation: Syngenta has a policy in place, the labor contractor does not.

Plan Of Action: A written health and safety policy will be posted in Syngenta's camps.

Deadline Date: November 2012

Action Taken: We gave FLA and HSE training to all of the field workers at the beginning of and during the season (season spans 120 days, from planting to harvesting but field workers work on the field for only 2 – 3 months.) We gave all rural workers a brochure with the 8 principles of the FLA, along with a specific focus on HSE and the country's local requirements.

Banners with Syngenta's HSE policy were made and hung in all camps during the campaign. We are developing banners with pictures to help illiterate workers.

Plan Complete: Yes

Plan Complete Date: November 2012

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: There is no accident and injury prevention program for seasonal workers.

Plan Of Action: A HSE training calendar will be prepared for our workers. The goal is to prevent accidents, foster a prevention culture and, if possible, include a method to evaluate worker awareness after the training.

Deadline Date: November 2012

Action Taken: In accordance with national legislation, HSE training has been conducted and major risks for field workers involved in seed production were identified. Each worker received a guidance document containing the most important aspects of HSE. HSE technicians provided HSE training to workers in the camps. Growers are keeping a log of injuries and accidents.

Plan Complete: Yes

Plan Complete Date: February 2013

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 company prepared a short video on health and safety practices. However, its content is not sufficient for informing workers on procedures, policies, and measures that need to be taken on health and safety.

Plan Of Action: Workers will be provided with comprehensive training on HSE Field Production requirements and the FLA COC's before the season starts.

Deadline Date: November 2012

Action Taken: Workers received a booklet with the 8 principles of FLA and a guidance document covering major HSE issues. During the campaign, HSE technicians attended training on FLA's COC and HSE requirements for field production.

Plan Complete: Yes

Plan Complete Date: February 2013

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: This issue needs to be investigated in future monitoring visits, as fields are located in remote areas that are far way from the city center.

Plan Of Action: Syngenta's HSE Coordinator and local medical facilities are planning a response program for accidents and medical emergencies.

Deadline Date: September 2012

Action Taken: We carried out a survey and organized zonal emergency plans for each of the fields and camps where seeds are produced in Argentina. We identified the closest place for referral in the event of an incident. We also carried out a survey of zonal emergency numbers (ambulance, fire, police) so that we can respond to emergencies in a coordinated and efficient way. An Emergency Service Network with the ability to send an ambulance to all camps or fields has been hired. They are not stationed in the camps directly, as they cover all camps. Doctors who can visit the camps were hired during the campaign. In addition, HSE technicians with 4x4s were hired to ensure ingress and egress to the fields and camps without depending on area weather conditions.

Plan Complete: Yes

Plan Complete Date: November 2012

Health and Safety: Drinking Water

H&S.13 Company should make efforts to create awareness among growers and workers about clean drinking water. Growers shall not place any undue restrictions on drinking water in terms of time and frequency.

Uncorroborated Evidence of Noncompliance

Explanation: Syngenta provides drinking water. However, due to extreme weather conditions, this water becomes hot and undrinkable.

Plan Of Action: Syngenta will provide drums or coolers to keep the water fresh while it is in the field.

Deadline Date: October 2012

Action Taken: Drums have been provided for workers so that they can bring water into the field. In many areas, workers are allowed to bring thermoses to keep water fresh while they are in the field. Failed to incorporate this action to all areas.

Deadline Date: October 2012

Plan Complete: No

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.

Uncorroborated Evidence of Noncompliance

Explanation: During the field visit, monitors did not find any rest areas.

Plan Of Action: Syngenta has built a complete camp facility, including rest areas, for migrant field workers.

Deadline Date: October 2012

Action Taken: Rest areas have been created in many camps. We will continue to work on providing rest areas in the remaining camps, as they are very important for workers. Progress has been made in approximately 50% of the camps.

Deadline Date: October 2013

Plan Complete: No

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: A worker was working on Sundays as well as during the week. This point needs further investigation.

Plan Of Action: Syngenta will record the working hours for each worker and take actions to respect the COC regarding following the COC elements, limiting working hours, and if there is overtime, extra payment is made.

Deadline Date: November 2012

Action Taken: The contract for rural workers was changed. The revised contract calls for an 8-hour workday and provides a certain amount of overtime per month. Leaders, foremen, and the Syngenta supervisor are responsible for keeping track of hours worked each day. In accordance with national legislation, if workers work on Saturday afternoon or Sunday, they will be paid overtime of greater value.

Plan Complete: Yes

Plan Complete Date: November 2012

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 limited cases, workers could work 10 to 12 hours a day, especially during peak season.

Plan Of Action: Syngenta will plan a stakeholder consultation to better understand overtime in agriculture. After this, we will be able to establish a more comprehensive remediation plan.

Deadline Date: November 2012

Action Taken: The contract for rural workers was changed. The revised contract calls for an 8-hour workday and provides a certain amount of overtime per month. Leaders, foremen, and the Syngenta supervisor are responsible for keeping track of hours worked each day. In accordance with national legislation, if workers work on Saturday afternoon or Sunday, they will be paid overtime of greater value.

Plan Complete: Yes

Plan Complete Date: November 2012



Hours of Work: Public Holidays

HOW.6 Growers shall provide workers with all public holidays as required under local laws, regulations, and procedures.

Uncorroborated Evidence of Noncompliance

Explanation: Payroll records were kept at the human resources company. During the visit, this benchmark could only be checked through worker interviews. Workers stated that they worked on public holidays, such as Christmas.

Plan Of Action: Syngenta will further investigate this issue, including the payroll questions in the IMS questionnaire during field visits. Hours of work is an issue in the agriculture industry, as field activities are required and while we plan to not have workers work overtime, sometimes due to climate change, we face field challenges to keep the crops growing. Most (70 – 80%) field events we can plan; however, 20 – 30% of the time we face obstacles we need to overcome during the crop season. We are emphasizing to field staff that overtime controls need to be in place in order to be in compliance.

Deadline Date: November 2012

Action Taken: Syngenta has respected all relevant national labor laws. With the arrival of new rural recruitment workers, Syngenta thoroughly studied the new legislation to comply with all its requirements. (It is extremely important for the company to be in compliance with these laws). Due to the industry specifics, if workers need to work during national holidays, they will be paid in accordance with local country regulation.

Plan Complete: Yes

Plan Complete Date: November 2012

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: As per a new law, workers must be paid every 2 weeks. During the visit, it was observed that workers received their payment at the end of the season. Nevertheless, workers were not aware of the new practice of being paid every 2 weeks. We would recommend this point be followed up.

Plan Of Action: Syngenta changed the legal framework for hiring workers. Workers will be informed about the method of payment upon being hired.

Deadline Date: November 2012

Action Taken: The contract for rural workers was changed. The revised contract calls for an 8-hour workday and provides a certain amount of overtime per month. Leaders, foremen, and the Syngenta's supervisor are responsible for keeping track of hours worked each day. In accordance with national legislation, if workers work on Saturday afternoon or Sunday, they will be paid overtime of greater value.

There have been 3 trips to [Province name], where briefings were carried out with leaders and foremen. During these briefings, we explained the new legal framework for recruitment, important HSE aspects to consider during the campaign, and the mode and place of payment.

Plan Complete: Yes

Plan Complete Date: November 2012

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: The majority of the workers do not know how to keep track of their working hours or calculate their income; they only know once they receive their wages.

Plan Of Action: Syngenta changed the legal framework for hiring workers. Workers will be informed about the method of payment upon being hired.

Deadline Date: November 2012

Action Taken: The contract for rural workers was changed. The revised contract calls for an 8-hour workday and provides a certain amount of overtime per month. Leaders, foremen, and the Supervisor of Syngenta are responsible for keeping track of hours worked each day. In accordance with national legislation, if workers work on Saturday afternoon or Sunday, they will be paid overtime of greater value.

There have been 3 trips to [Province name], where briefings were carried out with leaders and foremen. During these briefings we explained the new legal framework for recruitment, important HSE aspects to consider during the campaign, and the mode and place of payment.

Plan Complete: Yes

Plan Complete Date: November 2012
