



2011

## FAIR LABOR ASSOCIATION INDEPENDENT EXTERNAL MONITORING AGRICULTURE REPORT

**COMPANY:** Syngenta  
**COUNTRY:** India  
**PROVINCE:** Maharashtra  
**MONITOR:** T Group Solutions Pvt limited  
**AUDIT DATE:** January 8 – 13, 2012  
**PRODUCTS:** Eggplant Seeds  
**NUMBER OF WORKERS:** 7  
**NUMBER OF WORKERS INTERVIEWED:** 7  
**NUMBER OF FARMS VISITED:** 25  
**TOTAL AREA COVERED IN AUDIT:** 7.75 Acres  
**PROCESSES:** Hybridization, Pesticide Application

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



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## **Wages, Benefits and Overtime Compensation: Minimum Wage**

WBOT.2 Growers shall pay workers, the legal minimum wage or the prevailing regional wage in agriculture, whichever is higher.

### **Noncompliance**

**Explanation:** The legal minimum wage in the region is INR 145/-. Growers are paying INR 100/-. This is the wage range prevalent in the region.

**Plan Of Action:** During the local stakeholder consultation, it was noted that neither growers nor workers had awareness on minimum wages. Hence, the group recommended providing awareness about minimum wages. Syngenta will create awareness about minimum wages among growers and workers during preseason meetings. Syngenta to supply growers with information on local minimum wages by distributing their Grower Documentation Kit (GDK) in training.

Syngenta's Grower Documentation Kit has been sent to the FLA for review and includes the following:

1. Syngenta's Code of Conduct (COC)
2. Social Compliance Contract: lists items found in Syngenta's COC and asks for growers to sign the contract acknowledging that if they "fail to comply with the above elements of the "Syngenta Social Compliance policy," company [Syngenta] has every right to dismiss my seed production agreement."
3. Health and Safety Aspects for Workers and Growers: lists Do's and Don'ts, covering items such as: hiring trained workers, personal protection equipment (PPE), first aid, chemical style/use, safe disposal of chemical containers, drinking water, and safe machinery use.
4. Examples of documentation needed whenever training is given (certificates earned, attendance sheets).
5. Local Laws for the Agriculture Sector: Notification that local law books related to the agricultural sector are maintained at local IMS (monitoring) centers.
6. Minimum Wages Applicable for the Region: documentation on the local minimum wage for each worker position applicable in the agriculture sector.



7. Grievance Procedure: Notification of Syngenta’s “confidential grievance procedure,” listing various channels growers have a choice of adopting for workers to contact Syngenta directly. Notification that growers must keep documentation when a grievance has been received regarding the grievance itself, the investigation, and any disciplinary action taken.

8. Age-Proof Documentation: Notification of what age-proof documents growers must keep at their fields on each worker (school-leaving certificate, birth certificate, ration card, doctor’s certificate and/or local government birth records).

**Deadline**      December 2012  
**Date:**

**Action**  
**Taken:**

**Plan**  
**Complete:**

**Plan**  
**Complete**  
**Date:**

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### **Wages, Benefits and Overtime Compensation: Worker Wage Awareness**

WBOT.6 Growers/Organizers/Company shall 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:** Agreements between growers and company are in English and not in the local language. However, the growers sign the agreements. It would be beneficial if the documents were in Marathi (local language). Growers sign papers based on trust, since they have been associated with the company for a long time. They suggested that, for effective participation, all documents should be in the local language. The social compliance agreement is in the local language.

**Plan Of Action:** Syngenta would explore the possibility of providing the production agreement in Marathi.

**Deadline Date:** December 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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## 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 workers in cash or in-kind or both; these records shall be acknowledge by the worker.

### Noncompliance

**Explanation:** The wage records (HAZIRA) that were available at a few farms were reviewed. These records reflected attendance and the total number of days worked. The records were incomplete with no information recorded on the wages paid per day of the total paid for the week. Some of these records appeared to have been checked by the company's field staff as signatures were seen on the records. On some records, these signatures were seen on pages with no entries.

**Plan Of Action:** During the local stakeholder consultation, it was noted that for most operations like sowing, weeding, and fertilizer application, workers are paid below the minimum wages. But, when explored further, the number of hours spent on these operations (2 – 4 hours, with a maximum of 5) is relatively low. Hence, the group agreed to record hours of work for each operation to monitor both hours of work and wages and benefits for all cultivation practices. Syngenta to supply growers with information on local minimum wages and documentation by distributing their GDK in training. (For a full list of GDK contents, see WBOT.2.)

**Deadline Date:** December 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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**Harassment or Abuse: Grievance Procedure**

H&A.12 Company shall have in place grievance procedures that first allow an attempt to settle grievances directly between the worker and the grower; however, where this is inappropriate or has failed, it should be possible for the worker to have the grievance considered at one or more steps, depending on the grievance’s nature and the enterprise’s structure and size. Company shall ensure that workers know the grievance procedures and applicable rules.

**Noncompliance**

**Explanation:** There is no formal grievance policy or procedure in place. In case there are any issues, growers/workers can approach the company staff directly.

**Plan Of Action:** Syngenta to supply growers with information on the grievance policy by distributing their GDK in training. (For a full list of GDK contents, see WBOT.2.)

**Deadline Date:** December 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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### **Forced Labor: Employment Terms/Voluntary Agreement**

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

#### **Noncompliance**

**Explanation:** There are no written terms and agreements between growers and workers. They work on verbal commitments.

**Plan Of Action:**

1. Syngenta will conduct a study to assess the prevailing conditions for annual farm workers in the region.
2. Syngenta would identify the total number of growers employing annual farm workers.
3. The growers concerned would be consulted with the outcome of the study to draw the remediation plan.

**Deadline Date:** December 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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**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.

**Noncompliance**

**Explanation:** Material safety data sheets (MSDS) are not posted near chemical storage or near where chemicals are used on the farm.

**Plan Of Action:** Awareness about MSDS usage would be created among workers and growers during preseason meetings.

**Deadline Date:** December 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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### **Health and Safety: Access to Safety Equipment and First Aid**

H&S.6 The company should ensure that growers provide workers with suitable first aid in case of emergency. First aid kits should be made available at contracted farms and processing units. Clusters of small farms may share first aid kits. The company will ensure that procedures are in place to train the growers or farm supervisors on first aid and take active measures to ensure there are suitable supplies.

#### **Noncompliance**

**Explanation:** No first aid kits are maintained on the farms.

**Plan Of Action:** 1. Growers will be effectively trained in first aid and will be encouraged to keep first aid boxes on their own. First aid is covered in the GDK's Health and Safety Aspects for Workers and Growers, which includes a list of do's and don'ts. The GDK is covered and passed out in training. (For a full list of GDK contents, please see WBOT.2.)

2. Syngenta will supply and maintain 1 first aid box for farms located in close proximity and educate growers on how to utilize them.

**Deadline Date:** December 2012

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

### Health and Safety: Personal Protective Equipment

H&S.7 The company should 1) make sure that growers have enough knowledge about appropriate personal protection equipment and 2) provide growers with PPE whenever necessary within its supply chain in sufficient numbers, ensuring the PPE provided by the growers is for all workers to use. Where necessary, the company should also provide training to growers and workers on the safe use of PPE practices.

#### Noncompliance

**Explanation:** A sprayer was seen spraying on a farm without personal protection equipment (PPE).

**Plan Of Action:** Growers will make sure that workers have the necessary PPE (recommended by IRFT), which is locally available to prevent unsafe exposure. This will be reinforced during the preseason meetings. During the local stakeholder meeting, growers suggested for Syngenta to provide user-friendly PPE with cost contributions from growers. Syngenta will explore the possibility of covering all growers under the scheme. PPE is covered in the GDK, which will be passed out and covered during training. (For a full list of GDK contents, please see WBOT.2.)

**Deadline Date:** December 2012

**Action Taken:**

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#### Uncorroborated Evidence of Noncompliance

**Explanation:** PPE is not stored on the farms. Instead, PPE is usually stored at the growers' house; workers are required to obtain the PPE from the grower before they start using/spraying chemicals on farms. This involves the possibility of not using PPE every time they use/spray chemicals (if grower is not at home/farm, avoiding visit to growers' home due to lack of additional effort).

**Plan Of Action:** Growers will make sure that workers have the necessary PPE (recommended by IRFT), which is locally available to prevent unsafe exposure. This will be reinforced during the preseason meetings. During the local stakeholder meeting, growers suggested for Syngenta to provide user-friendly PPE with cost contributions from growers. Syngenta will explore the possibility of covering all growers under the scheme. PPE is covered in the GDK, which will be passed out and covered during training. (For a full list of GDK contents, please see WBOT.2.)

**Deadline Date:** December 2012

**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. Grower shall not use any banned (either by national or international laws) pesticides, fertilizers, or any other agro chemicals in the farm. Grower shall ensure the safe disposal of waste chemicals, empty containers of chemicals or packing materials. Grower/Organizer/Company will provide the necessary training to workers in regard to the handling of agro chemicals (pesticides, fertilizers, and other hazardous substances), their application and the use of PPE.

#### Noncompliance

**Explanation:** Though on some farms chemicals were seen stored safely in boxes under lock and key, there were instances of chemicals being kept outside the chemical box. Storage boxes were seen damaged with no locking device. On most farms, these boxes were missing. In some instances, it was noted that chemicals/ fertilizers were stored adjacent to food items and close to cooking areas.

**Plan Of  
Action:**

1. Growers will be educated on using trained workers for pesticide application.
2. Syngenta will organize the health and safety training (including safe chemical handling, machinery maintenance and first aid trainings) for all growers.
3. During the local stakeholder consultation, the group recommended for the company to come up with a policy regarding the collection of empty containers and their disposal. Syngenta would explore the possibility.

These issues are covered in the GDK, which is passed out and gone over in training. (For a full list of GDK contents, please see WBOT.1.)

**Deadline  
Date:** December 2012

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Taken:**

**Plan  
Complete:**

**Plan  
Complete  
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