



2011

FAIR LABOR ASSOCIATION INDEPENDENT EXTERNAL MONITORING AGRICULTURE REPORT

COMPANY: Syngenta AG

COUNTRY: India

PROVINCE: Gujarat

MONITOR: International Resources for Fairer Trade

AUDIT DATE: February 6 – 9, 2012

PRODUCTS: Sunflower Seeds

NUMBER OF WORKERS: 27

NUMBER OF WORKERS INTERVIEWED: 27

NUMBER OF FARMS VISITED: 26

TOTAL AREA COVERED IN AUDIT: 55 Acres

PROCESSES: Cross Pollination

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, whichever is higher.

Noncompliance

Explanation: Minimum wage of the state is INR 120, whereas most growers are paying workers a wage of INR 100.

Sources: farm visits; record review; worker and grower interviews

Legal Reference: The Minimum Wages Act 1948

Plan Of Action: During local stakeholder consultation, it was noted that both growers and workers did not have 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
Date:** December 2012

**Action
Taken:**

**Plan
Complete:**

**Plan
Complete
Date:**



Wages, Benefits and Overtime Compensation: Record Maintenance

WBOT.7 Company shall make efforts to educate and assist growers in maintaining records of wages provided to workers in cash or in-kind or both; these records shall be acknowledged by the workers.

Noncompliance

Explanation: No records of wage payments or working hours are being maintained at the farms.

Plan Of Action: During the local stakeholder consultation, it was noted that for operations like sowing, weeding and fertilizer application, workers are paid below actual minimum wage. But, when explored further, the number of hours spent for these operations (2 – 4 hours, with a maximum of 5) are 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:

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 noncompliance reporting mechanism developed by the company at the farm level for workers to directly report on noncompliances.

Sources: worker and grower interviews

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.1 Plan of Action.)

Deadline Date: December 2012

Action Taken:

Plan Complete:

Plan Complete Date:

Child Labor: Proof of Age Documentation

CL.3 In cases where proof of age documentation is not readily available or is unreliable, growers will take precautions to ensure all workers are at least the minimum working age, including using medical, religious or school records or other means considered reliable in the local context.

Noncompliance

Explanation: Proof of age documentation could not be verified, as the farmer was not available in the field and the young workers were intimidated to speak in any further interviews.

Sources: grower interviews; record review

Plan Of Action: As noted in the GDK, Syngenta will share 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) with growers in training. (For a full list of GDK contents, see WBOT.2.) Syngenta will also ensure that a parent has to collect the age-proof documents from schools, birth certificates from village panchayats, and certificates from doctors for young workers.

Deadline Date: December 2012

Action Taken:

Plan Complete:

Plan Complete Date:

Child Labor: Government Permits and Parental Consent Documentation

CL.5 Growers shall abide by all the relevant rules and procedures where the law requires government permits or permission from parents as a condition of employment.

Uncorroborated Evidence of Noncompliance

Explanation: Proof of age documentation could not be verified, as the farmer was not available in the field and the young workers were intimidated to speak in any further interviews.

Sources: grower interviews; record review

Plan Of Action: Syngenta will educate the growers about government permits and parental consent documentation during child labor awareness programs. As noted in the GDK, Syngenta will share 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) with growers in training. (For a full list of GDK contents, see WBOT.2.) Syngenta will also ensure that a parent has to collect the age-proof documents from schools, birth certificates from village panchayats, and certificates from doctors for young workers.

Deadline Date: December 2012

Action Taken:

Plan Complete:

Plan Complete Date:

Non-Discrimination: General Compliance Non-Discrimination

D.1 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: Age-based wage discrimination is being practiced with respect to both young and elderly workers, as they are getting paid wages of INR 70 – 80, as opposed to other workers in the area who receive wages of INR 100 per day.

Sources: worker and grower interviews

Legal References: The Equal Remuneration Act 1976, The Minimum Wages Act 1948

Plan Of Action: It was agreed by growers during the local stakeholder consultation that both men and women get paid equal pay for equal work and that men are not willing to do low-paying jobs like cross pollination. However, Syngenta will develop a chart depicting the tasks done by men and women with wages during the awareness meetings. Equal pay for equal work (Equal Remuneration Act 1976) will be emphasised during these meetings. During training, the GDK, which includes information about equal payment of wages, will be passed out and explained to growers. (For a full list of GDK contents, please see WBOT.1.)

Deadline Date: December 2012

Action Taken:

Plan Complete:

Plan Complete Date:

Code Awareness:

GEN.1 Establish and articulate clear, written workplace standards; formally convey those standards to both company growers and seed organizers.

Noncompliance

Explanation: The company has established clear workplace standards, but they are not communicated to growers and seed organizers. Neither company nor growers have informed workers about workplace standards.

Sources: farm visits; record review; grower, worker and management interviews

Plan Of Action: During the preseason meetings, growers and laborers will be educated about the company workplace standards. Growers are to ensure to bring at least 1 worker representative to the preseason meeting. Code of conduct will be communicated through wall paintings in villages with high rates of illiteracy. For growers with a higher degree of literacy, the GDK contains Syngenta's COC. (For a full list of GDK contents, see WBOT.2.)

Deadline Date: December 2012

Action Taken:

Plan Complete:

Plan Complete Date:

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: Workers are not informed about workplace standards or the company's Code of Conduct.

Sources: farm visits; record review; grower, worker and management interviews

Plan Of Action: During the preseason meetings, growers and laborers will be educated about the company workplace standards. Growers are to ensure to bring at least 1 worker representative to the preseason meeting. Code of conduct will be communicated through wall paintings in villages with high rates of illiteracy. For growers with a higher degree of literacy, the GDK contains Syngenta's COC. (For a full list of GDK contents, see WBOT.2.)

Deadline Date: December 2012

Action Taken:

Plan Complete:

Plan Complete Date:

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: There is no secure channel developed to enable workers to report to the company on noncompliances at the farms.

Sources: farm visits; record review; grower, worker and management interviews

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

Deadline Date: December 2012

Action Taken:

Plan Complete:

Plan Complete Date:

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

Other

Noncompliance

Explanation: There is no grievance procedure in place that can be implemented.

Sources: record review; worker and grower interviews

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:

Health and Safety: Personal Protective Equipment

H&S.7 All necessary personal protective equipment (PPE) (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: Workers do not wear appropriate clothing (taking protective measures like wearing closed shoes, covering face and head, wearing long-sleeved shirts and long trousers) when spraying pesticides.

Sources: grower and management interviews; record review

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

Noncompliance

Explanation: Company does not give training on methods of chemical container disposal. Chemical containers are disposed of by burning, burial, or being thrown in the river.

Sources: grower and management interviews; record review

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 empty container collection and disposal. Syngenta will explore 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.2.)

**Deadline
Date:** October 2012

**Action
Taken:**

**Plan
Complete:**

**Plan
Complete
Date:**