



[2017]

FAIR LABOR ASSOCIATION INDEPENDENT EXTERNAL MONITORING AGRICULTURAL REPORT

Company: Syngenta

Country: Thailand

Crop: Corn

Production Process: Detasseling

Assessment Locations: Phop Phra, Tak Province

Monitors: Ms. Chonticha Tangworamongkon

Assessment Dates: 8th-10th December 2017

Number of assessed farms: 8

Total area covered: 63.4 acres

Number of farmers interviewed: 7

Total number of workers: 51

Number of workers interviewed: 18

To view more about the FLA's work with Syngenta, please visit the FLA website [here](#).
To access the FLA Agriculture Monitoring Benchmarks, please visit [this page](#).

Employment Relationship

Compliance Status

Section	Benchmark	Compliance status	Farms
Human Resource Management System	ER.1.1	In compliance	
	ER.2.1 (PR)	Not Initiated	All Farms
	ER.2.1.1(PR)	Not Initiated	All Farms
Recruitment and Hiring	ER.3.1	Noncompliance	All Farms
	ER.3.1.1	Noncompliance	All Farms
	ER.3.1.2	Noncompliance	All Farms
	ER.4	N/A	
	ER.5.1	N/A	
	ER.5.2	N/A	
	ER.5.3	In compliance	
	ER.6 (PR)	Not Initiated	All Farms
	ER.7.1	In compliance	
	ER.7.2	Noncompliance	All Farms
	ER.7.3	In compliance	
	ER.7.4	In compliance	
	ER.7.5	In compliance	
	ER.7.6	Noncompliance	All Farms
	ER.7.7	In compliance	
ER.7.8	In compliance		
Terms and Conditions	ER.9.1	In compliance	
	ER.9.2.1	Risk of Noncompliance	All Farms
	ER.9.2.2	Risk of Noncompliance	All Farms
	ER.9.2.3	Noncompliance	All Farms
	ER.9.3.1	Risk of Noncompliance	All Farms
	ER.9.3.2	In compliance	
	ER.9.3.3	In compliance	
	ER.10	N/A	
	ER.11	Noncompliance	All Farms
	ER.12.1	Noncompliance	All Farms
	ER.12.1.1	In compliance	
	ER.12.2	N/A	
	ER.13.1	Risk of Noncompliance	All Farms
ER.13.2 (PR)	In Progress	All Farms	
ER.13.3 (PR)	In compliance		
Administration	ER.15.1	In compliance	
	ER.15.2	Noncompliance	Farm 6
	ER.15.2.1	Noncompliance	Farm 6
	ER.16.1	In compliance	
	ER.16.2	In compliance	
	ER.17.2 (PR)	In Progress	All Farms
	ER.17.3 (PR)	Not Initiated	All Farms
ER.17.4 (PR)	Not Initiated	All Farms	

Worker Involvement	ER.18.1	Noncompliance	Farm 6
	ER.18.2 (PR)	Not Initiated	All Farms
Right to Organize and Bargain	ER.19	Risk of Noncompliance	Farm 6
Work Rules and Discipline	ER.20.1	Noncompliance	All Farms
	ER.20.2	Noncompliance	All Farms
	ER.20.3 (PR)	Not Initiated	All Farms
	ER.20.4	Noncompliance	All Farms
	ER.20.6	Noncompliance	All Farms
	ER.20.7	Noncompliance	All Farms
	ER.20.8	Noncompliance	All Farms
	ER.20.9 (PR)	Not Initiated	All Farms
	ER.20.11	Noncompliance	All Farms
Training	ER.21	In compliance	
HSE Management System	ER.24.1.	In compliance	
	ER.24.2 (PR)	Not Initiated	All Farms
	ER.24.3	In compliance	
	ER.24.4 (PR)	Not Initiated	All Farms
	ER.24.4.1(PR)	Not Initiated	All Farms
	ER.24.4.2 (PR)	Not Initiated	All Farms
	ER.24.4.3 (PR)	Not Initiated	All Farms
	ER.24.4.4 (PR)	Not Initiated	All Farms
	ER.24.4.5 (PR)	Not Initiated	All Farms
	ER.24.4.6 (PR)	Not Initiated	All Farms
	ER.24.5 (PR)	Not Initiated	All Farms
Grievance Procedures	ER.25.1 (PR)	Not Initiated	All Farms
	ER.25.2 (PR)	Not Initiated	All Farms
	ER.25.3	Noncompliance	All Farms
	ER.25.4	In compliance	

Employment Relationship Assessment Summary

Recruitment and Hiring	
<p>Benchmarks:</p> <p>ER.3.1: Employers shall verify proof of age documentation for all young workers in the farm at the time of their employment and work towards collecting and maintaining all documentation necessary to confirm and verify date of birth of all workers, including long term and casual workers.</p> <p>ER.3.1.1: Employers shall take reasonable measures to ensure such documentation is complete and accurate.</p> <p>ER.3.1.2: In those cases where proof of age documentation is not readily available or unreliable, employers shall take all necessary precautions which can reasonably be expected of them to ensure that all workers are at least the minimum legal working age, including requesting and maintaining medical or religious records of workers, or through other means considered reliable in the local context.</p> <p>ER.7.2: the production requirements or peculiarities of the labor market do not allow employers to hire permanent workers;</p> <p>ER.7.6: contract, temporary, casual, daily, seasonal or migrant workers receive at least the minimum wage or the prevailing industry wage whichever is higher, and all legally mandated benefits such as social security, other forms of insurance, annual leave and holiday pay;</p>	<p>Noncompliance in all farms</p>
<p>Findings/Noncompliance Explanation:</p>	<ol style="list-style-type: none"> 1) Workers are not asked to present their documents to prove that they are not younger than 18 in any of the farms visited. Farmers determine workers' age by their look and what the workers or their families say. 2) Regarding hiring temporary workers, the corn production requires a 5-month-long continuous process for a crop cycle. In a year, if a farmer is contracted with the company for two crops, it will be 10 months of work for a "seasonal" worker. Plus, some "seasonal" workers are shifted to work on different crops with the same

farmer from time to time. Some of them are shifted to work for family members of the farmer without extra pay. Some of them have worked with the same farmers for several years. Practically, they should be considered long-term or even permanent workers rather than seasonal workers. However, they are not treated as permanent workers whose terms and conditions of employment must be regulated by the Labor Protection Act. This prescribes several entitlements to a permanent worker, particularly social security. Further scrutiny must be conducted on some farms whether the long-term workers work for 10 months or all year round.

Source: Interviews workers and farmers

Company Action Plan: Syngenta is committed to developing actions as follows:

1. Syngenta will start collecting the data of international migrant workers who live longer period with the farmer. The data will be analyzed for developing multiple programs related to remediation, including profiling workers and their proof of age documentation process. In the dry season (starting September), Syngenta local staff shall choose a group of workers and farmers to create a profile of each worker and their family members.
2. Syngenta staff will select a group of farmers and workers in two different villages to improve the situation of a worker who does not have any valid ID. The training on the topic of Thai Labor Law and regulations will be arranged by Syngenta staff in collaboration with external organization LLC (Labor Law Clinic).
3. Syngenta will collaborate and facilitate with LLC to allow workers who don't have any identity cards at all to produce a valid ID. This shall be prioritized for the long-term workers associated with farmers.
4. The internal monitoring process will focus on the status of the situation.

Deadline Date:

- a) Collection of information of the international migrant workers - April - September 2019
- b) Collaboration and facilitation of establishing legal profiling and documentation with LLC - April till September 2019)
- c) Conduct training with farmers on the importance of worker profiling and age-proofing - September 2018 – February 2020
- d) Data management at IMS - Ongoing

Terms and Conditions	
<p>Benchmarks:</p> <p><i>ER.9.2: Employment terms shall be those to which the worker has voluntarily agreed, provided those terms do not fall below:</i></p> <p><i>ER.9.2.3: the FLA Workplace Code.</i></p> <p><i>ER.11: Employers shall ensure that all legally mandated requirements for the protection or management of special categories of workers, including migrant, juvenile, contract/contingent/temporary, casual, daily, home workers, pregnant or disabled workers, are implemented.</i></p> <p><i>ER.12.1: Employers shall regularly inform workers about workplace rules, health and safety information, and laws regarding workers' rights with respect to freedom of association, compensation, working hours, and any other legally required information, and the FLA Code through appropriate means, including posted in local language(s) throughout the workplace's common areas or in the surrounding community. In the case of workplaces with informal labor structures, these communication and awareness raising activities could be done with support from supply chain intermediaries such as cooperatives, organizers, tier one suppliers or the participating company.</i></p>	Noncompliance in all farms
<p><i>ER.9.2: Employment terms shall be those to which the worker has voluntarily agreed, provided those terms do not fall below:</i></p> <p><i>ER.9.2.1: provisions of national laws;</i></p> <p><i>ER.9.2.2: Freely negotiated and valid collective bargaining agreements; or</i></p> <p><i>ER.9.3: There can be no employment terms (including in written or verbal contracts or any other instruments or in any formal or informal recruitment arrangements) which allow employers:</i></p> <p><i>ER.9.3.1: to hold wages already earned; or</i></p> <p><i>ER.13.1: Farmer, sharecropper or any kind of supervisor who is leading workers shall have knowledge of the local labor laws and the FLA Code.</i></p>	Risk of Noncompliance in all farms

<p>Findings/Noncompliance Explanation:</p>	<p>The terms and conditions of work are communicated orally with assumed consent of workers who do not know what rights are guaranteed under Thai law. Farmers know little about legal prohibitions and labor standards. Their understanding is limited to child labor and PPE. Farmers are supposed to ensure communication and an understanding of workers' rights. That does not necessarily happen. In some farms, there is a "head worker" who is supposed to be a focal point between farmers and workers. The head workers are aware of the prohibition of child labor and the use of PPE but daily workers showed no awareness about FLA or Syngenta code. No farmers seemed to be aware of legally mandated protection of special categories of workers such as the young workers. They only know that they must document migrant workers, otherwise they could face hefty fines.</p> <p><u>Source:</u> Interviews with workers, farmers, seed organizer</p>
---	---

<p>Company Action Plan:</p>	<p>Syngenta has created “Happy Better Life with Syngenta” program to promote the FLA code of conduct. It simplifies the codes into two categories - 4 Don'ts (like no child labor, no forced labor etc.) and 5 Dos (like engaging in the employment relationship, unionization, safe workplaces etc.) in a graphical manner for the purposes of gathering attention from farmers and workers. In the beginning, the topics related to child labor and HSE were given the most importance, since it was easy for workers and farmers to understand.</p> <p>As per the findings above, Syngenta will improve the farmer awareness on other codes by:</p> <ol style="list-style-type: none"> 1. Create collaboration training with an external resource such as local legal organization both NGO such as LLC and authorities, health care centers, and local schools. <p>The training topics will be: Thai labor law for informal workers, rights and protections of workers, and the health protection and education of children. The training program will be arranged during the wet season planting.</p> <ol style="list-style-type: none"> 2. Syngenta will emphasize other codes during the regular farmer meeting. For the worker, Syngenta will initiate on-the-spot training with the permanent workers to improve their code awareness. To make it more visible progress, Syngenta local team will select the group of farmers and seasonal/long-term workers to attend these special training programs. 3. The internal monitoring process will more focus on the code's awareness.
------------------------------------	---

<p>Deadline Date:</p>	<p>Pilot training program from external experts for a selected group of farmers and workers by wet season 2018. On-the-spot worker training will start in dry season 2019.</p> <p>IMS process focus on farmer code awareness will focus with the pilot group in 2018-19 and it will extend to cover 100% farmers by 2020.</p>
------------------------------	---

Wage Advances

<p>Benchmarks:</p> <p><i>ER.15.2: Advances shall only be made following clearly established rules, which have been communicated to workers.</i></p> <p><i>ER.15.2.1: Advances must be properly documented and their receipt and accuracy must be confirmed by the recipient worker, in writing whenever possible (e.g. signature, thumbprint).</i></p>	<p>Noncompliance in one farm</p>
---	---

<p>Findings/Noncompliance Explanation:</p>	<p>Farmers and workers agree on some broad terms and conditions. There is no transparent and accountable system. No records are made about advances made to the workers. In a farm where workers are paid at the end of the year (after two</p>
---	---

	<p>crops), workers can have advances for their daily consumption; the total advances are deducted from the workers' total pay in a lump sum. One farmer claimed that he did record the advances, but it was at home and thus cannot be shown.</p> <p><u>Source:</u> Interviews with workers, farmers, and observation</p>
Company Action Plan:	<p>Syngenta has been promoting the use of GDKs (grower documentation kits) among the farmers. This practice has been ongoing for 3 years. There is a general idea about the usage of the system, however, Syngenta will now encourage the farmers that they must maintain the records in the farms during the high production process, sharing the same with the auditor.</p> <p>To strengthen the system, Syngenta local field staff will select two groups of farmers in different villages to help them get acquainted with local law and regulations. The training meetings shall be facilitated with the help of LLC. These selected groups of farmers will further provide training to other farmers in the village. The Syngenta internal audit team will also monitor the wage records in the GDKs. This practice shall be expanded for all the regions in each season, enabling them to achieve 100% of the farms by 2020.</p>
Deadline Date:	Start training in wet season 2018 and retraining in dry season 2019, reaching all 100% farms by 2020.

Worker Involvement

<p>Benchmarks:</p> <p><i>ER.18.1: Employers shall have a clear and transparent system of worker and employer communication that enables workers to consult with and provide input to the employer or the company management. This might include regular conversation between workers and employer, suggestion boxes, workers' committees, designated spaces for worker meetings, and meetings between employer and workers' representatives. For small farms with informal labor structures, this means that the workers can openly reach and communicate with the producer/farmer.</i></p>	<p>Noncompliance in one farm</p>
--	---

Findings/Noncompliance Explanation:	<p>In one of the visited farms, the head worker who is the main coordinator/ translator between the employer and workers shared different stories about the working conditions of the workers. Some workers stated that they did not feel their opinions would be heard, as they shared concerns about delayed and low wages with the employer but nothing changed. In some farms, farmers and workers said that farmers treat their workers like family members. However, when it comes to negotiating about better working conditions, no workers feel empowered to do so.</p> <p><u>Source:</u> Interviews farmers, worker head, workers</p>
Company Action Plan:	<p>Syngenta will facilitate dialogue with farmers, to strengthen the internal channels of communication between farmers and workers, by enabling a common platform for addressing issues during pre-season meetings. In addition, Syngenta local field staff will select the group of farms in two villages, which would also include workers belonging to Myanmar, to conduct the training by Syngenta staff and LLC, on the various methods of grievance handling process and importance of establishing grievance redressal systems. This information shall be further expanded to other villages and farms, with the help of key farmers selected to impart the information. This way, Syngenta aims to achieve the training in all farms by 2020.</p>
Deadline Date:	Start training in wet season 2018 and retraining in dry season 2019, reaching all 100% farms by 2020.

Right to Organize and bargain	
Benchmarks: <i>ER.19: Employers shall respect all laws, rules and procedures protecting the rights of workers to organize, bargain collectively, and participate in strikes consistent with ILO principles and jurisprudence.</i>	Risk Noncompliance in one farm
Findings/Noncompliance Explanation:	<p>In one farm, there was a negotiation between the workers and the farmers on increasing wages, two years ago. According to the workers, the farmer got angry and argued with the worker's representative. However, as a result of the discussion, the wage was raised from THB 130 to THB 150 per day. However, other benefits such as break time, rice, and new year gifts were cut off. The tension increased ever since, making the representative eventually leave the farm. Those who still work on the farm subsequently feel uncomfortable to bargain with the farmer. Workers further stated that the THB 150 wage is relatively lower compared to other farms in the area. Moreover, the payments are also delayed. They haven't received the wage for almost three months. Even when they can ask for wage advance, it's only a little amount of money they receive. Still, they don't want to further negotiate as they attempt to avoid tension with the farmer.</p> <p><u>Source:</u> Worker interview</p>
Company Action Plan:	<p>Syngenta has not been informed about this dialogue between farmers and workers. From the current season onwards, Syngenta has been emphasizing to farmers, during the pre-season meetings, about the importance of dialogue and allowing Syngenta intervention in the process to make the dialogue more concrete. Syngenta staff shall help to create a training session with farmers which would provide them with an understanding and knowledge on local labor laws. They shall be further engaged to provide information with their workers. The existing channels of grievance systems such as helpline numbers and suggestion boxes shall be emphasized. Syngenta will establish local contacts with individuals or organizations which can help create tools for Burmese and Karenese-speaking workers. Internal monitoring visits will further communicate to the Syngenta IMS center in order to manage the reported issues.</p>
Deadline Date:	Starting from May 2018 and covering 100% of workers by 2020
Work Rules and Discipline	
Benchmarks: <i>ER.20.1: Employers shall have disciplinary rules and practices that embody a system of progressive discipline (e.g. a system of maintaining discipline through the application of escalating disciplinary action moving from verbal warnings to written warnings to suspension and finally to termination).</i> <i>ER.20.2: Any person supervising workers shall be aware of the disciplinary rules and practices.</i> <i>ER.20.4: The disciplinary system shall be applied in a fair and nondiscriminatory manner and include a management review of the actions by someone senior to the manager who imposed the disciplinary action.</i> <i>ER.20.6: Disciplinary rules and practices shall be clearly communicated to all workers.</i> <i>ER.20.7: Workers must be informed when a disciplinary procedure has been initiated against them.</i> <i>ER.20.8: Workers have the right to participate and be heard in any disciplinary procedure against them.</i> <i>ER.20.11: The disciplinary system shall include a third-party witness during imposition, and an appeal process. In case of smallholder settings, existing appeal mechanism at community level is acceptable.</i>	Noncompliance in all farms
Findings/Noncompliance Explanation:	<p>No existence of systemic disciplinary rules was found although no interviewed workers mentioned that they had experienced being disciplined or had seen any workers being disciplined.</p> <p><u>Source:</u> Interview with workers</p>
Company Action Plan:	<p>The policy for seed production suppliers is already developed in the contract. The Syngenta field team will develop one page and easy to understand policy for the workers, to help farmers to communicate. For the workers, this one-page policy shall</p>

	be posted at the farmer house and worker residence in the Thai and Burmese languages. In addition, Syngenta will facilitate a training program to support the farmer about the labor law conditions.
Deadline Date:	Develop a policy of disciplinary and implement it by the end of 2018.
Grievance Procedures	
<p>Benchmarks: <i>ER.25.3: FLA-affiliated companies shall make sure that a confidential non-compliance reporting mechanism is available for farmers and workers in the supply chain (such as members of cooperatives or suppliers of seed organizers). Through this channel, any code violation can be communicated to the company if the local and farm level grievance redress mechanisms fail to sufficiently address the issue.</i></p>	
	Noncompliance in all farms
Findings/Noncompliance Explanation:	<p>There is a written grievance procedure shared with company staff in Thai, yet effective communication to the farmers and workers is not made. Farmers are expected to inform the workers or workers are expected to identify what is written on the poster. Despite the presence of posters in all the farms, none of the workers interviewed had any knowledge of the purpose of the number. Additionally, the hotline operator only speaks Thai, while some workers speak Burmese or Karenese.</p> <p><u>Source:</u> Interview with company staff, worker interviews</p>
Company Action Plan:	<p>Syngenta has developed two channels of reporting grievances - helpline telephone number and the grievance box installed at Syngenta office, seed organizer and worker residence. The systems have already been communicated to every farmer and worker since 2017, including communication materials like posters, GDK, shirts, small cards etc. This year, Syngenta will add a number of Karen-speaking staff in those posters and post it in those areas where the workers are predominant in the region. In addition, the grievance box installed at the seed organizer house, worker houses/communities were accessible for the workers. The box will be placed at the worker living area and the Syngenta team will select groups of workers based on the data collected from the previous wet season. The detail of how to address the grievances through these methods shall be recorded. The internal monitoring system will be strengthened during the season to create the awareness of this channels and the dedicated field staff will take over on the action implementation of training, follow up, and report on the progress.</p>
Deadline Date:	Starting from dry season 2018 and covering 100% of workers by 2020

Nondiscrimination

Compliance Status

Section	Benchmark	Compliance status	Farms
General Compliance	ND. 1	In compliance	
Recruitment and Employment Practices	ND.2.1	Noncompliance	Farm 2, 3, 4, 5, 6
	ND.2.3	Noncompliance	All farms
Compensation Discrimination	ND. 3	In compliance	
Discrimination in Training and Communication	ND. 4	Risk of Noncompliance	All farms
Marital or Pregnancy-Related Discrimination	ND.5.1	In compliance	
	ND.5.2	In compliance	
	ND.5.3	In compliance	
	ND.6.1	Noncompliance	All farms
	ND.6.1.1	In compliance	
Health-Related Discrimination	ND. 7	In compliance	
	ND.8	In compliance	
	ND. 9	In compliance	
Respect of Culture and Religion	ND.11	In compliance	

Nondiscrimination Assessment Summary

Recruitment and Employment Practices	
<p>Benchmarks:</p> <p>ND.2.1: Recruitment and employment practices shall be free from any type of discrimination.</p> <p>ND.2.3: If not provided by law, employers must provide protection to workers who allege any type of discrimination in recruitment and employment practices.</p>	<p>Noncompliance</p> <p>in five farms/ in all farms</p>
<p>Findings/Noncompliance Explanation:</p> <p>Recruitment with racial bias was observed among Karen-speaking farmers who would prefer Karen-ethnic workers to Burmese workers as they speak the same language. Also, they believe that Burmese workers are not as hard-working as Karen. Additionally, it was observed that farmers tend to recruit men to do the type of work paid higher than the type of work mostly done by women.</p> <p><u>Source:</u> Interviews and observation</p>	
<p>Company Action Plan:</p>	<p>Syngenta has developed a production policy which is included in the seasonal production contract. The policy is related to the Thai law that “supplier shall ensure that hiring, placement, remuneration, advancement, training and disciplinary decisions within the Supplier are consistent with local law. If there are no local laws prohibiting discrimination in the workplace Supplier agrees not to make any employment decisions on an individual’s gender, age, nationality, ethnicity, race, color, creed, caste, language, disability, organizational membership, opinion, health status, marital status, maternity, sexual orientation, or the employee’s civic, social, or political distinctiveness”.</p> <p>Syngenta shall create awareness of gender and age discrimination and emphasize this with the farmers during meeting at least 3 times/season. The GDK is initiated and distributed to 100% of the farmer since 2017 with the aim to ensure that farmer’s</p>

	<p>awareness of the age and gender verification system via phase-wise intervention.</p> <p>Syngenta has plans to: (1) arrange training for farmers, workers and staff members on the policy, (2) monitor the implementation of the procedure at the farm level, (3) develop supporting documentation, (4) review and analyze cases of repeated non-compliances.</p>
Deadline Date:	<p>Training on the policy for selected a group of farmers and workers as a pilot in the Wet season 2018 (April 2018) and the monitoring system will follow up in this pilot group by dry season 2018/19 and will expand to cover 100% of farmers by 2020.</p>

Discrimination in Training and Communication

Benchmarks:

ND.4: Employers shall guarantee that all workers have equal access to training and capacity building and no discrimination takes place based on the characteristics noted above, nor on literacy or location of the workers. Training and communication should be given in the native language accessible to workers.

Risk of noncompliance in all farms

Findings/Noncompliance Explanation:	<p>In some farms, workers only speak Burmese whereas Syngenta training is conducted in the Thai language. As a result, the Burmese / Karenese workers are not able to participate in training, as there is no translation available for them.</p> <p><u>Source:</u> Interview with workers</p>
Company Action Plan:	<p>Syngenta had plans to develop the worker's knowledge of the law and regulations. In the beginning, the selected group workers in 2 villages will be invited to attend the special training course under the topic of fair labor code of conduct and the Thai labor law. Syngenta will facilitate this by inviting a special speaker from LLC and their alliance from the labor and welfare department. This training will be presented in the worker's language: Myanmar or Karen, depending on the group of workers. The expected result of this training is the applicable guidelines for the worker to follow the law and local conditions. The IMS process will check the worker knowledge during the dry season of 2018/19.</p>
Deadline Date:	<p>Pilot training program from external experts for selected group worker in 2 villages by wet season 2018 and extend to cover all planting areas by 2020.</p>

Marital or Pregnancy-Related Discrimination

Benchmarks:

ND.6.1: Employers shall abide by all protective provisions in national laws and regulations benefitting pregnant workers and new mothers, including provisions concerning maternity leave and other benefits; prohibitions regarding night work, temporary reassignments away from work stations and work environments that may pose a risk to the health of pregnant women and their unborn children or new mothers and their new born children, temporary adjustment of working hours during and after pregnancy, and the provision of breast-feeding breaks and facilities.

Noncompliance in all farms

Findings/Noncompliance Explanation:	<p>Whilst no dismissal of pregnant women was found, there is no policy nor guidelines to ensure compliance of the law which would state that the employer shall not terminate the employment of a female employee on the grounds of pregnancy. Besides this, employers had no knowledge about protective provisions benefitting pregnant workers and thus there were no provisions in place for their farms.</p> <p><u>Source:</u> Interviews</p>
Company Action Plan:	<p>Syngenta plans to develop the farmer's knowledge of the law and regulations. In the beginning, the selected group of farmers in 2 villages will be invited to attend the special training course under the topic of fair labor code of conduct and the Thai labor law. Syngenta will facilitate this by inviting a special speaker from LLC, including authorities from the labor and welfare department. This will initiate and provide</p>

	guidelines including the question/answer session for the local farmers and workers. In the same period, the separate training session will be arranged for the selected group of workers to provide the knowledge of worker's right. This training will be presented in the worker's language: Myanmar or Karen depending on the group of the workers. The training will be arranged at least 2 times/season: pre-season and middle of the season.
	Starting from wet season 2018 (April 2018) for pilot selected group of farmer and workers and will cover 100% of farmers by 2020.

Forced Labor

Compliance Status

Section	Benchmark	Compliance status	Farms
General Compliance	F.1	Risk of Noncompliance	All farms
Freedom in employment and movement	F.2	In compliance	
	F.3	Noncompliance	Farm 5
	F.4.1	In compliance	
	F.4.2	Noncompliance	Farm 1, 2
	F.5.3	In compliance	
	F.7.1	In compliance	
	F.7.2	In compliance	
	F.7.3	In compliance	
	F.7.4	In compliance	
	F.7.5	Noncompliance	Farm 1, 2
	F.7.6	Noncompliance	Farm 6
	F.7.7	In compliance	
	F.8	In compliance	
Work of Family Members	F.6.1	In compliance	
	F.6.2	In compliance	
	F.6.3	In compliance	
	F.6.4	In compliance	
Personal Workers Identification and Other Documents	F.9	Noncompliance	All Farms

General Compliance / Freedom in Employment and Movement / Personal Workers Identification

Benchmarks:

F.1: Employers shall comply with all national laws, regulations and procedures concerning the prohibition of forced labor and human trafficking in any stage of the agriculture production process.

F.9: Workers shall retain possession or control of their passports, identity papers, travel documents, and other personal legal documents. Employers may obtain copies of original documents for record-keeping purposes, or as ID substitute.

F.3: Employers shall not bind workers to employment as a condition of fulfilling terms of a debt to a third party or to the employer.

F.7: Employers shall not utilize practices that restrict workers' freedom of movement or ability to terminate his or her employment. Examples of such practices include, but are not limited to:

F.7.6: partially or fully retaining salaries, benefits or any other rights acquired by workers or stipulated by law;

F.4.2: No employment term or disciplinary practice shall confine or restrict workers' freedom of movement.

F.7.5: denying and hampering access to, and renewal of, identity papers and/or work permits or any other personal legal (identification) documents;

**Noncompliance
in all farms**

in one Farm

in two Farms

<p>Findings/Noncompliance Explanation:</p>	<p>There is a provision in the new law that prohibits the confiscation of worker's documents. However, it was observed that none of the farmers were aware of this provision. The farmers' understanding of forced labor was only limited to physical and mental coercion, particularly in the forms of threats and intimidations.</p> <p>Retaining workers' documents is quite common, like work permit documents and worker IDs that are kept by the farmers. This has a consequence on the worker's mobility as they need to carry the documents to prevent any prosecution and/or extortion by police. For instance, one farmer recounted an experience of a former worker who was extorted by the police, so he told his workers not to go into town and he kept the workers' ID and work permit allegedly for safekeeping. In another instance in other farms, it was observed that workers were paid only after ten months. This arrangement discourages workers from terminating their employment whenever they like.</p> <p><u>Source:</u> Interviews with workers and farmers; documentation.</p>
<p>Company Action Plan:</p>	<p>Syngenta plans to develop the farmers' knowledge regarding the law and regulations. In the beginning, the selected group of farmers in 2 villages will be invited to attend the special training course under the topic of fair labor code of conduct and the Thai labor laws. Syngenta will facilitate this by inviting special speakers from LLC and their alliance, including authority from labor and welfare department. This will provide guidelines including the question/answer session for the local farmers and workers.</p> <p>After training on the law and regulations, Syngenta will emphasize the audit process related to the GDK record. Fair Labor manager and dedicated field staff will continue to extend the training on the topic of how a documentation kit has to be maintained at the farm level by the farmer. This documentation kit will contain workers' information such as name, age, wage, working hours etc. for internal audit by field production staff.</p> <p>The training will be arranged at least 2 times/season: pre-season and middle of the season.</p>
<p>Deadline Date:</p>	<p>Starting from wet season 2018 (April 2018) for pilot selected group of farmer and workers and will cover 100% of farmers by 2020.</p>

Child Labor

Compliance Status

Section	Benchmark	Compliance status	Farms
General Compliance	CL.1	Risk of noncompliance	Farm 4
Minimum Age	CL.2	Risk of noncompliance	Farm 4
Immediate family members	CL.3	In compliance	
Right to education	CL.4.1 (PR)	In Progress	All farms
Young Workers	CL.5	In compliance	
	CL.6.1	Noncompliance	All farms
	CL.6.2	Noncompliance	All farms
	CL.7	In compliance	

Apprenticeships and Vocational Training	CL.8.1 (PR)	N/A	
	CL.8.2 (PR)	N/A	
Children on Premises	CL.9	Risk of noncompliance	Farm 2,3, 4, 6
Removal and Rehabilitation of Child Laborers	CL.10.1	In compliance	
	CL.10.2	In Progress	All Farms

Child Labor Assessment Summary

Notable Feature

Syngenta initiated a pilot project in a key production area to provide scholarships for a group of migrant workers' children to go to a nearby school (private school). Even if that area is no more a production area of the company, this consists in a good practice that could be replicated further in order to help reduce the child labor risks.

General Compliance / Minimum Age

Benchmarks:

CL.1: Employers shall comply with all national laws, ratified international conventions, fundamental labor rights, regulations and procedures concerning the prohibition of child labor.

CL.2: Employers shall comply with ILO Convention 138 and shall not employ anyone under the age of 15 or under the age for completion of compulsory education, whichever is higher. If a country has a specified minimum age of 14 years due to insufficiently developed economy and educational facilities, employers might follow national legislations but must work to progressively raise the minimum age to 15 years.

**Risk of
Noncompliance
in one farm**

Findings/Noncompliance Explanation:

There is no awareness about the law concerning child labor under the agricultural sector (the Ministerial Regulation concerning Labor Protection in Agricultural Work 2014 which is an amended version of the Ministerial regulation with the same title enforced in 2004), but all of the farmers are aware of the company's prohibition of child labor.

In one farm, a worker mentioned that a child aged 14 years had been working on the farm although she was not seen during the farm visit.

Source: Interview with 3 workers. Only one worker mentioned this.

Company Action Plan:

Syngenta has promoted the policy of child labor in the production contract since 2017. Syngenta will refresh and emphasize to all farmers regarding the issue of child labor happening in the field as follows:

1. During the pre-season meeting, the child labor policy will be emphasized.
2. For the development of policy, Syngenta has planned to
 - Advise farmers that Burmese migrant workers should leave their children with other family members in Myanmar, and if not possible, they must carry the necessary documents for their children to facilitate access to education at the Myanmar learning centers or Thai local school.
 - Coordinate with the local government to take care of the education of the migrant workers' children, allowing them to study at school with support from the seed organizer.
 - Implement the child education project in the current production village by Fair Labor manager/dedicated staff will encourage the local school or learning center to accept some of the children of migrant workers.
3. The internal monitoring system will be implemented for worker Verbal information on the prohibition of child labor in fieldwork.

Deadline Date:	Involve the local school/learning center in current production villages by the end of 2018 Internal monitoring - Thrice in each crop in 20% sample farms (Vegetative, pollination and harvesting period)
-----------------------	---

Young Workers

<p>Benchmarks:</p> <p><i>CL.6.1: Employers shall comply with all relevant laws that apply to young workers, (e.g., those between the minimum legal working age and the age of 18) including regulations related to hiring, working conditions, types of work, hours of work, proof of age documentation, and overtime.</i></p> <p><i>CL.6.2: Employers shall maintain a list of all young workers, their entry dates, proof of age and description of their assignment.</i></p>	Noncompliance in all farms
--	-----------------------------------

Findings/Noncompliance Explanation:	None of the assessed farms keep a list of young workers. Proof of age documentation could not be shown during the interviews. <u>Source:</u> Interviews with farmers and workers
--	---

Company Action Plan:	<p>The policy of child labor and implementation in the field as follow:</p> <ol style="list-style-type: none"> 1. Refresh training during the pre-season meeting 2. Request the farmer to collect a list of their permanent worker on young and children in wet season 2018. 3. Syngenta plans to: (1) train a selected group of farmers and workers at least two villages as a pilot and staff members on the policy, (2) promote and monitor the implementation of the procedure at the farm level (3) develop supporting documentation, (4) review and analyze cases of repeated non-compliances, all activity planned to start during the season 2019, and so on.
-----------------------------	--

Deadline Date:	Refresh policy and collect young worker list in wet season 2018. Create an action to improve issues with the pilot group of farmers and workers in dry season 2018/19 and so on.
-----------------------	---

Children on Premises

<p>Benchmarks:</p> <p><i>CL.9: The employer shall ensure that children (including those residing on the farm and those of migrant workers) are not exposed to dangerous agriculture production activities, including exposure to chemicals/pesticides.</i></p>	Risk of Noncompliance in four farms
---	--

Findings/Noncompliance Explanation:	Children's exposure to chemicals/pesticides is largely dependent on whether the child's mother or other family member is working on the farm or not. Workers who have to work whilst taking care of the children do not have any measure to prevent children's exposure to chemicals/ pesticides. Children freely run around on the farms. They and their parents are unaware of the hazards associated with chemicals and insecticide. Also, the equipment used in production activities are kept in the houses without any prevention. <u>Source:</u> Observation, Interviews
--	--

Company Action Plan:	Syngenta will initiate the training program of safe chemical usage aspects which constitutes 5 golden rules, triple rinse, chemical storage, and chemical application techniques. The guidebook for the safe use of pesticides will be distributed to farmers and focus on chemical awareness and usage of PPE with the right material and the right method as per the WHO standard and lock and key for the place for pesticide collecting to prevent the hazard for a non-related person, especially the children. The translator will be invited to translate all the key messages to the workers.
-----------------------------	---

	<p>Normally, the workers will have their own basic PPE to work at the farm. However, Syngenta will inform the seed organizers to focus on the usage of standard PPE and create awareness regarding potential risks, particularly in relation to the chemicals used.</p> <p>Syngenta will initiate the project to encourage the farmer to support appropriate PPEs in order to support their workers. In addition, Syngenta field staff will distribute PPEs directly to daily workers when visiting the field and safety in the workplace will be communicated at the same time.</p>
Deadline Date:	Start training in Burmese from Dry season 2018 and cover 100% of workers by 2020.

Freedom of Association and Collective Bargaining

Compliance Status

Section	Benchmark	Compliance status	Farms
General Compliance	FOA.1	In compliance	
Right to Freely Associate	FOA.2	In compliance	
	FOA.3	Risk of Noncompliance	Farm 6
	FOA.8	In compliance	
Anti-Union Behavior	FOA.20	N/A	
	FOA.4	N/A	
	FOA.5.1	N/A	
	FOA.5.1.1	N/A	
	FOA.6	N/A	
Union/Worker Representatives	FOA.7	In compliance	
Employer Interference	FOA.9.1	In compliance	
	FOA.9.2	In compliance	
	FOA.9.3	In compliance	
	FOA.9.4	In compliance	
	FOA.10	In compliance	
	Collective Bargaining	FOA.12.1	Risk of Noncompliance
FOA.12.2		Risk of Noncompliance	Farm 6
FOA.13.2		In compliance	
FOA.13.3		In compliance	
FOA.14		In compliance	
FOA.15		N/A	
FOA.16.1		N/A	
Right to Strike	FOA.16.2	N/A	
	FOA.18	N/A	
	FOA.19	N/A	

FOA Assessment Summary

Right to Freely Associate / Collective Bargaining	
<p>Benchmarks:</p> <p>FOA.3: When the right to freedom of association and collective bargaining is restricted under law, employers shall facilitate and not obstruct legal alternative means of workers' association.</p> <p>FOA.12.1: Employers shall recognize the rights of workers to free and voluntary collective bargaining with a view to the regulation of terms and conditions of employment by collective agreements.</p> <p>FOA.12.2: Employers and worker representatives shall bargain in good faith, i.e. engage in genuine and constructive negotiations and make every effort to reach an agreement</p>	<p>Risk of Noncompliance in one farm</p>

Findings/Noncompliance Explanation:	<p>There was an effort to negotiate for better wages among workers as reported in one farm a few years ago. This effort of informal collective bargaining led to the workers' demands being fulfilled. The daily wage was slightly increased from THB 120 to THB 150. However, the farmer removed some associated benefits, like two rest breaks during a working day. The tension led some workers to leave the job during that time. This incident has resulted in discouragement among other farm workers to collectively bargain.</p> <p>There is no system, which would allow workers to collectively bargain or form formal means of engagement for unionization.</p> <p><u>Source:</u> Worker interviews</p>
Company Action Plan:	<p>Syngenta aims to improve the practice of this awareness by communicating the helpline number. Syngenta will also extend connection with the local CSOs support on remediation. The local NGOs, like LLC or the MAP Foundation, will focus on Myanmar workers by establishing a communication channel for the workers. The information shall be maintained in the IMS center. The local production team, seed organizers, and farmers will inform workers on the grievance procedure during on-the-spot worker group training sessions (10-20 workers) on COC in their Myanmar language. To make the program more efficient, the dedicated field staff will take over on the action implementation and follow up.</p>
Deadline Date:	Starting from April 2018 and will cover 100% of workers by 2020

Health, Safety and Environment

Compliance Status

Section	Benchmark	Compliance status	Farms
General Compliance	HSE.1.	In compliance	
Documents, Permits and Certificates	HSE.2 (PR)	In compliance	
	HSE.3.1	In compliance	
	HSE.4 (PR)	In compliance	
	Evacuation Requirements and Procedure	HSE.5.1 (PR)	N/A
Safety Equipment and First Aid	HSE.5.2	In compliance	All Farms
	HSE.6.1 (PR)	Not Initiated	All Farms
	HSE.6.2 (PR)	Not Initiated	All Farms
	HSE.16.3 (PR)	Not Initiated	All Farms
Personal Protective Equipment	HSE.7 (PR)	In Progress	All Farms
	HSE.8	In compliance	
Chemical Management	HSE.9.1	In compliance	
	HSE.9.2	Noncompliance	All Farms
	HSE.9.2.1	Noncompliance	All Farms
	HSE.10	Noncompliance	All Farms
	HSE.11.1	Noncompliance	All Farms
Protection Reproductive Health	HSE.11.2 (PR)	Not Initiated	All Farms
	HSE.12.1	Risk of noncompliance	All Farms
Infrastructure	HSE.12.2 (PR)	Not Initiated	All Farms
	HSE.13 (PR)	In compliance	

	HSE.17.1	Noncompliance	All Farms
	HSE.17.2 (PR)	In compliance	
	HSE.19 (PR)	Not Initiated	All Farms
	HSE.21 (PR)	In compliance	
	HSE.22 (PR)	In compliance	
Machinery Safety	HSE.14.1	In compliance	
	HSE.14.2	In compliance	
	HSE.14.3	In compliance	
	HSE.14.4	In compliance	
Ergonomics and Medical Facilities	HSE.15.2 (PR)	N/A	
	HSE.16.2	Risk of noncompliance	Farm 2, 3

HSE Assessment Summary

Chemical Management

Benchmarks:

HSE.9.2: All chemicals and hazardous substances shall be properly labeled and stored in secure and ventilated areas and disposed of in a safe and legal manner, in accordance with applicable laws. Where relevant, Material Safety Data Sheets (MSDS) must be available as well.

HSE.9.2.1: Labels shall be placed in the local language and the language spoken by workers, if different from the local language. Where workers are illiterate, the labels and instructions for their handling should be depicted by pictograms.

HSE.10: Workers shall receive training, appropriate to their job responsibilities, concerning the hazards, risks and the safe use of chemicals and other hazardous substances.

HSE.11.1: To prevent unsafe exposure to hazardous chemicals and hazardous substances, 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, in a manner that does not unreasonably disadvantage workers.

**Noncompliance
in all farms**

**Findings/Noncompliance
Explanation:**

There is no chemical management system in the farms. Chemicals are not kept in a separate area to prevent any exposure. They are not marked nor labeled for identification. There is no awareness of the hazards associated with the chemicals used or any instructions or guidelines provided about the level of hazards associated with each chemical used. Workers are verbally instructed on how to safely use chemicals, yet they did not receive proper training. Due to the absence of any training or guidelines, the farmers have not made any provisions for the safety of vulnerable workers like young workers and pregnant women.

Source: Worker interviews, Observation

Company Action Plan:

Syngenta will initiate the training for selected permanent migrant workers on safe chemical usage aspects, which constitutes 5 golden rules - triple rinse, chemical storage, and chemical application techniques. This training will be arranged twice per season: at the beginning of the season and during the season (around 40-50 days after planting) when pesticides are used in the field. The guidebook for the safe use of pesticides will be distributed to farmers and focus on chemical awareness and usage of PPE with the right material and the right method as per the WHO standard. A translator will be invited to translate all the key messages to the workers.

Deadline Date:

Start training in two languages - Thai and Myanmar – from the dry season 2018/19 (start from September 2018- March 2019). The pilot training will cover 100% selected permanent workers 2019 and expand to cover all farms in 2020.

Protection Reproductive Health

Benchmarks:

HSE.12.1: Employers shall ensure that women are not engaged in work that constitutes a substantial risk to their reproductive health.

**Risk of
Noncompliance
in all farms**

Findings/Noncompliance Explanation:	Although no pregnant female workers were seen employed on the farms, it was observed that the farm environment was overwhelmed with a chemical smell which could potentially affect a worker's health, including their reproductive health in the long term. There is no measure taken by the company to address this concern. <u>Source:</u> Observation
Company Action Plan:	Syngenta will engage with expert consultants working on occupational health and safety to train the farmer and worker to improve knowledge and prevent themselves from the chemicals. The field supply & chemical storage locations must be responsible by the farmer and worker while Syngenta will provide training on hygiene, in addition to health and safety living conditions during this training. During the field visit, the field production staff will elaborate on the special treatment for pregnant workers to make sure that the farmer is aware of this topic.
Deadline Date:	Starting from dry season 2018/19 the training will be initiated with a selected group of farmers and workers in 2 villages and will cover 100% of villages by 2020.

Access to Water and Sanitation

Benchmarks:

HSE.17.1: Safe and clean potable water for drinking shall be freely available at all times, within reasonable distance of the workplace. For farm settings in water-stressed regions where access to potable water is not always guaranteed, employers shall work with local authorities and other partners to provide clean water in sufficient volume and quality to guarantee the wellbeing of hired and family workers.

**Noncompliance
in all farms**

Findings/Noncompliance Explanation:	In some farms, drinking water provided was from underground. Although farmers were confident about its cleanliness, a worker was found to be having frequent diarrhea without realizing the cause. In more instances, the drinking water comes from wells adjacent to the farms which uses chemicals. In one of the farms, workers were seen using bottled drinking water but they had to buy the water from outside. It was not provided by the farmers. <u>Source:</u> Observation, Interviews with farmers and workers
Company Action Plan:	Syngenta will communicate with the farmer on the concern of safe and clean drinking water. Syngenta will initiate a project of safe drinking water and other health-related activity by collaborating with the external speakers from the local community health care center or local NGO. This awareness training will be arranged during the low activity season (0-40 days after planting). In addition, Syngenta will create an activity of the annual health check for farmers and workers by collaborating with the community health care center. Various communication tools such as posters and pamphlets etc. will also be used to emphasize good hygiene, health & safety for the farmers and workers. All of these tools will be converted into the workers' language.
Deadline Date:	The training on health and safety will be arranged after collaborating with local health community starting from dry season 2018/19

Medical Facilities

Benchmarks:

HSE.16.2: Medical facilities shall be established and maintained as required by applicable laws. In case of no local law, the employer shall ensure that the workers are able to utilize local service providers in case of medical emergencies and have the local medical officer's contact address available to the workers. In the case of a medical emergency, e.g., injury or sudden illness, farmers will not unreasonably delay allowing a worker to have access to medical treatment.

**Risk of
Noncompliance
in two farms**

Findings/Noncompliance Explanation:	Workers are free to access local health facilities for minor ailments but if they need to go to a hospital in the town, they have to rely on their employers' availability as some
--	--

	<p>of them do not have vehicles to go that far. Also, some of them have their documents, like identity proof etc., held by their employers; and traveling into the town without a legal document puts them at the risk of arrest.</p> <p><u>Source:</u> Interviews, Observation</p>
Company Action Plan:	<p>Syngenta will improve farmer awareness. The speakers from LLC and their alliances will clarify this concern with the seed organizers, farmers and workers during the special training session during the season. Syngenta will invite the special speaker from the local health care center to provide the guideline of the migrant workers to access the local health care organization and the hospital. The number of support health care organizations such as emergency & deliver organization will be provided in those training and posted in the worker living area that is easy to access by the workers. The training session will be arranged for the pilot group of farmer and worker at least two times in dry season 2018/19.</p>
Deadline Date:	<p>Start training in dry season 2018/19 for the pilot farmers and workers in 2 villages and it will cover 100% of villages by 2020.</p>

Hours of Work

Compliance Status

Section	Benchmark	Compliance status	Farms
General Compliance	HOW.1.1	Noncompliance	All Farms
	HOW.1.2	In compliance	All Farms
	HOW.1.3	Noncompliance	All Farms
	HOW.1.4	In compliance	
Rest Day	HOW.2	Noncompliance	All Farms
Meal and Rest Breaks	HOW.3	Noncompliance	Farm 6
Protected Workers	HOW.4.1	In compliance	
	HOW.4.2 (PR)	Not Initiated	All Farms
	HOW.4.3	In compliance	
Overtime	HOW.5.1	In compliance	
	HOW.5.2	In compliance	
	HOW.6.1	In compliance	
	HOW.6.2	In compliance	
	HOW.6.3 (PR)	Not Initiated	All Farms
Public Holidays and Leave	HOW.7	In compliance	
	HOW.8.1	In compliance	
	HOW.8.2	In compliance	
	HOW.9	Noncompliance	All Farms
	HOW.10.1	In compliance	
	HOW.11 (PR)	In compliance	
	HOW.12.1 (PR)	Not Initiated	All Farms
	HOW.12.2 (PR)	Not Initiated	All Farms
	HOW.13	In compliance	

HOW.14	Noncompliance	All Farms
HOW.15 (PR)	Not Initiated	All Farms
HOW.16 (PR)	N/A	

Hours of Work Assessment Summary

General Compliance	
<p>Benchmarks: HOW.1.1: Employers shall comply with all national laws, regulations and procedures concerning hours of work, public holidays and leave. HOW.1.3: Other than in exceptional circumstances or during short-term seasonal work as described under HOW.2, the total weekly work hours (regular work hours plus overtime) shall not exceed 60 hours per week or the legal limit, whichever is lower. The upper limit during a working day shall not exceed 12 hours.</p>	
Noncompliance in all farms	
Findings/Noncompliance Explanation:	<p>Workers do not work longer than 12 hours a day, but in some weeks their working hours may exceed 60 hours as they do not necessarily have a weekly day off.</p> <p><u>Source:</u> Interviews with farmers and workers</p>
Company Action Plan:	<p>The special training event will be set for fair labor topics including labor rights, laws, hours of work, occupational health and safety etc. and provide guidelines including the question/answer session for the local farmers and workers. Syngenta will invite a special speaker from LLC and the labor department in order to train the farmers and workers. Syngenta will improve the system of the GDK that will be provided to all farmers before the season starts. Fair Labor manager and dedicated field staff will extend the training on the topic of how a documentation kit has to be maintained at the farm level. This documentation kit will contain workers' information such as name, age, wage, working hours etc. for internal audit by field production staff. In addition, Syngenta will communicate on the importance of record maintenance, in the regular farmer meeting.</p>
Deadline Date:	<p>Improve GDK system from wet season 2018 (April 2018) for pilot selected group of farmer and workers. The internal monitoring will cover 100% of the pilot group in dry season 2018/19 and will cover all farms by 2020.</p>
Rest Day	
<p>Benchmarks: HOW.2: Pursuant to any permanent or temporary contract, workers shall be entitled to at least 24 consecutive hours of rest in every seven-day period. If workers must work on a rest day, an alternative consecutive 24 hour must be provided within that same seven-day period or immediately following. For short-term seasonal work during peak activities (2-3 weeks), workers have the option to work more than seven days without a day off if they voluntarily agree with it, unless local law prohibits it. When the peak activity period exceeds 3 weeks, and the employer has control over the workers' schedule, the rest day provision must apply.</p>	
Noncompliance in all farms	
Findings/Noncompliance Explanation:	<p>There are no fixed rest days on a weekly or monthly basis. Farmers claimed that workers can take leave at their own will. However, in reality, workers with monthly payments are treated like daily wage workers. Workers who take leave are not granted any pay for the said day.</p> <p><u>Source:</u> Interviews with farmers and workers</p>
Company Action Plan:	<p>The special training event will be set for fair labor topics including labor rights, laws, hours of work, occupational health and safety etc. and provide guidelines including the question/answer session for the local farmers and workers. Syngenta will invite a special speaker from LLC and the labor department in order to train the farmers and workers. Syngenta will improve the system of the GDK that will be provided to all</p>

	farmers before the season starts. Fair Labor manager and dedicated field staff will extend the training on the topic of how a documentation kit has to be maintained at the farm level. This documentation kit will contain worker's information such as name, age, wage, working hours etc. for internal audit by field production staff. In addition, Syngenta will communicate on the importance of record maintenance in the regular farmer meetings.
Deadline Date:	Improve the GDK system from wet season 2018 (April 2018) for pilot selected group of farmer and workers. The internal monitoring will cover 100% of the pilot group in dry season 2018/19 and will cover all farms by 2020.
Meal and Rest Breaks	
<p>Benchmarks: <i>HOW.3: Employers shall provide reasonable meal and rest breaks which, at a minimum, must comply with national laws. In the absence of a local law, the meal and rest breaks will be provided as agreed upon between employers and workers.</i></p>	
Noncompliance in one farm	
Findings/Noncompliance Explanation:	There was no clear regulation on the meal or rest breaks in the farms; it differed from each farm to the other. In one of the farms, the rest breaks were curtailed after the workers were collectively engaged in wage increase negotiations with the farmer a few years ago. The aftermath of the incident has resulted in no rest breaks for these workers. <u>Source:</u> Worker interviews
Company Action Plan:	This is a complex issue. There is no national law and regulation to implement in the informal sector that the meal needs to be provided to the worker. The meal is just part of the benefit that is provided by the farmer.
Deadline Date:	N/A
Public Holidays and Leave	
<p>Benchmarks: <i>HOW.9: Where permanent or long-term workforce is hired, employers shall provide workers with paid annual leave as required under national laws, regulations and procedures. For farms with informal labor structures hiring annual workers, arrangements can be made between producer and workers as long as it ensures a fair remuneration for the amount of work performed during the year.</i> <i>HOW.14: Employers shall provide workers with sick leave as required under national laws, local provisions, regulations and procedures.</i></p>	
Noncompliance in all farms	
Findings/Noncompliance Explanation:	Holidays and leaves are arranged informally. Farmers set terms and conditions of work, including holidays and leaves. Most workers can take a day off without getting paid or they have unpaid day-off when there is no work provided in the farm. Long-term workers who work at least for two crops equivalent to 10 months are not entitled to paid annual leaves but they are allowed to take long leave without pay. <u>Source:</u> Interviews with workers and farmers.
Company Action Plan:	The law allows an annual leave for the worker but, in practice, it is agreed between farmer and worker. In general, the farmer allows the worker to have their selected holiday (for a longer duration) in the important festivals such as New Year, Songkran or other religious holidays etc. without payment. Syngenta shall create a plan to invite key speakers from both authorities and local CSOs to train the farmers on this issue. The special training will be arranged before the start of the season.
Deadline Date:	Starting from wet season 2018 (April 2018) and will cover 100% of farmers by 2020.

Compensation

Compliance Status

Section	Benchmark	Compliance status	Farms
General Compliance	C.1.1	Noncompliance	All Farms
	C.1.2	In compliance	
	C.1.3	In compliance	
	C.1.4 (PR)	Not Initiated	All Farms
Minimum Wage/Fair Compensation	C.2.1	In compliance	
	C.2.2	Noncompliance	All Farms
	C.2.3	In compliance	
	C.2.5 (PR)	Not Initiated	All Farms
	C.2.6 (PR)	Not Initiated	All Farms
	C.3	In compliance	
Farmer/Producer Income	C.4 (PR)	In Progress	All Farms
Wage Payment and Calculation	C.6	Noncompliance	All Farms
	C.7.1	Noncompliance	All Farms
	C.7.2	In compliance	
	C.7.3 (PR)	Not Initiated	All Farms
	C.7.4 (PR)	Not Initiated	All Farms
	C.7.5	In compliance	
	C.8.1	Noncompliance	All Farms
	C.8.2	Noncompliance	All Farms
	C.8.3	Noncompliance	All Farms
	C.8.4 (PR)	Not Initiated	All Farms
	C.9 (PR)	Not Initiated	All Farms
	C.10.1	In compliance	
	C.10.1.1	In compliance	
	C.10.2	In compliance	
C.10.3	In compliance		
Workers Awareness	C.11.1.1	Noncompliance	
	C.11.1.2	In compliance	
	C.11.1.3	In compliance	
	C.11.1.4	In compliance	
	C.11.1.5	In compliance	
	C.13 (PR)	Not Initiated	All Farms
Fringe Benefits	C.12.1	In compliance	
	C.12.2 (PR)	In Progress	All Farms
	C.12.3	Noncompliance	Farm 2, 4
	C.12.4	In compliance	
	C.12.5	Noncompliance	Farm 2, 4

Compensation Assessment Summary

General Compliance / Wage Payment and Calculation

Benchmarks:

C.1.1: Employers shall comply with all national laws, Collective Bargaining Agreements in force, regulations and procedures concerning the payment of compensation to workers.

C.2.2: Employers shall provide all legally required benefits to all workers.

C.6: All wages, including payment for overtime, shall be paid within legally defined time limits. Where no time limits are defined by law, compensation shall be paid at least once a month or upon completion of a seasonal task which takes less than a month.

When workers are hired through contractors, brokers or external agencies, employers shall make sure that workers are paid according to the benchmark requirements.

C.8.2: Employers shall comply with all applicable laws, regulations and procedures governing the payment of premium rates for work on holidays, rest days, and overtime. There might however be specific working schemes voluntarily agreed by the workers to work on holidays and rest days for short-term seasonal work, which would make this provision not applicable.

C.8.3: Workers shall be informed in writing or orally where necessary, in language(s) spoken by workers, about overtime wage rates prior to undertaking overtime.

C.7.1: All payments to workers, including hourly wages, piecework, fringe benefits and other incentives shall be calculated, recorded, and paid in a manner that is convenient to workers (e.g., in cash, by bank transfer or check).

C.8.1: Employers shall compensate workers for all hours worked.

**Noncompliance
in all farms**

**Findings/Noncompliance
Explanation:**

There is no legal minimum wage enforced for the seasonal agricultural sector in Thailand. However, the law sets out paid sick leave, as well as holiday and overtime pay for workers. None of the farms provide these benefits. In one farm, paid sick leave was provided but only for the head worker.

There was no payment system wherein workers would be paid on a regular basis. One worker expressed the need to have monthly wage but the farmer would pay once every 10 months or pay petty advances for daily expenses and deduct it from the one-time payment. Thus, the system is not one of informed consent. The absence of records raises the risk of further exploitation.

Source: Interview with Labor Inspector, farmers, IMS staff and workers

Company Action Plan:

The compensation is agreed on negotiation between farmers and workers/groups of workers. Syngenta is committed to engaging farmer understanding of transparency and traceable wage payments by checking with the daily workers. Syngenta will distribute GDKs and inform the farmers to include the wages and hours of work for the further internal and external audit process. The requirement of providing leave and wage payments required by the law will be emphasized during the farmer meeting. IMS process to monitor the issue during the planting season at least two times per season.

Deadline Date:

In the first phase, the distributed GDK covers all 100% of selected farmers in the two demonstrated villages and we expected that 50% of this group of farmers can show the progress of the record. IMS monitoring the issue of leaves and wage payment will be implemented during dry season 2018/19 and so on.

Fringe Benefits

Benchmarks:

C.12.3: Employers must provide goods and services at fair and reasonable prices, comparable to local market prices.

C.12.5: Employers must be able to demonstrate the accuracy or reasonableness of these charges.

**Noncompliance
in two farms**

**Findings/Noncompliance
Explanation**

There are instances where the farmers arbitrarily determined certain utility fees without workers' knowledge and accurate record keeping. For example, one farmer would charge the worker THB 100 a month for a rice cooker and THB 300 for three appliances. Another farmer bought a motorbike on behalf of a worker but registered the bike in his own name. The farmer contributed THB 10,000 while the worker paid three times more. The employer's help in buying a motorbike for the worker's use is

	at risk of worker vulnerability as the employer has legal ownership of the motorbike although he paid much less than the worker. <u>Source:</u> Interview with the workers
Company Action Plans:	Syngenta will collaborate with local organizations such as LLC, as well as the department of labor protection and welfare to emphasize on the terms, conditions, and penalty mentioned under Thai labor law to the farmers and permanent workers. Syngenta expects that the practical guidelines from these local organizations will help to improve this issue. Syngenta will further inform the farmers that the arbitrary charge should be fair and keep a record for internal audit processes. Dedicated field production staff will make an internal audit during the planting season at least two times per season.
Deadline Date:	Training on law and condition for farmer and worker in two pilot villages start in dry season 2018/19 and will cover 100% of farms by 2020

Overview - Farms vs. Non-compliances

Total number of Farms: 8

	Employment Relationship	Non-discrimination	Harassment or Abuse	Forced Labor	Child Labor	Freedom of Association and Collective Bargaining	Health, Safety and Environment	Hours of Work	Compensation	Total
% of farms with non-compliances or risk of non-compliances	100%	100%	0%	100%	100%	13%	100%	100%	100%	
Farm No. 1	17	3	0	4	2	0	6	5	8	45
Farm No. 2	17	4	0	4	3	0	7	5	10	50
Farm No. 3	17	4	0	2	3	0	7	5	8	46
Farm No. 4	17	4	0	2	6	0	6	5	10	50
Farm No. 5	17	4	0	3	2	0	6	5	8	45
Farm No. 6	23	4	0	3	3	3	6	6	8	56
Farm No. 7	17	3	0	2	2	0	6	5	8	43
Farm No. 8	17	3	0	2	2	0	6	5	8	43
TOTAL	142	29	0	22	23	3	50	41	68	378