



[2017]

**FAIR LABOR ASSOCIATION**  
**INDEPENDENT EXTERNAL MONITORING**  
**AGRICULTURAL REPORT**

**Company:** Syngenta

**Country:** Thailand

**Crop:** Corn

**Production Process:** Harvesting

**Assessment Locations:** Tak Province, Phop Phra

**Monitors:** Intertek Testing Services (Thailand) Ltd

**Assessment Dates:** January 29 – February 01, 2018

**Number of assessed farms:** 12

**Total area covered:** 24 acres

**Number of farmers interviewed:** 12

**Total number of workers:** 293

**Number of workers interviewed:** 237

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)	In compliance	
Recruitment and Hiring	ER.3.1	Noncompliance	All Farms
	ER.3.1.1	Noncompliance	All Farms
	ER.3.1.2	In compliance	
	ER.4	N/A	
	ER.5.1	N/A	
	ER.5.2	N/A	
	ER.5.3	N/A	
	ER.6 (PR)	Not Initiated	All Farms
	ER.7.1	In compliance	
	ER.7.2	In compliance	
	ER.7.3	In compliance	
	ER.7.4	In compliance	
	ER.7.5	In compliance	
	ER.7.6	In compliance	
	ER.7.7	In compliance	
ER.7.8	In compliance		
Terms and Conditions	ER.9.1	In compliance	
	ER.9.2.1	In compliance	
	ER.9.2.2	In compliance	
	ER.9.2.3	In compliance	
	ER.9.3.1	In compliance	
	ER.9.3.2	In compliance	
	ER.9.3.3	In compliance	
	ER.10	N/A	
	ER.11	In compliance	
	ER.12.1	Noncompliance	All Farms
	ER.12.1.1	In compliance	
	ER.12.2	N/A	
	ER.13.1	In compliance	
ER.13.2 (PR)	In compliance		
ER.13.3 (PR)	In compliance		
Administration	ER.15.1	In compliance	
	ER.15.2	In compliance	
	ER.15.2.1	In compliance	
	ER.16.1	In compliance	
	ER.16.2	In compliance	
	ER.17.2 (PR)	Not Initiated	All Farms
	ER.17.3 (PR)	In compliance	
ER.17.4 (PR)	In compliance		
Worker Involvement	ER.18.1	In compliance	
	ER.18.2 (PR)	In compliance	
Right to Organize and Bargain	ER.19	In compliance	
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	
	ER.20.11	Noncompliance	All Farms
Training	ER.21	In compliance	
HSE Management System	ER.24.1.	Noncompliance	All Farms
	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)	In compliance	
	ER.24.5 (PR)	In compliance	
Grievance Procedures	ER.25.1 (PR)	In compliance	
	ER.25.2 (PR)	In Progress	All Farms
	ER.25.3	In compliance	
	ER.25.4	Noncompliance	All Farms

### Employment Relationship Assessment Summary

Proof of Age Documentation	
<p><b>Benchmarks:</b></p> <p><i>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.</i></p> <p><i>ER.3.1.1: Employers shall take reasonable measures to ensure such documentation is complete and accurate.</i></p>	<b>Noncompliance in all farms</b>
<p><b>Findings/Noncompliance Explanation:</b></p> <p>There is no age verification system implemented at the farm level, hence it is difficult to confirm the age of workers in the farms. None of the farmers have maintained any proof of age documents for these workers.</p> <p><u>Source:</u> Workers and farmers interview</p>	
<p><b>Company Action Plan:</b></p> <p>To address this issue, Syngenta believes that there is a need for the farmers and workers to understand and follow Thai labor laws. Therefore, Syngenta has developed the action in order to improve the situation as follows:</p> <ol style="list-style-type: none"> <li>Syngenta will create a refresher training session for field production staff and the farmers by collaborating with local organizations such as the Labor Law Clinic (LLC) and the Department of Labor Protection and Welfare. They will do this to emphasize on the terms, conditions, and penalties regarding child labors.</li> <li>During dry season 2019, Syngenta will select a pilot group of farms in two randomly-selected villages, where the production staff shall implement the age verification system. Syngenta field staff shall ensure the selected farmer gain awareness on the age verification system. Then, via phase-wise intervention, they shall engage other farmers in the region about the same. Syngenta will keep track of this system by using the IMS process to encourage the farmers to collect and maintain proof of age documents for the young workers only or for those workers who could be in the threshold age (between 11-14 years).</li> </ol>	
<p><b>Deadline Date:</b></p>	<ul style="list-style-type: none"> <li>Start information of the migrant worker collection in March - September 2018</li> <li>Training sessions on the topic for valid ID processes by local/international authorities or NGOs will be developed during wet season April - September 2018.</li> <li>The repeat training will be arranged for the dry season from September 2018 – February 2019 and the IMS process will implement keeping the pilot farmer in the</li> </ul>

- same season.
- The system will extend to cover 100% of farms within 2020.

## Communication

### Benchmarks:

*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.*

**Noncompliance  
in all farms**

### Findings/Noncompliance Explanation:

Workers are generally informed about child labor restrictions and wearing PPE on farms. However, other code standards are not communicated to them and the awareness level is subsequently low.

Source: Farmer and worker interviews

### Company Action Plan:

Syngenta had developed a poster which contains all the code elements called '4 Don't, 5 Dos' which is easy to understand for the farmers and workers. The farmers and workers have more familiarity with the HSE and child labor aspects of the communication materials which are posted on the farms. This acted as a first step to promote the program. As a second step, Syngenta is in the process of developing a more detailed training approach on all labor standards. Its policies and procedures, which are included in the production contract, are also explained during the pre-season meetings. Syngenta also established contact with external resources such as LLC (Labor Law Clinic) and labor protection and welfare department (Tak province), local health care center and local school/learning center. It shall contain training on Thai labor law for informal workers and worker rights. To make the progress more visible, the Syngenta local team will select a group of farmers and seasonal/long-term workers to attend this special training program. It will be set during the wet season planting. The selected group of farmers could be chosen to act as a facilitator to engage with other farmers and workers in the region.

### Deadline Date:

Pilot training program from external experts for a selected group of farmer and worker by wet season 2018 and extend to cover 100% of them by 2020.

## Work Rules and Discipline

### Benchmarks:

*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).*

*ER.20.2: Any person supervising workers shall be aware of the disciplinary rules and practices.*

*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.*

*ER.20.6: Disciplinary rules and practices shall be clearly communicated to all workers.*

*ER.20.7: Workers must be informed when a disciplinary procedure has been initiated against them.*

*ER.20.8: Workers have the right to participate and be heard in any disciplinary procedure against them.*

*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.*

**Noncompliance  
in all farms**

### Findings/Noncompliance Explanation:

Syngenta communicates the need for having a basic disciplinary system (based on local law) to all farmers during the introductory training. However, in practice, there is no disciplinary procedures, rules, nor practices established at the farm level.

Source: Interviews

### Company Action Plan:

The policy for seed production supplier is already developed in the contract. Syngenta field team will develop one page and easy to understand procedure to communicate

	the policy with the farmer, it shall be maintained in the Thai language. For the workers, this one-page policy will be posted at the farmer house and worker residence, in Thai and Burmese languages. In addition, Syngenta will facilitate training program to support the farmer about the labor law conditions.
<b>Deadline Date:</b>	Develop a policy of disciplinary and implement by the end of 2018.

### HSE Management System

<b>Benchmarks:</b> <i>ER.24.1: Health, safety and environmental rules shall be communicated to all workers in the local language or language spoken by workers if different from the local language.</i>	<b>Noncompliance in all farms</b>
---	-----------------------------------

<b>Findings/Noncompliance Explanation:</b>	<p>HSE communication for workers is restricted to PPE usage only. It is done through posters, which are available in Thai and Burmese. No other aspects related to safety are communicated to workers.</p> <p><u>Source:</u> Farmer interviews, observations</p>
--	--

<b>Company Action Plan:</b>	<p>Syngenta will improve the training topics by creating training collaborations with external resources such as local legal organization and authority, health care center and local school. The training topics will be: Thai labor law for the informal worker, rights and protections of the worker, health protection and the education of children. The training program will be arranged during the wet season planting. The farmers shall be responsible to provide regular information and updates to their workers about the HSE materials. In addition, Syngenta shall continue to distribute PPE materials, such as</p> <ul style="list-style-type: none"> <li>• nitrile gloves for protection from chemicals</li> <li>• cotton gloves for protection from corn leaves</li> <li>• face masks for protection from chemicals and corn leaves</li> <li>• boots for protection from snakes and rocks</li> </ul>
-----------------------------	---

<b>Deadline Date:</b>	The pre-season training will communicate on the health and safety condition to 100% of the farmer and internal monitoring for the effects of external training will be implemented with a selected pilot group of farmers in dry season 2019 (start on September 2018) and will cover 100% of farmers by 2020.
-----------------------	--

### Grievance Procedures

<b>Benchmarks:</b> <i>ER.25.4: The company shall create awareness of this communication and non-compliance reporting mechanism to its service providers and suppliers.</i>	<b>Noncompliance in all farms</b>
---	-----------------------------------

<b>Findings/Noncompliance Explanation:</b>	<p>Syngenta has established grievance mechanisms such as grievance boxes and hotlines to allow seed organizers, farmers, and workers to report their concerns and issues confidentially. However, the seed organizers and workers are not aware of the existing grievance mechanisms and therefore nobody uses them.</p> <p><u>Source:</u> Interviews and observation</p>
--	---

<b>Company Action Plan:</b>	<p>Syngenta has developed two internal channels for raising grievances. First, there is the local helpline number encouraging an anonymous system for the grievance collecting. Secondly, the grievance box is installed at the Syngenta office, seed organizers, and worker residences. Syngenta has informed people about the helpline number during every farmer meeting since 2017, also posting many communication materials such as posters, GDKs, shirts, small cards etc. This year, Syngenta will add a number of Karen-</p>
-----------------------------	---

	<p>speaking staff to encourage workers who speak in Burmese and Karenesse to call the number.</p> <p>In addition, the grievance box will be installed at a seed organizer's house, worker houses/communities where it shall be accessible for the workers. The box shall be kept under lock and the key, and must be kept by the fair labor manager until the end of the season.</p> <p>Syngenta team will inform the group of workers about how to address the grievances through these channels. The dedicated field staff will arrange the training for the small group of workers during the production season. The training on CoC and the grievance channel will be collectively addressed to the workers. To make the program more efficient, the dedicated field staff will take over on the action implementation and follow up.</p>
<b>Deadline Date:</b>	Starting from dry season 2018 and covering 100% of workers in 2020.

## Child Labor

### Compliance Status

Section	Benchmark	Compliance status	Farms
General Compliance	CL.1	In compliance	
Minimum Age	CL.2	In compliance	
Immediate Family Members	CL.3	In compliance	
Right to Education	CL.4.1 (PR)	Not Initiated	All Farms
Young Workers	CL.5	In compliance	
	CL.6.1	In compliance	
	CL.6.2	In compliance	
	CL.7	In compliance	
Apprenticeships and Vocational Training	CL.8.1 (PR)	In compliance	
	CL.8.2 (PR)	In compliance	
Children on Premises	CL.9	In compliance	
Removal and Rehabilitation of Child Laborers	CL.10.1	Risk of Noncompliance	All Farms
	CL.10.2 (PR)	In Progress	All Farms

### Child Labor Assessment Summary

Removal and Rehabilitation of Child Laborers	
<p><b>Benchmarks:</b></p> <p><i>CL.10.1: If a child laborer is found working on a farm, all relevant downstream suppliers, including the participating company, shall immediately assess the situation at the child's household level and shall engage with relevant stakeholders to find a sustainable remediation solution that is in the best interest of the child.</i></p>	<p><b>Risk of Noncompliance in all farms</b></p>
<p><b>Findings/Noncompliance Explanation:</b></p>	<p>There is no documented procedure on child labor removal and rehabilitation maintained by Syngenta. This suggests that if child labor is found, Syngenta shall assess the situation at the child's household level and engage with relevant stakeholders to find a sustainable remediation solution.</p> <p><u>Source:</u> Syngenta staff interview</p>

<p><b>Company Action Plan:</b></p>	<p>Syngenta has developed a child labor policy and procedure which is included in the production contract and emphasized to the farmer during the pre-season meeting. Syngenta plans to further:</p> <ul style="list-style-type: none"> <li>(1) arrange a special training course for farmers, workers and staff members on the child labor policy</li> <li>(2) monitor the implementation of the procedure at the farm level,</li> <li>(3) develop supporting documentation,</li> <li>(4) review and analyze cases of repeated non-compliances;</li> </ul> <p>In the case of a rehabilitation program, Syngenta will coordinate with the local government to take care of the education of the migrant workers' children to study at school with support from the seed organizers.</p>
<p><b>Deadline Date:</b></p>	<p>Farmer awareness on COC and age proof documentation for every season – all farms (preseason meetings are compulsory)</p> <p>Worker awareness on COC and maintenance of proof of age documents</p> <ul style="list-style-type: none"> <li>• De-tasseling workers – By Dec 2018</li> <li>• 50% of the workers – By Dec 2018</li> <li>• All workers – By Dec 2020</li> </ul> <p>Internal monitoring - Thrice in each crop in 20% sample farms (vegetative, pollination and harvesting period)</p>

### Overview - Farms vs. Non-compliances

Total number of Farms: 12

	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%	0%	0%	0%	100%	0%	0%	0%	0%	
Farm 1	12	0	0	0	1	0	0	0	0	13
Farm 2	12	0	0	0	1	0	0	0	0	13
Farm 3	12	0	0	0	1	0	0	0	0	13
Farm 4	12	0	0	0	1	0	0	0	0	13
Farm 5	12	0	0	0	1	0	0	0	0	13
Farm 6	12	0	0	0	1	0	0	0	0	13
Farm 7	12	0	0	0	1	0	0	0	0	13
Farm 8	12	0	0	0	1	0	0	0	0	13
Farm 9	12	0	0	0	1	0	0	0	0	13
Farm 10	12	0	0	0	1	0	0	0	0	13
Farm 11	12	0	0	0	1	0	0	0	0	13
Farm 12	12	0	0	0	1	0	0	0	0	13
TOTAL	144	0	0	0	12	0	0	0	0	156