INDEPENDENT EXTERNAL MONITORING OF SYNGENTA SEED SUPPLY CHAIN IN THAILAND

EXECUTIVE SUMMARY

The Fair Labor Association conducted three Independent External Monitoring (IEM) visits to assess working conditions at Syngenta’s seed farms in Thailand during the peak production period of December 2017 to January 2018. The assessments for the period covered about 130 acres of farmland located in the Phop Phra and Nakhon Ratchasima provinces of Thailand.

The FLA’s external assessor monitoring teams visited 33 medium-sized farms. The assessors interviewed 292 workers involved in peak production activities of detasselling and harvesting at corn farms. Additional interviews were conducted with 32 farmers, some of whom till their own land. The assessment teams followed the FLA IEM methodology comprised of four components: (1) visit Syngenta’s local office; (2) visit supply chain intermediaries like seed organizers and labor contractors; (3) visit farms; and (4) meet with local stakeholders.

2017 FINDINGS

This report summarizes the findings from the FLA’s 2017-2018 assessments and includes Syngenta’s responses and the actions taken in response to the assessments. The detailed IEM reports can be found at http://www.fairlabor.org/affiliate/syngenta.
## SUMMARY OF FLA FINDINGS

### CODE AWARENESS AND GRIEVANCE SYSTEM

Assessors observed an increase in awareness about some aspects of code standards among farmers and workers, especially with regard to child labor and use of protective equipment for field work. Other code standard elements had less awareness among workers.

Assessors observed Syngenta’s efforts to provide materials such as posters and farm cards with local helpline numbers, but workers exhibited limited awareness about the telephone number and its utility. The staff person handling incoming calls speaks only the Thai language, limiting accessibility. A sizeable population of workers recruited from the Phop Phra region speak Burmese and Karenic; the migrant workers hail from Myanmar. There are no alternative systems for these workers.

### CHILD LABOR

Farmers were observed being cautious about recruiting children at work, but there is no formal means of verifying workers’ age or maintaining age records. The age of workers is determined from their appearance and the information they provide.

There is no established child labor removal and rehabilitation procedure or system in cases where child labor is identified.

### EMPLOYMENT TERMS AND CONDITIONS

Workers are informed verbally about employment terms and conditions with assumed consent. The terms communicated are limited to wages and working hours. There is no system for worker involvement or negotiation. Other aspects of the employment relationship, i.e. the disciplinary system, harassment, and submitting grievances, are not discussed.

There is no policy on workplace conduct and discipline at the farm level nor an established procedure on handling discipline and documenting it.

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## SUMMARY OF COMPANIES’ COMMITMENTS (Corrective Action Plans)

Syngenta developed a poster highlighting the “4 Do’s and 5 Don’ts” to increase understanding of code field practices among farmers and workers. Syngenta shall arrange special training meetings with farmers and workers on code standards and local law to be facilitated by local stakeholders. The company established contact with civil society organizations such as the Labor Law Clinic and the local government authority. Representatives will be invited to provide training via seasonal meetings.

Syngenta is in the process of developing its policies, procedures, and communication materials in Burmese for display and distribution for migrant workers at Phop Phra farms. The company commits to engage executives who can address calls on the helpline in Burmese.

Syngenta reported that it will provide refresher training sessions and guidance to farmers to encourage collection of age and other information from long-term workers. In phases, Syngenta will seek information of the other local daily wage workers. Syngenta shall encourage the farmers to maintain documentation kits to retain details of every worker.

Syngenta commits to work with its production team to develop child labor removal and rehabilitation policies and procedures by end of 2018 and communicate them to seed organizers and farmers during the seasonal meetings.

Syngenta intends to assign dedicated field staff in each village who shall be responsible to visit the farms on regular basis and provide information code standards and legal provisions.

Syngenta will develop a one-page employment terms policy and procedure document to make the information easy to understand. Farmers and seed organizers shall be responsible in communicating the procedure to workers. The policy will be posted at the seed organizer house, in front of the farms, and some worker residences.
## NON-DISCRIMINATION

| No issues concerning discrimination were observed in Nakhon region. Discriminatory practices were observed in the Phop Phra region, where a sizeable population of international migrant workers are recruited. Karenic-speaking farmers prefer to recruit Karenic workers over Burmese workers due to cultural affiliation and prejudice that Karenic workers are more hard working. In spite of the higher number of Burmese / Karenic workers in the Phop Phra farms, the trainings conducted and communication materials shared in the farms are largely in Thai language, alienating non-Thai speaking workers. In the absence of any policies or procedures for pregnant workers, there is a higher risk of these women being terminated. Employers showed less knowledge about protective provisions benefiting pregnant workers and thus there are no provisions in the farms. |
| Syngenta developed an internal policy based on Thai law governing the recruitment practices free of bias and discrimination. They plan to develop policies to provide protective working conditions for vulnerable groups such as young workers and pregnant workers. The policy will be shared with farmers during the pre-season meetings. Syngenta intends to plan training with farmers on its policy, and emphasize discriminatory practices concerning wages, gender, race, etc. Syngenta has started to develop most of its communication materials in Burmese. |

## FORCED LABOR

| Incidences of farmers retaining original work documents (i.e. work permits) were observed on a few Phop Phra farms. While the practice seemed to be an agreed arrangement between farmers and workers, it is not permitted under the law. There was no awareness of the legal restriction among the farmers. |
| Syngenta commits to inform farmers of local legal provisions concerning forced labor. The company intends to begin with a pilot, selecting a random group of farmers in two villages. Experts from a local organization such as Labor Law Clinic will facilitate meetings with farmers and Syngenta field staff. Trainings will happen twice every year during seasonal meetings. Trainings will be extended to farmers in other villages following the pilot. |

## FREEDOM OF ASSOCIATION

| A few years ago, an incident of collective bargaining over an increase in daily wages occurred with workers in Phop Phra. The result was mixed. The farmer slightly increased the daily wage (from THB 120 to THB 150) but removed some benefits such as rest breaks. In response, some workers left the farm. The incident discouraged other area farm workers to engage in negotiations. Syngenta was not part of the dialogue nor did it develop systems wherein the farmers or workers could approach Syngenta staff to facilitate dialogue. There was no system in which Syngenta was involved in a dialogue with the farmers or workers. |
| Syngenta aims to facilitate dialogue in the future by developing awareness and sensitization among farmers about the existence of grievance channels. To provide accessibility to Myanmar migrant workers in the Phop Phra region, Syngenta will recruit an executive who speaks Burmese and Thai. To address remediation, Syngenta has established contact with local legal organizations and government authorities who can provide guidance on legal negotiations and increase awareness of freedom of association and collective bargaining rights. |
## HEALTH, SAFETY AND ENVIRONMENT

Assessors observed HSE related concerns including a lack of chemical management and storage and appropriate protective equipment for workers in almost all regions.

Lack of access to clean drinking water and adequate health care service was observed in the Phop Phra region. Workers drank ground water which resulted in health concerns among some workers.

Migrant workers when faced with illness or injury are dependent on a farmer’s availability because farmers often hold workers’ legal documents. Roaming the city seeking treatment without legal documents increases the risk of arrest.

Syngenta reported that it shall profile the long-term farm workers, and with the help of seed organizers, farmers, and production staff provide training on safe working conditions including chemical management, the provision of safe drinking water, health care access, etc. The training will be provided twice a year at the beginning of each season.

Syngenta intends to prepare a guidebook, in Thai and Burmese, with text and pictures to communicate safe working conditions and health provisions. Syngenta plans to engage local stakeholders, via health center officials, to provide training to workers.

## HOURS OF WORK AND COMPENSATION

There is no legal regulation concerning minimum wage for the agricultural sector in Thailand, but the law sets paid sick leave and holiday and overtime pay for long-term workers. None of the farms provide these benefits, nor are farmers aware of the law.

In some farms of Phop Phra region, there were some illegal deductions from workers’ wages observed.

There is no system to track farm working hours. Although corn production does not engage workers for more than eight to 10 hours a day, in some weeks work exceeded 60 hours, as there is no agreed to time-off provision.

Syngenta will incorporate hours and compensation legal provisions into its training on code standards and local law. The information will be combined into one training program. The training will be facilitated by Labor Law Clinic and government officials with help from local field staff.

Field staff will provide guidance to farmers during field visits on maintaining documentation kits of worker information, including wages and work hours.

Implementation shall be assessed via an internal monitoring program and recorded at the local Syngenta office.