



[2018]

FAIR LABOR ASSOCIATION INDEPENDENT EXTERNAL MONITORING AGRICULTURAL REPORT

Company: Syngenta

Country: China

Crop: Watermelon

Production Process: Pollination

Assessment Locations: Rejimen, luyunhu, Hongqimu, Yuergou
Villages in Urumqi City, Xinjiang Province

Monitors: SMT-Global

Assessment Dates: 25-29 June 2018

Number of assessed farms: 12

Total area covered: 8.88 acre

Number of farmers interviewed: 12

Total number of workers: 55

Number of workers interviewed: 36

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)	N/A	
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	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	Noncompliance	All farms
	ER.9.2.1	Noncompliance	All farms
	ER.9.2.2	In compliance	
	ER.9.2.3	Noncompliance	All farms
	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	Noncompliance	All farms
	ER.12.2	N/A	
	ER.13.1	Noncompliance	All farms
	ER.13.2 (PR)	In progress	All farms
ER.13.3 (PR)	Not Initiated	All farms	
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)	Not Initiated	
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)	N/A	
	ER.20.11	Noncompliance	All farms

Access to Training for Family Members	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.24.4.1 (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
Grievance Procedures	ER.24.5 (PR)	Not Initiated	All farms
	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	Noncompliance	All farms

Employment Relationship Assessment Summary

Proof of Age Documentation	
<p>Benchmarks:</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> <p><i>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.</i></p>	<p>Noncompliance in all farms</p>
<p>Findings/Noncompliance Explanation:</p> <p>Syngenta contracts farmers are responsible for recruiting workers involved in seed production. The farmers do not implement any form of age verification system when recruiting workers, and no age proof documents are maintained.</p> <p><u>Source:</u> Worker, farmer interviews, observation</p>	
<p>Company Action Plan:</p>	<ol style="list-style-type: none"> 1. Syngenta field team will first identify the existing gaps and then provide information and support to the seed supply companies based on the gaps identified. The details of the internal monitoring/visit, the gap, and the remediation shall be maintained at the IMS center 2. Syngenta shall, in the next step, engage with all seed organizers/farmers where no documents were maintained. 3. Syngenta shall engage in a dialogue with the seed organizers/farmers on the challenges of maintaining such records. 4. Based on the information received, Syngenta will develop information kit (this information kit will contain all the policies, procedures, guidance document in the local language, steps for implementation and so on which shall be distributed to all the farmers) which shall provide stepwise information to organizers and farmers. 5. It will be then the responsibility of all seed organizers to train all the farmers on the maintenance of age proof documents. Syngenta will periodically review the progress made by the seed organizers and farmers.
<p>Deadline Date:</p>	<ol style="list-style-type: none"> 1. Visit the seed organizers and farmers and gap analysis of the existing age proof document – 3 months (December 2018 – February 2019) 2. Visit the seed organizers and gap analysis and sharing of information kit and

training to seed organizers (April 2019 – June 2019)
3. Review and observe the implementation April-June-2019

Terms and Conditions

Benchmarks:

ER.9.1: Workers should be made aware of the employment terms under which they are engaged.
ER.9.2: Employment terms shall be those to which the worker has voluntarily agreed, provided those terms do not fall below:
ER.9.2.1: provisions of national laws;
ER.9.2.3: the FLA Workplace Code.
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.
ER.12.1.1: Employers shall inform workers that any form of harassment or abuse in the workplace shall be subject to disciplinary measures.
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.

**Noncompliance
in all farms**

**Findings/Noncompliance
Explanation:**

1) The workers are not informed of all aspects of employment terms and conditions. They are told about the terms and conditions of employment in relation to work tasks, working hours and wages before engaging in the work. The terms related to the length of services, other code elements and responsibilities are not confirmed.

2) The employment terms are not strictly in line with the national laws as the length of employment and responsibilities of farmer and workers are not defined, and the overtime payment is less than legally required 150% of the normal wages.

3) There is no communication to workers about legal regulations and Code of Conduct as the farms have a very limited understanding of the Code - except for some elements related to child labor and HSE issues. There is no poster of Code of Conduct available in the villages and farms. Besides, the farmers do not inform workers that any harassment or abuse in the workplace shall be subject to disciplinary measures as there is no disciplinary system available at farm level.

Source: Worker, farmer, and seed organizer interviews; observation

Company Action Plan:

1. Syngenta shall first develop policy and procedure on terms and conditions in the Chinese language which shall encompass all aspects of the employment relationship, like workplace rules, health and safety, wages and benefits, legal legislation and disciplinary procedures. Syngenta China FLA Lead (in consultation with country field production manager) shall be responsible for overseeing the completion of this task.
2. Since Syngenta has a direct business relationship with seed organizers, it shall be important to engage them for the training on terms and conditions, based on the policies developed by Syngenta. Seed organizers shall be provided training (100%) once every quarter / once in six months depending on the season.
3. Syngenta will entrust responsibility to seed organizers to engage workers (via farmers) on the training and information generation on terms and conditions. Each individual seed organizer shall be responsible for overseeing this task. However, at Syngenta, the country FLA Lead and Regional Head shall overview and oversee the progress of the implementation every six months.
4. Syngenta shall also develop an 'information kit' which shall encompass all the policies and procedures required under the FLA program, including mentioned in this finding. Considering the vastness of the sector, this shall be concluded in one year from the time the CAP has been submitted to FLA.

Deadline Date:

1. Policy and procedures to be developed (3 months) – April 2019

	<ol style="list-style-type: none"> 2. Training dissemination to seed organizers – before the start of the season, April 2019 onwards, until August 2019. Regular review and update shall be maintained with Syngenta Regional Head, every quarter. 3. Development of information kit – December 2019
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Work Rules and Discipline

<p>Benchmarks:</p> <p><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></p> <p><i>ER.20.2: Any person supervising workers shall be aware of the disciplinary rules and practices.</i></p> <p><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></p> <p><i>ER.20.6: Disciplinary rules and practices shall be clearly communicated to all workers.</i></p> <p><i>ER.20.7: Workers must be informed when a disciplinary procedure has been initiated against them.</i></p> <p><i>ER.20.8: Workers have the right to participate and be heard in any disciplinary procedure against them.</i></p> <p><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></p>	<p>Noncompliance in all farms</p>
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<p>Findings/Noncompliance Explanation:</p>	<p>There is no disciplinary system available at farm level. The workers have no sensitization about disciplinary rules or practices as they are not trained or communicated on these topics by the farmers. There is no such training by company staff for the farmers. Although no disciplinary action was noted during this assessment, there is no system to make sure the disciplinary action shall be applied in a fair and non-discriminatory manner.</p> <p><u>Source:</u> Farmer and worker interviews</p>
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<p>Company Action Plan:</p>	<ol style="list-style-type: none"> 1. As already mentioned under CAP above, in ER9.1, that Syngenta, as a first step, shall develop policy and procedure on discipline systems. Under this system, Syngenta shall develop a sub-policy on progressive discipline which shall ensure that the farmers and seed organizers to take action against indiscipline in the farm through progressive steps. Also, Syngenta policy shall ensure that the workers are not retaliated in case they raise any grievance with the Syngenta helpline number. 2. This policy shall be part of the Syngenta ‘information kit,’ and that shall contain all the relevant policies and procedures, as mentioned under this CAP. All the seed supply companies will be equipped with this ‘information kit.’ This shall be distributed to all the farmers, during the pre-season meetings or whenever there is any training conducted – 6 months 3. Syngenta shall inform seed organizer about the policy and procedure and shall expect them to inform all the farmers about the steps – 1.5 years 4. Syngenta shall also highlight the grievance handling system with the seed organizers, who shall be responsible for conveying the message to the farmers – 1.5 years. 5. It shall be the farmers’ responsibility to share the information with the workers and inform them about the procedures. The farmers during this stage shall be sensitized to maintain records of the actions observed in the field. A separate training plan could be prepared; the details of this stage/phase; however, it can only be planned and shared with FLA once the above stages have been attained.
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<p>Deadline Date:</p>	<ol style="list-style-type: none"> 1. Development of policy and procedure on progressive discipline – 6 months – 1 year (June 2019) 2. Development of information kit, for distribution among seed organizers and farmers – 6 months (April 2019) 3. Distribution of the information kit to seed organizers and information dissemination on the policy and procedure – May 2019 4. Distribution of the information kit to farmers phase wise – from May 2019-May
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	2020 5. Farmer/worker information dissemination and implementation phase wise from May 2019 – May 2020
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HSE Management System

Benchmarks: <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>	Noncompliance in all farms
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Findings/Noncompliance Explanation:	<p>The workers are orally informed of PPE usage by seed organizers. No other aspects of HSE are communicated to workers as there is no systematic communication system on HSE issues available at the farm level. As a general practice, farmers are responsible for overseeing HSE related issues. However, the farmers have no awareness of the legal requirement for HSE issues as they are not trained on legal law by Syngenta staff.</p> <p><u>Source:</u> Farmer and worker interviews</p>
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Company Action Plan:	<ol style="list-style-type: none"> 1. Syngenta is under the process of developing and updating the existing policies and procedures which shall now also encompass the HSE farm level rules. These rules shall be based on the HSE benchmarks of FLA. This shall now also include detailed steps concerning documents and permits, workplace safety (like fire, evacuation, PPEs, etc.) also among vulnerable groups (like pregnant workers, workers using chemicals, young workers, a person with a disability, etc.), chemical management among others. 2. Syngenta shall incorporate, in the same policy/rule book the employer responsibility, worker rights, and duties. Depending on the relation Syngenta shares with individual farms, the employer responsibility shall be entrusted first with the seed organizer and then with the respective farmers. 3. Farmers shall be responsible for implementation, whereas the seed organizers shall be responsible for overseeing of the implementation program. However, Syngenta will observe the implementation during the season.
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Deadline Date:	<ul style="list-style-type: none"> • (1) Policy development and establishment of rules – June 2019 • (2 & 3) Development of field level responsibility and implementation – December 2019
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Grievance Procedures

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> <i>ER.25.4: The company shall create awareness of this communication and non-compliance reporting mechanism to its service providers and suppliers.</i>	Noncompliance in all farms
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Findings/Noncompliance Explanation:	<p>Syngenta has provided two helpline numbers - the China National Labor Authority (the number is 12333) and cellphone number of Syngenta IMS staff – posted during FLA/Company CoC training in communication materials (like posters, pamphlets). However, there is no effort undertaken so far to inform workers of the existing systems. The system is not presently functional since none of the farmer or workers are aware of this channel, and no grievance handling procedure is set up within the Syngenta office.</p> <p><u>Source:</u> Farmer and worker interviews</p>
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<p>Company Action Plan:</p>	<ol style="list-style-type: none"> 1) Syngenta, as a first step, shall revise the existing policy on grievance handling. Syngenta respects confidential non-compliance reporting from its callers, and there is a need to make the local production staff understand the essence of the existing policy. Furthermore, the existing policy shall now clearly include procedures on non-compliance reporting mechanism, non-retaliation against workers, etc. 2) As a second step, Syngenta shall undertake a dedicated training with the personnel responsible for undertaking the helpline calls. This training shall provide them the opportunity to learn how to address each call received, remediation to be taken, and process to record the calls. 3) As a third step, Syngenta shall develop communication materials on FLA code, in the local language (this practice is followed in Syngenta countries of India, Philippines, and Thailand). These materials also include the helpline numbers of Syngenta. 4) Furthermore, during various communication strategies established with seed organizers like dialogue, training and capacity building (as enunciated in the CAPs above), this system shall be reinforced. 5) The seed supply companies shall be responsible for disseminating this information with the farmers, who shall be further responsible for disseminating the information with the workers.
<p>Deadline Date:</p>	<ol style="list-style-type: none"> 1. Revision of policy and procedure – March 2019 2. Training among internal Syngenta staff on how to handle helpline calls – April 2019 3. Development of communication materials –April 2019 4. Distribution of the communication materials in the farms – May 2019 5. Engage seed organizers to be aware and sensitized about the policies, systems, etc. –May 2019 onwards, on a regular basis (like pre-season meetings, individual meetings, etc.) 6. Information dissemination with farmers and workers by seed organizers – June 2019 onwards, on a regular basis. 7. Syngenta shall monitor the progress – January 2020 onwards

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)	In compliance	
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	Noncompliance	All farms
	CL.10.2 (PR)	In compliance	

Child Labor Assessment Summary

Removal and Rehabilitation of Child Laborers

Benchmarks:

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.

**Noncompliance
in all farms**

Findings/Noncompliance Explanation:

Although no child labor was identified during this assessment, there is no child labor removal and remediation program established at the farm level. Syngenta has prepared a remediation program at South Asia level, but it has not been redesigned/customized considering the legal requirements and local challenges of China farms.

Source: Farmer and IMS staff interview

Company Action Plan:

1. Syngenta shall first develop policy and procedure on terms and conditions in the Chinese language which shall encompass all aspects including child prohibition and rehabilitation. Syngenta China FLA Lead (in consultation with country field production manager) shall be responsible for overseeing the completion of this task.
2. Since Syngenta has a direct business relationship with seed organizers, it is important to engage them for the training on terms and conditions, based on the policies developed by Syngenta. Seed organizers shall be provided training (100%) once every quarter / once in six months depending on the season.
3. Syngenta will entrust responsibility to seed organizers to engage workers (via farmers) on the training and information generation on terms and conditions. Each individual seed organizer shall be responsible for overseeing this task. However, at Syngenta, the country FLA Lead and Regional Head shall overview and oversee the progress of the implementation every six months.
4. Syngenta shall also develop an 'information kit' which shall encompass all the policies and procedures required under the FLA program, including mentioned in this finding. Considering the vastness of the sector, this shall be concluded in one year from the time the CAP has been submitted to FLA.

Deadline Date:	<ol style="list-style-type: none"> 1. Policy and procedures to be developed (3 months) – April 2019 2. Training dissemination to seed organizers– before the start of the season, April 2019 onwards, until August 2019. Regular review and update shall be maintained with Syngenta Regional Head, every quarter. 3. Development of information kit – December 2019
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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	In compliance	
	FOA.8	In compliance	
	FOA.20	In compliance	
Anti-Union Behavior	FOA.4	In compliance	
	FOA.5.1	In compliance	
	FOA.5.1.1	In compliance	
	FOA.6	In compliance	
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	All Farms
	FOA.12.2	N/A	
	FOA.13.2	In compliance	
	FOA.13.3	In compliance	
	FOA.14	In compliance	
	FOA.15	N/A	
	FOA.16.1	N/A	
	FOA.16.2	N/A	
Right to Strike	FOA.18	In compliance	
	FOA.19	In compliance	

FOA Assessment Summary

Collective Bargaining	
Benchmarks: 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.	Risk of Noncompliance in all farms
Findings/Noncompliance Explanation:	There is no system which allows workers to bargain or form formal means of engagement for unionization collectively. The workers have no awareness of collective bargaining as they are not clear about legal requirements or training on this topic. The workers’ rights of collective bargaining can’t be guaranteed as there is no policy or procedure on freedom of association and collective bargaining at the farm

	level. <u>Source:</u> Worker Interview
Company Action Plan:	<ol style="list-style-type: none"> 1. Syngenta shall first develop policy and procedure on terms and conditions in the Chinese language which shall encompass all aspects, including the complying with collective bargaining & freedom association. Syngenta China FLA Lead (in consultation with country field production manager) shall be responsible for overseeing the completion of this task. 2. Since Syngenta has a direct business relationship with seed organizers, it is easy to engage them for the training on terms and conditions, based on the policies developed by Syngenta. Seed organizers shall be provided training (100%) once every quarter / once in six months depending on the season. 3. Syngenta will entrust responsibility to seed organizers to engage workers (via farmers) on the training and information generation on terms and conditions. Each individual seed organizer shall be responsible for overseeing this task. However, at Syngenta, the country FLA Lead and Regional Head shall overview and oversee the progress of the implementation every six months. 4. Syngenta shall also develop an 'information kit' which shall encompass all the policies and procedures required under the FLA program, including mentioned in this finding. Considering the vastness of the sector, this shall be concluded in one year from the time the CAP has been submitted to FLA.
Deadline Date:	<ol style="list-style-type: none"> 1. Policy and procedures to be developed (3 months) – April 2019 2. Training dissemination to seed organizers – before the start of the season, April 2019 onwards, until August 2019. Regular review and update shall be maintained with Syngenta Regional Head, every quarter. 3. Development of information kit – December 2019

Health, Safety and Environment

Compliance Status

Section	Benchmark	Compliance status	Farms
General Compliance	HSE.1.	Noncompliance	All farms
Documents, Permits and Certificates	HSE.2 (PR)	Not Initiated	All farms
	HSE.3.1	N/A	
	HSE.4 (PR)	N/A	
Evacuation Requirements and Procedure	HSE.5.1 (PR)	In compliance	
	HSE.5.2	In compliance	
Safety Equipment and First Aid	HSE.6.1 (PR)	In progress	Farm 1,2,3,4,5,6,7,8
	HSE.6.2 (PR)	Not Initiated	All farms
	HSE.16.3 (PR)	In progress	Farm 1,2,3,4,5,6,7,8
Personal Protective Equipment	HSE.7 (PR)	Not Initiated	All farms
	HSE.8	Noncompliance	All farms
Chemical Management	HSE.9.1	In compliance	
	HSE.9.2	Noncompliance	All farms
	HSE.9.2.1	In compliance	
	HSE.10	Noncompliance	All farms
	HSE.11.1	In compliance	

	HSE.11.2 (PR)	Not Initiated	All farms
Protection Reproductive Health	HSE.12.1	Noncompliance	All farms
	HSE.12.2 (PR)	In compliance	
Infrastructure	HSE.13 (PR)	In compliance	
	HSE.17.1	Noncompliance	All farms
	HSE.17.2 (PR)	In progress	All farms
	HSE.19 (PR)	N/A	
	HSE.21 (PR)	In progress	All farms
	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	In compliance	

HSE Assessment Summary

General Compliance / Personal Protective Equipment / Chemical Management	
<p>Benchmarks:</p> <p>HSE.1: Employers shall comply with all national laws, regulations and procedures concerning health, safety, and the environment.</p> <p>HSE.8: Workers shall be provided with training on the use and maintenance of personal protective equipment.</p> <p>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.</p> <p>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.</p>	<p>Noncompliance in all farms</p>
<p>Findings/Noncompliance Explanation:</p>	<p>1) No appropriate PPE (personal protective equipment) like gloves, masks, goggles, boots or any uniform are provided to workers. The workers were seen wearing their own shirts, hats, scarves to save them from the heat, but no other PPEs were worn. The farmers do not provide any PPE; neither have any awareness of legal requirement (according to the Safety Manufacturing Law Article 42, the employer shall provide personal protective equipment to employees). There is no training conducted for workers on the use and maintenance of the PPEs. There is no monitoring or control by Syngenta staff to review the training being imparted to workers by the farmers</p> <p>2) Chemicals such as pesticides and fertilizers are used in farms, but no MSDS (material safety data sheet) is available in any farms for the knowledge of the chemical users. According to the Regulation of Chemical Safety Usage in Workplace Article 12, safety label shall be applied, and MSDS must be provided for a worker working with chemicals. There is no training provided to farmers on chemical safety. As a result, the information doesn't reach the workers. Although seed organizers provide the oral explanation during the seasonal meeting, there is a lack of clarity among farmers about safety and requirements.</p> <p><u>Source:</u> Farmer and worker interviews; Observation</p>
<p>Company Action Plan:</p>	<p>1) Syngenta has already stated that they shall engage with seed organizers to conduct training dedicated to safety law, FLA code and expectations. These training shall encompass all training benchmarks in this CAP. Seed organizers shall be provided for training (100%) once every quarter / once in six months.</p> <p>2) Syngenta will further entrust responsibility to seed organizers to engage farmers on the training and information generation on all FLA aspects including PPEs. Each individual seed organizer shall be responsible for overseeing this task. However,</p>

	<p>at Syngenta production staff, in close consultation with the country, FLA Lead shall overview and oversee the progress of the implementation every six months.</p> <ol style="list-style-type: none"> 3) Syngenta local staff shall create and develop communication materials like posters, pamphlets, pocketbooks, banners, etc. which shall be displayed in locations frequented by most workers and farmers. In the coming years, it could be displayed in villages and all farms, depending on resources and budget. 4) Syngenta shall supply the PPE to farmers on the sample level, and it will be the responsibility of the organizer to arrange the PPE to all the farmers. Also, the organizer encouraged to supply in all the seasons.
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Deadline Date:	<ol style="list-style-type: none"> 1) Training dissemination to seed organizers – before the start of the season, June 2019 onwards, until December 2019. Regular review and update shall be maintained with Syngenta Regional Head, every quarter 2) Development of communication materials – 6 months – 1 year 3) Distribution of communication materials (in key locations) – 1 -2 years 4) Distribution of communication materials in all farms/villages – 3-4 years 5) Supply of PPE kit to a few farmers by six months and reach all the farmers by 2020 through the organizers
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Protection Reproductive Health

<p>Benchmarks: Hse.12.1: Employers shall ensure that women are not engaged in work that constitutes a substantial risk to their reproductive health.</p>	<p>Noncompliance in all farms</p>
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<p>Findings/Noncompliance Explanation:</p>	<p>Although no pregnant workers were identified during this visit, there are no policies or procedures to ensure that pregnant workers shall be protected from the hazards of health risks in the farm, if they are hired. For example, regulation concerning their working hours, a period of work, adequate rest breaks, etc., as required under the law.</p> <p><u>Source:</u> Observation and farmer interview</p>
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<p>Company Action Plan:</p>	<ol style="list-style-type: none"> 1. Syngenta will develop a policy (as already mentioned in the CAP above) under HSE policy, which shall among other issues also encompass the procedures and preventive measures to be taken by seed organizers and farmers when recruiting vulnerable group like young workers, children in premise, a person with a disability, including pregnant women workers. 2. Syngenta shall include this procedure in the ‘information kit’ which shall be distributed to the seed organizers during the quarterly / bi-annually training process. The seed organizers shall be entrusted to distribute the kit to the farmers and inform them about the possible risks and the prevention they are expected to undertake. 3. Furthermore, Syngenta shall encourage the seed organizers to conduct random checks on the farm to oversee the implementation. Syngenta production staff shall also engage in internal monitoring visit to check any incidences or non-compliances.
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Deadline Date:	<ol style="list-style-type: none"> 1. Development of policy and procedure – June 2019 2. Development of information kit – December 2019 3. Information generation to seed organizers – every quarter initially and then bi-annual (post-June 2019)
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Access to Water

<p>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</p>	<p>Noncompliance in all farms</p>
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authorities and other partners to provide clean water in sufficient volume and quality to guarantee the wellbeing of hired and family workers.

Findings/Noncompliance Explanation:	There is no drinking water facility provided by farmers in any farms. Workers carry their own drinking water from their homes. <u>Source:</u> Observation, farmers and workers interview
Company Action Plan:	Syngenta production staff shall encourage the farmers to buy big water cans (they are easily available in the market, weighing 10-20 liters) which can be kept in the farms. Also, the workers can access drinking water at all times. Syngenta staff shall check these during their field visit.
Deadline Date:	<ol style="list-style-type: none"> 1. Syngenta shall inform seed organizers about the requirement – 3 months from CAP submission 2. Seed organizers shall inform farmers about drinking water availability – 3 months 3. Syngenta staff to oversee the implementation – during internal monitoring visits

Hours of Work

Compliance Status

Section	Benchmark	Compliance status	Farms
General Compliance	HOW.1.1	Noncompliance	Farms 1, 2, 3, 4
	HOW.1.2	N/A	
	HOW.1.3	In compliance	
	HOW.1.4	In compliance	
Rest Day	HOW.2	Noncompliance	All farms
Meal and Rest Breaks	HOW.3	In compliance	
Protected Workers	HOW.4.1	In compliance	
	HOW.4.2 (PR)	In compliance	
	HOW.4.3	In compliance	
Overtime	HOW.5.1	Noncompliance	All farms
	HOW.5.2	In compliance	
	HOW.6.1	Noncompliance	All farms
	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	In compliance	
	HOW.10.1	In compliance	
	HOW.11 (PR)	N/A	
	HOW.12.1 (PR)	N/A	
	HOW.12.2 (PR)	N/A	
	HOW.13	In compliance	
	HOW.14	Noncompliance	All farms
	HOW.15 (PR)	In compliance	
HOW.16 (PR)	In compliance		

Hours of Work Assessment Summary

General Compliance / Overtime	
<p>Benchmarks:</p> <p>HOW.1.1: Employers shall comply with all national laws, regulations and procedures concerning hours of work, public holidays and leave.</p> <p>HOW.5.1: Where national laws, regulations and procedures allow it, employers may calculate regular hours of work as an average over a period of longer than one week, provided all formal and procedural requirements attached to such calculation are met (for instance, obtaining official permission from the relevant authorities or observing limits to the period during which such calculations can be made). However, for overtime calculation, regular hours of work may not exceed 48 hours per week, irrespective of whether national law provides or not a limitation.</p> <p>HOW.6.1: Employers shall not require workers to work more than the overtime hours allowed by the law of the country where the workers are employed.</p>	<p>Noncompliance in four farms</p>
<p>Findings/Noncompliance Explanation:</p>	<p>Workers work excessive overtime hours in a day, more than the legal prescribed limit. A worker works from 0600/0630 to 1200/1230 hrs and then again from 1600/1630 to 2100/2200 hrs. A worker works a daily of 10-12 hours which includes 4 hours of overtime work.</p> <p>There is no provision or system to ensure that the overtime hours worked are voluntary in nature since workers consider 10-12 hours of work/day as a normal working hour. Article 3 of the Decision of the State Council on Revision of the “Provisions of the State Council on Employees’ Working Time” the normal working hour of workers shall be 8 hours a day and 40 hours per week. Article 41 of Labor Law of the People’s Republic of China states that the extended hours shall not exceed three hours a day under the condition that the health of laborers is guaranteed.</p> <p><u>Source:</u> Farmers and workers interview</p>
<p>Company Action Plan:</p>	<ol style="list-style-type: none"> 1) Syngenta shall assess the root cause of the situation, establish a dialogue with the concerned seed organizers/farmer about the situation, discuss and discover the remediation action for workers overtime, rest days, holidays, sick leaves, etc. 2) Seed organizers shall be ‘responsible’ to organize their respective farmers to engage them in training and capacity building on all the aspects including working hours. Syngenta shall monitor the development and updates of the training process between seed organizers and farmers, every quarter / once in six months 3) Seed organizers shall be responsible for ensuring that the farmers communicate guidelines related to workers overtime, rest days, holidays, sick leaves, etc., to their respective workers. Seed organizers shall monitor this every quarter / once in six months / once in a month. 4) Syngenta shall have a dialogue with the seed organizers associated with the respective farmers in the region and provide them guidance to maintain the records with working hours, rest days, holidays, sick leave, etc. The organizer shall encourage the farmers to maintain the records, and this shall be done in phase wise program – taking 20% of the farms and so on – January 2019 and on a regular basis. Syngenta shall monitor the progress of the program implementation – January 2020 onwards
<p>Deadline Date:</p>	<ol style="list-style-type: none"> 1. Route cause and develop the remediation actions for the situation – by March 2019 2. Establish dialogue with seed organizers to inform their farmers – by March 2019 3. Seed organizers shall be given time to inform and guide the farmers – This shall be done in phase wise program – taking 20% of the farms and so on – May 2019 and on a regular basis 4. Syngenta shall monitor the progress of the program implementation – January

2020 onwards

Rest Day

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.

**Noncompliance
in all farms**

**Findings/Noncompliance
Explanation:**

The workers work 7-10 consecutive days without one day off during pollination activity. It was also observed that the same workers might work in other farms (under the same farmer) for a different crop like cotton for the same season. Hence, their rest day every week is not be guaranteed. According to the PRC Labor Law, Article 38 states that the employing unit shall guarantee that its staff and workers have at least one day off in a week.

Source: Farmers and workers interview

Company Action Plan:

- 1) Syngenta shall assess the root cause of the situation, establish a dialogue with the concerned seed organizers/farmer about the situation, discuss and discover the remediation action for workers overtime, rest days, holidays, sick leaves, etc.
- 2) Seed organizers shall be 'responsible' to organize their respective farmers to engage them in training and capacity building on all the aspects including working hours. Syngenta shall monitor the development and updates of the training process between seed organizers and farmers, every quarter / once in six months
- 3) Seed organizers shall be responsible for ensuring that the farmers communicate guidelines related to workers overtime, rest days, holidays, sick leaves, etc., to their respective workers. Seed organizers shall monitor this every quarter / once in six months / once in a month.
- 4) Syngenta shall have a dialogue with the seed organizers associated with the respective farmers in the region and provide them guidance to maintain the records with working hours, rest days, holidays, sick leave, etc. The organizer shall encourage the farmers to maintain the records, and this shall be done in phase wise program – taking 20% of the farms and so on – January 2019 and on a regular basis. Syngenta shall monitor the progress of the program implementation – January 2020 onwards.

Deadline Date:

- 1) Route cause and develop the remediation actions for the situation – by March 2019
- 2) Establish dialogue with seed organizers to inform their farmers – by March 2019
- 3) Seed organizers shall be given time to inform and guide the farmers – This shall be done in phase wise program – taking 20% of the farms and so on – May 2019 and on a regular basis
- 4) Syngenta shall monitor the progress of the program implementation – January 2020 onwards

Public Holidays and Leave

Benchmarks:

HOW.14: Employers shall provide workers with sick leave as required under national laws, local provisions, regulations and procedures.

**Noncompliance
in all farms**

<p>Findings/Noncompliance Explanation:</p>	<p>There is no paid sick leave provided to workers. The workers could take leave for sickness, but no wages would be paid to them. According to the opinion of the Ministry of Labor concerning implementing the Labor Law Article 59, the employer in the agrarian sector must pay sick leave wage or a sickness allowance as stipulated by law.</p> <p><u>Source:</u> Farmer and worker interviews</p>
<p>Company Action Plan:</p>	<ol style="list-style-type: none"> 1) Syngenta shall assess the root cause, establish a dialogue with the concerned seed organizers/farmer about the situation, discuss and discover the remediation action for workers overtime, rest days, holidays, sick leaves, etc. 2) Seed organizers shall be 'responsible' to organize their respective farmers to engage them in training and capacity building on all the aspects including working hours. Syngenta shall monitor the development and updates of the training process between seed organizers and farmers, every quarter / once in six months 3) Seed organizers shall be responsible for ensuring that the farmers communicate guidelines related to workers overtime, rest days, holidays, sick leaves, etc., to their respective workers. Seed organizers shall monitor this every quarter / once in six months / once in a month. 4) Syngenta shall have a dialogue with the seed organizers associated with the respective farmers in the region and provide them guidance to maintain the records with working hours, rest days, holidays, sick leave, etc. Seed organizers shall encourage the farmers to maintain the records, and this shall be done in phase wise program – taking 20% of the farms and so on – January 2019 and on a regular basis. - Syngenta shall monitor the progress of the program implementation – January 2020 onwards.
<p>Deadline Date:</p>	<ol style="list-style-type: none"> 1) Route cause and develop the remediation actions for the situation – by March 2019 2) Establish dialogue with seed organizers to inform their farmers – by March 2019 3) Seed organizers shall be given time to inform and guide the farmers – This shall be done in phase wise program – taking 20% of the farms and so on – May 2019 and on a regular basis 4) Syngenta shall monitor the progress of the program implementation – January 2020 onwards

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)	In compliance	
Minimum Wage/Fair Compensation	C.2.1	In compliance	
	C.2.2	In compliance	
	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 compliance	
Wage Payment and Calculation	C.6	In compliance	
	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)	In compliance	
	C.9 (PR)	In compliance	
	C.10.1	N/A	
	C.10.1.1	N/A	
	C.10.2	N/A	
C.10.3	N/A		
Workers Awareness	C.11.1.1	In compliance	
	C.11.1.2	N/A	
	C.11.1.3	N/A	
	C.11.1.4	In compliance	
	C.11.1.5	Noncompliance	All farms
	C.13 (PR)	Not Initiated	All farms
Fringe Benefits	C.12.1	N/A	
	C.12.2 (PR)	N/A	
	C.12.3	N/A	
	C.12.4	N/A	
	C.12.5	N/A	

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.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.

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.

**Noncompliance
in all farms**

<p>Findings/Noncompliance Explanation:</p>	<p>The farmers pay the normal wage (100%) for overtime hours as regular working hour instead of 150% of the normal wages as per the law. Currently, the hourly wage for the worker is CNY 17-22 per hour; the farmer only pays 100% which is CNY 204 (CNY 17*12 hours) for 12 hours. Whereas, the farmer must pay CNY 238 (CNY 17*8 hours + CNY 17*150%*4 hours) as per the law. According to Article 44 of the Labor Law of the People’s Republic of China, for any additional work, the payment shall be no less than 150 percent of the normal wages. There is no awareness of the legal requirement. Workers are not informed about legal overtime wage rates before undertaking overtime as the farmers have no awareness and the company does not train them on legal laws. There is no wage payment record maintained by farmers.</p> <p><u>Source:</u> Farmer and worker interview.</p>
<p>Company Action Plan:</p>	<ol style="list-style-type: none"> 1. Syngenta shall, as a first step, review the existing wage policies and bulletins of the government of China. 2. Based on the information received, Syngenta shall internally conduct gap and root cause analysis (considering the government wage rates, market prices, prevailing wage rates, inflation, etc.) and develop a one-page assessment paper. 3. Based on the review, further engagement with government officials and key experts in the field shall be established. 4. Based on the dialogue established and recommendations received, Syngenta shall develop an approach to address the issue. The details of the strategy shall be shared with FLA separately.
<p>Deadline Date:</p>	<ol style="list-style-type: none"> 1) First review of existing wage policies and bulletins – 3 – 6 months from CAP submission 2) Preparation for internal gap and root cause analysis – 6 months – 1 year 3) Identification of key stakeholders – On-going from the time of CAP submission 4) Developing remediation strategies and dialogue with stakeholders for implementation – 1 / 2 years from the time of development of Stage 2 & 3

Workers Awareness

<p>Benchmarks:</p> <p><i>C.11.1: Employers shall make every reasonable effort to ensure workers understand their compensation, including:</i></p> <p><i>C.11.1.5: Employers shall communicate in writing or orally where necessary to all workers all relevant compensation information in the local language or language spoken by the workers, if different from the local language.</i></p>	<p>Noncompliance in all farms</p>
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<p>Findings/Noncompliance Explanation:</p>	<p>The farmers do not communicate the compensation information like legal minimum wage standard and overtime wage rate to workers as they have no awareness themselves.</p> <p><u>Source:</u> Farmer and worker interview</p>
<p>Company Action Plan:</p>	<ol style="list-style-type: none"> 1) Syngenta shall, as a first step, review the existing wage policies and bulletins of the government of China. 2) Based on the information received, Syngenta shall internally conduct gap and root cause analysis (considering the government wage rates, market prices, prevailing wage rates, inflation, etc.) and develop a one-page assessment paper. 3) Based on the review, further engagement with government officials and key experts in the field shall be established. 4) Based on the dialogue established and recommendations received, Syngenta shall develop an approach to address the issue. The details of the strategy shall be shared with FLA separately.

Deadline Date:	<ol style="list-style-type: none"> 1. First review of existing wage policies and bulletins – 3 – 6 months from CAP submission 2. Preparation for internal gap and root cause analysis – 6 months – 1 year 3. Identification of key stakeholders – On-going from the time of CAP submission 4. Developing remediation strategies and dialogue with stakeholders for implementation – 1 / 2 years from the time of development of Stage 2 & 3
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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%	100%	0%	100%	100%	100%	100%	100%	
Farm 1	19	0	0	0	1	1	6	5	6	38
Farm 2	19	0	0	0	1	1	6	5	6	38
Farm 3	19	0	0	0	1	1	6	5	6	38
Farm 4	19	0	0	0	1	1	6	5	6	38
Farm 5	19	0	0	0	1	1	6	3	6	36
Farm 6	19	0	0	0	1	1	6	3	6	36
Farm 7	19	0	0	0	1	1	6	3	6	36
Farm 8	19	0	0	0	1	1	6	3	6	36
Farm 9	19	0	0	0	1	1	6	3	6	36
Farm 10	19	0	0	0	1	1	6	3	6	36
Farm 11	19	0	0	0	1	1	6	3	6	36
Farm 12	19	0	0	0	1	1	6	3	6	36
TOTAL	228	0	0	0	12	12	72	44	72	440