



[2018]

FAIR LABOR ASSOCIATION INDEPENDENT EXTERNAL MONITORING AGRICULTURAL REPORT

Company: Syngenta

Country: Indonesia

Crop: Corn

Production Process: Detasseling

Assessment Locations: Pasuruan and Malang Regencies, East Java, Indonesia

Monitors: Donny Triwandhani and Siska Widya Eswara

Assessment Dates: 29 August – 01 September, 2018

Number of assessed farms: 5 (seed organizers)

Total area covered: 250 acres

Number of farmers interviewed: 5

Total number of workers: 64

Number of workers interviewed: 64

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	Noncompliance	All farms
	ER.2.1 (PR)	Not Initiated	All farms
	ER.2.1.1(PR)	In compliance	
Recruitment and Hiring	ER.3.1	Noncompliance	Farm 4, Farm 5
	ER.3.1.1	Noncompliance	Farm 4, Farm 5
	ER.3.1.2	Noncompliance	Farm 4, Farm 5
	ER.4	In compliance	
	ER.5.1	Noncompliance	Farm 5
	ER.5.2	In compliance	
	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	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	In compliance	
	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)	Not Initiated	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)	In Progress	All farms
	ER.17.3 (PR)	In compliance	
	ER.17.4 (PR)	N/A	
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	All farms
	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	Noncompliance	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
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

Human Resource Management Systems	
<p>Benchmarks:</p> <p><i>ER.1.1: Employer shall have written terms and conditions of employment, job descriptions, rules of compensation, and working hours for all positions. In the case of workplaces with informal labor structures, employers should be able to describe verbally all the above terms and conditions and clearly communicate them to workers.</i></p>	<p>Noncompliance In all farms</p>
<p>Findings/Noncompliance Explanation:</p> <p>There is no verbal description of the employment terms and conditions communicated to workers. As a result, there is no awareness among workers about their employment rules, wage differences, legal wages, etc.</p> <p><u>Source:</u> Document review, interviews with farmers and workers.</p>	
<p>Company Action Plan:</p>	<ol style="list-style-type: none"> 1. Policy development on training and capacity building on employment terms and conditions (one-page policy in local language) 2. Procedural development on training and capacity building on employment terms and conditions 3. Organize seed organizers in a training meeting 4. Seed organizers shall be 'responsible' to organize their respective farmers to engage them in training and capacity building on employment terms and conditions. Syngenta shall monitor the development and updates of the training process between seed organizers and farmers, every quarter / once in six months 5. Seed organizers shall be responsible for ensuring that the farmers communicate the employment terms and conditions to their respective workers, during working hours. Seed organizers shall monitor this every quarter / once in six months / once in a month.
<p>Deadline Date:</p>	<ol style="list-style-type: none"> 1. Policy development (6 months) – October 2018 – April 2019 2. Procedural development (6-9 months) – April 2019 – November 2019 3. Seed organizers dialogue (October 2018-April 2019) 4. Training and capacity building with the first 20% of the seed organizers – April 2019 5. Training and capacity building with next 50% of the seed organizers – November 2019 6. Training and capacity building with the rest 30% of the seed organizers – January

	<p>2020</p> <p>7. Seed organizers shall be engaging farmers – April 2019 onwards</p> <p>8. Syngenta to review the seed organizer progress with farmers – every quarter (July 2019, October 2019...and so on).</p>
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Proof of age documentation / Use of contract workers via labor contractors

<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.5.1: No worker hired by an employment agency or a labor contractor shall be compensated below the legal minimum wage. The same rights as provided for directly hired contract workers apply for workers hired via an employment agency or labor intermediary.</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 two farms</p> <p>Noncompliance in one farm</p> <p>Noncompliance in all farms</p>
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<p>Findings/Noncompliance Explanation:</p>	<p>1) Age proof documents were not maintained under three seed organizer farms. Whereas, the age proof documents maintained under two other seed organizers, were not consistently maintained. For instance, it was not maintained for all workers. There was no system to ensure or check if the information collected was complete and accurate. The records were not updated for all workers like the left worker records were also maintained while there were no records for the ones who are currently employed.</p> <p>2) In one farm under one seed organizer, the workers were recruited via a labor contractor, who wasn't paying the legal minimum wages to the workers. In other farms, under four seed organizers as well, the workers were being paid below minimum wages. More details pertaining to the wages are delineated under Compensation.</p> <p><u>Source:</u> Document review, interviews with the workers.</p>
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<p>Company Action Plan:</p>	<p>1. Syngenta shall first identify the two seed organizers who have maintained age proof records (with the inconsistencies as observed in the IEM). Syngenta team staff will identify the existing gaps. Also, to then provide information and support to the seed organizers based on the gap identified. The details of the internal monitoring/visit, the gap, and the remediation shall be maintained at the IMS center</p> <p>2. Syngenta shall, in the next step, engage with the two seed organizers, where no documents were maintained. Syngenta shall first try to engage in a dialogue with the seed organizers on the challenges of maintaining such records. Based on the information received, Syngenta will develop information kit for such seed organizers and farmers, on how to maintain such records for the future.</p>
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<p>Deadline Date:</p>	<p>1. Visit the seed organizers and farmers and gap analysis of the existing age proof document – 6 months (December 2018 – June 2019)</p> <p>2. Visit the seed organizers (two farms) and gap analysis and sharing of information kit and training to seed organizers (July 2019 – December 2019)</p>
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Terms and Conditions

<p>Benchmarks:</p> <p>ER.9.2: Employment terms shall be those to which the worker has voluntarily agreed, provided those terms do not fall below:</p>	<p>Noncompliance in all farms</p>
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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.

Findings/Noncompliance Explanation:

There is no evidence that terms and conditions pertaining to workplace rules, health and safety, legislations are established in the farm and communicated to the workers since there is no awareness among the seed organizers and the workers about it. Since there is no disciplinary measure or system established, there is no communication disseminated to workers on the same. There is no communication between Syngenta and seed organizers on workplace code of conduct, local labor law, and FLA code.

Source: Document review, interview with management, farmers, and workers

Company Action Plan:

1. Syngenta shall first develop policy and procedure on terms and conditions which shall encompass all aspects of the employment relationship, like workplace rules, health and safety, legislation and disciplinary procedures. Syngenta Indonesia 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 prudent to engage them for the training on terms and conditions, based on the policies developed by Syngenta. Seed organizers shall be provided for training (100%) once every quarter / once in six months.
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 (6 months) – June 2019
2. 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.
3. Development of information kit – December 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.

**Noncompliance
in all farms**

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.

Findings/Noncompliance Explanation:

There is no established disciplinary rules and practices that embody a system of progressive discipline (e.g., a system of maintaining discipline through applying escalating disciplinary action from verbal warnings to written warnings to suspension and finally to termination). In the absence of any systems, there is no training conducted for seed organizers or people who supervise workers at farms regarding disciplinary practices. When a worker does something that is considered as transgression or misconduct by the farmer, then the said farmer talks with the concerned workers to either resolve the matter or in some cases, the working relationship is also ceased (worker is not asked to work again at the farmland under the same farmer). There is no written record as evidence to back-up this information.

Source: Document review, interviews with the workers, farmers, labor agent, and company.

Company Action Plan:

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 if 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. This policy shall be distributed to all the farmers, during the pre-season meetings or whenever there is any training conducted – 1 year
3. Syngenta shall inform seed organizers 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 for the details of this stage/phase. However, it can only be planned and shared with FLA once the above stages have been attained.

Deadline Date:

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 – 1 year (July 2019)
3. Distribution of the information kit to seed organizers and information dissemination on the policy and procedure – December 2019
4. Distribution of the information kit to farmers – September 2020
5. Farmer/worker information dissemination and implementation – December 2019

HSE Management System

Benchmarks:

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.
ER.24.3: Employers shall have a designated responsible person for HSE issues on the farm. For small farms, this could be the responsibility of the farmer directly.

**Noncompliance
in all farms**

<p>Findings/Noncompliance Explanation:</p>	<p>There is no written health, safety, and environmental policy that contain the framework for a comprehensive farm management system. There is no system which would provide evidence there are designated personnel. Although seed organizers and farmers are responsible, they are not aware of any HSE responsibilities or duties; there is no training from Syngenta which they can pass on to the workers. There is no clarity on employer responsibility, worker rights, and duties, the procedure to raise concern on HSE or systems to raise concern on injury or illness or other farm concerns.</p> <p><u>Source:</u> Interviews, Observation, document review</p>
<p>Company Action Plan:</p>	<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 and as also highlighted under (Code 7, Page 13 of this document). 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 organizer shall be responsible for overseeing of the implementation program.
<p>Deadline Date:</p>	<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

Grievance Procedures

<p>Benchmarks:</p> <p><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> <p><i>ER.25.4: The company shall create awareness of this communication and non-compliance reporting mechanism to its service providers and suppliers.</i></p>	<p>Noncompliance in all farms</p>
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<p>Findings/Noncompliance Explanation:</p>	<p>Syngenta has established a local phone number and a suggestion box at the seed organizer house, but it does not ensure that the system respects the confidential non-compliance reporting mechanism for the users. There is no awareness among seed organizers and workers about the number, nor its use. As a result, Syngenta has never received any calls or notes in the box. There is no evidence to suggest that Syngenta has conducted any awareness dissemination with the seed organizers on the grievance channels.</p> <p><u>Source:</u> Interviews, Observation, document review</p>
<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; 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

	<p>provide them the opportunity to learn how to address each call received, remediation to be taken, and process to record the calls.</p> <p>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.</p> <p>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.</p> <p>5) The seed organizers 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:	<ol style="list-style-type: none"> 1. Revision of policy and procedure – June 2019 2. Training among internal Syngenta staff on how to handle helpline calls – September 2019 3. Development of communication materials – June 2019 4. Distribution of the communication materials in the farms – December 2019 5. Engage seed organizers to be aware and sensitized about the policies, systems, etc. – June 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

Nondiscrimination

Compliance Status

Section	Benchmark	Compliance status	Farms
General Compliance	ND. 1	Noncompliance	Farm 5
Recruitment and Employment Practices	ND.2.1	In compliance	
	ND.2.3	In compliance	
Compensation Discrimination	ND. 3	Noncompliance	Farm 5
Discrimination in Training and Communication	ND. 4	In compliance	
Marital or Pregnancy-Related Discrimination	ND.5.1	In compliance	
	ND.5.2	In compliance	
	ND.5.3	In compliance	
	ND.6.1	In compliance	
	ND.6.1.1	In compliance	
Health-Related Discrimination	ND. 7	In compliance	
	ND.8	In compliance	
	ND. 9	In compliance	
	ND. 10	In compliance	
Respect of Culture and Religion	ND.11	In compliance	

Nondiscrimination Assessment Summary

General Compliance	
Benchmarks: <i>ND.1: Employers shall comply with all national laws, regulations and procedures concerning nondiscrimination.</i>	
Noncompliance in one farm	
Findings/Noncompliance Explanation:	<p>Gender-based wage discrimination was observed under one seed organizer, where female workers were being paid lower compared to male workers for the same activity, working for the same number of hours. Whereas the female workers were being paid IDR 25,000 / half day, the male workers were being paid IDR 30,000 / half day. According to the Equal Remuneration Convention No. 100 of 1951 (C100) and Discrimination (Employment and Occupation) Convention No. 111 of 1958 (C111), this is discrimination under national law.</p> <p><u>Source:</u> Interview with workers and seed organizers</p>
Company Action Plan:	<ol style="list-style-type: none"> 1) Syngenta shall identify the farm where the concerned issue has been raised. 2) Syngenta will establish a dialogue with the concerned seed organizer/farmer about the situation and discover the root cause of the differences in wages being given to the workers. 3) Assessing the root cause of the situation, Syngenta shall develop the appropriate remediation and discuss the strategies with the seed organizer. 4) Syngenta shall ensure that both men and women are paid equally for the same work, for the same number of hours. 5) Syngenta shall further inform the seed organizers to maintain regular checks and balances on the wage discrimination during an internal monitoring visit.
Deadline Date:	<ol style="list-style-type: none"> 1) Identification of the farm – Immediate 2) Dialogue with the seed organizer and farmer and establishment of the root cause– with the start of the next crop season (June 2019) 3) Development of the remediation (based on the root cause) – June 2019- December 2019 – depending on the situational analysis. This could also take more time if the root cause suggests attitudinal progress.
Compensation Discrimination	
Benchmarks: <i>ND.3: There shall be no differences in compensation for workers performing equal work or work of equal value on the basis of gender, race, religion, age, disability, sexual orientation, nationality, political opinion, social group, ethnic origin, employment status (e.g. local workers vs. migrant workers), or membership in unions or other workers' representative bodies.</i>	
Noncompliance in one farm	
Findings/Noncompliance Explanation:	<p>It was noted that gender-based wage discrimination was practiced under one seed organizer, where female workers were being paid lower compared to male workers for the same activity, working for the same number of hours. Whereas the female workers were being paid IDR 25,000 / half day, the male workers were being paid IDR 30,000 / half day.</p> <p><u>Source:</u> Worker and seed organizer interviews</p>
Company Action Plan:	<ol style="list-style-type: none"> 1) Syngenta shall identify the farm where the concerned issue has been raised. 2) Syngenta will establish a dialogue with the concerned seed organizer/farmer about the situation and discover the root cause of the differences in wages being given to the workers. 3) Assessing the root cause, Syngenta shall develop the appropriate remediation and discuss the strategies with the seed organizer. 4) Syngenta shall ensure that both men and women are paid equally for the same

	work, for the same number of hours. 5) Syngenta shall further inform the seed organizers to maintain regular checks and balances on the wage discrimination during an internal monitoring visit.
Deadline Date:	<ol style="list-style-type: none"> 1) Identification of the farm – Immediate 2) Dialogue with the seed organizer and farmer and establishment of the root cause– with the start of the next crop season (June 2019) 3) Development of the remediation (based on the root cause) – June 2019- December 2019 – depending on the situational analysis. This could also take more time if the root cause suggests attitudinal progress.

Harassment or Abuse

Compliance Status

Section	Benchmark	Compliance status	Farms
General Compliance	H/A.1.1	Noncompliance	All Farms
	H/A.1.2	In compliance	
Discipline	H/A.2	In compliance	
	H/A.3	In compliance	
	H/A.4	In compliance	
	H/A.5	In compliance	
	H/A.6	In compliance	
	H/A.7	In compliance	
	H/A.13	In compliance	
Violence	H/A.8.1	In compliance	
	H/A.8.2	In compliance	
	H/A.8.3	In compliance	
Sexual Harassment	H/A.9.1	In compliance	
	H/A.9.2	In compliance	
	H/A.9.3	In compliance	
	H/A.9.4	In compliance	
Security Practices	H/A.10	In compliance	
	H/A.10.1	In compliance	
	H/A.10.2	In compliance	

Harassment or Abuse Assessment Summary

General Compliance	
Benchmarks: H/A.1.1: Employers shall comply with all national laws, regulations and procedures concerning discipline, violence, harassment or abuse.	Noncompliance in all farms
Findings/Noncompliance Explanation:	<p>Based on the Guidelines on Sexual Harassment Prevention at the Workplace, Ministry of Manpower and Transmigration, there is no system or practice which would provide workers or seed organizers to raise concerns on workplace harassment or abuse. Also, there is no awareness and promotion by farmers regarding harassment or abuse in the farms.</p> <p><u>Source:</u> Interviews, observation</p>
Company Action Plan:	<ol style="list-style-type: none"> 1) Syngenta local staff shall be responsible for overseeing the guidelines under the local law and preparing a plan of remediation on the issue, based on the same.

	<ol style="list-style-type: none"> 2) Besides that, Syngenta staff shall engage all the internal local staff members on training and awareness on what could constitute workplace harassment and abuse in the informal farm structure. 3) Syngenta staff will also aim to develop communication materials which could help provide sensitization on workplace harassment like touching, using abusive language, using offensive gestures at work, etc. 4) These communication materials shall be distributed in all the farms, so the farmers and workers are aware of the same. 5) Once the initial awareness generation is established, Syngenta shall also highlight that internal helpline number and suggestion box, which the farmers or workers could use to report any incidences. 6) Syngenta staff, who is responsible for handling the calls, shall be provided training to address concerns on sexual harassment and its remediation.
Deadline Date:	<ol style="list-style-type: none"> 1. Review of the local law and establishment of internal policies and procedures – June 2019 2. Engagement of local staff on training and awareness on workplace harassment – Once every year starting June 2019 3. Development of communication material on workplace harassment at farms – June 2019 4. Distribution of communication materials in all the farms – June 2020 5. Training of Syngenta staff to handle calls relating to harassment – September 2019

Health, Safety and Environment

Compliance Status

Section	Benchmark	Compliance status	Farms
General Compliance	HSE.1.	In compliance	
Documents, Permits and Certificates	HSE.2 (PR)	Not Initiated	All Farms
	HSE.3.1	Noncompliance	All Farms
	HSE.4 (PR)	In compliance	
Evacuation Requirements and Procedure	HSE.5.1 (PR)	Not Initiated	All Farms
	HSE.5.2	Noncompliance	All Farms
Safety Equipment and First Aid	HSE.6.1 (PR)	In compliance	
	HSE.6.2 (PR)	Not Initiated	All Farms
	HSE.16.3 (PR)	Not Initiated	All Farms
Personal Protective Equipment	HSE.7 (PR)	Not Initiated	Farm 1, Farm 2
	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	N/A	
	HSE.11.2	N/A	
Protection Reproductive Health	HSE.12.1	Noncompliance	All Farms
	HSE.12.2 (PR)	N/A	

Infrastructure	HSE.13 (PR)	In compliance	
	HSE.17.1	Noncompliance	All Farms
	HSE.17.2 (PR)	Not Initiated	All Farms
	HSE.19 (PR)	N/A	
	HSE.21 (PR)	Not Initiated	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)	In compliance	
	HSE.16.2	In compliance	

HSE Assessment Summary

Document Maintenance, Permits and Certificates	
<p>Benchmarks: <i>HSR.3.1: Employers shall notify the relevant national and/or local authorities of all illnesses and accidents and environmental emergencies as required by applicable laws.</i></p>	Noncompliance in all farms
<p>Findings/Noncompliance Explanation:</p> <p>There are no illness and accident records maintained by seed organizers/farmers, in accordance to the manual under the local manpower bureau as per Act No.1 Year 1970 Article 11 (1). The law states that the caretaker (which in this case shall be the seed organizer) is obligated to report every accident happened at workplace headed by the caretaker with the authorized government officer appointed by Manpower Minister.</p> <p><u>Source:</u> Document review</p>	
<p>Company Action Plan:</p>	<ol style="list-style-type: none"> 1. Syngenta shall review the details of the local legislation and seek opinions and guidance from local stakeholders (like government officers or NGO representative who work in the sector) to help Syngenta staff understand the expectations under the legal system and the requirements. 2. Based on the information received from the external stakeholders, Syngenta local staff, in close consultation with the seed organizers shall prepare a simple tool, in the local language, which shall enable the farmers to collect information on illness or accidents, if any, in individual farms or group of farms. 3. It must be noted that Syngenta already has an internal system called 'incident reporting format' which is a global tool to record include such cases. However, it shall be now customized to suit the local regulations.
<p>Deadline Date:</p>	<ol style="list-style-type: none"> 1. Review of the law – one month from the date of CAP submission 2. Engagement with local government officials or NGO representative – 1 / 2 months depending on the availability 3. Review of the remediation plan, based on the recommendations received – 1 month 4. Preparing internal tool (on-page, in local language) and approval – 1 month 5. Information dissemination with seed organizers – 1-3 months 6. Distribution of the internal tool to the farmers and providing guidance to fill the internal tool – 6 months – 1 year

Evacuation Requirements and Procedure	
<p>Benchmarks: <i>HSE.5.2: Where appropriate, workers shall be trained in evacuation procedures at least once per year.</i></p>	Noncompliance in all farms

Findings/Noncompliance Explanation:	<p>There was no evacuation route marked or any identification for workers if they are lost in the cornfields during emergencies. As a result, there is no training conducted for workers on the same.</p> <p><u>Source:</u> Observation, document review, and interviews with the workers and farmers.</p>
Company Action Plan:	<ol style="list-style-type: none"> 1. Syngenta shall develop an EMS (Emergency Management System) for farms in Indonesia; this model shall be based on the system already being used in Syngenta seed farms in India. Broadly, this EMS includes many issues concerning first aid, accidents, injury, lone working (when a worker is engaged in a task individually), etc. 2. Specifically, to address this finding, Syngenta shall work with the seed organizers/farmers to help them establish identification boards or flag poles, which could lead individuals to the nearest exit. These identifications shall be flagged in each location, considering the length of the farm.
Deadline Date:	<ol style="list-style-type: none"> 1. Review of the EMS – June 2019 2. The building identification boards or flag poles in all farms – 1 year

Personal Protective Equipment

Benchmarks:

HSE.8: Workers shall be provided with training on the use and maintenance of personal protective equipment.

**Noncompliance
in all farms**

Findings/Noncompliance Explanation:	<p>The PPE usage was not standardized in the farms. In some farms, there were no PPEs maintained, while in some farms, where they were maintained, workers were not seen using them. In some farms, workers were not seen using the appropriate PPE for the work they were doing like there was no mask or rubber gloves for workers engaged in fertilizer and pesticide usage. There is no training conducted by Syngenta with the seed organizers of farmers; as a result, there is no training conducted for workers in the field. There are no communication materials on the farms for workers' knowledge.</p> <p><u>Source:</u> Observation and interview with the workers.</p>
Company Action Plan:	<ol style="list-style-type: none"> 1) Syngenta has already stated that they shall engage with seed organizers to conduct training dedicated to labor 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. 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, at Syngenta production staff, in close consultation with the country, FLA Lead shall overview and oversee the progress of the implementation every six months. 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.
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

Chemical Management	
<p>Benchmarks:</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>	
Noncompliance in all farms	
<p>Findings/Noncompliance Explanation:</p>	<ol style="list-style-type: none"> 1) The pesticides were observed to be stored in a locked box at the farmer’s house. However, the box key was hung nearby the box and accessible to everyone who happens to be passing by the area. It could also be accessible by children and young workers alike. Furthermore, there was no related Material Safety Data Sheets (MSDS) posted nearby the storage box. 2) There was no training provided to seed organizers of farmers on hazards associated with the use of pesticide and fertilizers. As a result, there was no training for workers on the same. <p><u>Source:</u> Observation</p>
<p>Company Action Plan:</p>	<ol style="list-style-type: none"> 1) Syngenta has already stated that they shall engage with seed organizers to conduct training dedicated to labor 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. 2) Syngenta will further entrust responsibility to seed organizers to engage farmers on the training and information generation on all FLA aspects including chemical management. Each individual seed organizer shall be responsible for overseeing this task. However, at Syngenta production staff, in close consultation with the country, FLA Lead shall overview and oversee the progress of the implementation every six months. 3) Syngenta shall also encourage seed organizers to conduct random visits to the farms, to oversee the remediation of safe chemical management being practiced in the farms. This could be done twice every season. 4) Syngenta local staff shall create and develop communication materials like stickers; posters would provide information to safeguard chemicals against getting misused, including the preventions on chemical usage.
<p>Deadline Date:</p>	<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) Random visits to farms by seed organizers – twice every season, in each location 3) Development of communication materials – 6 months 4) Distribution of the communication materials – 1 year

Protection Reproductive Health	
<p>Benchmarks:</p> <p>Hse.12.1: Employers shall ensure that women are not engaged in work that constitutes a substantial risk to their reproductive health.</p>	
Noncompliance in all farms	
<p>Findings/Noncompliance Explanation:</p>	<p>There is no policy or procedure developed by Syngenta to ensure female workers are not engaged in activities that could be harmful to their reproductive health.</p> <p><u>Source:</u> Documentation</p>

<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.
<p>Deadline Date:</p>	<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)
<p>Infrastructure</p>	
<p>Benchmarks: <i>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.</i></p>	
<p>Noncompliance in all farms</p>	
<p>Findings/Noncompliance Explanation:</p>	<p>The seed organizers or farmers did not provide drinking water; workers were seen carrying their own bottles. <u>Source:</u> Observation</p>
<p>Company Action Plan:</p>	<p>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.</p>
<p>Deadline Date:</p>	<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

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	Noncompliance	All Farms
	C.2.2	Noncompliance	All Farms
	C.2.3	In compliance	
	C.2.5 (PR)	Not Initiated	All Farms
	C.2.6 (PR)	In compliance	
	C.3	Noncompliance	All Farms
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	Noncompliance	All Farms
	C.7.3 (PR)	Not Initiated	All Farms
	C.7.4 (PR)	Not Initiated	All Farms
	C.7.5	In compliance	
	C.8.1	In compliance	
	C.8.2	Noncompliance	All Farms
	C.8.3	In compliance	
	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	In compliance	
	C.13 (PR)	In compliance	
Fringe Benefits	C.12.1	In compliance	
	C.12.2 (PR)	In compliance	
	C.12.3	In compliance	
	C.12.4	N/A	
	C.12.5	N/A	

Compensation Assessment Summary

General Compliance	
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.	Noncompliance in all farms
Findings/Noncompliance Explanation:	The national law on legal minimum wage is not followed in the farms. Based on legal minimum wage at Malang Regency of 2018, the minimum wage payment must be IDR

	<p>2,574,807.22 per month or daily rate IDR 107,283.63. The workers, however, are paid between IDR 50,000 - IDR 80,000/day (7 hours of work approximately).</p> <p><u>Source:</u> Document review, interview with the workers, farmers and labor agent.</p>
Company Action Plan:	<ol style="list-style-type: none"> 1. Syngenta shall, as a first step, review the existing wage policies and bulletins of the government of Indonesia. 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

Minimum Wage/Fair Compensation

Benchmarks:

C.2.1: Employers shall pay workers at least the legal minimum wage, the prevailing industry sector wage, or the wage pursuant to Collective Bargaining Agreements that are in force, whichever is higher, for regular working hours (not including overtime). Hourly or daily compensation shall be calculated based on the basis of the legal minimal wage, the prevailing industry sector wage, or the wage pursuant to Collective Bargaining Agreements that are in force, whichever is higher. Workers should also be informed by the employer about the legal minimum wage applicable to them.

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

C.3: Employers shall ensure that the wages for daily, casual, long term, task specific or contract workers are paid in accordance with the national laws applied to regular workers. For work based on production quotas and piecework performed during normal working hours, workers must get paid the proportionate minimum wage or the relevant industry average wage, whichever is higher.

**Noncompliance
in all farms**

Findings/Noncompliance Explanation:	<p>Farmers do not pay the legal minimum wage to the workers. Based on legal minimum wage at Malang Regency of 2018, the minimum wage payment must be IDR 2,574,807.22 per month or daily rate IDR 107,283.63. The workers, however, are paid between IDR 50,000 - IDR 80,000/day (7 hours of work approximately). They do not provide legally required benefits such as manpower and health social security, which is also a legal requirement for employers in the agrarian sector (according to Manpower Minister Regulation No. 1 the year 2016).</p> <p><u>Source:</u> Document review, interview with the workers and farmers.</p>
Company Action Plan:	<ol style="list-style-type: none"> 1) Syngenta shall, as a first step, review the existing wage policies and bulletins of the government of Indonesia. Besides that, Syngenta staff shall also review the applicability of implementing manpower and health social security benefits to workers. 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, bulletins, and social security benefits – 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

Wage Payment and Calculation	
<p>Benchmarks:</p> <p><i>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).</i></p> <p><i>C.7.2: FLA-affiliates shall ensure that farmers/producers receive payments and certification premiums through a traceable and reliable payment system.</i></p> <p><i>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.</i></p>	<p>Noncompliance in all farms</p>
<p>Findings/Noncompliance Explanation:</p>	<ol style="list-style-type: none"> 1) There are no actual working hours that records in and out the time of workers. So, the actual working hour including overtime hours worked cannot be determined. It cannot be determined if the wages are recorded and compensated accordingly. 2) There is no record or documentation to provide evidence to suggest that Syngenta ensures that farmers/producers receive the payments and certification premiums. <p><u>Source:</u> Document review</p>
<p>Company Action Plan:</p>	<ol style="list-style-type: none"> 1) Syngenta shall engage the seed organizers and provide them regular guidance to maintain the records for the worker in and out time. This engagement shall first be done during the code implementation training to be organized for them once every quarter of the first year of implementation. Subsequently, this shall be done during the pre-season meetings and monitoring field visits. 2) Syngenta shall be responsible for monitoring the progress of the program implementation.
<p>Deadline Date:</p>	<ul style="list-style-type: none"> - Establish dialogue with seed organizer to inform their farmers – December 2018 - 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 – January 2019 and on a regular basis - Syngenta shall monitor the progress of the program implementation – January 2020 onwards

Overview - Farms vs. Non-compliances

Total number of Farms: 5

	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%	20%	100%	0%	0%	0%	100%	0%	100%	
Farm 1	17	0	1	0	0	0	7	0	7	32
Farm 2	17	0	1	0	0	0	7	0	7	32
Farm 3	17	0	1	0	0	0	7	0	7	32
Farm 4	20	0	1	0	0	0	7	0	7	35
Farm 5	21	2	1	0	0	0	7	0	7	38
TOTAL	92	2	5	0	0	0	35	0	35	169