



2013

## FAIR LABOR ASSOCIATION INDEPENDENT EXTERNAL MONITORING AGRICULTURAL REPORT

**COMPANY:** Syngenta Seeds LTDA  
**COUNTRY:** Brazil  
**PROVINCE:** Goiás  
**MONITOR:** BSD Consulting  
**AUDIT DATE:** July 10 – 11, 2013  
**PRODUCTS:** Corn  
**NUMBER OF WORKERS:** 30  
**NUMBER OF WORKERS INTERVIEWED:** 14  
**NUMBER OF FARMS VISITED:** 2  
**TOTAL AREA COVERED IN AUDIT:** 395.2 Acres  
**PROCESSES:** Corn Detasseling

**FLA Comment:** Big farmers own the land where Syngenta seeds are grown, but all the workers dealing with the plantations are solely under the responsibility of Syngenta. Since 2013, Syngenta Seeds directly hires its seasonal workers to work in the corn seasons (previously, they were hired by Syngenta subcontractors).

To view more about FLA's work with Syngenta, please visit the FLA website [here](#).



### Non-compliances Overview and Table of Content

| 1. Code Awareness |  |  | Table of Contents |
|-------------------|--|--|-------------------|
| <b>GEN 1</b>      | Establish and articulate clear, written workplace standards. Formally convey those standards to Company Growers as well as to supply chain Organizers.   |  |                   |
| <b>GEN 2</b>      | Ensure that all Company growers as well as supply chain Organizers inform their workers about the workplace standards orally and through the posting of standards in a prominent place (in the local languages spoken by workers) and undertake other efforts to educate workers about the standards on a regular basis.           |  |                   |
| <b>GEN 3</b>      | Develop a secure communications channel, in a manner appropriate to the culture and situation, to enable Company employees, Supervisors and employees of supply chain organizers to report to the Company on noncompliance with the workplace standards, with security that they shall not be punished or prejudiced for doing so. |  |                   |
|                   | Other (Company Internal Grievance Policy and Procedures)   |  |                   |
| 2. Forced Labor   |  |  |                   |
| <b>F.1</b>        | General Compliance Forced Labor  |  |                   |
| <b>F.2</b>        | Freedom in Employment  |  |                   |
| <b>F.3</b>        | Employment Terms/Voluntary Agreement   |  |                   |
| <b>F.4</b>        | Employment Terms/Prohibitions  |  |                   |
| <b>F.5</b>        | Debt/Bonded Labor  |  |                   |
| <b>F.6</b>        | Wage Advances  |  |                   |
| <b>F.7</b>        | Free Disposal of Wages/Cash and In-Kind Compensation   |  |                   |
| <b>F.8</b>        | Recruitment through Referrals  |  |                   |
| <b>F.9</b>        | Freedom of Movement  |  |                   |
| <b>F.10</b>       | Grower-Controlled Living Quarters  |  |                   |
| <b>F.11</b>       | Worker Ability to Terminate-Freedom of Movement  |  |                   |
| <b>F.12</b>       | Individual Contracts (Verbal / Written)  |  |                   |
| <b>F.13</b>       | Personal Worker Identification and Other Documents   |  |                   |
| <b>F.14</b>       | Bonded Labor   |  |                   |
|                   | Others   |  |                   |

| <b>3. Child Labor</b>         |   |  |  |
|-------------------------------|---|--|--|
| <b>CL.1</b>                   | General Compliance Child Labor                        |  |  |
| <b>CL.2</b>                   | Child Labor   |  |  |
| <b>CL.3</b>                   | Proof of Age Documentation                            |  |  |
| <b>CL.4</b>                   | Other Means of Age Verification                       |  |  |
| <b>CL.5</b>                   | Government Permits and Parental Consent Documentation |  |  |
| <b>CL.6</b>                   | Employment of Young Workers                           |  |  |
| <b>CL.7</b>                   | Hazardous Work for Young Workers                      |  |  |
| <b>CL.8</b>                   | Education of Young Workers                            |  |  |
| <b>CL.9</b>                   | Children on Premises                                  |  |  |
| <b>CL.10</b>                  | Removal and Rehabilitation of Child Laborers          |  |  |
|                               | Others  |  |  |
| <b>4. Harassment or Abuse</b> |   |  |  |
| <b>H&amp;A.1</b>              | General Compliance Harassment and Abuse               |  |  |
| <b>H&amp;A.2</b>              | Discipline/Fair and Non-discriminatory Application    |  |  |
| <b>H&amp;A.3</b>              | Discipline/Worker Awareness                           |  |  |
| <b>H&amp;A.4</b>              | Discipline/Training                                   |  |  |
| <b>H&amp;A.5</b>              | Discipline/Monetary Fines and Penalties               |  |  |
| <b>H&amp;A.6</b>              | Discipline/Access to Facilities                       |  |  |
| <b>H&amp;A.7</b>              | Discipline/Physical Abuse                             |  |  |
| <b>H&amp;A.8</b>              | Discipline/ Verbal Abuse                              |  |  |
| <b>H&amp;A.9</b>              | Violence/Harassment/Abuse                             |  |  |
| <b>H&amp;A.10</b>             | Sexual Harassment                                     |  |  |
| <b>H&amp;A.11</b>             | Punishment of Abusive Workers/Others                  |  |  |
| <b>H&amp;A.12</b>             | Grievance Procedure                                   |  |  |
|                               | Others  |  |  |

| 5. Non-Discrimination |   |               |          |
|-----------------------|---|---------------|----------|
| D.1                   | General Compliance Non-Discrimination   |               |          |
| D.2                   | Employment Decisions  |               |          |
| D.3                   | Sex-Based Wage Discrimination   |               |          |
| D.4                   | Marital Status or Pregnancy   |               |          |
| D.5                   | Protection and Accommodation of Pregnant Workers and New Mothers                              |               |          |
| D.6                   | Health Status   |               |          |
| D.7                   | Discriminatory Violence/Harassment/Abuse  |               |          |
|                       | Others  |               |          |
| 6. Health and Safety  |   |               |          |
| H&S.1                 | General Compliance Health and Safety  | Noncompliance | <u>6</u> |
| H&S.2                 | Document Maintenance/Worker Accessibility and Awareness                                       |               |          |
| H&S.3                 | Written Health and Safety Policy  |               |          |
| H&S.4                 | Health and Safety Management System   |               |          |
| H&S.5                 | Communication to Workers  |               |          |
| H&S.6                 | Access to Safety Equipment and First Aid  |               |          |
| H&S.7                 | Personal Protective Equipment   |               |          |
| H&S.8                 | Chemical Management and Training  |               |          |
| H&S.9                 | Chemical Management for Pregnant Women, Young Workers and Family Members residing in the farm |               |          |
| H&S.10                | Protection Reproductive Health  |               |          |
| H&S.11                | Machinery Maintenance and Worker Training   |               |          |
| H&S.12                | Medical Facilities  |               |          |
| H&S.13                | Drinking Water  |               |          |
| H&S.14                | Rest Areas  |               |          |
| H&S.15                | Living Quarters   |               |          |
|                       | Others  |               |          |

| <b>7. Freedom of Association and Collective Bargaining</b> |  |                      |          |
|--|--|----------------------|----------|
| <b>FOA.1</b>   | General Compliance Freedom of Association                    | <b>Noncompliance</b> | <b>7</b> |
| <b>FOA.2</b>   | Right to Freely Associate                                    |                      |          |
| <b>FOA.3</b>   | Grower Interference and Control                              |                      |          |
| <b>FOA.4</b>   | Anti-Union Violence/Harassment/Abuse                         |                      |          |
| <b>FOA.5</b>   | Right to Collective Bargaining/Unorganized Workers           |                      |          |
|  | Others   |                      |          |
| <b>8. Hours of Work</b>                                    |  |                      |          |
| <b>HOW.1</b>   | General Compliance Hours of Work                             |                      |          |
| <b>HOW.2</b>   | Rest Day   | <b>Noncompliance</b> | <b>8</b> |
| <b>HOW.3</b>   | Meal and Rest Breaks   |                      |          |
| <b>HOW.4</b>   | Overtime   |                      |          |
| <b>HOW.5</b>   | Over Time/Positive Incentives                                |                      |          |
| <b>HOW.6</b>   | Public Holidays  |                      |          |
|  | Others   |                      |          |
| <b>9. Wages, Benefits and Overtime Compensation</b>        |  |                      |          |
| <b>WBOT.1</b>  | General Compliance Wages, Benefits and Overtime Compensation |                      |          |
| <b>WBOT.2</b>  | Minimum Wage   |                      |          |
| <b>WBOT.3</b>  | Timely Payment of Wages                                      |                      |          |
| <b>WBOT.4</b>  | In-kind Compensation   |                      |          |
| <b>WBOT.5</b>  | Advance Payments   |                      |          |
| <b>WBOT.6</b>  | Worker Wage Awareness  |                      |          |
| <b>WBOT.7</b>  | Record Maintenance   |                      |          |
| <b>WBOT.8</b>  | Employer Provided Services                                   |                      |          |
| <b>WBOT.9</b>  | Additional Benefits  |                      |          |
|  | Others   |                      |          |

**Health and Safety: General Compliance Health and Safety**

H&S.1 Growers shall comply with all local laws, regulations, and procedures concerning health and safety. In any case where local laws and the Workplace Code of Conduct are contradictory, the higher standards will apply. The grower will possess all legally required permits.

**Noncompliance**

**Explanation:** The general health and safety (H&S) issues are in compliance, but the audit concluded that the company missed the following mandatory documents: a) PPRA for the risk assessment and prevention program and b) PCMSO, for the medical prevention program. The PPRA (Programa de Prevenção de Riscos Ambientais) is a mandatory document according to the National Regulation 09 – PPRA, sub-item 9.1.1. Its objective is workers’ health prevention and integrity through the anticipation, recognition, evaluation, and consequent control of the existent risks in the work environment. The PCMSO (Programa de Controle Médico de Saúde Ocupacional) is a mandatory document according to the National Regulation 07 - PCMSO, sub-item 7.1.1. Its objective is the prevention of workers’ health through the recognition of the need of periodic medical examinations and its application for workers. In addition, the mandatory H&S Committee (in accordance with the National Regulation 05 – CIPA Comitê Interno de Prevenção de Acidentes) was also not yet implemented.

**Plan Of Action:**

1. Develop and implement the PPRA and PCMSO documents for workers as NR 07 and NR 09.
2. Implement Internal Commission for Accident Prevention for Rural Work (CIPATR) as NR 31.

**Deadline Date:**

1. July 31, 2013
2. November 30, 2013

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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**Freedom of Association and Collective Bargaining: General Compliance Freedom of Association**

FOA.1 Growers shall comply with all local laws, regulations, and procedures concerning freedom of association and collective bargaining.

**Noncompliance**

**Explanation:** The collective bargaining agreement (CBA) was not in place; however, the company complied with the general local legislation requirements. According to Article 612 of the Brazilian Labour Law Consolidation CLT, a CBA should be established if the General Assembly of the applicable union decides to do it. The agreement establishes specific rights and obligations for a certain worker category or industry that are more beneficial to workers than the rights and obligations established by general law (CLT). If there is no CBA, then local general legislation requirements should be complied with.

**Plan Of Action:** Implement the CBA between the company and the country’s union of rural workers.

Syngenta Agrícola is defining a strategy to comply with freedom of association (FOA), as unions and FOA do not exist in Brazil. Syngenta will manage to deal with local unions, where the field work is effected to make the bargain.

**Deadline Date:** March 30, 2014

**Action Taken:** [Redacted]

**Plan Complete:**

**Plan Complete Date:**

### Hours of Work: Rest Day

HOW.2 Workers shall be entitled to at least one day off in every seven-day period. In case workers have to work for several days without a day off due to the requirement of the production cycle, they can do so as far as they voluntarily agree to it.

#### Noncompliance

**Explanation:** There is no evidence of continued performance of excessive overtime hours; however, a noncompliance was noted related to the lack of a rest day for a week's period. Workers were working the Sunday before the audit, meaning they have worked 11 continued days with no rest.

**Plan Of Action:**

1. Guide company managers on the compulsory weekly rest day that rural workers are entitled to.

2. Conduct internal audits to verify that rural workers' weekly rest day is being respected.

**Deadline Date:**

1. July 31, 2013

2. August 31, 2013

**Action Taken:**

**Plan Complete:**

**Plan Complete Date:**

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