

Fair Labor Association: Independent External Factory Assessment

Assessment Date :

12 Aug 2021



Factory Information

FLA Affiliates	Esprit Europe Services GmbH
Country	India
Number of Workers	2266

Understanding this Report

Companies that join the FLA agree to uphold the FLA Workplace Code of Conduct throughout their entire supply chain. The Code of Conduct is based on International Labour Organization (ILO) standards, and defines labor standards that aim to achieve decent and humane working conditions.

FLA Code Element

Number of Violations

Compensation (C)	7
Employment Relationship (ER)	18
Freedom Of Association And Collective Bargaining (FOA)	1
Harassment Or Abuse (H/A)	1
Health, Safety And Environment (HSE)	21
Hours Of Work (HOW)	3
Nondiscrimination (ND)	1

Assessment Information

Assessor	Insync
Assessment Date	12 Aug 2021
Assessment Purpose	Factory Assessment (In-Person)

ASSESSMENT RESULTS

Compensation (C)

Benchmark ID	C.1.1
Benchmark Details	Employers shall comply with all national laws, regulations and procedures concerning the payment of compensation to workers.
Finding Details	<p>1. The date of resignation was not recorded in the resignation letters of 6 out of 7 sampled workers who left employment. Resignation letters were on small pieces of paper and a defined template is not used which can provide complete information like a reason for leaving employment, date, and acknowledge by management. 2. The reason for leaving employment is not recorded on the calculation sheet for terminal dues. Time and leave records are not maintained with the calculation sheet for the terminal. In absence of complete information accuracy, the calculation of terminal dues could not be verified. For workers who are absent from work without authorization and return after a month or two, management shared that the date of leaving employment is considered from the date when the worker was last at work and not from the date when the worker resigned from employment.</p>
Recommendation for Immediate Action	1. Complete information should be maintained on resignation letters provided by workers. 2. Complete documentation should be maintained for verification of terminal dues.
Compliance Classifications	Immediate Action Required

Local Law	Item 13(1) of Schedule 1 appended to Industrial Employment (Standing Orders) Rules 1946: For terminating employment of a permanent workmen, notice in writing shall be given either by the employer or the workmen - one month's notice in the case of monthly-rated workmen and two weeks' notice in the case of other workmen: one month's or two week's pay, as the case may be, may be paid in lieu of notice Item 13(3) of Schedule 1 appended to Industrial Employment (Standing Orders) Rules 1946: Where the employment of any workmen is terminated, the wages earned by him and other dues, if any, shall be paid before the expiry of the second working day from the day on which his employment is terminated.
Benchmark ID	C.24.1
Benchmark Details	Employers shall not set production targets, piece rates or any other incentive or production system at such a level that workers need to work beyond regular working hours as set under the FLA Workplace Code, excluding overtime, in order to make at least the minimum wage or the prevailing industry wage, whichever is higher.
Finding Details	A review of time cards from July 2021 (non-peak), February 2021 (peak), and November 2020 (regular) months for sampled workers from all production processes revealed that workers worked overtime on most days in the month.
Recommendation for Immediate Action	Overtime work should be restricted based on need and not used as a regular practice.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act 1948- Section 54 : Daily hours. Subject to the provisions of section 51, no adult worker shall be required or allowed to work in a factory for more than nine hours in any day.
Benchmark ID	C.21.1
Benchmark Details	Employers shall provide all legally mandated benefits, including holidays, leave, bonuses, severance payments and 13th month payments to all eligible workers within legally defined time periods.

Finding Details	1. The date of resignation is not recorded in the resignation letters of 6 out of 7 sampled workers who left employment. 2. From the date on the pay cheque recorded on the calculation sheet for 3 out of 7 workers, it was noted that payment of wages for unused leave, which is part of terminal dues, was delayed by 14, 16, and 22 days for the 3 workers.
Recommendation for Immediate Action	1. Date of resignation should be recorded in the resignation letters submitted by workers. 2. Wages for unused leave part of terminal dues for workers who leave employment should be paid within legally defined timelines.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act 1948, Chapter VIII section 79. Annual leave with wage (3)- If a worker is discharged or dismissed from service or quits his employment or is superannuated or dies while in service, during the course of the calendar year, he or his heir or nominee, as the case may be, shall be entitled to wages in lieu of the quantum of leave to which he was entitled immediately before his discharge, dismissal, quitting of employment, superannuation or death calculated at the rates specified in sub-section (1), even if he had not worked for the entire period specified in sub-section (1) or sub-section (2) making him eligible to avail of such leave, and such payment shall be made- - i) where the worker is discharged or dismissed or quits employment, before the expiry of the second working day from the date of such discharge, dismissal or quitting.
Benchmark ID	C.15.1.5
Benchmark Details	Employers shall provide workers a pay statement each pay period and not less frequently than once a month, which shall show bonuses.
Finding Details	The factory does not provide wage slips for annual bonuses.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required

Local Law	
Benchmark ID	C.15.1.4
Benchmark Details	Employers shall provide workers a pay statement each pay period and not less frequently than once a month, which shall show regular and overtime pay.
Finding Details	The wage slip provides information on earnings for legally permitted overtime hours but not for complete overtime hours and rest days worked.
Recommendation for Immediate Action	The wage slip should provide complete information on working hours.
Compliance Classifications	Immediate Action Required
Local Law	Minimum Wages Central Rules 1950- Rule 26 (2): A wage slip in Form XI shall be issued by every employer to every person employed by him at least a day prior to the disbursement of wages. Form XI suggests inclusion of all OT hours worked and OT compensation paid thereof in wage slip.
Benchmark ID	C.15.1.3
Benchmark Details	Employers shall provide workers a pay statement each pay period and not less frequently than once a month, which shall show total number of hours worked.
Finding Details	The wage slip provides information on legally permitted overtime hours but does not provide information on complete overtime hours and rest days worked.
Recommendation for Immediate Action	The wage slip should provide complete information on working hours.
Compliance Classifications	Immediate Action Required

Local Law	Minimum Wages Central Rules 1950- Rule 26 (2): A wage slip in Form XI shall be issued by every employer to every person employed by him at least a day prior to the disbursement of wages. Form XI suggests inclusion of all OT hours worked and OT compensation paid thereof in wage slip.
Benchmark ID	C.3.1.3
Benchmark Details	Where probationary employment is legally allowed, no workers shall work more than three months in this employment category.
Finding Details	The probation period is for 6 months and can be extended by 3 months as stated in clause #1 in terms of employment in the appointment letter signed by employer and employee.
Recommendation for Immediate Action	Probation period should not exceed 3 months.
Compliance Classifications	Immediate Action Required
Local Law	Industrial employment (standing orders) rules 1946- Rule 2(C) of schedule 1: A “probationer” is a workman who is provisionally employed to fill a permanent vacancy in a post and has not completed three months’ service therein.
Employment Relationship (ER)	
Benchmark ID	ER.17.5
Benchmark Details	Employers shall have in place procedures to track the number, types, and timing and resolution of grievances, and to communicate the resolution of grievances to the workforce.

Finding Details	<p>1. Grievances reported verbally are not logged. Written grievances reported to supervisors are logged with a tracking sheet maintained for each grievance reported. After reviewing the grievance, supervisors forward the concerns to the production head who then reviews and forwards to the HR team for action. From a review of written concerns, it appeared the concerns were written in the office and filed. The papers used appeared fresh with no indications of paper being handled. 4 out of 9 grievances from workers had no date recorded. A review of the tracking sheet revealed that supervisors had not signed on 4 out of 9 tracking sheets and action was taken as recorded in all 9 tracking sheets is not signed by the worker who raised the grievance to acknowledge that he/her grievance was addressed. Between September 2020 and July 2021, 9 grievances were raised related to the non-availability of fans in work areas and nonfunctional water points in washrooms which were addressed. 2. Grievance boxes are opened by the HR Manager once every week and locked. Until the date of assessment, no grievance was found. No worker representatives are present when the box is opened, therefore transparency in the procedure followed is not maintained.</p>
Recommendation for Immediate Action	<p>1. All grievances reported should be documented and complete information on action taken should be recorded and signed by worker to acknowledge that he/her grievance was addressed. 2. It is recommended that grievance boxes are opened in presence of worker representatives and all persons responsible sign on a records providing information on location of box, date / time and findings from the boxes.</p>
Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	ER.19.2
Benchmark Details	All notices that are legally required to be posted in the workplace work areas shall be posted by employers.
Finding Details	<p>1. Certified standing orders and Form 11 (periods of work) are not posted. 2. Legally required notices are posted behind work stations of security guards near the main gate of the factory hence are not accessible to workers.</p>

Recommendation for Immediate Action	1. Certified standing orders and Form 11 (periods of work) should be posted. 2, Notices, policies, and legally required Acts should be displayed in a conspicuous place where they can easily be read by employees.
Compliance Classifications	Immediate Action Required
Local Law	1.Industrial Employment (Standing Orders) Act, 1946-. Section 9- Posting of standing orders.--The text of the standing orders as finally certified under this Act shall be prominently posted by the employer in English and in the language understood by the majority of his workmen on special boards to be maintained for the purpose at or near the entrance through which the majority of the workmen enter the industrial establishment and in all departments thereof where the workmen are employed. Factories Act 1948- Section 61 (1): Notice of periods of work for adults: There shall be displayed and correctly maintained in every factory in accordance with the provisions of sub-section (2) of section 108, a notice of periods of work for adults, showing clearly for every day the periods during which adult workers may be required to work. 2. Factories Act, 1948- Section 108(1)&(2): In addition to the notices required to be displayed in any factory by or under this Act, there shall be displayed in every factory a notice containing such abstracts of this Act and of the rules made thereunder as may be prescribed and also the name and address of the Inspector and the certifying surgeon. (2) All notices required by or under this Act to be displayed in a factory shall be in English and in a language understood by the majority of the workers in the factory, and shall be displayed at some conspicuous and convenient place at or near the main entrance to the factory, and shall be maintained in a clean and legible condition.
Benchmark ID	ER.1.2
Benchmark Details	Employers shall assign responsibility for the administration of human resources to a clearly defined and adequately qualified staff member or staff members and ensure workers at all levels receive communication and training about existing policies and procedures or any revisions.

Finding Details	1. Training on FLA workplace standards was not provided at all. 2. In the past 12 months, training on the Amfori BSCI code of conduct was provided to 1351 out of 2147 workers. 3. Factory does not provide specific health and safety training to child care workers. 4. Factory does not provide specific health and safety training to canteen workers.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.18.2
Benchmark Details	Employers shall ensure managers and supervisors are fully familiar with the workplace disciplinary system and in applying appropriate disciplinary practices.
Finding Details	Managers and Supervisors are not fully aware of disciplinary procedures to be followed. In the past 12 months, no training was conducted.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.5.1
Benchmark Details	Employers shall ensure that all supervisors are trained in national laws, workplace regulations, and the FLA Code, workplace grievance systems, and the appropriate practices to ensure compliance.
Finding Details	In the past 12 months training was provided to 104 out of 246 Supervisors and Managers on the BSCI Code of Conduct which included some information on FLA's Code.

Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.17.1
Benchmark Details	Employers shall have a clear and transparent system of worker and management communication that enables workers to consult with and provide input to management. This might include suggestion boxes, worker committees, designated spaces for worker meetings, union representatives, and meetings between management and workers' representatives.
Finding Details	1. Information for reporting grievances in a confidential manner is not provided. 2. Chairman of the grievance committee is not changed every alternate year as legally required.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	Industrial Disputes Act 1947- Section 9C (3) : Setting up of Grievance Redressal Machinery- The chairperson of the Grievance Redressal Committee shall be selected from the employer and from among the workmen alternatively on rotation basis every year.
Benchmark ID	ER.15.1
Benchmark Details	Employers shall have in place a procedure for determining termination payouts, including methods for correct assessment of payouts for all modes of termination/retrenchment, taking into account national legal requirements.
Finding Details	Covid related training was provided to 122 out of 246 Supervisors and Managers in the past 12 months.

Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.1.1
Benchmark Details	Employers shall have in place written policies and practices and maintain proper and accurate records governing all aspects of employment from recruitment, hiring and probation, including written terms and conditions of employment, job descriptions, administration of compensation, and working hours for all positions, through to retrenchment and termination processes.
Finding Details	The factory does not have written procedures on recruitment, hiring and personal development, nondiscrimination, forced labor, termination and retrenchment, or compensation.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.6.1
Benchmark Details	Employers shall have written policies and procedures and implement practices that encourage ongoing training of all categories of workers with the goal of raising or broadening skills in order to advance in their careers within the factory or beyond.
Finding Details	The factory does not have written policies and procedures on personnel development that encourages ongoing training with the goal of raising or broadening workers' skills so they can advance in their careers.

Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.7.1
Benchmark Details	Employers shall have written policies and procedures with regard to performance reviews that outline the review steps and process, demonstrate linkages to job grading, prohibit discrimination, are provided in writing and seek feedback and agreement/disagreement from employees in writing, and that follow all local legal requirements.
Finding Details	1. The factory does not have written policies and procedures on performance evaluation. 2. Evaluation of the performance of workers is conducted based on vacancies and only for some workers. The industrial engineering department evaluates the performance of workers who are shortlisted by supervisors. Based on the results of the evaluation conducted by the industrial engineering department, the final list of workers is shared with the production team, which recommends these workers to the HR team for providing increments.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.8

Benchmark Details	Employers shall have written policies and procedures with regard to promotion, demotion, and job reassignment that outline the criteria, demonstrate linkages to job grading, and prohibit discrimination or use of demotion or job reassignment as a form of penalty or punishment, are provided in writing and seek feedback from employees in writing, and follow all local legal requirements.
Finding Details	The factory does not have written procedures for promotions. Evaluation results for trainees and regular workers are not discussed with workers and letters to communicate increments and promotions are not provided to workers at all.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.4
Benchmark Details	Employers shall inform workers about workplace rules, environmental protection systems, 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.
Finding Details	1. Training on FLA workplace standards was not provided at all. In the past 12 months, training on the Amfori BSCI code of conduct was provided to 1351 out of 2147 workers. 2. The Amfori BSCI code of conduct is posted in English and not in the local language (Hindi). 3. Covid related training was provided to 801 out of 2147 workers in the past 12 months.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required

Local Law	
Benchmark ID	ER.19.1
Benchmark Details	Employers shall maintain on file all documentation needed to demonstrate compliance with the FLA Workplace Code and required laws.
Finding Details	1. The competency certificate of the external inspector who inspected 5 pressure vessels and 4 lifts was not available. One hydraulic pallet lifter is not inspected at all. 2. Documents related to evaluation and up-gradation of workers are not filed in the individual file of workers. It took time for assessors to track the process. 3. The factory does not provide written communication to trainees and regular workers when they are promoted with a change in designation and increase in wage. 4. Information on calculation and amount of deductions for legally mandated benefits is not provided in the appointment letter. 5. Workers hired on the payroll of external contractors were not aware of the name of their employer and stated they were employed by the factory. 6. None of the workers interviewed had received their appointment letter. 7. Letter communicating confirmation of employment completion of 6 months of probation for 2 out of 20 workers was in English and not in local language (Hindi).
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	Punjab Factories Rules 1952- (applicable in Haryana)Rule 61 (1-d): Every plant of machinery other than the working cylinders of prime movers used in a factory shall be thoroughly examined by a competent person.
Benchmark ID	ER.10.2
Benchmark Details	Employers shall not renew contracts for multiple successive short-terms in lieu of providing regular employment.

Finding Details	There are no seasonal or temporary contracts. Factory provides regular work.
Recommendation for Immediate Action	
Compliance Classifications	
Local Law	
Benchmark ID	ER.3.1
Benchmark Details	Employers shall provide an orientation to new employees at the time of hiring, which includes explanations of the employers' rules, compensation package and policies for human resources, grievance systems, industrial relations, including respect of the right to freedom of association, workers' rights and responsibilities, FLA Code of Conduct, health and safety, and environmental protection.
Finding Details	Orientation training does not include training on Child labor, Forced Labour, Environment management, Industrial Relation and Freedom of Association, Abuse, and Workplace Conduct and discipline.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.1.3
Benchmark Details	Employers should implement an annual, review process with input from workers of all policies, procedures and their implementation to ensure they meet legal requirements and the FLA Workplace Code.
Finding Details	Written policies and procedures are not reviewed periodically. Policies and procedures are based on legal guidelines on employment relations.

Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.17.2
Benchmark Details	There shall be a mechanism that allows workers to report harassment and grievances confidentially, including any concerns or problems they may be experiencing around legally owed payments during a retrenchment process.
Finding Details	Grievance boxes are installed in dining areas and outside toilets in full view and do not allow workers to report grievances in a confidential manner.
Recommendation for Immediate Action	Factory needs to provide a channels for confidential reporting of grievances by workers.
Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	ER.3.3
Benchmark Details	Workers should be provided with written documentation that substantiates all the issues covered in orientation briefings.
Finding Details	Workers do not receive written documentation that substantiates all topics covered in orientation. Topics to be covered are not listed in a document. The attendance sheet is maintained and signed by new recruits where "Topic of training " states "Induction Training" and the duration is for 45 minutes. Pictures from these training are not maintained.
Recommendation for Immediate Action	

Compliance Classifications	Sustainable Improvement Required
Local Law	

Freedom Of Association And Collective Bargaining (FOA)

Benchmark ID	FOA.1.1
Benchmark Details	Employers shall comply with all national laws, regulations and procedures concerning freedom of association and collective bargaining. national laws, rules, and procedures protecting the rights of workers to organize and bargain collectively. Where local laws and FLA standards differ, the employer is expected to follow the highest applicable standard.
Finding Details	The factory does not have written procedures on Freedom of Association and Collective Bargaining.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

Harassment Or Abuse (H/A)

Benchmark ID	H/A.1.1
Benchmark Details	Employers shall comply with all national laws, regulations and procedures concerning discipline, violence, harassment and abuse, including that which is gender-based

Finding Details	1. Penal consequences of harassment of women at the workplace are not posted. 2. NGO representative from the external party in the Internal Complaints Committee (for addressing concerns with harassment at the workplace) is also an internal auditor for this factory and works closely with the factory HR team while introducing systems. From her active participation in the assessment, assessors had the impression that the person was an employee of the factory and part of the HR team and it was later clarified that the person was an external person. The person is well aware of the factory's management system and guidances and is close to the top management of the factory as shared by the factory team and hence was engaged by the factory owners. Association of this person with top management and engaging on a day-to-day basis with the factory's internal system defeats the purpose of having an NGO representation in the Internal Compliance Committee. NGO representation in the committee is to ensure nonbias and fair redress of concerns pertaining to Harassment at the workplace.
Recommendation for Immediate Action	1. Penal consequences of harassment of women at the workplace should be posted. 2. It is recommended to have representation from the NGO that is independent of any business relationship with the factory.
Compliance Classifications	Immediate Action Required
Local Law	Sexual harassment of women (prevention, prohibition & redressal) at workplace act 2013- section 19(b): Every employer shall display at any conspicuous place, the penal consequences of sexual harassment.

Health, Safety And Environment (HSE)

Benchmark ID	HSE.30.1
Benchmark Details	Employers shall develop, maintain, and regularly review health, safety, and environmental policies to ensure that they comply with all national laws, regulations and the FLA Workplace Code concerning health, safety, and environmental standards, regulations and procedures.

Finding Details	1. The factory does not have written procedures for environmental protection, however, there are procedures for managing environmental emergencies. 2. The factory does not have written procedures for Health & Safety except for use of lockout /tagout. There are no complete health and safety procedures including procedures on emergency/evacuation, fire safety, first aid, machine guards, PPE, etc.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HSE.5.3
Benchmark Details	Alarm systems shall be regularly tested and evacuation drills shall be undertaken at least annually.
Finding Details	Evacuation drills are conducted once every 2 months for each floor on an announced basis. The entire factory is not evacuated at the same time. From visual observation, it appeared that the assembly area is inadequate to accommodate 100 % of employees in the factory at a time.
Recommendation for Immediate Action	Factory should include all employees during evacuation drills. Drill should be conducted on unannounced basis periodically. Adequate space for workers to assemble post an evacuation should be maintained and complete building should be evacuated during an drill
Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	HSE.5.1

Benchmark Details	All applicable, legally required or recommended elements of safe evacuation shall be complied with, including all of the following elements: posting evacuation plans; the installation and maintenance of fire alarms; the installation and maintenance of emergency lighting; ensuring aisles/exits are not blocked and that workers are not blocked within their workstations; employee education and training; and evacuation procedures and fire drills.
Finding Details	1. Designated assembly areas are not maintained clear. Cars are parked in the area which restricts free movement and assembly. 2. Aisles in work station on the 4th floor of building 1 are narrow and restrict free movement. Most aisles in the packing section are partially blocked with cartons. 3. The child care facility provided does not meet all legally provided guidelines like the provision of cots, designated feeding area, and play area. However, currently, the facility is converted to an isolation ward for Covid 19.
Recommendation for Immediate Action	1. Designated assembly areas should be maintained clear at all times. 2. Aisles with adequate width should be maintained in work station on the 4th floor of building 1 and all aisles in the packing section should be maintained clear at all times. 3. The child care facility provided should meet all legally provided guidelines like the provision of cots, designated feeding area, and play area.
Compliance Classifications	Immediate Action Required

Local Law	<p>1. Factories Act, 1948- Section 38 (1) (a): In every factory, all practicable measures shall be taken to prevent outbreak of fire and its spread, both internally and externally, and to provide and maintain safe means of escape for all persons in the event of a fire.</p> <p>2. Factories Act, 1948- Section 38 (1) (a): In every factory, all practicable measures shall be taken to prevent outbreak of fire and its spread, both internally and externally, and to provide and maintain safe means of escape for all persons in the event of a fire.</p> <p>3. The Punjab Factory Rules, 1952 applicable in the state of Haryana - Rule 79 -CRECHES. [section 48].—(1) In every factory wherein more than 1[thirty] women workers are ordinarily employed the creches shall be conveniently accessible to the mothers of the children accommodated therein and so far as reasonably practicable shall not be situated in close proximity to any part of the factory where obnoxious fumes, dust or odours are given off or in which excessively noisy processes are carried on. (5). The creche shall be adequately furnished and equipped and in particular there shall be one suitable cot or cradle with the necessary bedding for each child (provided that for children over two years of age it will be sufficient if suitable bedding is made available) at least one chair or equivalent seating accommodation for the use of each mother while she is feeding or attending to her child, and a sufficient supply of suitable toys for the older children.(6). A suitable fenced and shady open-air playground shall be provided for the older children</p>
Benchmark ID	HSE.5.1.6
Benchmark Details	All applicable, legally required or recommended elements of safe evacuation shall be complied with, including all the following elements: evacuation procedures and fire drills
Finding Details	The factory does not conduct assessments after the drill to learn how to improve the evacuation process post drills.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

Benchmark ID	HSE.5.1.4
Benchmark Details	All applicable, legally required or recommended elements of safe evacuation shall be complied with, including all the following: ensuring aisles/exits are not blocked and that workers are not blocked within their workstations
Finding Details	Multiple instances were noted in sewing departments, where 2 workers were sitting back to back and facing opposite directions with no space between chairs. This arrangement restricts quick and easy access to passages. Access to passages for few sewing machine operators was restricted with bins used for storing garments and workstations. Most workstations were congested.
Recommendation for Immediate Action	1. Access to passages should be maintained clear at all times. 2. Work areas should be de-congested to allow adequate workspace for workers with unrestricted movement.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 16 (2): There shall be in every workroom at least 14.2 cubic meters of space for every worker employed therein. Punjab Factories Rules 1952 (Applicable in Haryana) - Rule 66(9)(q): For every building of structure used for storage only, and every section thereof considered separately, shall have access to at least one exit so arranged and located as to provide suitable means of escape for any person employed therein, and in any such room wherein ten persons may be normally present, at least two separate means of exit shall be available as remote from each other as practicable
Benchmark ID	HSE.19
Benchmark Details	All facilities including workplace buildings, toilets, canteens, kitchens, and clinics, shall be kept clean and safe and be in compliance with all applicable laws, including relevant sanitation, medical, and safety and health regulations.

Finding Details	1. Bathrooms are not maintained clean. Spit stains from chewing tobacco were seen on wall corners and pots were dirty and stained. The outlet drain was blocked in one of the 3 men's washrooms in the building. 2. Soap was missing from most toilets and hand dryers are not provided at all.
Recommendation for Immediate Action	Bathrooms should be maintained clean at all times.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 19(1) (a) : In every factory, sufficient latrine and urinal accommodation of prescribed types shall be provided conveniently situated and accessible to workers at all times while they at the factory. Factories Act, 1948-Section 19(1) (d): All such accommodation shall be maintained in a clean and sanitary condition at all times.
Benchmark ID	HSE.13
Benchmark Details	All necessary ventilation, plumbing, electrical, noise and lighting services shall be installed and maintained to conform to applicable laws and to prevent or minimize hazardous conditions to workers in the facility.
Finding Details	1. Management has not conducted any assessments for determining thermal comfort problem areas 2. Electric chords connecting wall fans with the main power source had taped joints. 3. Broken, hanging electric switchboards were seen in work areas.
Recommendation for Immediate Action	Taped electric chords with taped joints and broken and hanging switchboards should be replaced and secured.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.

Benchmark ID	HSE.14.1
Benchmark Details	All production machinery, equipment and tools shall be properly guarded and regularly maintained.
Finding Details	1. Traffic lanes and walk paths are not marked 2. Locking arrangement on one portable ladder in use by the maintenance team was broken. The locking device was available on only one of four legs of a platform ladder in use. This could be a risk of accidental falls from the use of unsecured ladders. 3. Needle guards on sewing machines and eye shields on overlock machines are pushed upwards by machine operators rendering them ineffective. 4. Lid locking arrangement is not provided on the hydro extractor and door sensors are not installed on 4 out 5 tumblers using in washing. The drums do not stop when doors are opened.
Recommendation for Immediate Action	1.traffic lanes and walk paths should be clearly marked 2. Broken locking arrangement on ladders in use should be replaced. A locking device should be available on all four legs of a platform ladder in use. 3. Educate and monitor the use of needle guards on sewing machines and eye shields on overlock machines. 4. Lid locking arrangement should be provided on the hydro extractor. Door sensors should be installed on all tumblers using in washing.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.
Benchmark ID	HSE.1
Benchmark Details	Employers shall comply with all national laws, regulations and procedures concerning health, safety, and the environment.

Finding Details	<p>1. Solid waste stored on the rooftop in Building 2 is exposed and accessible and storage is not secured. 2. Sludge from the Effluent treatment plan is stored in an enclosed area to which access is not restricted and warning signs are not posted. 3. The factory does not provide specific health and safety training to committee members. 4. Sanitary pads are maintained with a nurse who is available between 9.00 am and 5.00 pm and is not available during overtime hours. Further used pads are disposed of with regular waste from dust bins. This practice does not comply with legal requirements. 5. Factory has not posted information on room capacities to allow for at least 1 meter distance between individuals, at all relevant locations. 6. Maximum occupancy is not posted at the entrance of all worker common areas to limit the number of workers inside at a given time. 7. Factory does not have procedures to quarantine employees who are back from the regions that are considered at-risk for COVID-19 exposure. 8. Factory has not reduced the number of workers in each room, to minimize the risk of COVID-19 transmission. 9. Food breaks are not modified in such a way so that workers can eat their meals while maintaining at least 1 meter distance</p>
Recommendation for Immediate Action	<p>1. Solid waste stored on the rooftop in Building 2 should be covered and secured with restricted accessibility. 2. Access to areas where sludge from the Effluent treatment plan is stored should be restricted and warning signs should be posted. 3. The factory should provide specific health and safety training to committee members. 4. Sanitary pads should be made available in toilets and disposed of in a legally defined manner. 5. Factory should post information on room capacities to allow for at least 1 meter distance between individuals, at all relevant locations. 6. Maximum occupancy should be posted at the entrance of all worker common areas to limit the number of workers inside at a given time. 7. Factory should have procedures to quarantine employees who are back from the regions that are considered at-risk for COVID-19 exposure. 8. Factory should reduce the number of workers in each room, to minimize the risk of COVID-19 transmission. 9. Food breaks should be modified in such a way so that workers can eat their meals while maintaining at least 1 meter distance</p>
Compliance Classifications	Immediate Action Required

Local Law	Model Factories Rules, section 19 (3) and section 112 of Factories Act 1948 – Rule 44c- Sanitary napkins of adequate quantity conforming to Indian standards shall be provided and maintained in women’s toilet for their use and the same replenished on daily basis. (d) – Disposable bins with lids shall be provided within the women’s toilets for collection of used napkins. Used napkins shall be disposed off as per procedure approved by inspector.
Benchmark ID	HSE.28
Benchmark Details	Employers shall create a system to ensure that all necessary Health and Safety protections are provided for external contractors; including protection when working within , confined spaces, maintenance issues, and general Health and Safety Issues.
Finding Details	The factory does not provide safety information to contractors.
Recommendation for Immediate Action	Factory should provide safety information to contractors.
Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	HSE.20
Benchmark Details	Employers shall establish the number of toilets required under applicable laws within reasonable distance of the workplace. In addition, the following should also be considered: number of toilets based on number of workers, privacy for each individual and gender, accessibility and hygiene.
Finding Details	29 toilets are provided for 1075 female employees against the requirement of 43 toilets calculated at 1 for every 25 workers.
Recommendation for Immediate Action	An adequate number of toilets should be provided for female workers.
Compliance Classifications	Immediate Action Required

Local Law	Rule 42 of Punjab Factories Rules 1952: Latrine accommodation shall be provided in every factory on the following scale:-- (a) Where females are employed, there shall be at least one latrine seat for every 25 females.
Benchmark ID	HSE.29
Benchmark Details	Employers shall provide all necessary protection for workers when working at heights, confined spaces, and other high-risk areas.
Finding Details	1. The entry point to confined spaces is covered and painted red. However, signages are not installed to warn workers and are not fenced. There are no defined procedures for entering a confined space. 2. The maintenance team could not provide evidence of the use of fall protection equipment like helmets and safety ropes. They stated that they use helmets and safety ropes and searched for a while to locate these and could not find any that was in use. They showed new helmets and safety ropes. Fall protection has not been used at all.
Recommendation for Immediate Action	1. Procedures need to be defined and all safety precautions should be taken prior to entering confined spaces. 2. Factory should provide, educate, and monitor use of fall protection by maintenance team.
Compliance Classifications	Immediate Action Required

Local Law	<p>1. Factories Act, 1948- Section 36 (2) (a): No person shall be required or allowed to enter any confined space as is referred to in sub-section (1), until all practicable measures have been taken to remove any gas, fume, vapour or dust, which may be present so as to bring its level within the permissible limits and to prevent any ingress of such gas, fume, vapour or dust and unless a certificate in writing has been given by a competent person, based on a test carried out by himself that the space is reasonably free from dangerous gas, fume, vapour or dust. Factories Act, 1948- Section 36 (2) (b): No person shall be required or allowed to enter any confined space as is referred to in sub-section (1), until all practicable measures have been taken to remove any gas, fume, vapour or dust, which may be present so as to bring its level within the permissible limits and to prevent any ingress of such gas, fume, vapour or dust and unless such person is wearing suitable breathing apparatus and a belt securely attached to a rope the free end of which is held by a person outside the confined space. 2. Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substance.</p>
Benchmark ID	HSE.17.2
Benchmark Details	Employers shall train workers in proper lifting techniques, and items such as lifting belts shall be provided.
Finding Details	The factory does not provide training on ergonomics and lifting techniques.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HSE.18.1
Benchmark Details	Medical facilities shall be established and maintained in factories as required by applicable laws.

Finding Details	The doctor is not present during complete working hours on all days of the week and doctor visits are only for an hour on Mondays, Wednesdays, and Fridays. Medical staff is not present at all when the nurse is on leave/ absent. In case of emergencies, workers are referred to government hospitals.
Recommendation for Immediate Action	The medical facility needs to be provided as legally required.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act 1948- Section 45 (4): In every factory wherein more than five hundred workers are ordinarily employed, there shall be provided and maintained an ambulance room of the prescribed size, containing the prescribed equipment and in the charge of such medical and nursing staff as may be prescribed and those facilities shall always be made readily available during the working hours of the factory.
Benchmark ID	HSE.30.2.5
Benchmark Details	The health, safety, and environmental policies shall contain the framework for a comprehensive health, safety, and environmental management system including a HS&E risk assessment within which the following are clear and regularly tested and reviewed: procedures for reporting death, injury, illness and other health and safety issues (for instance, near-miss accidents) and environmental emergencies
Finding Details	There are no written procedures on reporting death, injury, illness, and other health and safety incidents and environmental emergencies.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

Benchmark ID	HSE.30.2.4
Benchmark Details	The health, safety, and environmental policies shall contain the framework for a comprehensive health, safety, and environmental management system including a HS&E risk assessment within which the following are clear and regularly tested and reviewed: procedures that enable workers to raise health, safety, and environmental concerns.
Finding Details	There are no written procedures for workers to raise concerns on health, safety, and environment.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HSE.30.2.6
Benchmark Details	The health, safety, and environmental policies shall contain the framework for a comprehensive health, safety, and environmental management system including a HS&E risk assessment within which the following are clear and regularly tested and reviewed: protections to workers who allege health, safety, and environmental violations;
Finding Details	There are no written procedures that include protection against retaliation for workers who raise health, safety, or environmental concerns. The factory has not conducted a risk assessment.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HSE.7

Benchmark Details	Workers shall be provided at no cost with all the appropriate and necessary personal protective equipment (e.g. gloves, eye protection, hearing protection, respiratory protection) to effectively prevent unsafe exposure (e.g. inhalation or contact with solvent vapors, noise, dust) to health and safety hazards, including medical waste.
Finding Details	The maintenance team could not provide evidence of the use of fall protection equipment like helmets and safety ropes. They stated that they use helmets and safety ropes and searched for a while to locate these and could not find any that was in use. They showed new helmets and safety ropes. It is evident that fall protection is not used at all. Refer to HSE.29 for more details.
Recommendation for Immediate Action	Fall protection equipment should be made available and usage should be monitored.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.
Benchmark ID	HSE.8
Benchmark Details	Workers shall be provided with training on the use and maintenance of personal protective equipment. Training shall be upon hire with periodic refresher training offered to all workers. Management will ensure use of PPE as necessary.
Finding Details	1. The band knife machine operator was not using mesh gloves on both hands. The mesh glove was damaged and the operator was using rubber bands on the wrist to secure the mesh glove. 2. In the past 12 months, training on PPE was provided to 731 out of 2147 workers.
Recommendation for Immediate Action	1. Monitor and ensure damaged gloves are replaced. 2. Educate and monitor the use of PPE by all workers as required.

Compliance Classifications	Immediate Action Required
Local Law	Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.
Benchmark ID	HSE.14.2
Benchmark Details	Workers shall receive training in the proper use and safe operation of machinery, equipment and tools they use.
Finding Details	1. Factory does not provide training on operating machinery and vehicles at all. 2. The factory does not provide training on electrical issues, confined space, and working at heights. Electricians are trained only on the use of lockout/ tag out equipment.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HSE.17.1
Benchmark Details	Workstations, including seating and standing arrangements and reach required to obtain tools, shall be designed and set-up in such a manner as to minimize bodily strains.
Finding Details	1. Anti-fatigue mats and sitting areas are not provided to workers with standing jobs. Few workers were seen resting one foot on the lower supports of workstations. 2. Chairs with backrests are not provided to most sewing machine operators. These workers were using hard wooden stools to sit on. This may cause bodily injury. Few workers were using cushions to sit. 3. Work stations are not adjustable in height.

Recommendation for Immediate Action	1. Anti-fatigue mats and sitting areas should be provided to workers with standing jobs. 2. Appropriate sitting arrangements should be made for workers with sitting jobs to reduce bodily injury.
Compliance Classifications	Immediate Action Required
Local Law	1. Factories Act 1948- Section 44 (1): In every factory suitable arrangements for sitting shall be provided and maintained for all workers obliged to work in a standing position, in order that they may take advantage of any opportunities for rest which may occur in the course of their work. 2. Factories Act, 1948-Section 7A (2b): Every occupier should have arrangement in the factory for ensuring safety and absence of risk to health in connection with the use, handling, storage and transport of articles and substances.

Hours Of Work (HOW)

Benchmark ID	HOW.22.1
Benchmark Details	Employers shall have in place policies for managing all working hour, overtime, and leave records in normal and exceptional circumstances.
Finding Details	The factory does not have written procedures on working hours. The policy states that the factory will comply with legal requirements.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HOW.22.4
Benchmark Details	Employers shall not maintain multiple time-keeping systems and/or records.

Finding Details	Working hours are captured using a single software. Information on regular working hours and overtime within 50 hours a quarter is maintained separately to comply with legal requirements and satisfy the requirements of a few customers. Information on overtime hours beyond legally permitted hours and work done on rest days is maintained in a separate file and not shared with all customers for fear of being penalized.
Recommendation for Immediate Action	Complete information on working hours should be maintained and shared with customers.
Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	HOW.9.2
Benchmark Details	Employers shall take reasonable steps to inform workers about the nature and expected duration of the circumstances sufficiently in advance to allow workers to make alternative plans.
Finding Details	The requirement to work overtime is communicated 2 hours prior to the end of the regular shift and the start of overtime hours.
Recommendation for Immediate Action	The requirement to work overtime should be communicated to workers at the start of shift hours.
Compliance Classifications	Immediate Action Required
Local Law	
Nondiscrimination (ND)	
Benchmark ID	ND.4

Benchmark Details	Employers may not request the disclosure of any personal, non-job related information during the application, recruitment, or hiring process, including but not limited to gender, race, religion, disability, sexual orientation, nationality, political opinion, social group, ethnic origin, or marital status.
Finding Details	Information on caste (e.g. Hindu / Muslim) is obtained in the job application though this information does not impact decisions for recruitment of workers.
Recommendation for Immediate Action	Information on caste (e.g. Hindu / Muslim) should not be required in the job application
Compliance Classifications	Immediate Action Required
Local Law	

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