Fair Labor Association: Independent External Factory Assessment

Assessment Date : **21 Jul 2021**

Factory Information	
FLA Affiliates	Hugo Boss AG
Country	India
Number of Workers	189

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)	6
Employment Relationship (ER)	20
Freedom Of Association And Collective Bargaining (FOA)	1
Harassment Or Abuse (H/A)	3
Health, Safety And Environment (HSE)	19
Hours Of Work (HOW)	1

Assessment Information	
Assessor	Insync

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Assessment Date	21 Jul 2021
Assessment Purpose	Factory Assessment (In-Person)

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ASSESSMENT RESULTS

Compensation (C)

Benchmark ID	C.25.2.1
Benchmark Details	Advances must be properly documented and their receipt and accuracy must be confirmed by the relevant worker in writing (e.g. signature, thumbprint).
Finding Details	The factory does not maintain the required information in all columns in the legally defined document for advances (Form III). Therefore, the information cannot be easily verified. Further in the review of information recorded for 5 sampled workers, inconsistencies were noted in documentation (advance register, requisition and payment slip) for all 5 workers. While advance figure (amount of advance provided) was not matching for 2 workers, amount deducted every month exceeded agreed amounts.
Recommendation for Immediate Action	Maintain complete and accurate documentation related to wage advances including all legally required information to be filled and correct amount of advance payments.
Compliance Classifications	Immediate Action Required

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Local Law	THE TAMIL NADU PAYMENT OF WAGES RULES, 1937- Section 26 (3) (i)17. Advances. – (1) An advance of wages not already earned shall not, without the previous permission of an Inspector, exceed an amount equivalent to the wages earned by the employed person during the preceding two calendar months, or if he has not been employed for that period, twice the wages he is likely to earn during the subsequent calendar month(4) The amounts of all advances, whether made before the commencement of this Act or sanctioned after such commencement, and all repayments of such advances, shall be entered in a register in Form III. (5) The monthly installment of deduction towards recovery of an advance of money given after employment began, shall not exceed 1/4th (one fourth) of the wages earned during the wage period and the entire advance shall be recovered within a period of twelve wage-periods.
Benchmark ID	C.25.2
Benchmark Details	Advances shall only be made following clearly established rules which have been communicated to workers.
Finding Details	The factory does not sufficiently communicate the rules on advance payments to the workers. Awareness on procedures for advances is low.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	C.22
Benchmark Details	Employers must establish a system through which workers can dispute compensation and receive clarifications in this respect in a timely manner.
Finding Details	The workers can directly submit grievances on wages and benefits to HR team, however there are no written procedures on this process.

Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
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	Factory does not maintain complete documentation pertaining to calculation for payment of terminal dues. Date of resignation is not recorded on resignation letter for 3 out of 5 sampled workers who left employment. Hence actual date of termination of employment cannot be verified based on which dues are calculated. Further, time cards and record of leaves are not maintained with calculation sheet of terminal dues. In absence of complete information, calculation of dues cannot be verified.
Recommendation for Immediate Action	Maintain complete documentation pertaining to calculation and payment of terminal dues including date of resignation, leave records with worked hours.
Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	C.19.1
Benchmark Details	Employers shall make every reasonable effort to ensure workers understand their compensation, including: the calculation of wages,♂incentives systems, benefits, and bonuses they are entitled to at the workplace and under applicable laws.

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Finding Details	Some information on compensation is provided verbally during hiring and is not formally communicated via a training. There is no written documentation with calculation for workers to refer to regarding compensation, including wage calculation, fringe benefits, incentive systems, or bonuses.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
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. From pay vouchers reviewed for 5 sampled workers who left employment, it was noted that wages for unused leave (part of terminal dues) was paid 7 to 8 days after leaving employment, instead of being paid within 2 working days as legally required. Management stated that wages for days worked after leaving employment is paid in the wage period of the month following the month when worker leaves employment. Legally all wages are to be paid within 2 working days from the date of leaving employment. 2. Documented evidence of payment of terminal dues is not maintained in file of workers who left employment and is maintained separately.
Recommendation for Immediate Action	Wages for days worked prior to leaving employment and wages for unused leave paid as part of terminal dues should be paid within expiry of 2 working days from date of leaving employment.
Compliance Classifications	Immediate Action Required

Local Law	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. 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

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	According to worker interviews, grievances are reported verbally and addressed. The factory does not keep records of grievances or documents them when they have been reported, therefore assessors could not observe any written evidence of the actions taken by the factory.
Recommendation for Immediate Action	Keep records of all grievances and document all process including receiving grievances, taking action and reporting the results back to workers.
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	Penal consequences for harassment of women at work place is not posted in the factory.
Recommendation for Immediate Action	Post the penal consequences for harassment of women at work place in the factory, as legally required.
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.
Benchmark ID	ER.11.2
Benchmark Details	Employers must ensure the following minimum terms and conditions are met in the employment of contract/contingent/migrant/temporary workers: Contract/contingent/migrant/temporary workers shall be provided an employment agreement in their native language setting out the employment terms and conditions. for migrant workers, a copy of their employment contract in their native language shall be provided prior to departure from their country of origin;
Finding Details	Though management stated that appointment (employment) letters are provided to workers, none of the workers interviewed confirmed receiving their appointment (employment) letter. Copy of the letter (in local language) signed by employer and employee is filed in individual file of workers. Appointment letter filed in individual file of workers is in local language (Tamil) and signed by domestic migrant workers from West Bengal who do not read or understand Tamil. A translated copy of the appointment letter in Bangla (spoken by workers from West Bengal) is maintained on a plain paper (and not the factory letter letter pad) and is signed by the migrant worker which is maintained on individual file of workers. Letter on plain paper is not an official document.

Recommendation for Immediate Action	It is recommended to provide employment contracts (appointment letter) to all workers in a language they speak, read and understand.
Compliance Classifications	Immediate Action Required
Local Law	
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. The factory does not provide ongoing trainings to workers on FLA's Code wlements and Employment Functions. 2. The factory has not provided health and safety or hygiene training to workers working in childcare area 3. The factory has not provided a comprehensive and Covid-19 specific training to migrant 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	The managers and supervisors are not fully familiar with disciplinary system and procedures defined by law. The factory has not provided any training on the disciplinary system to managers and supervisors.

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	Factory does not conduct any specific training to supervisors on FLA's Code elements and Employment Functions
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	Factory does not have written procedures on Grievance System.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required

Local Law	
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	The factory has not provided a formal COVID-19 training to supervisors. However, supervisors gained some awareness from verbal communication.
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	1. Factory does not have written procedures on Recruitment and Hiring, Compensation, Child Labour (including remediation process where child labor is found), or Termination and Retrenchment. However, there are some documents to monitor payments of terminal dues. 2. Factory does not have written any policy and procedures on Forced Labour or Non discrimination. 3. There are no written job descriptions prepared for all positions in the factory. Responsibilities are communicated verbally.
Recommendation for Immediate Action	

Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	ER.18.1
Benchmark Details	Employers shall have written disciplinary rules, procedures 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).
Finding Details	Security practices are not gender appropriate. Factory has not employed female security guards and male guards search bags of female workers.
Recommendation for Immediate Action	Employ female security guards to conduct security practices appropriately.
Compliance Classifications	Immediate Action 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	Factory does not have written procedures on personnel development, including encouraging 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

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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. Factory does not have written policy and procedures on performance reviews including steps and processes, linkages to job grading, nondiscrimination, written feedback, and compliance with legal requirement. The factory does not evaluate performance for all workers as a practice. Management stated that based on requests from workers for increases in wages, feedback from supervisors is obtained verbally and selected workers are provided with monetary benefits (increase in wages) with no change in job responsibility or designation. No documentation is maintained at all to verify management's statement.
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	1. Factory does not have written procedures on fair promotions, demotions and job reassignments. 2. Factory does not maintain any documentation for performance evaluations conducted. Management stated that a sewing machine operator was promoted to Supervisor, however, no documentation is maintained to verify if the process followed was fair and transparent.
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. The factory does not communicate or make available FLA's Code elements and Employment Functions 2. No formal training was conducted for workers, supervisors and managers specifically for Covid 19. Some awareness was provided based on directives from local government authorities like restriction on number of workers.
Recommendation for Immediate Action	1. Communicate FLA code elements and Employment functions to all employees. 2. Provide training for specifically on Covid 19 to workers, supervisors and managers.
Compliance Classifications	Immediate Action Required
Local Law	
Benchmark ID	ER.19.1

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Benchmark Details	Employers shall maintain on file all documentation needed to demonstrate compliance with the FLA Workplace Code and required laws.
Finding Details	1. FLA affiliated company's workplace standards are not posted or communicated to workers, managers, or supervisors. 2. Grievances are reported and addressed verbally, and the factory does not keep documentation of grievances. 3. Clause # 9 in the appointment letter states that if workers are absent for 8 days without authorization, they can be terminated. This does not comply with legal requirements. 4. Clause # 13 in the appointment letter states that legally mandated benefits will be provided, however, information on the calculation of deduction from wages for benefits is not provided.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement 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.
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	1. According to documentation review, factory provides orientation training to the workers. However, these trainings are not effective according to information gathered from workers and workers are not aware of the orientation training content. The document does not detail further information and contents of the topics is not defined. 2. Management team does not have a clear understanding of Employment relations like Recruitment, Hiring and Personnel development, Industrial relations and Workplace conduct. The person who conducted the induction program is not aware of the policies and procedures. Management is not aware of defined national age of a person to be considered a child. Per management, any person under 18 years is a child instead of 15 years as legally defined.
Recommendation for Immediate Action	Provide a comprehensive orientation training to new workers including all FLA's Code elements and Employment Functions and ensure that these trainings are effectively provided. Ensure that management personnel orientation or any other trainings for workers have sufficient knowledge on local laws and FLA Code of Conduct.
Compliance Classifications	Immediate Action 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	1. Factory policies are not signed by management and review period is not defined, no date is recorded on the policies. 2. The factory does not consult workers in the process of creating policies.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required

Local Law	
Benchmark ID	ER.18.6
Benchmark Details	The workplace shall commit to non-retaliation for all steps of the disciplinary process, including for a worker requesting a witness and filing an appeal of disciplinary action.
Finding Details	Factory does not have written policy and procedures on non-retaliation for disciplinary process.
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	Complaint boxes are provided in dining area which does not allow for confidential reporting of grievances.
Recommendation for Immediate Action	Provide complaint boxes in the private areas such as toilets or locker rooms to ensure confidentiality of the workers while reporting grievances.
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	A document with information on topics covered in the induction program is signed by workers and filed in individual file of workers, however a copy is not provided to workers for reference.
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	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. Presiding officer is not designated in Internal Complaint Committee . 2. Sensitization programs on Harassment of women at workplace are not conducted by Internal Complaint Committee for workers. .
Recommendation for Immediate Action	1. Designate Presiding officer in Internal Complaint Committee 2. Ensure sensitization programs on Harassment of women at workplace are conducted by Internal Complaint Committee for workers.
Compliance Classifications	Immediate Action Required
Local Law	1.Sexual Harassment of women at workplace (prevention, prohibition & redressal) act 2013- Section 4(2)(a): Internal Committee shall consist of the following members to be nominated by the employer namely-a Presiding Officer who shall be a woman employed at a senior level at workplace from among the employees. 2. Sexual harassment of women (prevention, prohibition & redressal) at workplace act 2013- section 19(c): Every employer shall organize workshops and awareness programs at regular intervals for sensitizing the employees with provisions of the act.
Benchmark ID	H/A.11
Benchmark Details	Employers shall have a system to discipline supervisors, managers or workers who engage in any physical, sexual, psychological or verbal violence, harassment or abuse, through measures such as compulsory counseling, warnings, demotions, and terminations or a combination thereof regardless of whether such action was intended as a means to maintain labor discipline with a view to preventing the reoccurrence of violence and harassment, and facilitating their reintegration into work, where appropriate.
Finding Details	No formal system is defined to discipline supervisors, managers, and workers who engage in any form of harassment or abuse.

Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	H/A.8.3
Benchmark Details	Employers, shall develop, implement and monitor policy and procedures for eliminating the risk of violence, harassment, and abuse in the workplace. Policies and procedures shall include a clear statement that violence, harassment, and abuse will not be tolerated, procedures for the investigation of allegations, and measures to protect any complainants, victims, and witnesses.
Finding Details	There are no written policies or procedures on harassment or abuse, including a system to discipline supervisors, managers, and workers who engage in any form of harassment or abuse
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

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.

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Finding Details	The factory has only policies providing some information on environment, health & safety. There are no written procedures on health & safety and environment.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement 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. Assembly area is provided adjacent to main entrance of factory in front of electric panel board. The area is also the loading area for the factory during which trucks are parked in front of the gate. (1) The area is inadequate to accommodate all employees.(2) In instances when workers cannot access the area for any reason (during loading / unloading process or if t here is a fire in electric panel board, workers use the rear gate to evacuate and will need to assemble on public road outside the gate where there is vehicular movement. Procedures are not defined to manage human and vehicular movement in such instances., 2. The childcare facility does not have open play areas, feeding area for mothers and required equipment such beds and toys. This facility is not currently used.
Recommendation for Immediate Action	Adequate assembly area should be provided to accommodate all workers, for use in case of an emergency and area should be maintained clear at all times.
Compliance Classifications	Immediate Action Required

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Local Law	The Tamil Nadu Factories Rules 1950 - Rule 76- 7) The crèche 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. (8) A suitably fenced and shady open air playground shall be provided for the older children
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	Results of fire drills are not assessed to improve evacuation process.
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	Evacuation routes in finishing and sewing sections were partially blocked with tables and packing boxes.
Recommendation for Immediate Action	Clear all evacuation routes in work areas and ensure keeping the routes clear all the time.
Compliance Classifications	Immediate Action Required

Local Law	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.
Benchmark ID	HSE.9.1
Benchmark Details	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 and international standards.
Finding Details	Spill response kit is not provided near diesel usage area near power generator.
Recommendation for Immediate Action	Provide a spill response kit near diesel usage area near power generator.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act 1948- Section 7A(2A): Every occupier shall ensure, so far as is reasonably practicable, the health, safety and welfare of all workers while they are at work in the factory without prejudice to the generality of the provisions of subsection (1), the matters to which such duty extends, shall include-the provision and maintenance of plant and systems of work in the factory that are safe and without risks to health.
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. Hand drying facility is not provided in toilets. 2. The factory has not provided materials to workers to clean their work places and not increased frequency of general cleaning.

Recommendation for Immediate Action	-Provide hand drying facility is not provided in toilets. -Increase the frequency of general cleaning and provide materials to workers to clean their workplaces.
Compliance Classifications	Immediate Action Required
Local Law	
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. The factory does not provide ear plugs to workers working near air compressors and power generator. 2. Factory has not conducted any assessments for determining thermal comfort problem areas
Recommendation for Immediate Action	-Provide ear plugs to workers working near air compressors and power generator. -Ensure thermal comfort assessment is conducted
Compliance Classifications	Immediate Action Required
Local Law	Factories Act 1948- Section 7A(2A): Every occupier shall ensure, so far as is reasonably practicable, the health, safety and welfare of all workers while they are at work in the factory without prejudice to the generality of the provisions of subsection (1), the matters to which such duty extends, shall include-the provision and maintenance of plant and systems of work in the factory that are safe and without risks to health.
Benchmark ID	HSE.14.1
Benchmark Details	All production machinery, equipment and tools shall be properly guarded and regularly maintained.

Finding Details	1. Needle guards on 100% of sewing machines were pushed upwards rendering them ineffective. 2. Door locking device is not installed on door of washing machine to prevent workers from opening the door when drum is in rotation. 3. Proper lightning protection system is not in place in the factory.
Recommendation for Immediate Action	1. Educate and monitor use of needle guards by sewing machine operators. 2. Install door locking device on door of washing machine to prevent workers from opening the door when drum is in rotation. 3. Provide a proper lightning protection system in the factory
Compliance Classifications	Immediate Action Required
Local Law	Factories Act 1948- Section 7A(2A): Every occupier shall ensure, so far as is reasonably practicable, the health, safety and welfare of all workers while they are at work in the factory without prejudice to the generality of the provisions of subsection (1), the matters to which such duty extends, shall include-the provision and maintenance of plant and systems of work in the factory that are safe and without risks to health.
Benchmark ID	HSE.6.1
Benchmark Details	All safety and medical equipment (e.g. fire fighting equipment, first aid kits) shall be available in sufficient numbers throughout the workplace, maintained and stocked as prescribed, and easily accessible to workers.
Finding Details	Eye wash kit in washing section has no water and is not functional.
Recommendation for Immediate Action	Provide an eye wash kit which is functional with sufficient water in washing section, and ensure it is maintained functional at all times.
Compliance Classifications	Immediate Action Required

Local Law	Factories Act 1948- Section 7A(2A): Every occupier shall ensure, so far as is reasonably practicable, the health, safety and welfare of all workers while they are at work in the factory without prejudice to the generality of the provisions of subsection (1), the matters to which such duty extends, shall include-the provision and maintenance of plant and systems of work in the factory that are safe and without risks to health.
Benchmark ID	HSE.27.1
Benchmark Details	Childcare facilities shall not physically overlap with production areas and children shall not have access to production areas.
Finding Details	The childcare facility is located adjacent to sample making section. Currently there are no children in the child care room.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HSE.1
Benchmark Details	Employers shall comply with all national laws, regulations and procedures concerning health, safety, and the environment.
Finding Details	1. According to the pictures of a few training programs conducted on employment relations, the factory does not follow social distancing rules. 2. No arrangements or specific efforts are made to improve ventilation or ensure windows are kept open, prevent overcrowding, conduct social distancing, or restrict the use of closed rooms. 3. No special action is taken to reduce workers in work places to minimize the risk of transmission. 4. Factory has not made any arrangements for in & out times and break times to prevent delays and queues at the entrances and exits. 5. Factory does not provide training to health & safety committee members.

Recommendation for Immediate Action	Factory needs to comply with guidelines provided for COVID 19. with relation to social distancing, making arrangements to reducing workers in work areas, prevent queues during in and out timings and beak timings. Training to Health & safety committee members should be provided
Compliance Classifications	Immediate Action Required
Local Law	
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	External contractors are hired for cleaning confined areas. Safety training or information is not provided to contractors.
Recommendation for Immediate Action	Safety training or information should be provided to contractors entering confined spaces.
Compliance Classifications	Immediate Action Required
Local Law	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.
Benchmark ID	HSE.14.3
Benchmark Details	Employers shall ensure safety instructions are either displayed or posted near all machinery or are readily accessible to the workers in language(s) spoken by workers.

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Finding Details	Safety instructions are not posted near machinery.
Recommendation for Immediate Action	Post safety instructions near machinery. Ensure that instructions are in workers' languages.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act 1948- Section 7A(2A): Every occupier shall ensure, so far as is reasonably practicable, the health, safety and welfare of all workers while they are at work in the factory without prejudice to the generality of the provisions of subsection (1), the matters to which such duty extends, shall include-the provision and maintenance of plant and systems of work in the factory that are safe and without risks to health.
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. Factory does not have written procedures on using confined spaces. Cleaning of confined spaces is outsourced to contractors who do not have defined procedures or use any safety equipment like safety ropes, helmets, alarm system, hand gloves, safety shoes and use of appropriate lighting. 2. The factory has helmet and safety shoes for fall protection, however, these are not used by the workers.
Recommendation for Immediate Action	1. Ensure that written procedures are in place as a guidance to use confined spaces and all safety precautions are taken during the cleaning process. 2. Ensure helmet and safety shoes are used by workers when they work at heights.
Compliance Classifications	Immediate Action Required

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Local Law	Factories Act 1948- Section 7A(2A): Every occupier shall ensure, so far as is reasonably practicable, the health, safety and welfare of all workers while they are at work in the factory without prejudice to the generality of the provisions of subsection (1), the matters to which such duty extends, shall include-the provision and maintenance of plant and systems of work in the factory that are safe and without risks to health.
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	Training is not provided to workers on ergonomics, including lifting techniques.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	
Benchmark ID	HSE.5.4
Benchmark Details	The emergency evacuation plan (EEP) includes procedures for notifying local community authorities in case of accidental discharge or release of chemical/waste products or any other environmental emergency.
Finding Details	The factory uses only diesel as a chemical for power generators and does not have a system to control the accidental spill of diesel.
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

Benchmark ID	HSE.30.2
Benchmark Details	The health, safety, and environmental policies shall contain the framework for a comprehensive health, safety, and environmental management system 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	The factory does not keep records for all accidents and injuries and does not investigate all accidents in an attempt to identify root causes.
Recommendation for Immediate Action	Keep records for all workplace accidents and injuries.
Compliance Classifications	Immediate Action Required
Local Law	Factories Act 1948 - CHAPTER IX - Section 88 - Notice of certain accidents. 5*[(1)] Where in any factory an accident occurs which causes death, or which causes any bodily injury by reason of which the person injured is prevented from working for a period of forty-eight hours or more immediately following the accident, or which is of such nature as may be prescribed in this behalf, the manager of the factory shall send notice thereof to such authorities, and in such form and within such time, as may be prescribed.
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. Training is not provided to workers operating machinery and vehicles. 2. Factory does not provide safety training to designated workers with special or high-risk responsibilities (working with laser, radiation or electrical issues, confined space, lockout/tag-out, work at heights).

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Recommendation for Immediate Action	Provide safety training to designated workers with special/high-risk responsibilities (working with laser, radiation or electrical issues, confined space, lockout/tagout, work at heights) and to workers operating machinery and vehicles.
Compliance Classifications	Immediate Action 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. Workers with sitting jobs were using hard wooden stools with no back rests. This could cause bodily injury. 2. Sitting area is not provided for workers with standing jobs though it is a legal requirement to provide sitting areas.
Recommendation for Immediate Action	1. Provide appropriate sitting arrangements for workers with sitting jobs to reduce their bodily injury. 2. Provide sitting area for workers with standing jobs.
Compliance Classifications	Immediate Action Required
Local Law	1.Factories Act 1948- Section 7A(2A): Every occupier shall ensure, so far as is reasonably practicable, the health, safety and welfare of all workers while they are at work in the factory without prejudice to the generality of the provisions of subsection (1), the matters to which such duty extends, shall include-the provision and maintenance of plant and systems of work in the factory that are safe and without risks to health. 2. 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.

Hours Of Work (HOW)

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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	Factory does not have written procedures on Hours of Work .
Recommendation for Immediate Action	
Compliance Classifications	Sustainable Improvement Required
Local Law	

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